PARLIAMENTARY DEBATES

(HANSARD)

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HOUSE OF COMMONS

OFFICIAL REPORT

THIRD SESSION OF THE FIFTY-SECOND PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-NINTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1999–2000

COMPRISING PERIOD
17 July—28 July 2000

£70

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17 July 2000

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

IN THE THIRD SESSION OF THE FIFTY-SECOND PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 7 MAY 1997]

FORTY-NINTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 354**

SIXTEENTH VOLUME OF SESSION 1999–2000

House of Commons

Monday 17 July 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

SOCIAL SECURITY

The Secretary of State was asked—

Lone Parents

1. **Ms Dari Taylor** (Stockton, South): How many lone parents have obtained jobs through the new deal for lone parents. [129319]

10. **Mr. Ben Chapman** (Wirral, South): How many lone parents have used the new deal to date. [129330]

The Secretary of State for Social Security (Mr. Alistair Darling): Since the start of the new deal for lone parents, 154,731 lone parents have taken part. Of those, 16,294 have entered education or training and 54,241 have obtained jobs—more than one in three of those participating.

Ms Taylor: I thank my right hon. Friend for that reply. Will he comment on the report by the National Institute of Economic and Social Research which says that the new deal has made the employment market very much more efficient because it has actually trained hundreds of thousands of young people? It also states that the new deal is value for money. Will my right hon. Friend comment on the belief that the new deal could be extended with flexible use of the benefits system? Will he also refute the comment from the Opposition that the new deal is an extravagant waste of money? It most certainly is not.

Mr. Darling: The fact that the new deal for lone parents has seen into work nearly one in three of those participating seems to me to speak for itself. It is also worth bearing in mind that in 1979, there were 300,000 lone parents on income support. By 1997, that number had grown to more than 1 million. Many of those people had been out of work for a long time, and leaving it to the market to do nothing would have meant that they—and their children, many of whom live in poverty—would not have been helped. My hon. Friend is right to say that the report produced last week by the national institute has pointed to the fact that all the new deals are changing the culture in this country. By providing help, we are ensuring that work pays and, as a result, we have more than 1 million people more in employment and we are beginning to reduce child poverty—something that the Opposition would never do anything about.

Mr. Chapman: Does my right hon. Friend agree that if the new deal was abolished, as suggested by the Opposition, those thousands of lone parents who have been helped into training or work would find themselves without that help in the future and would, in effect, be abandoned? Is not that the key difference between the parties?

Mr. Darling: The big difference is that we recognise that if we are to get people who have been out of work for many years back into work, extra help is necessary. That means not just the new deal, which the Conservatives would abolish, but the working families tax credit, which they would also abolish. Much of the training and education that is also essential to getting people back to

work would be cut, because the Conservatives are now pledged to finding £16 billion of cuts in public expenditure. That is a false economy which would result in more people being out of work, bigger benefit bills, lower tax receipts and a return to the days of the 1980s and 1990s when a whole generation of people and their children were written off.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I acknowledge the success that the new deal for lone parents has been, although there is a danger that Ministers claim too much for it. Will the Secretary of State confirm that the only specific help available to lone parents is access to a personal adviser? As he knows, the Government plan to extend personal advisers to everyone, when the working age agency comes into being. Will the Secretary of State look again at what additional help can be provided—for example, in terms of subsidised employment or access to full-time education—for lone parents?

Mr. Darling: The hon. Gentleman is right. It is not only the new deal, but the tax and benefit reforms we have made—including the WFTC and help with child care, which never existed in the past and would be chopped as a result of what the Conservatives propose—which have made a big difference to individuals. The fundamental difference, when one considers all the measures that the Government have introduced, is that the culture has changed. We believe that people have a right to benefit when they are out of work, but that they also have a clear responsibility to help themselves. They also have a right to expect that the Government will help them to get back into work. All our measures would be at risk if the Conservatives were ever to get back, and the result would be more unemployment and more child poverty. In answer to the hon. Gentleman's specific question, we will continue to look at ways in which we can improve all the new deals and other measures to get people into work.

Mr. David Willetts (Havant): Will the Secretary of State confirm that back in March, the target group for the new deal was lone parents with a child over five, that in May, that became a lone parent with a child over three and that in June, the target became all lone parents on income support? The Government have redefined the target group to include any lone parent who calls at a jobcentre looking for work. In fact, every time he misses the target, the Secretary of State just makes it bigger so that it is easier to hit.

The Government have changed the target group so often that they claim credit for every lone parent who ever gets a job. Is not it typical of the Government that, when they are failing, they fiddle the figures? Should not the Secretary of State admit that, as all the evidence shows, the new deal for lone parents is an expensive failure?

Mr. Darling: As ever, the hon. Gentleman is trying to be too clever by half. The new deal has been a success, as independent evaluation has shown. In the pilot projects, nearly one in three participants went into work at an average cost of £1,300. That shows that the project is well worth the cost.

The Tories were in power for 18 years, and the hon. Gentleman was a Minister for some of that time. What he cannot face up to is the fact that at the end of their time in office, more than 1 million lone parents were on income support. They were out of work and written off. By contrast, this Government have introduced measures to ensure that lone parents get into work. Moreover, nearly 50 per cent. of children living in poverty are the children of lone parents. It is crucial that we get those children out of poverty. That makes good social sense, and good economic sense. No doubt that is why the Conservatives cannot see the sense of it.

2. **Mr. Andrew Miller** (Ellesmere Port and Neston): What plans he has to help lone parents to obtain the training they need to return to work. [129320]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): New deal for lone parents advisers currently help lone parents into work-related training courses and pay for child care during attendance at the course. So far, the scheme has helped 16,000 lone parents to take up training or education. Personal advisers can also offer back-to-work training through Employment Service programmes. From April 2001, we will be introducing a £15 per week training premium for lone parents taking up training through the new deal.

Mr. Miller: My hon. Friend will be aware of the phenomenal success of the Cheshire Oaks and Coliseum estates in my constituency, which is close to her own. The Benefits Agency and the jobcentre have worked with the local authority and local employers to help create jobs and to target them on people from the most impoverished part of my constituency. Does she believe that the announcement that she has just made will further assist women who are finding it difficult to bridge the skills gap, as many modern employers require?

Angela Eagle: We are doing our best, by means of other refinements to the new deal, to make work pay for lone parents, many of whom have been out of the labour market for a long time. Getting lone parents into work ensures that their children do not grow up with nothing to look forward to but a lifetime on benefit. The help with training that we are offering lone parents is part of the support that they need to get back into work.

Mr. Julian Brazier (Canterbury): Will the Minister confirm that, at the current rate, the new deal for lone parents will take 26 years to get the newly defined target group back into work?

Angela Eagle: It took 20 years to get 1 million lone parents existing on benefits. What is the Tory legacy? Between 1992 and 1997, there was a 14 per cent. increase in the number of lone parents on income support, compared with a 10 per cent. decrease between 1997 and today. A total of 100,000 lone parents have got off benefit and gone back into work. We aim to continue to help those who still have not managed to make the transition—and we will do so.

Disabled Workers

3. **Mr. David Borrow** (South Ribble): What steps he is taking to help people who become disabled while in work to keep their jobs. [129321]

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): Under the new deal for disabled people, a number of innovative schemes are already testing ways in which both employees and employers can be helped when a person becomes ill or disabled in work. We have also announced plans for job retention and rehabilitation pilots, beginning from next year, which will test the effectiveness of early work-focused employment and health strategies.

Mr. Borrow: I thank my hon. Friend the Minister for that answer, but may I emphasise the need for close monitoring of the way in which Government Departments and employers work together? A disabled constituent of mine was offered a job last summer, but it has taken the relevant Government Departments and the employer until this month to get their act together and ensure that the proper adaptations for a disabled worker were in place. That case may be an exception, but will my hon. Friend ensure that the pilot schemes are monitored closely to ensure better co-ordination in the future?

Mr. Bayley: May I start by paying tribute to the close way in which my hon. Friend works with disability bodies in his constituency? I was there just last week at a meeting that he organised with voluntary bodies representing the disabled.

I can assure my hon. Friend that the access to work provisions made by the Department for Education and Employment work smoothly and efficiently in the vast majority of cases. I am concerned to hear his comments about this particular case, and I am sure that my colleagues in the Department for Education and Employment will look at it. We will, of course, be monitoring our pilot studies very closely.

Mr. Edward Leigh (Gainsborough): Every penny lost through fraud means that less money goes to the genuinely disabled. What is the total amount lost in fraud on the disability living allowance? I ask this question because, according to the recent article in *The Economist*, the amount is now so large that the Government have stopped calculating it. Indeed, the article calculates that fraud amounts to between £3 billion and £7 billion. There are entire sleeper rings working in the Minister's Department who are garnering information, before they go out to work, to commit fraud. Is this a new form of welfare to work?

Mr. Bayley: The Government are doing things to target disability benefits on those who merit them. We are, as a result, tightening the gateways. However, in relation to rehabilitation pilots, the hon. Gentleman needs to focus on the fact that every week, 3,000 people leave long-term sickness benefits and go on to incapacity benefits. Some 90 per cent. of them remain on incapacity benefits for life, although most would like to get back into work. That is what we are focusing on. We are avoiding the need for people to go on to incapacity benefits.

Ms Helen Southworth (Warrington, South): Along with many of my constituents, I welcome the rehabilitation pilots which will be started next year. I think that they will be very beneficial. As people in employment who become disabled are likely to need considerable health intervention and treatment, will my hon. Friend make sure that the Department of Health is working closely with the Department of Social Security to facilitate people retaining employment and retaining dignity?

Mr. Bayley: The rehabilitation and retention pilots are a three-way collaboration between the Department of Social Security, the Department for Education and Employment and the Department of Health. They can work only if there is joined-up government between those three Departments. That is how they were conceived, that is how they will work and that is why we believe that we will achieve real results for disabled people.

Mr. Tim Boswell (Daventry): As disability issues should not necessarily be a matter for political controversy, I am sure that the Minister will be as concerned as I am that 3,000 people a week leave the work force for permanent benefit and that the Post Office estimates that a single medical retirement can average some £80,000 of cost to the employer. In addition, there is the evidence of the report last week that ill-health retirement is concentrated in, although not exclusive to, the public sector. Will the Minister therefore bear in mind the experience of the disability pilots, particularly the St. Loyes transformation project in Exeter, which I know that he has visited, and make sure that these roll forward to adoption as soon as is practically possible? In addition, will he ensure that all those involved in providing disability advice to employees and employers have a proper, practical knowledge of the needs of the private sector and of what employers are looking for, showing them that it may well be cost-effective to retain the employee in employment and not simply to rely on benefit, which gives rise to the concerns that have been expressed from these Benches today?

Mr. Bayley: I think that the hon. Gentleman is mistaken to draw a distinction between the private and public sectors. There is good practice and bad practice in both sectors. There is also very different practice between large firms which can carry people on long-term sickness benefits paid by the company, and smaller firms which cannot. The rehabilitation pilots seek to enable all businesses, whether in the public or private sector, to retain the employees they have, in whom they have invested by spending money on their training and building up their skills. At a time when unemployment is so low—the lowest level for 20 years—more and more employers want to retain people because they know that it is so hard to find others if they let employees go.

Poverty

4. **Fiona Mactaggart** (Slough): What assessment he has made of levels of poverty in the UK and other developed countries over the last 10 years, following UNICEF's recent report on poverty. [129322]

The Secretary of State for Social Security (Mr. Alistair Darling): Research shows that we inherited one of the highest rates of poverty in the western world. As a result of policies that we have announced so far, we will lift over 1 million children out of poverty as well as tackling pensioner poverty.

Fiona Mactaggart: Is my right hon. Friend aware that UNICEF's table on Britain's shockingly bad place in

child poverty leagues shows that we score among the top countries for the numbers of children in lone parent families, in workless households and in households with low wages? Does it occur to him that if he were to respond positively to the siren voices of the Conservatives by abolishing the new deal for lone parents, we should sink even further down the international child poverty league rather than tackling that scandal?

Mr. Darling: The new deal for lone parents almost pays for itself, so there would be no great saving if it were cancelled. Indeed, the position would be quite the reverse. My hon. Friend is quite right to say that we inherited a scandal: Britain is one of the richest countries in the world, but the number of children living in poverty trebled during the 18 years to 1997. She was also right to identify the importance of measures to get more people into work. The number of people living in workless households is falling, but it is necessary to do more, such as increasing child benefit.

The Conservative party has a point to answer. The Opposition are determined to find £16 billion in public expenditure cuts. We all remember that they froze child benefit when they were in office, which offers a pointer to the sort of thing that they would do. Those who would suffer are many of the children who still live in poverty and who rely on us to lift them out of it.

Mr. Steve Webb (Northavon): The Secretary of State is right to point to the high poverty that he inherited. On 1 May 1997, many people hoped for a break in the long-term rapid growth of a divided Britain. Does he share my dismay, therefore, at figures produced by his Department last week showing that the trend continues, particularly among pensioners? How confident is he that the measures that he has introduced since those figures were published will reverse the trend and return pensioner poverty to the level that he inherited? Over what time scale will we begin to see serious inroads into the problem?

Mr. Darling: Let me deal with the point on pensioners. The hon. Gentleman is right to say that the number of pensioners living in poverty has risen slightly. The reason is that although the proportion of pensioners living in poverty remains exactly the same, the pensioner population is increasing. He has not mentioned, however, that the minimum income guarantee and other measures were introduced only from April 1999 and do not, therefore, affect last week's figures.

Mr. Webb: No.

Mr. Darling: The hon. Gentleman may nod now, but that is not what he said to newspapers last week.

We knew that many pensioners were in poverty. That is why we introduced the minimum income guarantee. If we had provided an across-the-board increase, we would not have solved the problem of pensioner poverty. The measures that we have introduced will do so. Year on year, people will see improvements as we reduce the number of pensioners living in poverty. In addition, we shall introduce proposals for a pensioner credit later this year, which will help many pensioners who have modest savings or modest amounts in the bank.

Mr. Michael Connarty (Falkirk, East): I am glad to hear the Secretary of State focus on pensioner poverty. I support the minimum income guarantee, which I, like others, have pushed hard in my own constituency. Does he accept, however—as I have said to him privately—that other measures such as the heating allowance are, according to the pensioners who have spoken to me, seen as gimmicks? What pensioners want, and what everyone wants for the sake of the Government's credibility, is a good, across the board increase for all pensioners. Will the Minister argue with the Chancellor for such an increase, on top of all the other measures, and when will pensioners receive it?

Mr. Darling: I shall not repeat what I said privately to the hon. Gentleman. He draws attention to the minimum income guarantee; since we launched our take-up campaign earlier this year, more than 130,000 claims have been received, showing that the availability of the guarantee has begun to extend beyond the 1.5 million pensioners already receiving it.

I disagree with the hon. Gentleman on the winter payments. The advantage of making those payments in their present form is that they are tax free and are not taken into account for benefits. If they were added to the pension, the very pensioners about whom he and I are concerned—those on low incomes—would lose out. I must disagree with him on that point.

Mr. David Willetts (Havant): What a fascinating exchange. At last, the Secretary of State admits that the number of pensioners in poverty has gone up, and his hon. Friend the Member for Falkirk, East (Mr. Connarty) rightly speaks for millions of pensioners who do not want the gimmicks; they want a reliable, basic state pension that is worth something. Buried on page 170 of the document that the Secretary of State published last week are some devastating figures. Do they not show that the number of families in poverty—with below half average income—has risen by half a million since Labour came to office? Many of those people are pensioners. Is that not a fraud perpetrated on the pensioner population?

Mr. Darling: What is a fraud is to suggest that the Tory party had nothing to do with the problems that we inherited or, indeed, to suggest that the Tories would do anything in the future. We came into office inheriting a situation in which the number of children living in poverty had trebled and almost 200 million pensioners were living in poverty. The problem arose because, whereas some pensioners saw their income go up by as much as 80 per cent. during the past 20 years, far too many pensioners saw their income go up by substantially less than that.

The problem with an across the board increase is that it does not help the poorest pensioners. The best that could be said for the proposals the Tories announced a month or so ago was that some pensioners would get 42p extra a week before tax and before they started to lose benefits. Of course, 2 million pensioners would lose out as a result of their proposals—those pensioners are the poorest in the country.

We are determined to help alleviate pensioner poverty. We want to lift pensioners out of poverty and we will do that. The report published by the Government last week shows the scale of the problem that we inherited, as did the UNICEF report published a few months ago. Unlike the Conservatives, we are determined to lift pensioners and others out of poverty. Unlike the Conservatives, we have got, and are prepared to spend, the money to do so.

Mr. Willetts: The Secretary of State well knows that our proposals on pensions would go to all pensioners, including those who pay tax and those who are on means-tested benefits. Our proposals are costed on that basis.

The Secretary of State is always keen to blame everyone else and to blame his inheritance. Let me quote from another report. A report from the Cabinet Office, drawn up while the Labour Government were in office, made the following statement on their record on poverty:

there are too many Government initiatives, causing confusion; not enough co-ordination; and too much time spent on negotiating the system, rather than delivering.

Is not that the record of the Government? Too much time is spent on negotiating the system and not enough on delivering. No wonder the Secretary of State's boss has admitted, as we know from today's memo, that

All of these things add up to a sense that the government . . . are somehow out of touch with gut British instincts.

Is not that their record on welfare?

Mr. Darling: I am surprised that the hon. Gentleman did not refer to the UNICEF report that is the subject of the question. When it was published two months ago, a Conservative party research bulletin was issued on the same day as the hon. Gentleman was quoted as saying:

We recognise that there is a problem with child poverty in this country . . . The report—

that is, the UNICEF report—

reveals shocking statistics about life in Britain for millions of children.

The hon. Gentleman did not point out that the report covered 1995, when he was a Minister. He should not complain when I draw attention to the fact that poverty—whether child or pensioner poverty—grew up over years.

Of course, it will take time to turn that around. The difference between us and the Conservative party is that we are spending some £6.5 billion more on supporting pensioner incomes than they plan to do. We are spending a similar amount on helping families with children—especially on alleviating child poverty. Yes, it will take time, but the difference is that, at the end of this Parliament, people will be able to see that we are turning the situation around. If they ever have the Tories back, there will be more pensioner and child poverty in this country.

Minimum Income Guarantee

5. **Mr. Huw Edwards** (Monmouth): If he will make a statement about the take-up campaign for the minimum income guarantee for pensioners. [129324]

The Minister of State, Department of Social Security (Mr. Jeff Rooker): We have announced details of the first Government take-up campaign to identify pensioners most likely to be entitled to the minimum income guarantee, and to encourage them to claim it. As the House knows, the campaign started on 30 May with intense activity on several fronts, including a fairly long television advertising campaign in three separate parts over the summer. Furthermore, the Government will be writing to 2 million identified pensioners who may have an entitlement, based on the information we already have. Pensioners can also claim without leaving their home by calling the new tele-claim centre's freephone service.

Mr. Edwards: Will my right hon. Friend join me in thanking Thora Hird for her contribution to the Government's take-up campaign for the minimum income guarantee? The guarantee will increase pensions in line with average earnings and those over 75 have already seen it increase their incomes by £16 a week. Will he assure me that the pensioners of this country need to be reminded that that this is an entitlement and not a gimmick, which is what the Conservative party has said, and that it would be abolished if there were ever a Tory Government again?

Mr. Rooker: My hon. Friend is right to pay tribute to those, such as Thora Hird, who have assisted the campaign. In addition, Nerys Hughes has contributed to a Welsh version of the campaign and Peter Sallis has helped as well. The campaigns are having an impact, as my hon. Friend has just said. There have been 133,000 responses to date but, as I told the Select Committee on Social Security last week, it is too early to estimate the net effect and say how many people have gained from the minimum income guarantee. We will not have a figure for that until the end of this month. So far, we have sent out 417,000 letters, which is not a bad achievement for this stage of the campaign.

Mr. John Wilkinson (Ruislip-Northwood): Should not the Government encourage people to make provision for their old age? How will the minimum income guarantee assist them to do that? Is it not the case that those on low incomes will see their savings set against the minimum income guarantee? The Government are therefore, instituting an active disincentive. Should they not be making quite sure that all those in retirement who have paid the stamp throughout their working lives get a decent state pension on which they can live?

Mr. Rooker: It beggars belief to imagine where the hon. Gentleman has been for the last few years. The guarantee applies to today's poorer pensioners who are in that position because of the legacy that we inherited, in which the gap between the most well-off and the poorest pensioners had gone from a ratio of 2.5:1 to 3.5:1 in the 18 years that he sat sucking up to the Government whom he supported.

Mr. Paul Flynn (Newport, West): Is it not true that today's pensioners have made provision for their old age by paying into the national insurance scheme for the last 50 years? The cost of the contributions that they paid in increased at the high rate of inflation, but the benefits that are paid out come to them at the lowest rate of inflation. We should restore the insurance principle.

The Government are to be congratulated on the take-up scheme, which is much better than any that has gone before. However, would it not be fair if the poorest pensioners, who were promised that the take-up scheme would start more than 15 months ago, had back pay for that period? The Under-Secretary of State for Social Security, my hon. Friend the Member for City of York (Mr. Bayley), said that it would be perfectly possible to do that.

Mr. Rooker: As my hon. Friend knows, we can pay the benefit only from the day on which it is claimed, and everyone knows that it is available to be claimed. We have gone out in a proactive way—and not just in television and newspaper advertising—to trawl the Department's records and we have located 2 million pensioners to whom we shall write individually.

As my hon. Friend knows, today's poorer pensioners are in that position because, during their working lives, they were not able to contribute fully to the state earnings-related pension scheme, were not allowed to have an occupational pension scheme and were not among the group that would have been targeted by the pensions industry for the mis-selling of personal pensions. Today's poorer pensioners are there simply because the policy in the past was not sufficient to enable them to accrue a pension that would give them a decent standard of living. That is why we have a raft of other policies for tomorrow's pensioners, so that they do not find themselves in the same position as today's poorer pensioners.

Mrs. Jacqui Lait (Beckenham): The Minister has given us a raft of statistics about how many forms have been sent out, but will he tell us how many have been sent back and whether anyone has been paid under the minimum income guarantee since the campaign started? Does he agree with Help the Aged in Scotland that one of the reasons why pensioners are put off claiming the minimum income guarantee is that the benefits are so complex? Would it not be better for the Government to give pensioners a decent increase to the basic state pension, as we have already suggested?

Mr. Rooker: I may get done for repetition—and I bear it in mind that this is probably the last time that I shall appear at the Dispatch Box with you, Madam Speaker, in the Chair. I said that we have had 133,000 responses since 30 May and I also said, as I told the Select Committee last week, that it was too early to give the House a figure for how many people had been successful. We will not know that figure until later in the month.

The hon. Lady was a member of the Government who introduced income support, so it would be much better if she did not denigrate it. We are using modern technology in the system so that we do not have to send 40-page forms for pensioners to fill in, and a two or three-page form can be produced electronically and filled in over the telephone, so people do not have to go to the benefit office. We are trying to do that proactively; that is the difference between us and the Conservatives, who ignored pensioners.

Mr. John Cryer (Hornchurch): I accept what my right hon. Friend says about the minimum income guarantee. Is he aware that if the prices link alone had been in place since 1948, the state pension would now be worth only £27 a week? Are we prepared to see the state pension, the basic building block of pensioner incomes, wither on the vine? Or will he rescue it by restoring the earnings link? On that subject, will my right hon. Friend remind the House who cut the earnings link in 1981? Was it the Tories, and if so, does not their pathetic posturing on pensioner poverty start to ring a bit hollow?

Mr. Rooker: My hon. Friend is right. Hon. Members on both sides of the House accept that had the basic state retirement pension been linked to prices since its introduction, it would be nothing like as much it is today—indeed, it would be far less. If we used the pensioner prices index, the increase would be less, so we do not do that. We must look at the average of total pensioner incomes. Taking the basic state retirement pension in isolation is not a true and fair reflection of pensioner incomes, so we must look at things in the round. That is why a previous Labour Government introduced the state earnings-related pension scheme, which has allowed people on average earnings who have worked for 20-odd years since its introduction without a break in service to retire today with a pension income double the basic state pension. That is the legacy of the previous Labour Government.

Pensions

6. **Miss Anne McIntosh** (Vale of York): What recent representations he has received on the level of the state pension; and if he will make a statement. [129325]

The Secretary of State for Social Security (Mr. Alistair Darling): I receive many letters in relation to the state pension.

Miss McIntosh: Does the Secretary of State regret the fact that he did not raise the state pension more when it was recently increased? That insulted pensioners, as the cost of petrol was increased more than the amount given to pensioners, thus saving his Department £90 million this year alone. Is he not embarrassed that the Conservative party is setting the agenda on pensions, and that pensioners realise that they will be better off under the next Conservative Government than they are under this Labour Government?

Mr. Darling: If anyone should be embarrassed, it should be the hon. Lady. She may not even have read her own party's manifesto, and may not recall that her party, in common with all the other principal parties in this country, stood on the commitment to increase the basic state pension in line with prices. The difference between us and the Tories is that we are doing more than that, spending some £6.5 billion more on supporting pensioner incomes than they propose to do. We are making sure that nearly half of that goes to the poorest third of pensioners, because we wanted to deal with the problem of pensioner poverty that has arisen in the past 20 years. An increase across the board would not have helped the poorest pensioners. We are reforming and strengthening SERPS, especially for those with low earnings. Frankly, when it comes to pensions, fairness and

doing the right thing for the pensioners of today and tomorrow, the Conservatives have nothing whatsoever to say.

Mr. Frank Roy (Motherwell and Wishaw): I thank my right hon. Friend for what he has just said. I am delighted to hear that our party will continue to speak up on behalf of poor pensioners, which is why the minimum income guarantee is welcome in my constituency, as is the winter fuel allowance, which is certainly not regarded as a gimmick. That money is most welcome when it comes through to pensioners in December. If any Member does not want pensioners in his or her constituency to get their so-called gimmick, the pensioners in my constituency certainly need it. Will my right hon. Friend confirm that the winter fuel allowance of £150 will be paid before Christmas this year, as that is, of course, the time when pensioners most need the money?

Mr. Darling: Yes, this year the payment will be made in December again. My hon. Friend is right, and pensioners in Motherwell, and elsewhere, will remember that the legacy of the Conservative Government was to double VAT on fuel. The winter fuel of payment of £150, which Conservative Members intend to scrap, is of great help, especially to those on low incomes.

I remind the House that no matter what the Conservatives say about their pensions policy, they should remember what the shadow Chancellor—who, it seems, is now in charge of all policy matters in the Conservative party—said about Conservative pensions policy:

it is a one-off policy. It is money which is already being spent . . . There is no new money.

Mr. Owen Paterson (North Shropshire): In a rural area such as mine, public transport does not run everywhere and the car is essential. Will the Minister answer a simple question that is frequently put to me by my pensioners? Why was the price of petrol put up on the basis of an inflation rate of 3.3 per cent., while their pension was put up on the basis of an inflation rate of 1.1 per cent.?

Mr. Darling: If there is no public transport in the hon. Gentleman's constituency, I wonder whether he has explained to people that the Conservative party's policy of bus deregulation in the 1980s was largely responsible for damaging the public transport infrastructure.

As for the indexation of pensions, the increase has been based on the September retail prices index for many years—under the Government whom he supported as well as under ours. I hope that he will take the opportunity to tell the pensioners in his constituency that all the Tory party pensions policy will do is take away money that they are receiving at the moment and give it back to them, and that the maximum that they can expect is 42p before they start paying tax, and before 2 million of them start to lose benefit.

Housing Benefit

7. **Miss Geraldine Smith** (Morecambe and Lunesdale): How much central Government contributed to Lancaster city council in the year 1999–2000 for exceptional hardship payments for housing benefit. [129326]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): We made £20 million available to enable local authorities in England, Scotland and Wales to make exceptional hardship payments of housing benefit during the financial year 1999–2000. Lancaster city council's share was £79,000, of which, I am told, it spent 3.7 per cent.

Miss Smith: I thank my hon. Friend for that answer. As she is aware, Lancaster city council spent only £1,577 on exceptional hardship payments during 1999–2000, so the most vulnerable people in the area have missed out on those payments. What steps does her Department intend to take to make sure that exceptional hardship payments reach the people at whom they are targeted?

Angela Eagle: Realising that not all the money was being spent, we issued enhanced guidelines last year to encourage local authorities to use the money. They are also allowed to use another £30 million from their own resources, and clearly they are not doing that. In the Child Support, Pensions and Social Security Bill, which is currently going through the House, we are changing the law to ensure that if local authorities do not use the money for the hardship scheme, we will take it back from them; currently, they keep it.

Disablement Benefits (Appeals)

8. **Mr. Dafydd Wigley** (Caernarfon): If he will review the guidelines used by the Benefits Agency to ensure consistency of policy by doctors who consider reviews and appeals on disablement benefits on behalf of the agency. [129328]

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): Doctors do not make decisions on benefit entitlement. Reviews are conducted by trained Benefits Agency decision makers. Appeals against the decision makers' decisions are considered by independent appeals panels.

Mr. Wigley: Is the Minister aware of the widespread dismay in north-west Wales—and, I suspect, elsewhere—that people who have been awarded incapacity benefit or disability living allowance, perhaps only in the past year or two, and sometimes for life, find that those benefits are being taken away from them despite the fact that their medical condition has worsened, sometimes significantly? Will he look at the guidelines that have been issued by the chief medical adviser for use by examining medical practitioners to ensure that there is consistency? It seems that some examining medical practitioners have a different interpretation of those guidelines; indeed, many of the cases in my area can be identified as arising from one person, who seems to take a very stringent view.

Mr. Bayley: In the Government's response to the Social Security Committee's report on medical services, we undertook to take four steps to drive up the quality and consistency of the medical advice given by medical services doctors. One of those four targets will require Sema to provide all its doctors, within one year, with training in behaviour, attitude and sensitivity when dealing with claims and assessments for people with disabilities, mental health problems or musculo-skeletal

problems. That is part of a national programme to train doctors to operate and give advice according to nationally determined standards.

Mr. Desmond Browne (Kilmarnock and Loudoun): Does my hon. Friend have any plans to monitor successful review and appeals decisions in order to ascertain whether such decisions relate to any particular doctor's reports?

Mr. Bayley: I know that many hon. Members have suggested that, but there would be problems in tying the outcomes of appeals to the advice of individual doctors because the decision is made not by the doctor but by the decision maker. Nevertheless, it is on occasion clear to the appeals panel that the report provided by one of the Benefits Agency doctors is deficient. We have started talks with Judge Harris from the appeals service to find out whether there are ways in which he can notify our chief medical adviser when appeals panels believe that an inappropriate or inadequate report has been made by medical services doctors, so that we can take further action.

Mr. David Heath (Somerton and Frome): I wholeheartedly agree with the right hon. Member for Caernarfon (Mr. Wigley). Is it still the case that more than 50 per cent. of appeals are successful? If so, does not that suggest that there is something seriously wrong with the initial assessments?

Mr. Bayley: The proportion of successful appeals varies from benefit to benefit, but I certainly agree with the hon. Gentleman that we want to get more decisions right first time. That is what our decision making and appeals procedures are doing, by ensuring that correct medical and other evidence is collected at the outset of a claim, that it is properly assessed by the decision maker, and that the right decision is made. There will always be more scope for different interpretation with disability benefits, because they are more subjective than, say, income-related ones. One can look at somebody's bank account and it contains either more or less than the capital limit, whereas decisions on disability benefits are based on the advice of a doctor about whether, for instance, a person is unable, or virtually unable, to walk. That is more subjective.

Lone Parents

11. **Mrs. Linda Gilroy** (Plymouth, Sutton): What assistance his Department is giving to help lone parents find work. [129331]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): The new deal aims to make work pay, making it a practical choice for lone parents. The new deal for lone parents offers them help and advice on job-search, training, child care and in-work benefits. That is just one of a raft of measures that we have introduced, including the lone parent benefit run-on, the national child care strategy, the working families tax credit, and, of course, the national minimum wage.

Mrs. Gilroy: I thank my hon. Friend for that reply; I think that she knows that the legacy left in Plymouth by my Conservative predecessor was the poorest ward in England. Indeed, such was the poverty that one of the two Oxfam projects in this country operates in the city. I thank my hon. Friend for the programme. Will she join me in congratulating the Benefits Agency and the Employment Service, which, with the active help of the local evening paper, the *Evening Herald*, have delivered the new deal to lone parents in such a way as to enable 238 of them to enter employment in the past year, and several hundred more to take the first steps on the pathway out of poverty, which the new deal for lone parents represents?

Angela Eagle: It gives me great pleasure to congratulate the authorities in Plymouth. Their outreach programme has been very effective. I know that the Benefits Agency and various other authorities work closely together to ensure that the benefits of the new deal for lone parents are made as widely available as possible. They hire a bus, operate from community centres and playgroups and go where lone parents and their children are. That is one of the more effective ways of getting the message across.

Mr. John Bercow (Buckingham): Given the fact that, as was emphasised earlier, it would take 26 years for all participants in the new deal for lone parents to secure employment, and furthermore, that there is evidence that those outside the scheme have a better chance of securing work than those inside it, why does the hon. Lady not abandon her bluster, give up the unequal struggle, admit that the scheme is an expensive failure, and move to abolish it without delay?

Angela Eagle: The scheme pays for itself and it is successful. I will not accept counsels of despair from a complacent Conservative party which caused the problem in the first place.

Social Fund

12. **Mr. Paul Goggins** (Wythenshawe and Sale, East): If he will make a statement on the role of the social fund. [129332]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): The social fund is targeted at the most needy. It provides crucial help through grants and interest-free loans to people on benefits who would otherwise have trouble affording essential items.

Mr. Goggins: I thank my hon. Friend for that answer, and welcome the decision to double the social fund maternity grant from March. Will she tell the House what impact a cut of £90 million would have on the work of the social fund? Does she agree that the fact that the Conservatives are now making such a proposal demonstrates that when it comes to paying for their policies, they are still more than ready to penalise the poor?

Angela Eagle: I can tell my hon. Friend that the current annual budget for community care grants is £100 million, so if £90 million were cut, those grants would be almost wiped out. That would mean, for example, that a pensioner who needed a special sort of bed to remain in his or her home, or a disabled child's parents who needed

new bedding, or a washing machine, would find that the money was not available. The day the Conservatives announced that they would take that huge chunk out of the social fund, the hon. Member for Meriden (Mrs. Spelman), who is an Opposition health Front Bencher, said that it was essential that we had a social fund which could help people when they were in real need, because "every mother knew" that a washing machine was an "essential piece of kit". Yet the Conservatives would destroy that fund.

Pensioners (Tax Credits)

13. **Mr. Roger Casale** (Wimbledon): What assessment he has made of the potential impact of a system of tax credits on pensioner incomes. [129333]

The Secretary of State for Social Security (Mr. Alistair Darling): We believe that pensioners who have worked hard to provide for their own retirement should be rewarded rather than penalised. We intend to consult later in the year on proposals for a pensioner credit that will reward those who have modest pensions or savings.

Mr. Casale: Although it is absolutely right that the Government should do most to help the poorest pensioners, is it not true that some poor pensioners feel that they are losing out because they have modest savings or a small occupational pension that brings them above the threshold of the minimum income guarantee? Will my right hon. Friend seek ways—for example, tax credits or some other means—to reward those who make some provision for their future, and so ensure that all pensioners feel that they are treated fairly by the Government, while he, of course, continues to focus the lion's share of extra resources on those who need it most?

Mr. Darling: For years, the problem with the social security system was that it penalised those who had saved a little or who had modest occupational pensions. To ensure access to the minimum income guarantee we doubled capital limits, which as a result of Conservative policy had not been changed for years. Now we want to introduce a credit to make sure that if pensioners have built up a second pension—whether an occupational pension or a second pension under the amended and reformed state earnings-related pension scheme—they will receive the benefit of it. At present, under the system that has been in place for years, such people lose out.

Dr. Julian Lewis (New Forest, East): If the Secretary of State is now a convert to the merits of tax credits, does he admit that the Chancellor was wrong to abolish tax credits on dividends? Does he defend the Chancellor, or does he agree with the senior No. 10 spokesman who was quoted in yesterday's press as saying:

> Gordon may not accept it but he has made big mistakes on pensions and fuel prices and sooner or later he will implode . . . He is poisoning relations with half the Cabinet and the sooner he goes the better . . . ?

That must be a first—a No. 10 spokesman agreeing with the entire Opposition Front-Bench team.

Mr. Darling: As far as our changes in company taxation are concerned, companies will start to see the gain as the system works through from next year onwards. That will, of course, benefit pension funds. However, so far as I am aware, the Conservatives do not plan to reintroduce the tax credit system to company taxation. If they are not going to do anything about it, a period of silence on their part might be appropriate.

On the subject of pensioners generally, let us keep reminding ourselves that the Labour Government are the ones who are prepared to spend more on supporting pensioner incomes. With their guarantee—even the amended version—the Conservatives would have to cut £16 billion from public expenditure, and we are told that most of that would come from the social security budget. Given that pensions take half the social security budget, it is not too difficult to see who would pay the price of the Conservative party's spending policy.

Ms Rosie Winterton (Doncaster, Central): I assure my right hon. Friend that in my constituency, there is great appreciation of the Government's efforts to help the poorest pensioners, who remember how they were treated by the Tory Government. There has also been a wide welcome for the establishment of a working party to consider how to assist pensioners who have small occupational pensions. Can my right hon. Friend assure me that when the working party produces a report, there will be wide consultation with pensioners and pensioners groups, such as the National Pensioners Convention, run by Jack Jones, so that we can take pensioners with us and make sure that they help us in shaping future decisions?

Mr. Darling: It is important that any change to pensions should have widespread support. During the course of this Parliament, we have made changes to the pension system to ensure that more people can build up a second pension to go with their first pension, thereby increasing pensioner incomes. An essential part of that is the pensioner credit, which is designed to help pensioners who have saved a little money in the bank, or who have a modest occupational pension. The problem with the present system is that it works for those who are very well off, and the remaining pensioners lose out. We were not prepared to put up with that. That is why we have made the changes, which I believe will result in many pensioners being far better off than in the past.

Mr. Michael Fabricant (Lichfield): The Secretary of State heard the rant that the Minister of State directed at my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) when he dared to suggest that the minimum income guarantee was a disincentive to savings. Does the Secretary of State at least agree with his right hon. Friend the Member for Birkenhead (Mr. Field), who said:

> As more and more people in work on low wages realise the futility of saving when every penny is taken from the Minimum Income Guarantee . . . fewer and fewer people on low income will save . . . ?

Mr. Darling: I see that the hon. Member for Ruislip-Northwood has now gone, leaving just six Conservative Back Benchers present for this Question Time. I shall deal with the point that he made, albeit in his absence. He said that the minimum income guarantee was a disincentive for pensioners to save. However, the minimum income guarantee is designed to help people

who have already retired. Those are people who, through no fault of their own in most cases, have ended up in retirement with such low incomes that they are entitled to income support. If we abolished the minimum income guarantee, that would simply reduce the amount of money that poor people get, and that does not seem to be fair, or the right thing to do.

We are determined to do two things. First, we are ending the situation that existed when we came to office, whereby one person in three of working age ended up on income support from day one of retirement. That is what the Tories left us—one third of people heading for retirement on income support. That is why we have improved SERPS, as well as improving the occupational pensions and stakeholder pensions available. Secondly, we had to deal with the plight of people who had already retired, and were so poor that they were on income support. That is why we introduced the minimum income guarantee, which has given many of them increases of £8 a week, over and above inflation. That would all be at risk under the Conservatives, because they would have to find £16 billion-worth of cuts. Pensioners, and others, would pay the price of any Conservative Government.

Child Support Agency

17. **Mr. Tam Dalyell** (Linlithgow): What assessment he has made of the extent of the problems experienced by the Child Support Agency in obtaining money from partners who are *(a)* domiciled and *(b)* resident abroad. [129337]

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): People who work abroad but live in the UK can be pursued for child maintenance by the Child Support Agency. Where possible, maintenance will be collected from wages by deductions of earnings orders. Non-resident parents who are not resident in the UK are outside the jurisdiction of the CSA. Parents with care who wish to seek maintenance in those circumstances must do so through the courts.

Mr. Dalyell: Ministers will know, through their excellent Falkirk office, that the genesis of my question lies in a poignant constituency case. What will be done about men who have skedaddled? I understand what my hon. Friend says about jurisdiction, but more could be done on reciprocity, could it not?

Angela Eagle: We have many reciprocal agreements with other countries on such matters, on which, in the circumstances, we must rely. We want the CSA to be effective, but I am not sure that we can use it to deal with men who skedaddle all over the globe.

Child Poverty

18. **Mr. Derek Twigg** (Halton): If he will make a statement on the measures his Department is taking to reduce child poverty. [129338]

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): Increases in benefits are contributing more than £2.5 billion towards the extra £7 billion a year spending on families with children by 2001. That will lift 1.2 million children out of poverty by the end of the Parliament.

Mr. Twigg: All Labour Members are anxious to reduce and eliminate child poverty. Did the UNICEF report state that we were making good progress or that we had made a good start on reducing poverty? Is it not the case that the only guarantee from Conservative Members on which we can rely is that they will maintain and increase child poverty if they return to power?

Mr. Bayley: When the Conservative party was in office, the number of children in poverty trebled. We have set an ambitious goal of halving the number of children who live in poverty in 10 years, and eliminating child poverty in 20 years. If we achieve our goal of reducing by 1.2 million the number of children in poverty by the end of the Parliament, we will be on track to fulfil our objectives.

PRP (Teachers)

3.30 pm

Mrs. Theresa May (Maidenhead) (*by private notice*): To ask the Secretary of State for Education and Employment to make a statement on the High Court judgment of 14 July on the proposed teachers' performance related pay scheme.

The Minister for School Standards (Ms Estelle Morris): May I first offer the apologies of my right hon. Friend the Secretary of State? As you know, Madam Speaker, he has written to you, and he will also write to the hon. Member for Maidenhead (Mrs. May). My right hon. Friend is outside London, and is currently travelling back. *[Interruption.]*

Madam Speaker: Order. I have received a proper apology from the Secretary of State. I have accepted it, and I think that the House might do likewise. I know exactly where he is.

Ms Morris: I am grateful, Madam Speaker.

As the House knows, the Government's plan to reform the teaching profession and to make sure that good teachers are paid more was first published in a Green Paper in December 1998. Teachers' pay and conditions are set out on a statutory basis, by order, after report by an independent review body, the School Teachers Review Body, and consultation. In January, the STRB recommended a new pay structure, including a performance threshold giving a £2,000 pay rise to those who were successful on 1 September 2000, and access to a higher pay scale. That will be put in place.

The standards that teachers should meet for the threshold pay increase were first published in draft in February 1999 as part of consultation on the Green Paper "Teachers—meeting the challenge of change". Wide-ranging, informal consultation over the following year led to formal consultation with the STRB's statutory consultees in February this year. The STRB was provided with early drafts of the standards as background for its review.

As a result of action by the National Union of Teachers, the High Court ruled on Friday 14 July that the standards were invalid because they should have been formally referred to the review body and set out in an order. The court also ruled that duties on school managers to carry out threshold assessment were unlawful because the consultation on the draft duties had been too short.

My right hon. Friend the Secretary of State believed that it was not necessary to refer the standards to the review body because they are about standards of teaching, not pay structures and scales. The written judgment of the court is not available. As soon as it is, my right hon. Friend will decide whether to appeal. However, the judgment did not comment on the standards themselves and did not give rise to any fundamental need to review Government policy on rewarding good teachers.

My right hon. Friend has today written to head teachers, advising them that the deadlines for threshold applications will be changed. We have already spoken to the STRB chair and will write to him formally today. The Government's pay reforms are the best opportunity that teachers have had for a generation for a radical pay improvement. All the Government have asked in return is that teachers do a good job. We intend to press on with paying good teachers more money within the correct legal framework with as little delay as possible.

Mrs. May: Does not the Minister accept that the Secretary of State's incompetence and his obsession with pushing through changes to the teachers' pay scheme, with no proper consultation and no regard for anxieties that teachers have raised, have led to the humiliating defeat that the Government suffered in the High Court last Friday, and the fact that nearly 200,000 teachers are now in limbo? Teachers know that they will not be given an expected £2,000 pay rise in September, and they are uncertain about when it might be paid.

Will the Minister tell the House what the new timetable for the threshold applications will be; when the Government the expect the assessment of those applications to take place; and when they expect to pay the teachers the £2,000 pay raise that will result from successful applications? If that money is unlikely to be paid until early next year, rather than in September—a whole term late—what will happen to the interest accrued on the money set aside until it is paid? Will the interest be paid to teachers in recognition of the inconvenience that the Government have caused, or will it at least be made available to schools?

Last Thursday the Sixth Standing Committee on Delegated Legislation considered two statutory instruments relating to the teachers' pay scheme—the Local Government Finance Special Grant Report (No. 66) on Threshold and Leadership Group Payments, and the Local Government Finance Special Grant Report (No. 67) on Heads', Deputies' and Advanced Skills Teachers' Performance Pay Progression and Deputies' Assimilation. During that debate, my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) asked whether that discussion was sub judice and was told that it was not. In the light of subsequent events, will the Minister tell the House what will happen to the progress of those statutory instruments, given that they are clearly affected by the High Court decision last Friday?

In March, the National Union of Teachers persuaded the High Court that the Secretary of State must answer its case that he had acted unlawfully, but is not it the case that no member of the Government's legal team was present at that hearing? If so, why not? If the advice then being received was that the Government's case was doubtful, why did the Secretary of State not act until after the teachers had spent much of their half-term holiday filling in the over-bureaucratic forms that were required by the Government?

As the Secretary of State has attacked his officials and the advice that he received from them, will he publish that advice? Will the Minister publicly apologise to those officials on his behalf in the House today? Does she accept the judge's ruling that the threshold standards and the duty were unlawful and that the Secretary of State has bypassed the School Teachers Review Body, Parliament and the Welsh Assembly?

Mr. Dafydd Wigley (Caernarfon): Hear, hear.

Mrs. May: I am sure that the right hon. Gentleman will have a great deal to say about the Welsh Assembly's role

[Mrs. May]

in the matter, but the judge made it absolutely clear that the Assembly has been bypassed, as has the House. He went on to say that Parliament requires an independent body to scrutinise any significant contractual powers. The Secretary of State has evaded that scrutiny. Are not the judge's remarks a damning indictment that shows how out of touch the Government are and how arrogantly they treat not only teachers, but Parliament?

Ms Morris: It is a long time since I have heard such hypocrisy in the Chamber. Throughout the past 18 months of consultation on the Green Paper, the hon. Member for Maidenhead (Mrs. May) has made it clear that she does not agree with paying good teachers more money. She has tried to block that proposal and is against the threshold standard. Let us be clear that if she or other Conservative Members had anything to do with the policy, there would be no chance of a £2,000 increase being paid—albeit, late.

Let us be absolutely clear that, during last Thursday's debate in Standing Committee, the hon. Member for Cotswold said that he wanted the NUT action to be successful, and the hon. Member for Hertsmere (Mr. Clappison) did not deny that. The action has been successful and has resulted in delaying a much needed, much deserved pay increase for good teachers who filled in the application forms.

I shall now deal with some of the points of detail that the hon. Lady has made. I cannot give her or the House a timetable because that will have to be agreed by the STRB. Today, we have written to the STRB to ask it to start the formal consultation process. It will then come back and let us know what the timetable will be. My fervent hope is that the delay in paying the £2,000 to those teachers who have completed the application form and are doing a good job will be as brief as possible, which is in keeping with the proper consultation that the court has asked us to undertake. That is important.

The hon. Lady also asked why the Government did not take action when the judge first allowed the judicial review at Easter and why we did not change the substance of what we are doing at that point. She ought to know that the detailed point that is causing difficulty—not consulting properly on the threshold standards—was not put before the court by the National Union of Teachers until 22 June. It did not form part of its submission for judicial review until only some weeks ago. The judge said at Easter that the judicial review was to be allowed, but not on the important point of exactly what the threshold standards should be.

It is entirely reasonable that departmental managers should assist heads in carrying out threshold assessments. I happen to think that that is part of their duty and responsibility, and I am sorry that the hon. Lady does not share that view. After the consultation on the STRB's recommendation, at the request of teacher representatives we consulted on line managers' responsibilities through the fast track and with the STRB's approval. The STRB said that that was fine. The judge said that the consultation had been too brief and that we should consult in the framework agreed by the STRB.

We shall backdate the payment of the £2,000 from 1 September. It remains our fervent wish, and it will be the case, that for the first time in the history of the profession teachers will be able to stay in the classroom and have their professionalism recognised and rewarded. They will receive substantial pay increases for doing what they went into the profession to do—to teach, and to teach well.

Mr. Barry Sheerman (Huddersfield): Does my right hon. Friend agree that many electors will be bemused and many teachers frustrated by the delay in introducing performance-related pay, which, I was told in my constituency on Friday evening, many teachers have provisionally spent? There is great disappointment about the delay, but I take it from her remarks that that will be sorted as quickly as possible for all those who believe, as I do, that performance-related pay will ensure that better teachers—that means the bulk of teachers—are rewarded. However, will she warn my right hon. Friend the Secretary of State not to compete with a former Conservative Secretary of State? The House lost count of the number of High Court judgments that found that he had acted illegally. Off the top of my head, I think that the total was 20, but I am happy to be corrected on the exact number.

Ms Morris: I am sure that my right hon. Friend will read my hon. Friend's comments and take them to heart. The NUT is the first trade union in the history of the movement to go to court to block a £2,000 pay increase for some of its members. I share his view that many teachers in the staff room today will wonder why their union has acted in that manner, particularly as the matter was not raised until 22 June.

Mr. Richard Allan (Sheffield, Hallam): The Minister has grossly caricatured the NUT's position. It went to court to defend the principle that it should be consulted when significant changes are made to teachers' contracts. Does she accept that the Government had plenty of warning of the problem? The application was made in March and, although it did not concern the specifics, it still posed general questions about the scheme. The Government will also be aware that early-day motion 628, which was tabled in April and signed by 70 Members of all parties, highlighted exactly the problems that led to Friday's judgment.

Does the Minister accept that the Government have left teachers in an appalling situation as they head off for their summer holidays? Will she offer them certain guarantees? Will she guarantee that no teacher will have to reapply for the scheme, and that those who would have been successful under the current system will be able to go through without making further applications? Will she guarantee that payments will be made in September, as teachers had a right to expect before the Government made a cock-up of the system?

Will the Minister say under which Act the consultation will now take place, and what the mechanism will be for consulting the Welsh Assembly? Can she guarantee that there will be a debate on the subject and will she indicate when she expects that to take place? Finally, will she offer an apology to civil servants and teachers for what has occurred, which is the Government's fault and which cannot be laid at the feet of a trade union that is simply doing its job?

Ms Morris: I barely recognise some of the hon. Gentleman's comments, given the process that has taken

place. He says that there has been no consultation. There has been so much consultation on these standards that many people have been exhausted by it. The standards were first published in February 1999. There was informal consultation for almost a year. There was further informal consultation on amended draft standards in January and formal consultation for four weeks following the STRB's report in January. On two sets of draft standards and on one set of full standards, consultation took place over about 13 to 14 months.

The hon. Gentleman may want to consult for longer than that. Teachers would wait an awfully long time for money to get into their pay packets if the consultation were extended.

The hon. Gentleman is not right about the NUT seeking only to defend its members' interests in the process of judicial review. It went for judicial review for two reasons when it first made a submission. The first issue that it took to judicial review was a challenge to our wish to make line managers responsible for assisting heads in the proper assessment of teachers.

Mr. Phil Willis (Harrogate and Knaresborough): The High Court said that the Secretary of State acted unlawfully.

Ms Morris: Not all teachers; just departmental heads. The NUT might argue the contrary, but that is not the case. That was made clear to it and it was accepted by every other teacher union.

I am happy to defend the proposition that it is right that departmental managers should assist heads in proper assessment. As a former teacher, I would want the manager most closely knowledgeable about my performance to be involved in assessment, as well as the head teacher.

The second issue on which the NUT went for judicial review involved matters concerning the Welsh Assembly, which it did not pursue. The matter which is now causing difficulty is not one on which it has spent months defending its members. It was added to the brief by its lawyers on 22 June. If the issue was so important that it struggled to talk to us about it during the 18 months of consultation, one might imagine that it would have drawn it to our attention before 22 June.

I am unable to give the assurances that the hon. Gentleman seeks. Timing is now in the hands of the STRB. We shall endeavour to ensure that there is as much expedition as possible within a proper consultation framework. We cannot say that payments will be made in September. Let it be clear that this is the effect of NUT action. The money will not be paid in September. There will be a delay, but within the framework of proper consultation we will do what we can to make it as easy as possible for the teachers who are eligible to get the pay rise that they deserve. I can promise that it will be backdated to 1 September.

Mr. Bill Rammell (Harlow): Will the Minister confirm that there is no effective appraisal system anywhere that does not involve the recommendations and views of line managers? In that respect, the NUT was fundamentally wrong. Will my hon. Friend confirm also that the judge did not rule in favour of the NUT when dealing with the principle raised by that issue?

I met two teachers in my constituency yesterday who have applied to go through the threshold and are extremely concerned at the delay that the NUT's action will cause. Will my hon. Friend use all available means to resolve this issue as quickly as possible, even if that involves introducing legislation? That would have the merit of getting pay increases implemented as quickly as possible and of putting the Conservative party on the spot, by making it clear that it fundamentally opposes additional pay for teachers who deserve it.

Ms Morris: I am grateful for my hon. Friend's comments. He is right about performance management. Indeed, many schools have no performance management system. That shows how successful the previous Government's system of appraisal was: it has withered on the vine through lack of financial support. We wanted to implement a system of performance management that could properly value teachers' skills, lead to professional development opportunities for teachers and provide a proper assessment of their performance.

It is right and it makes sense that departmental heads and line managers should be involved in appraisal and performance management. I assure my hon. Friend that on Friday the judgment did not criticise either the responsibility of line managers or the standards: it concerned a technicality on the consultation process. I well understand the actions and words of the two constituents whom my hon. Friend met, and the confusion as a result of this action that there must be in many staff rooms as the end of term approaches.

As I said, letters are going out tonight to head teachers making the position clear. I have today spoken to teachers' representatives, who will do their best to make the position clear. We shall continue to update teachers, head teachers and others. We shall write again next week, and post up-to-date information on the DFEE website from the end of this week. We shall do all we can to put this process back in order and back on the road.

Mr. Tony Baldry (Banbury): I think the Minister and many people agree that the National Union of Teachers has scored a luddite own goal. Will she confirm a point that was raised earlier, but which she did not deal with? Many teachers have spent a lot of time filling in the forms to apply for the extra money to which they are doubtless entitled. Will she confirm that they will not have to go through that exercise again? If they have filled in the paperwork, they may have to be a little more patient, but they should not have to go through that exercise all over again.

Ms Morris: Yes. The list of luddites includes the hon. Members for Maidenhead (Mrs. May) and for Cotswold, and the NUT. They are strange bedfellows, but we have seen that combination of personnel on the Opposition Benches already this year. I too hope that teachers will not have to fill in another form. If after proper consultation the standards remain the same, it is entirely likely that no more forms will have to be filled in, because the assessment will be made against the same standards. If it is decided to change the standards, quite honestly it is a different ball game.

It is right that the consultation should take place and the STRB should act properly—I am not for a minute suggesting that that will not happen. All I can say is that,

[Ms Morris]

from my soundings today with representatives of other unions, I think that it is their wish that teachers do not have to fill in a new form. That leads me to believe that some of the representations in response to the consultation may be such that changes will not be made.

Fiona Mactaggart (Slough): I am very glad that the Minister does not intend to be put off providing increased pay for excellent teachers by this delay. I am concerned that teachers who had felt confident that they would achieve the threshold and were counting on the money will now become anxious.

I appreciate the fact that the Department is writing to head teachers, but I wonder whether it would be possible to give the information that the Minister has given the House directly to people who have applied for the threshold. I fear that the messages will be garbled, and people will become anxious about their prospects. The information about whether people will have to fill in new forms and about the commitment to backdate the payment should get to those teachers who deserve this money as soon as possible.

Ms Morris: I accept the points that my hon. Friend made. The Secretary of State will write to Members of the House today or tomorrow to make the position entirely clear to them. When writing to heads, we have asked them to pass on the information in the letter directly to members of their staff who have applied for the threshold. At the moment, because the application forms and the assessments were not due to be with the organisation that will collect them, we do not have a list of the people who have applied. We shall do everything we can to allay fears. As ever, teachers get their messages from people other than the Department for Education and Employment. I know that teachers' representatives and others will work with us to make the substance of the issue as clear as possible.

I do not want to get this wrong. I do not want to prejudge the consultation that, rightly, will now take place with the STRB. We will do all we can. It is our hope that the standards do not change, so that we can carry on from where we were on Friday lunchtime and so that the delay does not lead to disappointment as money is not paid over.

Mr. Eric Forth (Bromley and Chislehurst): May I remind the Minister of her words in the 6th Standing Committee on Delegated Legislation last week? When asked about the judicial review, the right hon. Lady said that if the NUT won its case, it would mean that

> all the effort and good work that the teachers have put in to filling in and assessing the threshold applications and all the work that the assessors have begun to do to verify them would have to be scrapped and burnt.—[*Official Report, Sixth Standing Committee on Delegated Legislation*, 13 July 2000; c. 21.]

Does the right hon. lady stick by those words? Was she informing the Committee correctly? Are we going right back to square one? If so, how long will the process take? How much will it cost? What will the additional cost to the Department, the budget and the taxpayer be?

Finally, what will consultation really mean? If the real consultation process—when it is finally carried out and completed—concludes that none of this was worth while and that teachers are all against it, will the whole thing be dropped?

Ms Morris: The NUT action could have caused what I said to happen if the Government then took no action to make sure that it did not. That is what we have been doing since Friday. The judge has said that the standards themselves and the threshold were not properly consulted upon; so, to all intents and purposes, they do not exist. If the NUT's action through the court were left at that, all the forms that teachers filled in would come to nought. However, the Government are taking action to make sure that that does not happen. By our action in going back to the STRB—or possibly appealing—those forms that have been filled in will stand, as I have just explained. If the standards themselves do not change, an assessment against those standards can carry on. That is our intention.

We do not have an estimate of the extra costs, but our intention is to make sure that the plans to pay good teachers more money are put back on board within the proper legal framework. If the NUT had not taken the action and the Conservatives had not supported it, none of this delay would have happened.

Mr. Roger Casale (Wimbledon): May I tell my right hon. Friend that many teachers whom I met at school fetes in my constituency at the weekend are looking forward to the introduction of performance-related pay, have been working hard in preparation for it and will be disappointed by the High Court decision? However, they understand that Friday's decision was taken on a procedural issue and they will welcome the Minister's statement that the Government wish to move quickly to put the procedural issue right. They also understand that if these measures were ever challenged by the return to office of the Conservative party, not only would we lose the opportunity to have more money for school teachers, but we would lose the opportunity of more money for schoolchildren, school buildings, school books and everything else in schools besides.

Ms Morris: My hon. Friend is right. I suspect that we will see a U-turn on the threshold from the Conservatives, just as we have seen U-turns on everything else by them in the past few weeks. I am happy to confirm that we are talking about a technicality. On Friday, the judge made no comment on the threshold, the threshold standards or the obligation of managers to help with the assessment. The main point of the judge's statement was that the consultation had not been proper and long enough. It is that which we are seeking to correct. I hope that my hon. Friend's constituents and the many thousands of teachers who have filled in the form will see their good work and excellent teaching properly rewarded as soon as possible.

Mr. Dafydd Wigley (Caernarfon): The Minister will be aware that the NUT in Wales took this action partly because of the agreement between all four parties in the National Assembly that we did not want teachers' salaries in Wales related to pupil performance. Given the strength of feeling and the opportunity that she now has to review the position in the light of legislation, will the Minister

look to clarify the issue and give the National Assembly for Wales the right to determine this matter in line with the wishes of all four parties?

Ms Morris: I am afraid that I cannot give that assurance. As the right hon. Gentleman knows, this is not a devolved matter. It falls to the Secretary of State, who is absolutely right to carry out those obligations as he has. It is also right that thresholds and standards should be the same across England and Wales, because of the movement of teachers between the countries. I happen to think that teachers make a difference. One of the ways in which they do that is by helping pupils to progress. It is right that pupil progress, as long as it is measured against the pupils' starting point and takes into account the circumstances of their learning, should be one—but only one—of the standards that form the threshold assessment.

Mr. Jon Owen Jones (Cardiff, Central): Will the Minister remind the House that the Government embarked on this progress because they were determined that good classroom teaching should be rewarded, and that no scheme exists to reward teachers on the basis of the quality of their work? Will she confirm what she said on Thursday in the Sixth Standing Committee on Delegated Legislation—that the money exists to give the increase to the vast majority of teachers who have applied and that a great number of people will now be disappointed because they will not get the money that they should be getting in September?

Ms Morris: My hon. Friend is right. This is of course an opportunity to get more pay on top of the pay increase this year. It is not that the increase is payable only on the basis of performance. There is an above-inflation, non-staged pay increase at the proper time this year, and above and beyond that the Government set aside £1 billion for teachers' pay.

My hon. Friend is absolutely right to point out that at the moment the only way of getting paid more than £24,000 a year as a teacher is to take on management or administrative responsibilities. It must be right for good teachers who want to stay in the classroom to be able to access more than £24,000 a year without having to take on those responsibilities. The previous Government made no opportunity for them to do that. We have put good teaching at the centre of our education agenda, because it is crucial to children's life chances. What is more, we have backed that up with a proper opportunity to be recognised and paid for good teaching.

Dr. Julian Lewis (New Forest, East): Will the Minister answer the question that she has repeatedly avoided answering this afternoon? Does she agree with the Secretary of State that it was civil servants' fault, or does she accept that Ministers must take the blame for this pathetic and costly courtroom fiasco?

Ms Morris: My right hon. Friend the Secretary of State made it absolutely clear that it is Ministers and he who carry responsibility for Government decisions.

Points of Order

4.2 pm

Mr. Jim Cousins (Newcastle upon Tyne, Central): On a point of order, Madam Speaker. Yesterday, extremely damaging reports were circulated that the Challenger 2 tank, made in Newcastle, could not fire German ammunition. It is a fact that, within days, there is to be a decision by the Greek armed forces on whether to buy Challenger 2 or a German tank. I know that my noble Friend the Minister for Defence Procurement is extremely concerned that thousands of jobs on Tyneside and elsewhere in northern England have been put at risk. Have you had any notification that Ministers of the Crown intend to come to the Commons to blow this damaging nonsense to pieces?

Madam Speaker: I have not been informed by the Ministry of Defence or any other Department that a Minister wants to make a statement on that matter, at least today.

Mr. Tam Dalyell (Linlithgow): On a pukka point of order, Madam Speaker, that has lasting significance for the House. I refer to the difference between the questions that can be tabled in the Commons and in the Lords. I believe that your office has had some notice of the background to this matter. Today, I attempted—I make no criticism whatever of the Clerks at the Table Office—to table the following question to the Home Secretary:

> In the light of the decisions of the Court of Appeal (Criminal Division) in R *v.* Weiz and the Attorney General's reference No. 3/1999 on 26th May, whether they will refer to the Law Commission the question whether the statutory restrictions on the use of DNA to be found in section 64(3B) of the Police and Criminal Evidence Act 1984 should be maintained or relaxed; and, if not, why not.

I have a lasting interest in the use of DNA in the criminal context, believing that it is of great value in establishing guilt and also in quickly proving innocence and allowing many people to be cleared who might otherwise hang around for months under suspicion. No one doubts that my question is highly significant. The Table Office, in detail with which I shall not bore the House, rejected part of the question and said that it did not fall within Commons rules. However, for once, the question was not dreamed up by me—although I am deeply interested in it—but came from the fertile and formidable legal mind of Lord Ackner, who tabled it in the other place.

In the twilight of your Speakership, Madam Speaker, could you bequeath to us a statement about the desirability of some synchronisation between the Commons Table Office and the Lords Table Office? As the Lords makes more and more claims for itself, surely it is a question of sauce for the Commons gander and sauce for the Lords goose? If the House of Lords is to change, there should be some synchronisation of the criteria used in the Table Offices. Personally, I would like the Table Office rules in the Commons relaxed so that we can ask what we really mean.

Mr. Eric Forth (Bromley and Chislehurst): Further to that point of order, Madam Speaker. Can you confirm that there has not been in the past nor will there be—certainly for as long as you are Speaker—any tightening of the

[Mr. Eric Forth]

rules and criteria applied by the Table Office? Many hon. Members feel that a change has taken place, possibly since roughly May 1997—without putting too precise a date on it. The House would be grateful, in the context of the point of order from the hon. Member for Linlithgow (Mr. Dalyell), if you could give us that assurance.

Madam Speaker: I am pleased by the tribute that the hon. Member for Linlithgow (Mr. Dalyell) paid to the Clerks of the Table Office, who do a very good job on behalf of all Members of this House. I am also grateful to the hon. Gentleman for giving me a little notice of what he called a "pukka" point of order. I would not quite say that, but it was long one and, having had notice of it, I have been able to make thorough inquiries.

I have seen the notice to which the hon. Gentleman referred and which he read out to the House. I am satisfied, as he is, of course, that it has been dealt with under our rules. What the House of Lords does in relation to questions is entirely a matter for that House, just as our rules are a matter for this House. As hon. Members know, our rules have evolved over many years and have been examined and reconfirmed by the House on several occasions. There are several areas in which our procedures differ from those of the House of Lords, but I see no reason why that should be changed. If the House wishes the procedures to be synchronised with those of the House of Lords, it must decide that that should happen. However, it is a matter for the House, not for the Speaker or for individual Clerks. If the House wishes to synchronise procedures with the House of Lords, it must table the proper motions to achieve that.

Mr. Dale Campbell-Savours (Workington): Further to that point of order, Madam Speaker. Just to ensure that journalists do not put a spin on the point of order raised by the right hon. Member for Bromley and Chislehurst (Mr. Forth)—that there has been a tightening of the rules on the tabling of questions since 1997—will you confirm that there has been no change whatever?

Madam Speaker: There has been no change whatever. The Clerks at the Table and all the Clerks throughout the House operate, as they have always done, on the basis of helping and assisting individual Members in the best interests of those individual Members.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

EC Budget (Balkans)

That this House takes note of European Union Documents Nos. COM (2000) 300, the Preliminary Draft Budget (PDB) of the European Communities for 2001 (Volumes 0, 1, 4, 5, 6, 7 and 8), and the Commission's Overview of the PDB (Provisional Volume 0); 8795/00, Commission Communication concerning revision of the financial perspective (2001–2006); financing of the programme of assistance for the Western Balkans; and re-classification of aid to Cyprus and Malta; proposal for revision of the financial perspective; COM (2000) 268, Commission Communication on 2000–2006 financial programming of heading four of the Community Budget; and supports the Government's efforts to maintain budget discipline in the Community.—*[Mr. Mike Hall.]*

Question agreed to.

DELEGATED LEGISLATION

Madam Speaker: With permission, I shall put together motions 2 to 4.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Social Security

That the draft Social Security Amendment (Students) Regulations 2000, which were laid before this House on 21st June, be approved.

Agriculture

That the Code of Recommendations for the Welfare of Sheep, which was laid before this House on 19th June, be approved.

Animals

That the draft Welfare of Farmed Animals (England) Regulations 2000, which were laid before this House on 19th June, be approved.—*[Mr. Mike Hall.]*

Question agreed to.

Madam Speaker: Before I call the Home Secretary to move the Football (Disorder) Bill (Allocation of Time) motion, I should tell the House that two manuscript amendments to the motion have been tabled by the right hon. Member for North-West Hampshire (Sir G. Young), and that I am prepared to select them for debate.

Mr. Simon Hughes (Southwark, North and Bermondsey): On a point of order, Madam Speaker. I heard a little earlier that manuscript amendments had been tabled. Will you ensure that those amendments are made available to hon. Members?

Madam Speaker: I inquired about that some time ago. My understanding is that the amendments are available in the Vote Office. However, those concerned will have heard me raise my voice on this matter, and will no doubt make sure that they are.

Football (Disorder) Bill (Allocation of Time)

4.10 pm

The Secretary of State for the Home Department (Mr. Jack Straw): I beg to move,

That the following provisions shall apply to the remaining proceedings on the Football (Disorder) Bill:—

Committee, Report and Third Reading

1.—(1) Proceedings on the Bill shall be completed at this day's sitting.

(2) Proceedings in Committee shall, if not previously concluded, be brought to a conclusion five hours after the commencement of proceedings on this motion.

(3) On the conclusion of the proceedings in Committee the Chairman shall report the Bill to the House without putting any Question and, if he reports the Bill with Amendments, the House shall proceed to consider the Bill as amended without any Question being put.

(4) Proceedings on Consideration shall, if not previously concluded, be brought to a conclusion six hours after the commencement of proceedings on this motion.

(5) Proceedings on Third Reading shall, if not previously concluded, be brought to a conclusion seven hours after the commencement of proceedings on this motion.

Conclusion of proceedings

2.—(1) For the purpose of bringing any proceedings to a conclusion in accordance with paragraph 1 the Chairman or Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded;

and on a Motion so made for a new Clause or a new Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(2) Proceedings under sub-paragraph (1) shall not be interrupted under any Standing Order relating to the sittings of the House.

(3) If two or more Questions would otherwise fall to be put by the Chairman or Speaker—

(a) under sub-paragraph (1)(c) on amendments moved or Motions made by a Minister of the Crown, or

(b) under sub-paragraph (1)(d) in relation to successive provisions of the Bill;

the Chairman or Speaker shall instead put a single Question in relation to those amendments or Motions or (as the case may be) those provisions.

Order of proceedings

3. No Motion shall be made, except by a Minister of the Crown, to alter the order in which any proceedings on the Bill are taken or to recommit the Bill; and the Question on any such Motion shall be put forthwith.

Dilatory motions

4. No dilatory Motion with respect to, or in the course of, proceedings on the Bill shall be made except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

Extra time

5. Paragraph (1) of Standing Order No. 15 (Exempted business) shall apply to proceedings on the Bill.

Business Committee

6. Standing Order No. 82 (Business Committee) shall not apply to this Order.

Supplemental orders

7.—(1) The proceedings on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall, if not previously concluded, be brought to a conclusion one hour after their commencement; and paragraph (1) of Standing Order No. 15 (Exempted business) shall apply to those proceedings.

(2) If at the sitting this day the House is adjourned, or the sitting is suspended, before the time at which proceedings on the Bill are to be brought to a conclusion under paragraph 1, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

This is a guillotine motion. The House will acknowledge that such motions are to be avoided wherever possible, but it is accepted on all sides that they are sometimes inevitable. I hope that there will not be too much trade across the Chamber about this Government's record on guillotine motions, but I remind the House that, in 1988–89, 17 Bills were guillotined by the Conservative Administration, at a time when that Government had a majority of well over 100.

It happens that one of those Bills was the Football Spectators Bill, for which the guillotine motion was moved exactly 11 years ago today, on 17 July 1989. It was moved by Mr. John Wakeham, now Lord Wakeham, in terms remarkably similar to the case that I have put before the House for the need for this business to proceed as quickly as possible.

However, within the imperative that the business for the rest of the week, including that for tomorrow, has to be protected, the Government are anxious to proceed by agreement. The burden of the amendments shortly to be moved by the right hon. Member for North-West Hampshire (Sir G. Young) is that the Committee stage should end at 12 midnight, and that all other Commons stages should end by 5 am. I am pleased to tell the House that the Government will be ready to accept the amendments.

It may also help the House in judging whether the motion, as amended, allows sufficient time for debate, if I say how we intend to deal with some of the principal issues raised by the amendments that will come before us. I promised in the statement that I made almost two weeks ago, on 4 July, that I and the Government would listen carefully to all representations made about the draft Bill and then about the Bill as introduced, and that we would respond positively wherever we could.

The House will know already that I responded positively to two suggestions made about the pre-legislative draft by Lord Ackner and Lord Alexander of Weedon. Lord Ackner proposed that reasons given at the point of a direction being made to require an individual to attend a court under the fourth part of the Bill should be given in writing. Lord Alexander of Weedon proposed that the Bill should contain a sunset clause and that there should be a process for reviewing the legislation. Both proposals were worked into the Bill on presentation.

I deal briefly with the other amendments, to indicate the changes that I am ready to accept, which will be obvious to those who have read through the Order Paper. Considerable concern was expressed by right hon. and hon. Members on both sides of the House in respect of the key police power, in the fourth part of the Bill. There

[Mr. Jack Straw]

was concern about whether the powers given to the police to detain people for inquiries and then to direct them into court were too wide.

We have considered the provisions again in the light of the representations and the amendments which have been tabled. The criteria which are now before the House, contained in amendments Nos. 42, 43, 44, 45 and 46, seek essentially to replicate the grounds for detention and arrest, which are already provided, and have been accepted by successive Governments and Oppositions, in the Police and Criminal Evidence Act 1984. In the place of a power giving a constable a right to exercise those powers under proposed new section 21A in schedule 1 to the Bill, if it appears to him that the behaviour of the person present before him is such that he may be a candidate for a banning order, amendment No. 42 now requires that the constable in uniform

has reasonable grounds for suspecting that the condition in section 14B(2)—

that the person has been involved in violence and disorder—has been met. He must also have reasonable grounds for believing that a banning order in the person's case would help to prevent violence or disorder at or in connection with any regulated football matches. The PACE power is a much more constrained power, which we propose, subject to the will of the House, to insert in the Bill.

Concern was also expressed about the fact that it seems from the Bill that a police officer might hold an individual for questioning, with a view to making inquiries, for 24 hours. Under further amendments that we have tabled, the power to hold someone for questioning to find out whether there are reasonable grounds for a direction to be made to get someone into court is reduced from 24 hours to four hours, with an extension to a maximum of six hours when an inspector agrees. That period must be contained within the overall period of 24 hours specified in the Bill.

Mr. Simon Hughes (Southwark, North and Bermondsey): As the Home Secretary will anticipate, the amendments are welcome. However, given that they are being tabled now, in Committee, to a Bill that has already been published, does that mean that the original Bill was bad law or bad drafting?

Madam Speaker: Order. I have been getting the impression from what the Home Secretary has been saying that he is going into the details of the Bill and not simply dealing with the allocation of time motion. I hope that he will be very careful on that point.

Mr. Straw: Indeed; I fully acknowledge your point, Madam Speaker, as ever.

I was seeking to reassure the House, given the position that the Government are taking on a series of amendments, that there would be sufficient time under the timetable motion, as amended. Had the Government intended not to make any amendments to the Bill to meet the will of the House, as expressed in debates last Thursday and outside the House, there might have been a different argument for extra time to be allocated. That is why I felt that it might be helpful—I will be very brief, Madam Speaker.

Madam Speaker: Thank you—I think that we understand that now.

Mr. Straw: If I may conclude my point, the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell) has tabled amendments to the powers contained in proposed new sections 21C and 14C on criminal law in this country or outside. We propose to accept those amendments. We propose to accept amendment No. 37, in the name of the right hon. Member for Maidstone and The Weald (Miss Widdecombe), on the need for a written explanation for a decision to detain a person to make inquiries, and amendment No. 32. We have also put down amendments on Report which accept the burden of amendments Nos. 23, 3 and 5.

Mr. David Davis (Haltemprice and Howden): In view of the number of amendments that the Home Secretary has, very properly, brought before the House today, may I take him back to his original statement, when I asked him whether, in organising the time available for the Bill, he would allow time for outside authorities to consider the changes? In other words, we want a gap—even the smallest of gaps—between Committee and Report so that we can take advice before giving the Bill its final consideration.

Mr. Straw: We took account of representations made about the need for a gap between Second Reading and Committee and Report. That is exactly what we provided. The whole House—*[Interruption.]* I think that the whole House accepted the case for proceeding speedily with the Bill. That was certainly the view of the right hon. Member for Richmond, Yorks (Mr. Hague) in his speech of 22 June. He offered full support and co-operation in Parliament to Government legislation to do what the Bill provides for. We are meeting our obligation to introduce that legislation, and I hope that Conservative Members will accept the obligations made on their behalf by their leader.

Mr. Eric Forth (Bromley and Chislehurst) *indicated dissent.*

Mr. Straw: I should not suggest for a second that the Leader of the Opposition has any control over the right hon. Member for Bromley and Chislehurst (Mr. Forth). Indeed, I shall be happy to ensure that the right hon. Gentleman's constituency association is told about the insult that I apparently caused him by suggesting that he ever follows his leader. I shall personally write to his association to that effect.

Let me deal with the point made by the right hon. Member for Haltemprice and Howden (Mr. Davis). I said from the start that there was a need for speed with this Bill, but that it had to be combined with the need for care. The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) cannot have it both ways—

Mr. Davis: He is a Liberal.

Mr. Straw: Perhaps I should rephrase my point. Those who try to have it both ways end up in pretty incredible

positions—*[Interruption.]* It is lucky that I am deaf in one ear. The hon. Member for Southwark, North and Bermondsey cannot call for an inclusive process by which legislation is set before the House in early preliminary draft form while also suggesting that the Government should have brought proposals to the House that we would unswervingly refuse to change.

During my time as Home Secretary, every Bill that I have introduced has been improved by debate and discussion. I happen to hold the perhaps slightly old-fashioned view that the collective wisdom of the House and the other place is greater than the individual wisdom of a Secretary of State for the Home Department, even one like me. I am grateful to the House for its positive suggestions.

Mr. Forth: I am grateful for the Home Secretary's kind remarks, which I much appreciated. Is he prepared to distinguish between the alleged necessity for a Bill such as this to be passed quickly and the entirely artificial deadline of a football match? It has been claimed that that match creates the need for us to act with unseemly haste, but a distinction can surely be drawn—even in the Home Secretary's mind—between the need for properly expedited parliamentary process and the utter collapse of that process just so that we can meet the artificially imposed deadline of a football match.

Mr. Straw: I happen not to think that the deadline of a football match is an artificially imposed one. It happens to be a reality. If there were not to be any international games of note during the next six months, the House could debate the matter more slowly. It is significant, however, that one of the main reasons advanced by the then Mr. John Wakeham in favour of a guillotine motion on 17 July 1989 was the imperative of having provisions on football spectators on the statute book because of impending international games.

The views of the Leader of the Opposition may not persuade the right hon. Member for Bromley and Chislehurst, but they should persuade one or two other Conservative Members. The right hon. Member for Richmond, Yorks, in offering full support and co-operation in Parliament for Government legislation, made the point, among others, that England's qualifying matches for the next world cup are only months away. As a consequence of debates that we have had and that we will have today, the Bill should be able to go to the other place in good order, and it will be up to the other place to do its job as a revising chamber.

Mr. Simon Hughes: On the guillotine motion, I accept the Home Secretary's assurance that he has tried to ensure that he listens to the House and to colleagues. I am grateful for that.

Given that point, why did the Government not accept the proposition on the guillotine put by my hon. Friend hon. Friend the Member for North Cornwall (Mr. Tyler), our Chief Whip, and others, that we take the Committee stage today, allowing Members time to study amendments—including Government amendments—that appeared only today, and take the remaining stages on Wednesday? That would still leave reasonable time to complete proceedings on the measure before both Houses rise for the summer recess.

Mr. Straw: That is a matter for the usual channels to sort out. We wanted to accommodate the official Opposition by agreeing to an amendment today. My understanding was that the period was the maximum possible to allow the Bill to be considered in the other place, subject to its procedures, leaving time for it to return to this place for any changes. I think that is the view taken by the usual channels.

Mr. Joe Ashton (Bassetlaw): Will my right hon. Friend point out to the right hon. Member for Bromley and Chislehurst (Mr. Forth) who has referred to "a football match" that we are not discussing people who will be going to a football match? Six weeks on Saturday, hundreds of them will travel to Paris—a journey of three hours on Eurostar or of six hours in an old van with dozens piled into it. They will be going simply to try to wreck the city. They are not interested in football; they will have no tickets. The right hon. Gentleman is not even listening to the debate. He should understand that the matter is nothing to do with football—an invading, marauding army will be out to smash up Paris, denigrating the name of this country. That is the reason for the haste.

Mr. Straw: I accept my hon. Friend's comments, although I do not think there is a fine line between haste and speed. I have tried not to be hasty in this legislation, but to ensure that we deal with it both speedily and carefully.

If Members reflect on the measure, they will realise that a large part of it is uncontroversial. It consolidates provisions on national domestic and international banning orders and combines them. The parts that have caused controversy and given rise to concerns from some but not all right hon. and hon. Members are relatively few—although they are important. If hon. Members accept that, and reflect on the time that I have devoted to consultations outside the Chamber with Members of both Houses and in this House, they will realise that, by the time our proceedings are concluded later tonight, we shall have given almost as much time to the key operative clauses that aroused controversy as would have been spent on them had the Bill been dealt with more slowly. It is in that context that the guillotine motion, which will be amended, I hope by agreement, provides sufficient time for Members to consider this important matter and to come to conclusions on it.

4.28 pm

Sir George Young (North-West Hampshire): I beg to move, as an amendment to the motion, in paragraph 1(2), leave out from "conclusion" to end of sentence and insert "at midnight".

Madam Speaker: With this, we may take the following amendment: in paragraph 1(4), leave out from "Consideration" to end of paragraph 1(5) and insert—

"and on Third Reading shall, if not previously concluded, be brought to a conclusion at 5 am on 18th July".

Sir George Young: The House is entitled to a brief explanation of why the Opposition are amending a guillotine motion tabled by the Government. Such motions underline the difficulties of trying to programme all our debates and to place rigid barriers around them. Not only are the traditional ways of handling our proceedings more flexible, but they ensure that the time available is spent on the issues and not on—sometimes—

[Sir George Young]

controversial procedural motions that prevent hon. Members from speaking. Furthermore, the original motion shows the time scale that the Government think suitable for timetabled Bills—four hours for the remaining stages of a controversial Bill gives a preview of a rather restricted regime.

Last Wednesday, in a business statement, the Leader of the House announced that, on Thursday, the House would debate the Second Reading of the Bill after 7 pm. In response to a question from me, she said that she would not guillotine the Bill's Second Reading. In the event, the proceedings on Thursday evening were concluded after a reasonable period of debate, given the controversial nature of the Bill. Although I asked her about the arrangements for the remaining stages, she did not reply but referred to the usual business statement that she would make the following day.

On Thursday, the Leader of the House announced the business for Monday as the remaining stages of the Bill, but she did not mention a timetable motion. Here we have to shine a torch on the subterranean world of the usual channels. On Thursday morning, we indicated that there was a good chance of concluding discussions on Monday after nine or 10 hours of debate. Our usual channel was reasonably confident of delivering on that and, by and large, we have a good record of delivering on such undertakings. We also believed that that offer would be acceptable to the Government, who would get their Bill on Monday night if the House so decided but without the aggravation of a time-consuming guillotine motion on a Bill that raises important issues.

There was then a communication failure, and a guillotine motion was tabled by the Government to bring discussion to an end by about 11 pm. Not only would that allow inadequate time to debate the Bill, but up to three hours would be lost in debating the motion. The Government, I believe, accept that they were wrong to table the motion and were anxious to revert to an informal arrangement.

The obvious way to resolve the problem would have been for the Government not to move the guillotine motion, but to suspend the 10 o'clock rule in the usual way. Discussion could then have proceeded normally. However, procedurally, that cannot be done—and some hon. Members can explain that better than I can. As the Government have not tabled a routine motion to suspend the 10 o'clock rule, the only way that the 10 o'clock rule can be suspended is if the guillotine motion is moved.

The way to get the Government out of the difficulties in which they find themselves and to allow the House reasonable time for debate is for the Opposition to amend the guillotine motion to allow for the amount of time that on Thursday we thought was reasonable. That is exactly what we have done. We have proposed that the Committee stage end at midnight and that the remaining stages—Report and Third Reading—end at 5 o'clock in the morning.

I hope that the House understands roughly what has happened even if it remains a mystery to most of the rest of the world. I hope that our amendments will be accepted.

4.32 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): Let me first deal with the issue of the usual channels. My hon. Friend the Member for North Cornwall (Mr. Tyler), who is the usual channel for the Liberal Democrats for these purposes, made our position clear when he intervened on business questions on Thursday. Nothing underhand or behind the scenes went on. From the beginning, we have taken the simple view that we should have a proper Second Reading debate that was not guillotined—that was achieved—that we should have the Committee stage on one day and that there should be a further day between Committee and the remaining stages of Report and Third Reading. For reasons that I gave when I intervened on the Home Secretary, we made that case not just so that the House would have time to reflect on what it had done in Committee, but so that people outside the House—the Football Association, football clubs, proper football supporters, civil liberties groups, lawyers and ordinary people who take an interest in such matters and who read the newspapers that comment on them—could submit a view to us or to colleagues in the House.

Two propositions are before us and both, in any logical world, are unacceptable. The first is that we have a seven-hour straitjacket: three hours for discussions on how long the debate should be; two hours for the Committee stage in which to debate 46 amendments of which 15 appeared on the amendment paper for the first time today and of which five are the Government amendments that the Home Secretary mentioned a moment ago; one hour for Report—how one would table amendments between Committee and Report is a mystery—and one hour for Third Reading. Under that proposition, debate would run from about 4 pm to 11 pm., and it is not satisfactory because the whole debate would be held on one day.

In a strange, paradoxical, Alice-in-Wonderland and upside-down world, I suppose that we should be grateful for the amendment tabled by the right hon. Member for North-West Hampshire (Sir G. Young), the shadow Leader of the House. That says that the Committee stage will take place until midnight and that Report and Third Reading will go on until 5 o'clock. In a sane legislature, one would not imagine that at midnight—after having heard the Committee stage—the Football Association, football clubs, newspaper readers, our constituents or ordinary people will suddenly get out of their beds and phone in their ideas so that we can table, without debate being interrupted, our amendments for Report even if we could get them in on time. Those people would then sit happily, as we sit happily until 5 o'clock in the morning, as a sane Parliament introduces at sane hours a sane piece of legislation.

I understand why the right hon. Member for Maidstone and The Weald (Miss Widdecombe) and the right hon. Member for North-West Hampshire have tabled their amendment which, however, is barely more sane than the original proposition and is certainly not as sensible as the proposal that we should have Committee stage today, take a breather and think about what we were doing, before coming back on Wednesday.

Mr. David Davis (Haltemprice and Howden): I apologise for intervening on the hon. Gentleman. I did not get an answer from the Home Secretary when I asked

about this matter. The hon. Gentleman, however, did and was told that this action had to be taken to fit with Lords procedure and get the Bill back to us in time. Does the hon. Gentleman agree that, rather than try to do this so quickly, a better procedure would be to extend our sitting into August for a couple of days?

Mr. Hughes: The direct answer to the right hon. Gentleman's question is yes. It is clearly logical that Parliament should seek to complete its normal business before we go on holiday than determine its business by when we fix our holidays. Again, that is an upside-down world. Most people who run a private business do not choose when to take their holidays and then decide to disappear and leave the business, even if they have to carry out a major contract.

To be fair, the Home Secretary did not say absolutely that the suggested arrangement was impossible, but he was wrong to imply that it was, as the other place proposes to have Second Reading on Thursday and will have Committee stage next Monday, allowing time for reflection, before having Report stage and Third Reading next Wednesday. The Lords have therefore allowed days between Second Reading and Committee stage, and between Committee stage and remaining stages. Under present proposals, they plan to finish their consideration of the Bill next Wednesday night, which allows both Houses two days in which to undertake whatever backwards and forwards performance is necessary to achieve our aim. It would therefore be possible to debate the Bill on Wednesday, and it could go to the Lords the same day. All that would happen would be that the printers would have to work through the night, which they do anyway.

Mr. Humfrey Malins (Woking): I very much agree with the thrust of the hon. Gentleman's remarks. As an experienced parliamentarian, he may be able to help me, as I simply have no idea how any of us can table any amendments after the Bill's Committee stage. For example, I do not know whether I am meant to table them in manuscript, and do not know to whom I should hand them, how they will be selected and how much time I will be given. Does the hon. Gentleman have a view on that?

Mr. Hughes: The hon. Gentleman is right, as there is no technically possible way of doing that, which is another nonsense. I do not understand why we are still behaving like this as we go into the new millennium.

Like me, the hon. Gentleman has been here long enough to realise that some of us have argued about such matters, including my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) who has debated them for many years. If the idea is to have a Committee stage, which is supposed to mean that a few people look at the matter in detail, and to which I shall come back in a second, followed by a Report stage, when all Members of the House, especially those who did not participate in the detailed consideration, can come back and have a look at the Bill, then logic should be that we have a little time in between, so that the work of the Committee can be shared for the benefit of those who have come for Report stage. Indeed, the logic is that one reads what happened in Committee before deciding what one wants to do on Report.

We have muddled that up in two ways. First, the same people are participating in the Committee and Report stages and, secondly, there is no time to amend the Bill. The proposal is not technically possible: it is a technical as well as a parliamentary nonsense.

Mr. A. J. Beith (Berwick-upon-Tweed): Perhaps my hon. Friend will bear in mind the fact that it is technically possible, but in such an absurd way that no one would ever do it. The hon. Member for Woking (Mr. Malins) would have to write out his amendments in the closing moments of Committee stage and get to the Table in the few seconds between the motion to report the Bill to the House and the start of the Report stage. If there were a queue, I do not know how it could be managed.

Mr. Hughes: My right hon. Friend reminds us that, over the years, many of us have given the Clerks amendments in, literally, a couple of seconds. My right hon. Friend is right, as that is technically possible. However, in commonsense terms, there is no chance for any of us to speak to a soul outside about what we have done in Committee. Furthermore, it is not possible for us to leave this place after the Committee and then to table amendments.

There is one more nonsense. We will now debate a Bill that, on the kindest interpretation, is very technical and legalistic, particularly when one takes into account the amendments. We will be debating definitions of important terms such as "reasonable cause to believe" and "reasonable cause to suspect" and important legal and judicial processes such as detention, arrest and court proceedings. We are undertaking consideration of the 46 amendments collectively. Potentially, 654 Members could contribute, excluding you, Mr. Deputy Speaker, your fellow Deputy Speakers and taking into account the one vacancy because of a death.

Mr. Simon Burns (West Chelmsford): What about Sinn Fein?

Mr. Hughes: I stand corrected. There are 652 potential participants, if one takes into account the fact that the two Sinn Fein Members cannot participate. What place in the world would sensibly hold a Committee stage with 652 participants?

We welcomed the draft Bill, but we could have had a Special Standing Committee, time between the different stages of consideration and a chance to do this job well. To put it bluntly, when such legislation was always foreseeable and could have been introduced at the beginning of the parliamentary year, halfway through the year or even a month ago, this is not the way to run a country, let alone to treat a Parliament.

Mr. Burns: I have been listening carefully to the hon. Gentleman, and if I understand him correctly, he is saying that to have 652 Members taking part in a stage of a Bill's consideration on the Floor of the House is not the best way to proceed. Has he ever made that argument before when we have taken legislation on the Floor of the House? I certainly have not heard him do so.

Mr. Hughes: I have not made that a Hughes campaign, although I have made the argument before. We have amendments in the names of Conservative Members,

[Mr. Hughes]

Government amendments and Liberal Democrat amendments, all of which relate to drafting, and there are various alternatives for defining offences. I should have thought that the most important argument is that it is sensible for us all—including the hon. Gentleman, who has been involved in this legislation—to try to ensure that we have a debate such as those that we have in a Standing Committee, where we listen to arguments, consider what works best and come up with something that is likely to stand up as good law.

The point that follows from that, and which led me to intervene on the Home Secretary, is that we will end up with bad law or bad drafting, or both. The Bill must contain bad law or bad drafting, or both, because the Government will today seek to persuade us to change it. I only hope that if it contains bad law or bad drafting, or both, Ministers will not, after today, blame their civil servants.

Many colleagues will not have had a chance to see many of the amendments because they appeared on the amendment paper only today. We all know that most colleagues travel from their constituency on a Monday morning and will have seen those amendments only when they got here, unless the Government sent them out round the country, which is unrealistic. That is nonsense. If we have to get the Bill on to the statute book by August, we should have had a deadline by which amendments had to be tabled. We could then have looked at the amendments and, depending on their number, we could have agreed a timetable and proceeded on that basis.

The Bill has an extraordinary variety of opponents, including Liberty, the Law Society, former Attorney-Generals, former Home Office Ministers, the chairman of the Police Federation and Lord Tebbit, as well as good solid burghers such as ourselves. If that coalition does not suggest that something is wrong with the legislation, I do not know what coalition would. This is not the way to treat Parliament, to make sane legislation or to run a country.

We gather from the memo that was leaked over the weekend that the Prime Minister wants to be tough. The price of rushing through incompetent but tough legislation is not one worth paying. It might be better to be a little less tough, a little less rushed and a little more competent.

4.45 pm

Mr. Eric Forth (Bromley and Chislehurst): I always oppose guillotine motions, and this one is no exception—save that it is worse than most because of the circumstances in which it has been tabled. Right from the start, I have not accepted any argument that there is some urgency or unusual circumstance surrounding the Bill simply because events—football matches, of all things—provide a backdrop for the legislative process. I find that an insulting and absurd proposition.

I still do not see how the fact that our legal processes—and those of the host countries, for people travelling abroad—cannot deal, or more properly will not deal, with the matter in the present form, provides an adequate reason for this House and this Parliament to legislate in indecent haste. I reject the underlying reason that has been given time and again for the haste with which we are expected to deal with the Bill.

The second reason, which disturbs me more than usual, is the Bill's content. Without rehearsing it—there is plenty of time to start, but not complete that, this evening and into tomorrow—it affects citizens' liberties and freedoms and their relationship with the police and the judicial process. I would have thought that that is a sufficient reason—in fact, an overriding and overwhelming reason—to be more than usually cautious about how we deal with the Bill, and not the other way around. Yet, as the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) has said, the whole matter has been stood on its head. We are being asked to process with indecent haste a Bill that touches on vital areas of individual liberty. That must be an absurdity.

The House and this Parliament have a well established series of processes, but let us look at the detailed provisions of what we are expected to do. Not everybody agrees with the processes; people all over the place who call themselves modernisers are saying that we must sweep such things aside and change them—but we have not done so yet. We still operate under our traditional, well established rules and procedures, which we thought were well understood. Along come the Government, who say, "No, for this Bill, because of the claimed urgency, and never mind the content, we want to fly in the face of what we have always thought in Parliament was proper."

The Bill was properly considered in principle on Second Reading last week, which, as my right hon. Friend the Member for North-West Hampshire (Sir G. Young) said, the House accepted. Yet we are to deny ourselves the normal Standing Committee arrangements, whereby a relatively small number of colleagues looks properly at the Bill and considers it in detail. Even more importantly, as the hon. Member for Southwark, North and Bermondsey said, we are to deny other colleagues the opportunity to look at the Bill having considered what happened in Committee. Committees, after all, report to the House; that is the point of considering a Bill on Report.

How on earth, therefore, are we to deal with the Bill properly in Committee and then report it properly and after due consideration to the House? We cannot because Members have not been provided with a proper opportunity—between Second Reading and Committee, certainly between Committee and Report, and even on Third Reading—for mature consideration.

Mr. Straw: I think that I heard the right hon. Gentleman say that he had always opposed guillotine motions. If that is so, will he explain why he voted for the guillotine motion on the Football Spectators Bill on 17 July 1989?

Mr. Forth: That would have been when I was a Minister; that changes everything. I meant to say to the House—I am grateful to the Home Secretary for pointing it out—that I have always opposed guillotine motions as a Member free to make my own judgment. As the Home Secretary kindly pointed out earlier, for which I was grateful, I believe that I am now a Member free to make my own proper judgments on these matters—and I hope that he accepts that I exercise that judgment in a parliamentary context when I properly should.

However, if the Home Secretary is suggesting that, during the period in which I had the honour to serve as one of Her Majesty's Ministers, I should have exercised

that same freedom, he knows as well as I do that, at that time, I accepted the same degree of collective responsibility as he now accepts. It is for that reason, albeit on a slightly different subject, that the right hon. Gentleman appeared to be pleading a deaf ear moment ago, so let us not dwell overlong on such matters.

The urgency pleaded for the Bill is spurious and the timetable that has been suggested denies all that we have been brought up to believe is proper and necessary in parliamentary procedure. Not only are we as Members of Parliament not to be given an opportunity to consider such vital matters, but, as the hon. Member for Southwark, North and Bermondsey points out, we are not to be given any opportunity to listen to, to consult or to receive advice and input from legitimate outside interests, whether football interests or legal interests or others—none of that will be possible.

I suspect and fear that the result will be uniquely bad legislation, because of the way in which the Bill has been drafted and prepared, the haste with which it has been altered, the extent to which the House has been unable to give it proper consideration and, most important, the way in which Members of Parliament have been unable to receive proper advice and input from outside. That is wrong in every conceivable way. I can conceive of no justification for the Bill, for the way in which it is to be dealt with, or for the likely end result. For those reasons, I hope that the House will not go along with the suggested arrangements, because they are a recipe for disaster.

4.51 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I am an admirer of the current Home Secretary; unlike some others, I think that he does care about the House of Commons and that he makes every effort to listen to individual Members who raise valid points. However, although discretion might dictate that I do otherwise, I am afraid that I have to tell him that I am not happy about these arrangements. To push through such a guillotine in such a manner on such an important Bill is not a good idea. I believe that we shall end up with legislation that is not acceptable, especially because several of its provisions have a direct impact on people's civic rights. That causes me concern, even though I do not pretend to have an easy solution to the problem of those who would go abroad and wreck everybody else's cities, rather than stay at home and wreck their own.

I am also concerned about something that my right hon. Friend said, although I might have misheard him. During his attempt to explain why he was being so amenable, he appeared to imply—I am sure that I must be mistaken—that the hours he had spent engaged in discussions with people outside the Chamber ought to be considered part of the debate and, therefore, a reason to allow the legislation to make swift progress. That is a slightly worrying suggestion and I hope that my right hon. Friend will make it clear that he did not mean it.

Although it was an endearing moment, inasmuch as it appears that, for the first time in many years, we have heard discussed the byzantine ways of the usual channels—a moment that makes sitting here worth while even in the absence of any other reason—we still come back to the fact that if the House rushes legislation and has no time to consider the implications, it frequently makes mistakes. We have the right to push legislation through in one day: it has been done in my lifetime and in yours, Mr. Deputy Speaker. I recall several Acts dealing with terrorism passing with total agreement and astonishing speed—although even some of those proved to be less than good legislation and had to be reviewed.

I do not want to detain the House and I am trying not to say anything that I have said many times before, but my misgivings are real because the Bill is one that will affect the rights of the citizens of the United Kingdom. They may be reprehensible citizens of the United Kingdom; they may be people whom I do not want in my living room; they may be people whom I would oppose root and branch in political terms and in terms of their commitment to very extreme organisations; and they may be people who, I hope, never get to go abroad and represent the United Kingdom in any way at all.

However, I must say to my right hon. Friend that to rush a Bill through the House of Commons in short order at the end of the summer season, which is always a difficult period, may not be a good idea. I do not like it. I am not impressed with the Bill. Although my right hon. Friend has made enormous strides and has given way on various aspects of it, I remain extremely worried about the impact of the legislation.

4.55 pm

Mr. Roger Gale (North Thanet): Those of us who were in the Chamber at a late hour the other night have rehearsed some of the arguments already.

The Home Secretary has had two years since Marseilles, countless legislative opportunities to introduce a properly thought through, properly drafted Bill if he had chosen to do so, and ample opportunity for such a Bill to be properly debated in both Houses and for outside authorities to make representations and to have their views considered.

There has been a considerable number of debates around the subject. It is a disgrace for the Home Secretary to present to the House in a knee-jerk reaction, a fortnight before the end of the summer Session of Parliament, a Bill hastily cobbled together on the basis of the "do something" school of politics, rather than do the right thing. The right hon. Gentleman knows that, and he knows that that is why he has had to table amendments today, in a desperate attempt to cobble together some sort of coalition that might allow the measure to get through the House tonight, in order that their Lordships can try to do a damage limitation exercise and turn the Bill into something remotely workable.

This is a bad Bill. Hours of debate tonight—even the protracted hours that we are now told we are to be allowed to have—will not get it right, for the reasons given earlier by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) and my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth). A few hours, without proper consultation, will not turn a bad Bill into a good Bill.

The Home Secretary had to concede the other night, because he had no alternative, that the Bill's writ will not run in Scotland or Northern Ireland. All the commentators who have said that it is a Bill to control football hooliganism are wrong. It cannot do so, because the football hooligans can fly abroad from Scotland or Northern Ireland.

[Mr. Roger Gale]

What is needed—this is why the timetable is wrong—is time, after the Committee stage and the acceptance of a few relatively minor amendments, to work out how to do properly the job that the Home Secretary says he wants to do. There is time. My right hon. Friend the Member for Bromley and Chislehurst pointed out that it is wrong for the Bill or any legislation to be driven by a football match, or even several football matches, on the continent in the autumn. What matters is not that we do something, but that we do the right thing. The Bill is not the right thing; it is patently the wrong thing.

My friend the hon. Member for West Ham (Mr. Banks) said the other night, recalling the dreadful and now infamous Dangerous Dogs Act 1989, that he did not believe that the Bill was a replica of that. I am one of the relics of that Act. I am ashamed to admit that I was one of those who initially supported it. It went through under a Conservative Government, but with cross-party support. It was legislation in haste, which was repented at leisure. That was dreadful legislation because it was a knee-jerk reaction, on the basis of the "do something" school of politics, and it took us five years to amend it. It is still bad legislation, although it is marginally less bad than it was when we put it on the statute book.

What we are about to do, at the Home Secretary's behest if he is allowed to ram the Bill in its present form through the House in 24 hours, is to recreate a dangerous dog's breakfast. I do not believe that the right hon. Gentleman wants to do that. Even at this very late hour, I say to the Home Secretary, for pity's sake, allow the Committee stage to go through today, as it must, and then allow time, so that proper representations can be made and there can be a half-decent chance of our getting proper legislation on the statute book that stands an outside chance of working.

4.59 pm

Mr. Paul Flynn (Newport, West): The Bill is coarse and degrades Parliament; it is a tabloid Bill. We are discussing it today because of tabloid reaction to Euro 2000. The tabloids demanded that something be done; they always do. In such circumstances, there are great scandals and tabloid headlines; dogs bark, priests pray and politicians legislate. The statute book is littered with such legislation—for example, the Dangerous Dogs Act 1989, which has already been mentioned. We were told that if we opposed it, we were in favour of young children having their faces mutilated by dogs.

After the well-publicised, tragic death of a young woman from drugs, the Public Entertainments Licences (Drug Misuse) Act 1997 was passed. It was meant to achieve three objectives: to change the licensing of clubs in which drugs might be used; to alter the conditions of the licences and close specific clubs, and to persuade local authorities to change their licensing system. Nothing has resulted from that Act.

Horror comics were banned from being imported to this country in 1955. There was a Bill to control the windows of sex shops. There is a long list of legislation that has come to the House because of a demand from the press. Politicians have prostituted their office and this institution by not legislating in the right way, and by throwing away opportunities and wasting time on measures such as this Bill in order to seek popularity.

I gave advice, as I always do, to my party. I suggested 18 months ago that Ministers should stop taking the tabloids. Sadly, that has not happened. We have evidence that the leaders of our country, like the leaders in the previous Government, need to be hooked to a drip-feed of daily admiration from the press. If they do not get it, they become nervous and fretful. We should be in touch with the public mood, but not with the lowest common denominator of racism and hatred of other nations. We should be in touch with the public's best instincts.

The Bill is the result of a misreading of the events of Euro 2000. We have heard a great deal about Charleroi and Brussels, but nothing about Eindhoven. The essence of what happened can be distilled in the difference between the approach of two police forces—between intelligent, subtle policing and—[HON. MEMBERS: "Drugs."] I do not need to mention that. I am talking about the difference between intelligent, subtle policing and crude, tough policing. It resembles the difference between reaction in this country to the miners strike and the current farmers demonstrations.

Farmers are taking similar actions to those of the miners during their strike: blocking roads, breaking the law and committing acts of vandalism. As far as I know there have been no arrests and no court cases involving farmers. However, the miners were imprisoned, some for a long time.

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Gentleman is straying rather wide of the allocation of time motion.

Mr. Flynn: I am making the point that the Bill is based on events surrounding three football matches. If Euro 2000 had not taken place, we would not be here now.

In Brussels, the police prepared for confrontation. They turned up in riot gear, they had water cannon and they allowed the sale of double-strength beer. Inevitably, confrontation occurred. It was an example of the stupid, tabloid, tough reaction that won great praise from the Belgian press and the press in this country. The Dutch police turned up in informal clothing—

Mr. Deputy Speaker: Order. I was trying to bring the hon. Gentleman back into line and back to the allocation of time motion. However, he is still straying wide of the mark. I should be grateful if he would now refer directly to the motion.

Mr. Flynn: We are considering whether to allocate time to a Bill, the fundamental basis of which has not been established today or last week. There is no basis for the Bill because the problem is not about this country but about the way in which matters were handled by the Dutch police, who dealt with the same football crowd when England lost its matches. There was no riot or bad behaviour by the English fans against whom we are trying to introduce changes in the law. The Dutch police handled matters intelligently and subtly. If we tried to tackle the problem by influencing the police in the foreign countries to which our fans travel, we would get a result. In Eindhoven, the police described the fans' reaction to an English defeat as mild disappointment and polite applause.

This is bad legislation which will not help Parliament in any way. Neither this Bill nor any other should be introduced to satisfy the demands of the tabloid press.

5.5 pm

Mr. Richard Shepherd (Aldridge-Brownhills): The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) spoke good and true about how the House should legislate. In fact, the cheerful cynicism of my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) lies behind the Government's position on these matters. The Home Secretary referred to a time when 17 Bills were guillotined, but 37 Bills have been guillotined during this Parliament alone and 20 have not been agreed between the Front Benches. That shows the scale of the problem that has confronted our legislative process, but the Government still go ahead despite the concerns that have been rightly expressed by my hon. Friends, as well as by those on the Liberal Democrat Front Bench.

We now have the most exclusive new Labour Government conceivable. They are so exclusive that they do not want to involve the wider public in the legislative process. Those on the Conservative and Liberal Democrat Front Benches have rightly implied that the legislative process should not be exclusive. We must reach out and test whether the Bill receives the public's consent or merely their acquiesence. By tabling the motion, the Government are bypassing the processes of Parliament.

Opposition to a measure should be exhaustive, because in such debates, we test whether legislation can be borne. The hon. Member for Crewe and Nantwich spoke good and true, because how can we involve anyone in the debate on Report? Second Reading finished shortly before 1 am on Friday and the House did not sit on Friday, yet a Committee of the whole House will soon consider the Bill. What outside representative could weigh up any amendment that has been tabled? It is difficult for hon. Members on both sides of the House to try to collate amendments and ensure that they are in order and to consider whether the allocation of time motion allows adequate time for debate.

I was genuinely surprised to see a guillotine motion on the Order Paper. Nothing in Thursday's debate suggested that the usual grounds for expediting legislation existed. Reasoned arguments were put forward, but the speeches were not long; perhaps the most loquacious was the fine speech of the Liberal Democrat spokesman, the hon. Member for Southwark, North and Bermondsey (Mr. Hughes). However, there was no will to impede the process of government by delay—by argument, yes, because this is clearly a contentious Bill that touches on civil liberties, our self-respect and that for our fellow citizens.

I refer again to the hon. Member for Crewe and Nantwich because there were truths in the essence of her speech. None of us approves of thuggery or intimidatory conduct, but the House should be allowed to take time to weigh up how legislation impacts on freedom, arrest, detention and magistrates courts.

The Home Secretary tried to anticipate the debate by stating which amendments he would accept. I have no doubt there will be joy in certain sections of the House, but who has had the opportunity to lobby and to reflect on the Bill? How can we reflect on it between Committee, Report and Third Reading? There was no need for the guillotine. I genuinely believe that the business would have probably been disposed of in a much shorter period than the time limit proposed. We can now only make a stab at what is appropriate.

The Government have used 37 guillotines in slightly more than three years. A Government guillotine is, in essence, a denial of freedom of speech; it simply stops Members speaking. Time and again, the Government have said that there is an imperative to table a guillotine motion, but why should a Bill stand if reasoned opposition to it cannot be exhausted? Our processes depend on allowing those who do not agree with the majority sentiment to express opposition, but guillotines are a way to inhibit the expression of opposition to what will become criminal law.

5.10 pm

Mr. Tony Banks (West Ham): The hon. Member for Aldridge-Brownhills (Mr. Shepherd) has not been prevented from contributing, nor was he prevented from contributing on Second Reading, and I doubt whether any Member interested in debating the Bill will be prevented from having his or her say. The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) wondered how 652 Members will be able to get involved in debates in Committee. Oh that 652 Members were interested in getting involved! I suspect that the same Members will be involved in Committee and on Report and very much doubt whether any others will come to the Chamber, so there will be a continuum in the process.

I have opposed and supported guillotine motions. Like most Members, I trust, one exercises judgment as to what is appropriate. I find it distressing that the hon. Member for Aldridge-Brownhills and, in particular, my hon. Friend the Member for Newport, West (Mr. Flynn) and I are on opposing sides. However, I want to address a couple of points made by the hon. Member for North Thanet (Mr. Gale) about the Dangerous Dogs Act 1989 and by my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) about the prevention of terrorism Acts. If a Bill came to the House cold and we were asked to act immediately, that could be described as a knee-jerk reaction, to use that horrible expression, but so far as I can see the Bill is almost incremental. It is not as though the issue has not been discussed in the House on various occasions and at great length.

Mrs. Dunwoody: I understand my hon. Friend's point, but if the Bill is simply incremental as he says, it would not have been necessary for the Home Secretary to take note of the points made by Members of the other place and various groups outside. I am afraid that the Bill contains the kernel of a civil rights problem.

Mr. Banks: I can understand the controversy over the Bill, but it is up to us to exercise our judgment as to how we can best address the problems. We cannot always complain about having to consider legislation to a time scale briefer than the norm. It must be possible to exercise judgment over a brief period, as it must possible to do so over an extended period. There are problems, but that is what the process is all about.

I described the Bill as incremental to show that the issue has not just hit us smack in the face, like the problems with dangerous dogs or issues surrounding the prevention of terrorism Acts. For example, there was a sudden, calamitous experience in Birmingham and an immediate rush to do something. Such legislation worries me far more than the Bill. The Football Spectators

[Mr. Banks]

Act 1989 was amended by the Football (Offences and Disorder) Act 1999, which was promoted by the hon. Member for West Chelmsford (Mr. Burns).

My hon. Friend the Member for Newport, West is right: we would not be discussing the Bill but for the events at Euro 2000. As I understand it, the Government thought that existing legislation was adequate to deal with the problem, but clearly it was not. It was thought that the 1989 Act was adequate, but the hon. Member for West Chelmsford still introduced the 1999 Act. At times, one has to keep fine tuning legislation, and I believe that the Bill has been introduced in that spirit, although I accept that it is highly controversial.

Mr. Gale: I have a modicum of sympathy with the argument that the hon. Gentleman is deploying, but what is not incremental—indeed, it is a new circumstance—is that the Bill is being considered following the introduction of devolved powers to Scotland and Northern Ireland. So far as I can see, no discussions have taken place and no legislation is being introduced in the Scottish Parliament and the Northern Ireland Assembly to support the Bill. There is a gaping hole below the Bill's waterline, which is why it must be delayed. All the powers must be properly co-ordinated.

Mr. Banks: The hon. Gentleman makes a good point, and my right hon. Friend must deal with that issue. There is clearly a loophole, but at least we know about it, so we must find a way of closing it. I do not know whether my right hon. Friend has discussed this matter with whoever passes for his equivalent in the Scottish Parliament, but it must clearly be addressed. The problems of devolution are now revealing themselves, but we must handle them—devolution was a decision of the House, so we must deal with its implications. This will not be the only time that a problem will arise.

I hope that my hon. Friends are prepared to accept my right hon. Friend's statement and the way in which he proposes to enact this legislation. Some say that we should not worry because it is only a football match between England and France. I do not see many hon. Members in the Chamber who are noted for their devotion to our beautiful game of football or who are regular attenders. I shall not tempt fate by asking everyone who regularly supports a football club to stand up, but I know the hon. Members present well enough to know that not many of them are fully conversant with football or the ways of football hooligans. That will come out in due course.

It is not just a matter of the France versus England match: Intertoto matches are taking place now, and the UEFA cup and the Champions league will start in September. They are not matches that usually give rise to the problems that we saw in Charleroi or Brussels because they involve our clubs, but it is imperative to have a timetable, and that requires us to support the Secretary of State. I trust that my hon. Friends, including that excellent parliamentarian, my good and trusted hon. Friend the Member for Newport, West, will support our right hon. Friend.

Mr. Shepherd: Does not the hon. Gentleman realise that this issue affects not only people who love football, but anyone who passes through any of our ports, who could be detained even though they have no interest in football and no intention of going near a football ground?

Mr. Banks: I find it difficult to understand that point. This legislation will apply when football matches are in the offing. I cannot believe that people who are stopped but who clearly have no interest in or knowledge of football will be caught up in this. I do not want to fall foul of Mr. Deputy Speaker's strictures to my hon. Friend the Member for Newport, West about the principle of the Bill, but I should point out that it contains safeguards that, in my opinion and that of my right hon. Friend the Secretary of State, would prevent that from happening. I am satisfied that we can discuss those provisions during Committee stage, but for the moment I give my right hon. Friend my full support on the timetable motion.

5.18 pm

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): I reject the notion that those of us who are regular attenders at football matches should hold our peace in this debate. I am an occasional attender of matches in the Highland league, but they have not caused the problems that we are dealing with today.

The hon. Member for North Thanet (Mr. Gale) raised a point about Scotland that is of considerable importance. The House should not legislate in vain on anything, and there is such a major loophole in the Bill that it would be prudent at least to ascertain the view of the Scottish Executive on the merits of the Bill before proceeding to enact it.

I have a major concern about the timetable motion. I am not opposed to programming of legislation by agreement, subject to there being adequate time for external consultation. That view was recommended by the Hansard Society during consideration of the reform of the legislative process—I was a member and it was chaired by Geoffrey Rippon—and it seemed to me to make sense.

There is no such provision proposed in the allocation of time motion. We have heard from the Home Secretary an indication that his mind has moved on the issue since he last addressed the House. We have not had any opportunity to discuss with those who might have a direct interest in seeking to enforce the Bill what their view is of how the Secretary of State's mind has moved. It is not satisfactory to take that movement as the end of the story.

Mr. Burns: The Home Secretary can confirm that one of the more controversial proposals in the Bill—namely, the proposal to take passports away from unconvicted football hooligans—was published by the Government, with a series of other proposals on football hooligans, in March last year and went out to a full consultative process, to which the Government received responses. When I proposed a similar idea two months later, there was further consultation, in that a number of other organisations wrote to me and to the Government on it. To say that there has been no opportunity for consultation or to get outside views on that controversial issue is factually incorrect.

Mr. Maclennan: I made no suggestion that the matter was factually different from what the hon. Gentleman has said. However, a number of matters are being considered

as a result of the Home Secretary's mind moving. One of the most important innovations is in respect of detention, which goes to the heart of our civil liberties. Here I wholeheartedly endorse everything said by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), whose wise words ought to be listened to by the House on this and many another occasion.

This is one of those issues that shows it is wrong to rush legislation. The kind of urgency that has been suggested by the Home Secretary and the Government stems from the existence of a possible difficulty because of a possible breakdown in policing or some possible determined hooliganism on a particular occasion in the future. That is a classic statement of the circumstances in which it is wrong to legislate. We do not legislate for an occasion in this place, but with the intention that what we do should have a lasting and beneficial effect and should change practices and behaviour.

My hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes) suggested that the changes or development in the Home Secretary's thinking were due to the original Bill being either bad law or bad drafting, or possibly both. If by bad law he meant bad policy, that is where I think the fault lies.

The hon. Member for West Ham (Mr. Banks) said that we should make up our minds and reach a judgment quickly. Candidly, he has been applying his mind to this issue for a long time and no doubt his mind is settled on it. He could scarcely have done the job that he has done for as long as he has and come to the debate without a clear view. However, he is in a different position from many hon. Members: I would venture to say, most hon. Members. When measures are proposed seriously restricting our civil liberties, it is right that we should consult, and consult the law enforcers in particular. When there is evidence of unease—as has been expressed in the last three days—it is wrong to act in the way that is proposed.

By running the Committee and Report stages into one, although it may be possible to deal with points raised in Committee through manuscript amendments on Report, we put the Chair in an extremely difficult position. There are inadequate opportunities to consider the merits of manuscript amendments. We might table nonsensical amendments because of the difficulty of drafting under the likely circumstances. It is not an appropriate way for us to proceed.

I considered seeking your advice on a point of order, Mr. Deputy Speaker. It is perfectly possible that matters will be raised in Committee that give rise to ways of proceeding. It would be invidious, however, to spring such an inquiry on you at this stage, although I am aware that there are precedents.

A clear gap of 24 hours—of one whole day's sitting—should be allowed between Committee and Report stages. That would not defeat the Government's purpose of enabling the Bill to go to another place and return here before the summer recess, but even if it did frustrate our intention to complete our deliberations before then, we should greet that with irritation but accept that it is our duty to return to consider the Bill appropriately.

5.27 pm

Mr. Jim Murphy (Eastwood): Either the Bill—or something very similar to it—will be enacted this side of the recess, to enable matches played in the autumn and early parts of the winter to be covered by it, or we will delay, and allow the matches to take place under earlier legislation.

The right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) has outed himself as a Highland league fan. That is no bad thing, as it was a Highland league team, Inverness Caledonian Thistle, that destroyed my team and its manager's career this year. As the right hon. Gentleman said, the legislation will go through, and it is simply a matter of timing. We should act as promptly as possible, to enable good, but tougher, legislation to be in force when the games to which I have referred take place.

We are not in an ideal situation; Ministers may want to expand on that later. Ideally, there would be prolonged gaps and further consultation. Ideally, we would not be having this debate at all, because we would not have such a massive problem of football hooliganism. With that caveat, we must discuss and develop the arguments on how to get effective legislation on the statute book in time for all the games mentioned by my hon. Friend the Member for West Ham (Mr. Banks), as well as Intertoto, European Champions league and UEFA matches, and the friendly between Manchester United and Galatasaray, which could cause problems.

The Bill is not the enormous attack on civil liberties that has been suggested. On Second Reading, one of my hon. Friends said that what is at stake is the denial to individuals of the right to travel abroad to attend a football match that they will be able to watch at home. That does not constitute the enormous attack on individual civil liberties that some people have identified this evening.

The difference between Scotland and England and Wales is also not a reason for delaying the legislation. The Bill will apply to England and Wales, and the Scottish Parliament may discuss its own legislation. To delay legislation in this House simply so that a devolved Parliament can decide to enact its own legislation when it returns from recess would not close a loophole. Indeed, it would create an enormous open door. It misses the point to argue against legislation covering England and Wales timeously to prevent a small number of people from leaving the country on the basis that they could leave from Scotland.

Mr. Simon Hughes: To be fair to the debate, nobody—apart from the right hon. Member for Bromley and Chislehurst (Mr. Forth)—has argued that we should not have legislation in place by the summer holiday. I understand the point that the hon. Gentleman makes and that there will be a later issue for Scotland and, possibly, for Northern Ireland. However, he should recognise that we are all saying that we should have legislation, but that it should be reasonable and as watertight as possible.

Mr. Murphy: I do not know what happens in Bermondsey in the next couple of months, but in my area we will have a recess rather than a holiday. I understand the hon. Gentleman's point. However, this House and the other place do not have the legislative responsibility to do anything in respect of the loophole in Scotland, which is entirely the responsibility of the Scottish Parliament. Even if we decided to delay legislation, there is no guarantee that the Scottish Parliament would decide to do anything.

The argument has been made that we should delay so that we may consult public opinion, but the hon. Member for West Chelmsford (Mr. Burns) has already identified

[Mr. Murphy]

the fact that similar legislation was mooted more than a year ago. I said on Second Reading that I had written to every English and Scottish premiership club two years ago and several of them suggested measures similar to those in the Bill and in some of the amendments. On those grounds, it is important that we have legislation in place in advance of the recess that will deal with many of the problems that have been identified.

Right hon. and hon. Members have warned of the consequences if we pass legislation that is not as good as it could be in the understandable desire to have something in place, be that because of the necessity for the Government to compromise with Opposition Front Benchers or as a consequence of amendment in the other place. It is essential that we have legislation in place specifically on the passport issue and on the connection between convictions for violence and the inability to travel abroad.

My hon. Friend the Member for Newport, West (Mr. Flynn) confessed an affection for Newport AFC, but I suspect that he is not worried about foreign travel, because his team is many decades from travelling outside England and parts of Wales. His point was that we should not pass legislation on a whim or as a knee-jerk reaction, but the Bill is nothing of the sort. The problem has existed for more than 20 years and various Governments have tried their best to deal with it. To say that the problem comes down to what type of beer was being sold in Holland or Belgium—

Mr. Deputy Speaker: Order. The hon. Gentleman is straying well wide of the timetable motion. I would be grateful if he brought his remarks back to the motion before the House.

Mr. Murphy: I am sorry, Mr. Deputy Speaker, I was just responding to the points made by my hon. Friend which you correctly ruled out of order earlier. If we do not pass meaningful and effective legislation this side of the recess, this House and this country will be blamed for continuing to export our violence when we had an opportunity to pass the legislation that would prevent it.

5.35 pm

Mr. Peter Lilley (Hitchin and Harpenden): With the exceptions of the hon. Members for Eastwood (Mr. Murphy) and for West Ham (Mr. Banks), I have agreed with all speakers from all parties who have so far contributed to the debate and responded to the Home Secretary. That is as it should be, as it is the function of hon. Members to uphold the liberties of subjects. So far as I know, no hon. Member was elected on a manifesto of restricting people's liberties, or of restricting opportunities to debate changes to those liberties.

I agree especially with the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). I have a certain respect for the Home Secretary, as does the hon. Lady. I see him as a Jekyll and Hyde character, and I respect the good, Dr. Jekyll side of his character that shows respect for parliamentary traditions and freedoms. I am therefore grateful to him for the small mercies that he has shown the House today in accepting the Opposition amendments to the motion and extending debate beyond the ludicrously short time originally planned.

However, I am afraid that the other side to the Home Secretary's nature is a desire to appear tougher than tough, and more brutal than brutal. That side of his character panders to the Prime Minister's requirement that tough-sounding measures be produced, however shoddy they may be.

Earlier, Madam Speaker pointed out to the Home Secretary that, during the debate on the guillotine motion, he could not discuss the substance of the Bill. I take it that you, Mr. Deputy Speaker, would not allow the House to discuss the question of timing during the Committee stage. That is why I wish now to discuss the issue of the timing of the debate on this Bill.

Despite the concession that the Home Secretary has made, major questions remain about the amount of time devoted to consideration of the Bill, and how it is allocated. First of all, there is no real urgency about the measure. Football matches have been held over the past few months, and there will be another one in September. It is, I believe, only a friendly match that does not matter very much. If the Home Secretary thinks that that match is so crucial that the Bill must be on the statute book before it takes place, he has the option of asking the football authorities to delay it until a later date.

Alternatively, he could arrange for the start of the recess to be delayed. That would allow the House to consider the Bill fully—if we were not able to do so before the end of July, in the way that the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) set out. There is therefore no real urgency about the matter. The Bill was pushed forward so that the Government could show that they had initiated legislation before the 2006 world cup decision was taken.

The Library has produced a useful brief on this matter, and it shows that football hooliganism is not a recent phenomenon. Governments have been legislating about it since the 14th century. It seems a bit foolish to contend that it is crucial that this Bill be rushed through before the end of July in the year 2000, given that we have spent 600 years not getting the matter right.

Above all, before today's Committee stage, there has not been enough time properly to table amendments to the Bill, whose Second Reading debate began last Thursday and ended in the early hours of Friday. Friday was a non-sitting day, and most hon. Members did not realise that amendments could be tabled then. When I tried to table amendments this morning, I was told that handwritten amendments would be frowned on, as there were already starred amendments for consideration. However, I gather that that did not stop the Government putting down further handwritten amendments. I gather that they have not been able to put down sufficient amendments for the Committee stage and have had to put down amendments for the Report stage before the Committee's consideration has been completed—or am I mistaken about that?

Mr. Simon Hughes: I cannot answer the right hon. Gentleman's last question. However, my understanding is that not only were the Government amendments put down on Friday, but they were put down towards the end of the time permitted because when we tabled our amendments, there was no sign of them. Therefore, any chance of trying to take that into account was effectively foreclosed.

Mr. Lilley: I am grateful to the hon. Gentleman for making that clear.

Normally, we consider the principles of a Bill on Second Reading, after which we go back to our constituencies and discuss it with our constituents, professional organisations and interested parties. We can then put down amendments, often with detailed help and advice from the interested parties, so that the measure can be improved when it is considered in Committee. None of us has had the opportunity to do that. The only organisations that we could consult were those which work over the weekend, of which there were not a great many. However, in my constituency I was able to talk to doctors, neighbours, and people at church and in the pub. When I told them what was proposed, they all had grave reservations, but none had written amendments handy for me to submit this morning.

The initial motion in the name of the Home Secretary, which would have allowed but a few hours' debate—seven in total, including that on the guillotine motion—was manifestly insufficient and rather sinister in trying to concertina the whole process into such a short time. In addition, most of the debate will take place during the night. That does not worry me—I am quite happy to spend all night discussing this legislation to make sure that we get a better Bill than the one the Government have submitted. However, the timing is intentional, so that the Government get as little coverage as possible in the press for what they know to be a shoddy and dangerous Bill. That is why they are trying to get the debate over with quickly and during the hours of darkness. *[Interruption.]* Yes, there is something of the night about the Home Secretary's proposals, as my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis) says. *[Interruption.]* It may well be a qualification for Home Secretaries, but that is only the current political fashion.

I believe that the Bill raises many important issues. We need to examine them in Committee by putting down amendments to test whether those issues have been catered for by the Bill's wording and, if not, to amend the wording to ensure that they are properly covered. First, is the Bill reconcilable with the human rights provisions that the Government introduced? My right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell), a former Attorney-General, says that it is not compatible with the human rights legislation, and he is a powerful and persuasive figure. The Government, however, say that the Bill does not conflict with the human rights provisions of the Council of Europe. If it is not incompatible with those provisions, it shows what an inadequate defence of our human rights these foreign provisions are. I have always maintained that. We in this place should be the principal defenders of our rights, regardless of whether the measures that we introduce are compatible with the European convention on human rights, which we have signed elsewhere.

The Bill raises many issues about the traditional rights of the English man and woman and the Welsh man and woman who are primarily affected by it. Does the Bill conflict with the presumption that someone is innocent until proven guilty, or does it not? We need to examine that and test it with appropriate amendments. Is it right to detain people simply to seek evidence of whether they may have indulged in some behaviour that might indicate that they would, at a future date, commit an offence, which would not be a criminal offence in this, or any other, country? We need time to consider all that.

Indeed, we must ask whether we should legislate at all to punish people for something that may not be a crime in this country or any other. We need time to consider that question. Should we punish people by withdrawing their passports on the basis of procedures that do not require criminal standards of proof, but only civil standards? Is the Bill compatible with the Police and Criminal Evidence Act 1984? The Home Secretary said that he would introduce amendments to help to achieve compatibility, but we need to make absolutely sure of that. That is a major issue, and it cannot be resolved in just a few moments.

Once the House has heard the full list of issues that we must consider, it will realise that each of them will receive short shrift, even under the extended timetable that we are being permitted. There are questions of extraterritoriality. Should the House try to legislate to maintain peace and order in other jurisdictions? Surely that is primarily the duty of the Governments concerned. Should we place greater restrictions on the liberties of British subjects than we do to maintain domestic peace in order that peace may be maintained in France, Belgium, Germany and other places?

Does the Bill conflict with freedom of movement in the European Union? Freedom of movement is one of the aspects of the European treaties that I most support, but we appear to be restricting it. We need time to debate these matters and to test them by amendment, so that we may judge whether the Bill is incompatible with freedom of movement in the EU. If it is not, several people have said that restrictions of the kind proposed could be achieved only by the introduction of identity cards. I oppose that, but it may logically be compatible with the Bill and necessary as a result of it. The Government, who seem to be having second, third, fourth and fifth thoughts about the Bill, may want to move further in that damaging direction, and we should debate the point.

Is there a retrospective element to the Bill? Are we applying punishment to people who were previously found guilty under terms and conditions that did not include those punishments? Is there not a degree of double jeopardy in that respect? I understand that the German Government refused to participate in the administrative arrangements that we put in place to try to prevent the problems that occurred at Charleroi, because they believed that even those arrangements conflicted with the provisions in the German constitution preventing—

Mr. Deputy Speaker: Order. The right hon. Gentleman is doing his best to link all his different points to the amendment before us, but I am not sure that he has always succeeded.

Mr. Lilley: I am endeavouring to show that important issues before us require time for discussion and that the Government have not allowed for that time in their allocation of time motion. I do not intend to delay the House artificially; I merely want to put on the record how serious, important and numerous those issues are.

There are questions of discrimination against a particular group—football fans. We should remember that football fans, not football hooligans, will be impinged on by the Bill. Should it be restricted only to that group, or extended to fans of other sports? Should it include people wishing to travel abroad to take part in demonstrations

[Mr. Lilley]

that might be rowdy and at which they might be aggressive? Should it include people who wish to go abroad to participate in other illegal activities, such as taking drugs in Ibiza, where, we learn, many British behave in a deplorable manner? Those people would certainly arouse the wrath of the hon. Member for West Ham, who hates to see any British person travel abroad for illegal reasons and bringing the fair name of England into disrepute.

We must go through the measure line by line and word by word.

The Minister of State, Home Office (Mr. Charles Clarke): The right hon. Gentleman mentions a range of issues that, as you pointed out earlier, Mr. Deputy Speaker, will be dealt with in Committee and on Report. Will he confirm that he intends, whatever the circumstances, to vote against the measure on Third Reading?

Mr. Lilley: No, I cannot confirm that. I did not vote against the measure on Second Reading, because, stretching my credulity and my willingness to compromise with the Government to their limits, I had hoped that the Government might remove both the uncertainties and the offensive aspects of the Bill so that it became comparatively harmless and was restricted to the two or three provisions that, as my right hon. Friend the shadow Home Secretary pointed out, were not especially controversial.

Above all, we must consider the measure line by line and word by word to ensure that it is not an unworkable, shoddy, spin doctor's stunt. From this morning's newspapers, we know that the Prime Minister sent out an edict to his Ministers, stating that:

> On crime, we need to highlight tough measures . . . We should think now of an initiative . . . Something tough, with immediate bite which sends a message through the system.

The Bill shows all the symptoms of being a response to that plea from the Prime Minister to send out tough messages. Of course, when he was in opposition, he had a wonderful slogan: "Tough on crime, tough on the causes of crime." That always seemed inadequate, because it missed out the words, "tough on criminals".

The Bill, however, would be tough on the innocent and tough on suspects—people who look as though they might be racist thugs and hooligans, but might turn out to be Members of Parliament in mufti. We need to consider such matters seriously and at greater length—with the opportunity to consult people outside the House—before the measure is passed into law.

We need to ensure that we rub the faces of the Government's Back-Bench supporters in the measure. That is how we shall ultimately achieve change in this place. The Government have a massive and overwhelming majority. They can steamroller the guillotine motion and the Bill through the House. However, if, before doing so, their Back Benchers have to spend so much time considering the measure that they are unable to obscure from their consciousness how contrary it is to their beliefs, they will get hold of the Home Secretary in the Lobby, as we vote on successive amendments, and say to him, "Heavens above Jack, Dr. Jekyll—whatever your name is—please alter this. Haven't you made a mistake? Give more time for consideration. Defer until the autumn".

If they did so, perhaps the measure would be made compatible with the principles that I believe a majority of Labour Members share with me, but with which the Bill is at present incompatible. If we support the allocation of time motion, we shall have insufficient time to ensure that the Bill is fit for the House to pass.

5.53 pm

Mr. Mike Hancock (Portsmouth, South): I am grateful to have an opportunity to speak in the debate, because in the past the city of Portsmouth has suffered considerable hooliganism, sadly associated with our team. That hooliganism was taken around the country, much to the discredit of the city. I am glad to say that there have been improvements and there is little or no trouble either at Fratton Park or at away games.

It is not unreasonable for people to expect the Government to react to the events that we saw over the summer. However, games that are about to take place have been cited as the reason for doing so—especially the one between Manchester United and Galatasaray. If the Football Association is really interested in doing something about the matter, and bearing in mind that it asked Manchester United to play in Brazil, it should ask the team, in the national interest, not to play a friendly match against Galatasaray in Belgium. That would be a major step.

We should remember that the two Leeds supporters who were killed in Istanbul were innocent, committed, long-term football supporters. They had travelled with their team on many occasions. They went to watch a football match, but were killed—innocent bystanders of events that overtook them. Whatever laws we pass, the innocent football supporter will always be caught up in the turmoil of hooliganism, when emotions run away with people.

When the measure received its Second Reading last Thursday, we all wanted the time for debate to be unfettered. As hon. Members have pointed out, the debate was successfully concluded. Everyone who wanted to speak was able to do so and there was no dissension as to the way in which our democratic processes had worked.

We then found out that the Government were intending to deal with the Bill's remaining stages in seven hours. That is a ludicrous proposal and we had to object to it. If it had been accepted, several Labour Back Benchers would have supported it only reluctantly. However, what have the Government conceded? They have agreed only to lengthen the proceedings—they have not allowed the reflection time that was essential between Committee and Third Reading, so that there would be a day or so between them.

We could fall in line with the other place by making a decision tonight—even at this late stage—to reconsider the timetable. We could take the Committee stage until midnight or, if necessary, until 5 am. The House could then adjourn business on the measure until after 10 pm on Wednesday. The House and the outside world would thus have a chance to reflect on it.

When the Home Secretary opened the debate, he said that over the weekend he had considered what had been said on Second Reading and the representations put to him by the Conservative Front-Bench team through the usual channels. I am sure that he also took into account what the outside world was telling him—either through

his noble Friends or through Labour Back Benchers. The right hon. Gentleman was prepared to listen and the Bill is dramatically different. Even that small period made the Home Secretary see the sense of allowing a break.

Common sense should prevail. The shadow Leader of the House explained why the Opposition had tabled their amendments, but why must the procedure be so complicated? Surely, it would be simpler for the Home Secretary and the Government to realise that it would make sense not to pass a Bill about which there will be grave reservations and in which people will try to find loopholes. Even before the measure leaves this place, lawyers will be relishing the opportunity to take on the Government and the state by defending people who will be caught up by it.

We do not need a Bill that will end in tears. We need a measure that delivers what most reasonable people want: justice and dignity for the nation as a whole and the preservation of the liberties of the individual. The legislation should not interfere with those liberties unnecessarily. That is what we expect. Unfortunately, the time we are offered for debate this evening and early tomorrow will not provide an opportunity to fulfil that expectation.

The Home Secretary enthuses about being tough; but if, in being so, he opens a hornets' nest that will lead to widespread disappointment, that cannot be right. He has had to admit that he thought the Government had enough powers to deal with the problems over the summer. How wrong he was. He should learn from that mistake and listen to what is being said by hon. Members who do not want to stop the Bill, but want it passed in a form that delivers what reasonable people want: justice administered fairly, with no pressure on individual policemen to do more than should be expected of them.

A match takes place in Paris in a few months' time. Ten to 12 ferries leave Portsmouth every day. Sometimes, thousands of people go through the passenger terminal, but who will vet them all to ensure that the undesirable element that the hon. Member for West Ham (Mr. Banks) and I do not want to travel to football matches does not get through?

We need a Bill that will deliver what we want. We need time to reflect on its current provisions, the provisions that will be in it at 12 o'clock, and on where we shall be at 5 o'clock on Tuesday when the Bill travels the short distance down the Corridor to the other place. If it goes out of this place in good shape, it stands less chance of being amended in the other place and of creating further difficulties for us the following week.

I hope that the Home Secretary has listened to this constructive debate. Unlike many debates on guillotine motions, hon. Members have not only expressed their anger at the guillotine, but have made constructive comments on how to improve a Government Bill that none of us wants to vote against.

6.1 pm

Mr. David Davis (Haltemprice and Howden): I agree with almost everyone who has spoken in the debate, with the possible exception of the hon. Member for West Ham (Mr. Banks). He lobbied me in the past when I was a Foreign Office Minister on the civil and civic rights of people in many other countries, so he surprised me when he said that, if we were not football fans, we might not understand the problem.

I agree with the hon. Gentleman on one point. I presume that he is right to say it is necessary for the Bill to become law before the summer recess. I cannot judge accurately the seriousness of the possible hooliganism that might follow the matches that are held abroad, so I shall take it as read that the Bill must become law by the beginning of August. However, even if we accept that assumption, we are involved in a hazardous parliamentary process.

There are good reasons for the structure of Second Reading and then a pause, Committee stage and then a pause and then the final stages of a Bill before it goes to the Lords. That is the only way that the House generates decent legislation. On every other occasion when we have not followed that procedure, we have ended up with bad legislation. Even when we follow that procedure and there is insufficient argument about the issues, we sometimes end up with bad legislation.

The Bill and the amendments demonstrate my argument. My right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell), who is a former Attorney-General, and I tabled amendments Nos. 28 and 29. In their amendments, the Government have accepted amendment No. 29 and substantively accepted amendment No. 28, but our amendments were tabled at the last minute—on Thursday evening, because the House did not sit on Friday—after relatively short consideration of the Bill. That the amendments were necessary was fairly obvious at that point; so much so that the Government probably agreed to accept them because, if they did not, the Bill would be illegal under the European convention on human rights. On that basis, the Bill was badly flawed even at first sight and who is to know what would have become apparent between Committee and Report?

The fact that there is no gap between the Committee and Report stages is what aggrieves me most about the process suggested for the debate. The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) told us that it would be possible to create a timetable for the Bill so that its Report stage would be taken on Wednesday. That would still allow the Lords sufficient time to complete its consideration of the Bill and send it back to us before the summer. That is the only intelligent way to consider the Bill. If we do not take that approach, flaws will undoubtedly remain in it.

The Bill is designed not just for the summer, but for the foreseeable future. It will be the basis on which the courts deliver law and it will impinge fiercely on the civil rights of individuals—not just football hooligans but all football fans and probably all those who travel on the day of international football matches. All of us—whether we are football fans or not—represent people in that latter category. Therefore, it is our duty—not just our right—to make the points that we have made today.

Although I tried to table a manuscript amendment to break consideration of the Bill into two parts so that we could debate it today and on Wednesday, that was unfortunately not possible under the procedures of the House. That is a tragedy, in my judgment. It will lead to the Bill having a harder time in the Lords and it may lead to its being greatly flawed when it becomes law.

6.5 pm

Mr. Christopher Gill (Ludlow): I have listened to much of the debate this evening and on Second Reading and I am persuaded that the case for the Bill is not made. Certainly the case for proceeding with the indecent haste that the Government propose is not made.

The problems stem from the failure of law enforcement authorities to invoke existing powers. Doubts must have been created in the minds of those Members of Parliament who listened to the "Today" programme this morning and heard the father of the only football fan who was charged as a result of the scenes in Charleroi. Scores of arrests were made, but only one person was charged and the manner in which that was done appears to have been unsatisfactory. The proposed new law is unnecessary because existing law is not being invoked. We are in danger of doing the wrong thing—albeit for the right reasons—because of the indecent haste with which we are proceeding with the Bill.

We are in danger of legislating for one specific event in September because of the unacceptable behaviour of a very small minority. However, as has been pointed out, we have a duty and a responsibility to legislate for everyone in our society and in a way that does not prejudice the civil liberties of the majority. Any law that is made without the arguments for and against it being properly tested in debate risks becoming bad law.

Hon. Members have made the point that it is important to listen to a wide range of views. Parliament does not have the monopoly of wisdom on such subjects. Although Parliament has listened with great interest to those Members who have a specific interest in football and have knowledge of the problems occasioned by soccer hooliganism, many Members do not have such knowledge. Therefore it is wrong for us to proceed at break-neck speed without having time to consider the other views that might have been fed into the debate had it not been timetabled in such an unsatisfactory fashion. Given the fundamental civil liberty issues that are at stake, truncating the debate in the manner suggested by the Government is ill advised and offends against the finer traditions of law making in this Parliament.

6.9 pm

Sir Nicholas Lyell (North-East Bedfordshire): I shall be brief, but I want to associate myself with what has been said by almost everyone on both sides of the House. In particular, I refer to my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley), who made a catalogue of points that all deserve serious consideration.

I do not want to sound churlish because I am grateful to the Home Secretary for accepting the substance of the two amendments that I and my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis) tabled. As my right hon. Friend said, they were tabled late at night, and many more amendments need to be tabled.

I strongly support the hon. Member for Portsmouth, South (Mr. Hancock), who said that the proposal is a sticking-plaster palliative and that it would be much better to have the Report stage after 10 pm on Wednesday, rather than after midnight tonight, as at least that would provide two more days for some kind of reflection. It is quite wrong that a Bill that delves deep and make a major attack on the civil liberties of people in this country should be rushed through in this way. We have already said that it is not necessary, as there have been eight pieces of legislation on football matters since 1980, and a friendly match with France in September is no justification for rushing in this way.

I shall briefly highlight the important points. The Home Secretary has already acknowledged one human rights error by accepting our amendments. However, the Bill contains another human rights error as, under schedule 1, proposed new section 21C(1) of the Football Spectators Act 1989 makes the measures applicable only to citizens of this country, which directly contradicts article 14 of the ECHR, under which such action is discriminatory. If the Home Office cannot get such matters right and, as is his statutory duty, the Home Secretary states on the front of the Bill that, under section 19(1)(a) of the Human Rights Act 1998, in his view

> the provisions of the Football (Disorder) Bill are compatible with the Convention rights,

within a few days he will be demonstrated to be wrong on one occasion and, I believe, wrong on a second. I say that with deep respect for the Home Office lawyers who are advising the Home Secretary, many of whom I know personally and who are of a high calibre. However, if they can get it wrong when advising the Home Secretary, as we must presume, and the Home Secretary is wrong about fundamental human rights, about which the Government have made such a song and dance about introducing, the need for close scrutiny is strongly demonstrated.

I shall say a quick word about extraterritoriality. My right hon. Friend the Member for Haltemprice and Howden tabled an amendment with which I have a good deal of sympathy, as it proposes that a criminal action that takes place abroad but is not dealt with there could be dealt with here. However, before we breach that dam, big issues are raised.

Let us suppose that one is seen on videotape in a crowd that is milling around and clearly taking part in public disorder. If one is in such a crowd, one is likely to be contributing to disorder, whether or not one wishes to. However, one's opportunity to defend oneself may be extremely limited. Consequently, I am hesitant about supporting a measure which, if we can get the wording right, might be sensible.

I have made the few points that I need to make immediately, and which add up to the fact that the rush on the Bill will cause us to regret at leisure what we have done in haste.

6.13 pm

Mr. Straw: With the leave of the House, I shall seek to reply to the debate.

I recognise that those who have consistently opposed guillotine motions while supporting their party in government as well as in opposition have strong moral authority for what they have said today. Of those members of the official Opposition who have spoken against the guillotine, the only person in that position is the hon. Member for Aldridge-Brownhills (Mr. Shepherd) who, throughout the period in which he was a Government Back Bencher, honourably opposed Government guillotines. As the right hon. Member for Hitchin and Harpenden (Mr. Lilley) rashly spoke about Jekyll and Hyde and people saying one thing and doing another, I must point

out that what I said about the hon. Member for Aldridge-Brownhills does not apply to him, the right hon. Member for, famously, Bromley and Chislehurst (Mr. Forth), the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell), the right hon. Members for Maidstone and The Weald (Miss Widdecombe) and for Haltemprice and Howden (Mr. Davis), and the right hon. Member for North-West Hampshire (Sir G. Young), the shadow Leader of the House.

Those Members, when Ministers or Back Benchers in the previous Government, all voted for guillotine motions, including that on the Football Spectators Act 1989 which was debated exactly 11 years ago today. I have refreshed my memory on that debate but, for those right hon. and hon. Members who have not, the case for guillotining that Bill was much less urgent than the case for guillotining the Bill today.

Mr. Nick Hawkins (Surrey Heath): The right hon. Gentleman voted against the Bill.

Mr. Straw: I voted against it. There is something synthetic about the lather worked up by most Members on guillotine motions, although I except those such as the hon. Member for Aldridge-Brownhills who have a principled position that they maintain through thick and thin.

I shall cherish the reply of the right hon. Member for Bromley and Chislehurst who is on the record as saying that he always opposed guillotines. When I put to him the fact that "always" was subject to Clintonesque qualification and that he voted in favour of the guillotine on the Football Spectators Act, he explained that he was in government then. The right hon. Gentleman had a strong principle against guillotines, but another principle collided with that, namely the principle that he wished to carry on collecting the Queen's shilling as a Minister.

Miss Ann Widdecombe (Maidstone and The Weald): May I ask the Home Secretary to be terribly specific and, instead of making a general defence of guillotine motions, address himself specifically to this guillotine motion? Will he tell us what circumstance makes the curtailment of debate necessary, when he received all the necessary assurances and when there was not a single indication on Second Reading to suggest that there would be any undue delay? Indeed, my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) took up precisely five minutes of Second Reading. No previous indication was given in any business statement that there was going to be a guillotine. What is the justification for this guillotine?

Mr. Straw: The justification is straightforward, as the right hon. Lady knows. The record of the Conservative Opposition is that, whatever they say, they cannot deliver undertakings that they make to the House. The right hon. Member for North-West Hampshire implicitly accepted that when he said that, in seeking an informal arrangement not bound by a guillotine motion, the Opposition were reasonably confident of delivering a timetable. We have Government business tomorrow, the day after tomorrow, and the day after that, and at this stage, especially in July, any Government must not be "reasonably confident" of having its business delivered, but certain. I remind the right hon. Member for Maidstone and The Weald that the shambles of the Opposition is such that, earlier this year, maverick action by her own Back Benchers meant that they shot themselves in the foot by preventing Prime Minister's questions from taking place and by causing the abandonment of two Opposition debates.

There is no point the right hon. Lady shaking her head, as that is the truth. Given the fact the Opposition can wreck their own business with that kind of maverick action, they could wreck Government business more easily still. What the right hon. Member for North-West Hampshire, as shadow Leader of the House, said about a communications failure treads delicately over the events that took place. I was present at some of the discussions and the right hon. Gentleman knows very well that, had there been a cast-iron guarantee that the Opposition would deliver the business tonight and to which every other Member of the House was bound, we would, of course, happily have proceeded by agreement. However, having been a Minister in the previous Government, the right hon. Member for Maidstone and The Weald knows only too well the imperatives on Government and the need for Government to get their business—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. We cannot have the right hon. Member for Maidstone and The Weald (Miss Widdecombe) shouting across the Chamber. She has had a very good innings and made an intervention.

Mr. Straw: I turn now to some of the other matters that have been raised.

Mr. Maclennan: In response to the right hon. Lady's intervention, the Home Secretary made the case for having a guillotine motion, but not for having this guillotine motion. Surely the argument is not so much about guillotines—the Government may be right to say that they must complete their business before the House rises—but about whether we should continue the debate right through tonight.

Mr. Straw: I do not believe that all legislation should be guillotined, and I recognise that the fact that most legislation is not guillotined is an important safeguard for the rights of Back Benchers, whether they are on the Government or the Opposition Benches. However, for reasons that I have already explained, I think that it is necessary to complete this business tonight so that it can go to the other place. That, I understand, is what has been agreed between the business managers.

I shall deal now with the other points raised in the debate because it is important that I sit down by 6.35 pm so that any votes can take place and the House then has a full opportunity to debate the amendments. The right hon. Member for Haltemprice and Howden made the interesting observation that hasty legislation was bad and that legislation on which there had been insufficient conflict also turned out to be bad. I happen to agree with him on the latter point. It would be interesting if one of the House Committees examined whether all legislation that had been put through the House with some speed has turned out to be bad legislation, although I do not think that that is the case. Governments of both parties sometimes have to pass legislation quickly. I had that duty in September 1998 in the aftermath of the Omagh

[Mr. Straw]

bombing, and I believe that it was appropriate to pass that legislation and that there is nothing defective about it, although people may have argued about its merits.

I am in no doubt that the legislation that is most likely to be defective is not that which has been dealt with speedily, but that on which there has been no argument. I can think of several pieces of legislation during the previous Government and earlier Governments on which there was a broad consensus, and we repented in leisure about the fact that there was no engagement about the detail in Committee or on the Floor of the House.

In this case we are proceeding with greater speed than I would wish for in a perfect world, but one of the benefits of that, not only in the process that I have sought to adopt outside the House, but inside the House, is that there is a real engagement on the key issues and, to some extent, a greater engagement than would have been the case if the Bill had proceeded at a normal pace.

Mr. David Davis: Will the Home Secretary explain exactly why he could not separate the Committee and Report stages and meet the point made by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) that we could get the Bill through the Lords and back again in this Session?

Mr. Straw: That was discussed and determined by the business managers, and I understand that there was anxiety that if we did as the right hon. Gentleman suggests, there would not be enough time to have the Bill printed and sent to their Lordships' House by Thursday. If there is any change to that, I will ensure that it is put on the record later in the debate.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) said that the legislation was always foreseeable, and that point was also made by the hon. Member for North Thanet (Mr. Gale). As the hon. Member for West Chelmsford (Mr. Burns) noted, three of the four measures in the Bill were perfectly foreseeable—so much so that they have been discussed at great length in the past. That ought to reassure the House. As the whole House has accepted, the first two measures are nothing more than a compression of the domestic and international banning orders on which there has been almost no disagreement in our debates or in earlier debates on the consultation papers.

The third measure relates to the football banning order, and here I make another observation sparked by the remarks of the right hon. Member for Haltemprice and Howden. As the hon. Member for West Chelmsford pointed out, 15 months ago we published a consultation paper about a football banning order that was not exactly the same as, but similar in concept and structure to the one in the Bill. One thing that I have learned since becoming a Minister is that one can publish as many consultation documents as one likes, but it is not until there is legislation before the House that—

Mr. Simon Hughes: Everybody wakes up.

Mr. Straw: As the hon. Gentleman says, everybody wakes up. One can try to spray on people's faces what one is proposing, but it is not until the legislation comes before the House that people begin to wake up. None the less, if one does consult, as we did 15 months ago, people are given notice and can start putting forward their ideas. We have not suddenly thought of banning orders; the idea has been around for a long time and has been the subject of discussion for a long time.

On the fourth element, the hon. Gentleman was simply wrong to say that the legislation was foreseeable. In the abstract, one could have foreseen our taking the powers that I propose should be taken under proposed new sections 14 and 21C in schedule 1. However, in advance of the trouble in Charleroi and Brussels, it was broadly accepted and I made it clear that such powers would be disproportionate. Our judgment was that those powers were not needed because all the advice that we had received was that our existing powers were likely to prove sufficient to deal with the problem.

Circumstances have changed and, to paraphrase John Maynard Keynes, if circumstances change, it is a good idea to change with them. As I argued extensively last Thursday, I have sought to make it clear that in addition to the hard core of known hooligans, against which there is pretty effective police and legislative action, we must deal with the new dimension that we saw in Charleroi and Brussels—the considerable proportion of people who turn out to have records for violence and disorder in general but not for football-related violence and disorder. That is why it is nonsense to say that the fourth element of the Bill was foreseeable.

Mr. Hughes: We do not disagree about that. I have never argued that the fourth proposal, on summary detention, was foreseeable. However, it was foreseeable that we would have a football-related Bill, so the Government cannot refute the argument for introducing it earlier in the year, when it might have been amended or expanded. When three of the four measures were always predictable, it is not defensible for them to bring the Bill to the House two and a half weeks before the recess.

Mr. Straw: I have already made it clear to the House about 15 times that I would have preferred the powers relating to the banning order to be included in the legislation introduced by the hon. Member for West Chelmsford. We have been over the history of that, and there is no argument about that. It must be said, however, that the advice that we received, which I transmitted to the House, was that there was a general belief that the existing powers were likely to prove satisfactory to deal with known hooligans, and indeed they did. They did not prove satisfactory to deal with an emerging and substantial problem.

The right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) said that he thought that there might be a loophole in the Bill because it did not cover Scotland and Northern Ireland. Whether we take the Bill through the House slowly or quickly there will be what he describes as a loophole because Parliament, with his full approval, has legislated to transfer responsibility for the criminal law in Scotland to a Scottish Parliament. It does not matter how much time we take because any criminal law legislation that we pass will be confined to England and Wales and, in certain circumstances, to Northern Ireland.

The right hon. Gentleman asked what is the view of the Scottish Parliament, and I can tell him the Scottish Executive's view. They do not at present see any need

to bring in legislation parallel to the measures that I am proposing for England and Wales, but they have undertaken to keep the matter under review.

In the meantime, arrangements will be made for the closest possible liaison between police officers north and south of the border to establish whether there is any evidence of people seeking to evade the new controls in the way suggested. We shall also be looking to set up similar contacts with the police force in Northern Ireland and in the Republic of Ireland.

The right hon. Gentleman's point about the Bill not applying to Scotland extends to the Republic of Ireland, where we have had no legislative authority since 1921—and quite right too. However, as it is part of the common travel area, it is possible for someone to seek to evade the controls by travelling to Dublin without a passport, because none is needed, and then travelling elsewhere.

The point is that there is no legislation anywhere in the world that can eliminate all criminal behaviour. The question is whether legislation will better control that criminal behaviour. The judgment that the Bill will do so carries the approbation of the House. Just because one cannot do everything—in this case ensure that the legislation extends to Scotland, Northern Ireland and the Republic of Ireland—should not mean that one should not do anything. In other words, we should legislate for the serious site of the problem: England and Wales.

I believe that there is adequate time for debating the details of the Bill in this House and the other place. *[Interruption.]* The right hon. Member for Maidstone and The Weald squeaks at that proposition and seeks to raise objections to it, but I remind her of the extraordinary position into which the Conservative Opposition have got themselves. Before the end of the tournament in Netherlands and Belgium, her right hon. Friend the Leader of the Opposition was calling for legislation to be brought forward and dealt with immediately.

Miss Widdecombe: Yes.

Mr. Straw: The right hon. Lady says yes. Had such legislation been brought forward straight away, aside from the fact that it is extraordinarily difficult to envisage how it could have operated effectively in a matter of days, one thing is absolutely certain: it could not conceivably have received the care and attention that has been devoted to this Bill on this occasion—*[Interruption.]* It is no good other Opposition Members squawking at this stage. That was the Leader of the Opposition's proposition.

Miss Widdecombe: Will the Home Secretary give way?

Mr. Straw: No, I am about to finish.

Before the right hon. Lady starts to quibble about the time that has been allocated under the guillotine motion, she needs to remind herself of the remarks made by the Leader of the Opposition in Bradford on 22 June. He said:

> I say the time to act is right now, for England's qualifying matches, for the next World Cup are only months away. That is why I am making this important offer to the Prime Minister.

He did not use the word "guarantee", but he might have done—

> The Conservative party will give our full support and co-operation in Parliament to Government legislation that will stop known hooligans from travelling to football matches abroad, extend the restrictions on international matches, give consideration to increasing the severity of punishments. Other European countries have shown that tough measures and a clear political will can win the battle against hooligans.

That is what he said, that is what we are delivering and that is what we expect the Conservative Opposition to deliver with us—for that is the guarantee that the Leader of the Opposition gave on this legislation.

Amendment agreed to.

Amendment made: in paragraph 1(4), leave out from "Consideration" to end of paragraph 1(5) and insert—

and on Third Reading shall, if not previously concluded, be brought to a conclusion at 5 am on 18th July.—*[Sir G. Young.]*

Main Question, as amended, put:—

The House divided: Ayes 281, Noes 56.

Division No. 269] **[6.35 pm**

AYES

Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Galloway, George
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Gunnell, John

Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hewitt, Ms Patricia
Hinchliffe, David
Hoey, Kate
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mullin, Chris
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Kevin Hughes and
Mr. Robert Ainsworth.

NOES

Allan, Richard
Baker, Norman
Ballard, Jackie
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bottomley, Peter *(Worthing W)*
Brand, Dr Peter
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Chidgey, David
Chope, Christopher
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Corbyn, Jeremy
Cotter, Brian
Cunningham, Ms Roseanna *(Perth)*
Davey, Edward *(Kingston)*
Davis, Rt Hon David *(Haltemprice)*
Fearn, Ronnie
Flynn, Paul
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Gale, Roger
Gummer, Rt Hon John
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kirkwood, Archy
Leigh, Edward
Lilley, Rt Hon Peter
Livsey, Richard
Lyell, Rt Hon Sir Nicholas
Maclennan, Rt Hon Robert
Moore, Michael
Morgan, Alasdair *(Galloway)*
Oaten, Mark
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Shepherd, Richard
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Townend, John
Tyler, Paul
Webb, Steve
Wigley, Rt Hon Dafydd
Wilkinson, John
Willis, Phil

Tellers for the Noes:
Mr. Donald Gorrie and
Mr. Tom Brake.

Question accordingly agreed to.

Resolved, That the following provisions shall apply to the remaining proceedings on the Football (Disorder) Bill:—

Committee, Report and Third Reading

1.—(1) Proceedings on the Bill shall be completed at this day's sitting.

(2) Proceedings in Committee shall, if not previously concluded, be brought to a conclusion at midnight.

(3) On the conclusion of the proceedings in Committee the Chairman shall report the Bill to the House without putting any Question and, if he reports the Bill with Amendments, the House shall proceed to consider the Bill as amended without any Question being put.

(4) Proceedings on Consideration and on Third Reading shall, if not previously concluded, be brought to a conclusion at 5 am on 18th July.

Conclusion of proceedings

2.—(1) For the purpose of bringing any proceedings to a conclusion in accordance with paragraph 1 the Chairman or Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded;

and on a Motion so made for a new Clause or a new Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(2) Proceedings under sub-paragraph (1) shall not be interrupted under any Standing Order relating to the sittings of the House.

(3) If two or more Questions would otherwise fall to be put by the Chairman or Speaker—

(a) under sub-paragraph (1)(c) on amendments moved or Motions made by a Minister of the Crown, or

(b) under sub-paragraph (1)(d) in relation to successive provisions of the Bill;

the Chairman or Speaker shall instead put a single Question in relation to those amendments or Motions or (as the case may be) those provisions.

Order of proceedings

3. No Motion shall be made, except by a Minister of the Crown, to alter the order in which any proceedings on the Bill are taken or to recommit the Bill; and the Question on any such Motion shall be put forthwith.

Dilatory motions

4. No dilatory Motion with respect to, or in the course of, proceedings on the Bill shall be made except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

Extra time

5. Paragraph (1) of Standing Order No. 15 (Exempted business) shall apply to proceedings on the Bill.

Business Committee

6. Standing Order No. 82 (Business Committee) shall not apply to this Order.

Supplemental orders

7.—(1) The proceedings on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall, if not previously concluded, be brought to a conclusion one hour after their commencement; and paragraph (1) of Standing Order No. 15 (Exempted business) shall apply to those proceedings.

(2) If at the sitting this day the House is adjourned, or the sitting is suspended, before the time at which proceedings on the Bill are to be brought to a conclusion under paragraph 1, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

Mr. Roger Gale (North Thanet): On a point of order, Mr. Deputy Speaker. In its wisdom, the House has passed an amendment to the motion ensuring that

Third Reading shall, if not previously concluded, be brought to a conclusion at 5 am on 18th July.

You will know that the Order Paper for tomorrow will carry the date 18 July, but the convention and tradition of the House is that the House remains in the day on which it is sitting until the Adjournment or the rise of the House on that day. That will mean that the House must adjourn prior to the conclusion of the Third Reading, in order that the Third Reading may end on 18 July. That is immensely wise, as it will give us time for further consideration. What representations have you received to indicate at what time on 17 July the House will adjourn, in order for us to reach 18 July?

Mr. Deputy Speaker (Mr. Michael J. Martin): I have received no representations. I can tell the hon. Gentleman that sometimes, at 5 o'clock in the morning, I lose track of the date, but I certainly do not lose track of the time. The House will manage to get through the proceedings all right.

Orders of the Day

Football (Disorder) Bill

Considered in Committee, pursuant to Order [this day].

[MR. MICHAEL J. MARTIN *in the Chair*]

Clause 1

FOOTBALL MATCHES: PREVENTION OF VIOLENCE OR DISORDER

6.52 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): I beg to move amendment No. 20, page 1, leave out lines 17 to 20.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): With this it will be convenient to discuss the following: amendment No. 21, in schedule 1, page 9, line 4, leave out from beginning to end of line 21 on page 10.

Amendment No. 28, in schedule 1, page 9, leave out lines 5 to 19.

Government amendment No. 42.

Amendment No. 7, in schedule 1, page 9, line 8, leave out—

'If it appears to a constable in uniform'

and insert—

'If a constable in uniform has reasonable grounds to believe'.

Amendment No. 6, in schedule 1, page 9, line 9, after "him", insert—

'(being behaviour which the constable has reasonable grounds to believe constitutes a criminal offence under the law of England and Wales)'.

Amendment No. 33, in schedule 1, page 9, line 14, leave out—

'until he has decided whether or not'

and insert—

'for such time as is reasonably necessary for him to ascertain whether or not it is necessary'.

Amendment No. 36, in schedule 1, page 9, line 15, at end insert—

'if authorised to do so by an officer of at least the rank of superintendent'.

Amendment No. 37, in schedule 1, page 9, line 15, at end insert—

'and shall give the person his reasons for detaining him in writing.'.

Government amendment No. 43.

Amendment No. 38, in schedule 1, page 9, line 19, leave out "24 hours" and insert "12 hours".

Amendment No. 34, in schedule 1, page 9, line 19, at end insert—

'; and the grounds for, and continued necessity of, such detention shall be reviewed by an officer of at least the rank of superintendent every three hours, and by a chief officer of police after 12 hours.'.

Amendment No. 35, in schedule 1, page 9, line 19, at end insert—

'(5) No person shall be detained under subsection (3) above more than once in any period of 48 hours, nor shall any person be subject to detention under subsection (3) above for a total period of more than 24 hours within any one period of seven days.'.

Government amendment No. 44.

Amendment No. 8, in schedule 1, page 9, line 20, leave out—

'If it appears to a constable in uniform'

and insert—

'If a constable in uniform has reasonable grounds to believe'.

Amendment No. 9, in schedule 1, page 9, line 23, leave out—

'an officer of at least the rank of inspector'

and insert "a magistrate's warrant".

Amendment No. 11, in schedule 1, page 9, line 24, leave out "inspector" and insert "superintendent".

Government amendments Nos. 45 and 46.

Amendment No. 39, in schedule 1, page 10, line 21, at end insert—

'21D—Where a person, having been detained under section 21A(3) or having been issued with a notice under section 21B(2), appears before a magistrates' court as respondent to a complaint for the making of a banning order, and the complaint is dismissed, the court may on the application of the respondent order that the appropriate chief officer of police shall pay to the respondent such sum as, in the opinion of the court, is justified to compensate the respondent for any costs incurred as a result of any delay in, or cancellation of, a journey being undertaken by the respondent when he was detained under section 21A(3) or issued with a notice under section 21B(2), as the case may be.'.

Mr. Hughes: I shall speak specifically to amendment No. 21. As a warm-up, may I point out to the Committee that at 6.52 pm we are beginning the first of 17 scheduled debates, all of which must be finished by midnight? If ever there was a nonsense, this is it. The first group contains 20 of the 46 amendments, including one significant amendment tabled by the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell), the former Attorney-General; 11 amendments tabled by right hon. and hon. Members on the Conservative Front Bench, all of which relate to important issues; two amendments tabled by my hon. Friends and me; and five Government amendments, tabled on Friday to a Bill that the Government published on Thursday.

A Government change of mind is sometimes welcome, but one does not usually see such a speedy transition in legislation—*[Interruption.]* In case the *Hansard* writers did not hear the sedentary comment, I shall repeat it, as it deserves recognition: new Labour, new amendment. One might add new Labour, new tough measure every new day. Nevertheless, all the amendments are a move in the right direction.

The debate takes us immediately to what the Home Secretary called in the previous debate the core and important new proposal in the Bill, not floated before, not discussed before, not trailed before: Parliament is asked to agree to a new form of summary detention, whereby people can be stopped when they fulfil certain conditions. At the end of the debate, I shall ask the Committee to agree to the two things that we can do to take out that proposal and start again.

There are two parts to the proposal—a trailer in clause 1(1)(d), which my hon. Friends and I seek to delete, and the substantive matter, which appears in schedule 1, paragraph 4, under the heading "Summary measures: detention", the first part of which the right hon. and learned Member for North-East Bedfordshire has also proposed we should delete. He goes part of the way towards what we seek to do, but we believe that it is better to start again.

I pray in aid, because it is so supportive, the editorial in *The Guardian* on Saturday, which appeared after my hon. Friends and I had held our discussion. It was entitled:

MPs play a blinder but hooligan bill should go to extra time.

Having agreed that three bits of the law need to be changed— which is the view taken by my hon. Friends and I and many other members of the Committee—the editorial continues:

But more important, are two issues of civil rights.

Government Ministers must be more specific in the bill about the conditions under which people can be banned for behaviour which falls short of criminal actions. It is far too vaguely worded at present ("there are reasonable grounds for believing that a banning order would help prevent football-related violence or disorder"). Second—

this is the matter that we are debating—

the trigger which allows a police officer to arrest and detain someone for up to 24 hours, simply on the basis that their behaviour is such that immediate inquiries should be made—

that is the only justification required—

must be totally rewritten.

My hon. Friends and I agree. We formed that view last week. We would end up with a nonsense, badly drafted and still arguably inconsistent, even if we carried all the good amendments on the amendment paper. We ask the Committee to send to Report stage and on to the other place a Bill without that provision, so that the other place can start again and try to get some decent drafting, with a decent proposal that commands the support of Parliament.

As a result of debates in recent days, the proposal has been shown to be bad law. I refer not so much to the enabling provision in clause 1 as to the substantive provision in the schedule. I shall try to persuade the Committee of why those parts of the Bill should go.

The Bill breaks down the procedure as follows: a constable in uniform does not believe that the behaviour of the person in front of him is a criminal offence or even that the person is violent. All that is necessary is that the person's behaviour makes the constable decide that immediate inquiries should be made as to whether various conditions, which appear elsewhere in the Bill, are met.

The conditions that must be met are, first, that the person in front of the police officer at Dover, Newhaven or any other port or airport has at any time, whether before or after this Bill becomes law, caused or contributed to any violence or disorder in the United Kingdom or elsewhere—in other words, the issue is whether the person has, at any time, anywhere in the world, done anything that may or may not have been a criminal offence, and which has caused or contributed to violence or disorder. That is the trigger, and the police officer has only to decide whether the behaviour of the person in front of him makes him want to make inquiries as to whether that is the case.

I have described the first trigger. The police officer then has to decide that he or she will detain somebody, potentially for 24 hours. During that 24 hours, the police have to decide whether to serve a notice, for which they have to see a senior officer. The notice states that the person who has been detained must appear before a magistrates court, cannot leave England or Wales and may have to surrender a passport. If the police believe that the person will disappear before the notice is served, they can make an arrest. They therefore have the power to detain, arrest, hold, consider for 24 hours and go to a magistrates court.

Mr. Edward Leigh (Gainsborough): Does the hon. Gentleman agree that, for precisely the reasons that he has outlined, the police should be required to take the person to an immediate magistrates court hearing? They would then know that their tackle was in order and that there were substantial reasons for preventing the person from leaving the country.

7 pm

Mr. Hughes: I agree with that. *[Interruption.]* It is worth repeating the sedentary comment that whether their tackle is in order is not the first question that the police should ask themselves. If it has been a long night and a hard day, that might be a relevant question. We could speculate on that; it might enliven an otherwise tedious and difficult shift.

Let me paraphrase the suggestion of the hon. Member for Gainsborough (Mr. Leigh). The right hon. Member for Maidstone and The Weald (Miss Widdecombe) has tabled an amendment which proposes that there should be a magistrates court or sitting wherever a person can be detained. Although that is a good idea in theory, my hon. Friends and I believe that it is not a good idea in practice, given that the Government are closing magistrates courts throughout the country. We would end up with no magistrates courts apart from those at every airport and seaport, and any other point of departure abroad for a football hooligan. That is probably not a good idea.

Our view, which I hope that the hon. Member for Gainsborough—who is so competent in such matters—shares, is that the person should be taken to a court as soon as possible. Courts, magistrates and judges can sit during the evening or the night, especially if they are alerted. To be fair to Conservative Members, they have tabled another amendment which would provide for a warrant to be issued to begin the process. Like Conservative Members, we believe that if we are going to start taking liberties away from people, it should be done on good, independent authority. If the police wanted to raid the house of the hon. Member for Gainsborough or that of the Home Secretary, we would expect them to go a magistrate to get a warrant to do that. I accept that judicial, not administrative, authority should be required for the process that we are discussing.

The whole procedure breaks down into two stages. The first can be described as, "I'll think about it, with nothing to go on other than behaviour." How are police officers meant to judge behaviour? We debated that at length on Thursday. What constitutes behaviour? Does wearing a shirt with colourful language printed on it constitute bad behaviour? Does being rowdy, or with others who are rowdy, or saying nothing when asked a question, constitute bad behaviour? The Bill does not answer those questions. It is merciful that the Government have had second thoughts about some proposals.

Mr. Mike Hancock (Portsmouth, South): If a person who was stopped by the police said, "I've decided not to

[Mr. Mike Hancock]

go abroad; I want to go home", would the person's desire to leave constitute a breach, which would be an arrestable offence because the man was resisting the policeman's attempt to detain him against his wishes?

Mr. Hughes: Yes. I am not being arrogant, but I have been here for a ridiculous number of years—more than 17—and I honestly do not believe that we have considered more nonsensical drafting than that for this Bill. If people detained under the power that we are considering resisted detention, they would be committing an offence for which they could be arrested and then charged, even though the police officer was not satisfied that they had behaved violently, or reached a conclusion about whether they might behave violently. Prospective criminality can thus be created because someone says, "Excuse me, I've given up. I was going shopping abroad by taking a coach with mates who were going to the match, but I'm actually going to go home because I don't want the hassle." That is nonsense.

As well as nonsense, there is huge uncertainty in the Bill. With every day that passes, people realise what nonsense the original Bill was. More and more drafting and other changes have improved it. That suggests that there is something wrong—or that it is business as usual—in the Home Office. Producing a Bill that contains so many flaws is hardly acceptable. However, the next unanswered question is where the detention can happen. It is not obvious to me that it must happen at a port or any embarkation point. It could happen at the gates of Fratton park, Old Trafford, Roker park, St. James' park, Anfield or any football club in the country.

Mr. Bob Russell (Colchester): Roker park no longer exists; it is now the stadium of light.

Mr. Hughes: My hon. Friend is much more knowledgeable than me. I was about to end with the great denouement that one could be detained outside the New Den, off the Old Kent road. It may be sufficient to stop people outside those football grounds. There is a question about where the power can apply.

Ms Claire Ward (Watford): Does the hon. Gentleman accept that the Bill has to be drafted sufficiently widely to stop an individual on his way to ports as well as at ports? The relevant person could be on the Heathrow express; police officers at Victoria station therefore need powers to detain.

Mr. Hughes: I believe that the Bill allows anyone to be stopped anywhere. If the hon. Lady came out of her house behaving madly, badly or oddly—

Ms Ward: As if!

Mr. Hughes: I have never seen such behaviour from her, so I am not in a position to comment. She could leave her house early in the morning or late at night and risk being nicked. She supported the Bill on Thursday; I hope that mature reflection over the weekend means that she is a little less able to support it without significant amendment.

A person could be stopped anywhere—on the Heathrow express, at a railway station, on the road to the railway station or in the coach park on the way. We did not originally believe that we were legislating for that.

As the right hon. Member for Hitchin and Harpenden (Mr. Lilley) said very effectively on Thursday, the proposal affects a series of important constitutional points. Detention on the say-so of a police officer, without any previous charge or conviction, could lead to a further loss of liberty, to being taken to court and receiving a banning order—not on the ground of beyond reasonable doubt, but on the balance of probabilities. That could remove further liberties for up to 10 years, the breach of which could make a person liable for imprisonment for several years. That could happen to someone who has no previous conviction at home or abroad, for something that was not proved beyond reasonable doubt. The House must consider carefully whether it wants to go down that road. The whole process could be triggered by a police officer's view of someone's behaviour or words.

It is absolutely certain that we need to amend the Bill. Steps have already been taken to allow us to move in the right direction. The hon. and learned Member for Medway (Mr. Marshall-Andrews) is present. My hon. Friends have tried to emphasise that we are considering a point about liberty that is as important as several other points that have taken up much of the House's time when we understood the significance of our actions.

The Terrorism Bill and the Regulation of Investigatory Powers Bill included proposals that shifted the burden of proof. They have taken much time in both Houses because both have said no to that proposal, and the Government have altered the definition to make it clear. There has been opposition in both Houses to the proposal that the right to jury trial can be taken away. The other House threw out that proposal and this House will give it a hard ride when the measure returns from the other place. Those constitutional proposals about the criminal justice system are no more or less important than determining when and on what basis people can be detained, arrested and charged. The hon. Member for Woking (Mr. Malins) has made a point about the basis on which an unconvicted free citizen can be given a criminal record.

I ask the Committee to throw out clause 1(1)(d) and paragraph 4 of schedule 1 for the reasons alluded to earlier. We work on the assumption that, constitutionally, people are allowed freedom of movement in the country. Freedom of movement between the countries of the European Union is part of the treaty of Rome. People are entitled to move by virtue of their passports, unless good reason is shown to stop them doing so because there is a challenge to the state as well as to the citizen. We should ensure that no legislation reduces any of those rights without its being clear and precise. On the point made by the hon. Member for Gainsborough, any such legislation must include provisions for judicial review at the earliest possible opportunity.

The Committee should consider amendments Nos. 20 and 21 and decide that the best way to proceed is not to tinker with the summary detention power as drafted, but to remove it and start again. I shall give two reasons why those provisions are so ridiculous, and I choose that word advisedly. Proposed new section 21B, which will be inserted into the Football Spectators Act 1989, includes several different tests that must be passed before police officers can act. The constable involved will be asked to

judge whether it appears to him that someone's behaviour should trigger certain action. He will be asked to consider whether it appears that the person has met the condition that he has a pedigree of trouble in the past. However, unusually in legislation, proposed new section 21B(2) states:

> The constable may give the person a notice in writing requiring him . . . to appear before a magistrates' court . . . and giving the constable's reasons for thinking that the condition is met.

I do not know about other colleagues, but rarely, if ever, have I seen the phrase

> "giving the constable's reasons for thinking"

included in legislation. Normally, phrases such as "reasonable belief" or "reasonable suspicion" are used to provide a test of reasonableness. Something more than the fact that a little thought has popped in and perhaps out of a constable's mind is necessary.

The Government and the draftspeople have mercifully realised that another odd proposal must go. Suddenly, as if from the heavens, proposed new section 21B(6) states:

> A person may not be arrested under subsection (5) . . . after he has appeared before the magistrates' court.

Does that mean that he cannot be arrested ever again for anything in any part of the country? That cannot be the intention. That is the second example of the nonsense in the Bill, and it is why we should not pass such legislation.

Sir Nicholas Lyell (North-East Bedfordshire): I believe that that provision will be deleted under Government amendment No. 46, but does not that raise the further issue of whether someone can be immediately rearrested on another allegation?

Mr. Hughes: The right hon. and learned Gentleman is correct that the provision will be deleted under Government amendment No. 46, but that does not answer his question. It is not clear whether people could be detained under the provision and miss the ferries, planes, trains or coaches that would have taken them to whichever match they wanted to attend, effectively vitiating the purpose of the journey. Even if police officers then decide, in whatever time is allowed to make such a decision, that it was wrong to stop those people and that they should be let go, they could decide to rearrest them because of new information, a hunch, a new idea or speculation. That would be nonsense, and we should not have such legislation.

I am conscious of the time, so I shall deal with the other amendments in the group. I have dealt with amendment No. 28, tabled by the right hon. and learned Member for North-East Bedfordshire.

7.15 pm

Mr. Hancock: Before my hon. Friend moves on, can he explain what he understands to be the position of someone who has been detained, but is released by the police before the magistrates court hearing? Will that person be entitled to ask the policeman to put in writing the reasons why he was originally detained and to ask the arresting officer to put in writing the reasons why the case has not been pursued? If not, why not?

Mr. Hughes: The answer to my hon. Friend's perfectly good question is no. The Bill does not require the person who is stopped to be given notice in writing. That requirement would be added under an amendment. Certainly, it is proposed that people should be given the reasons for their detention within 24 hours, but they would not necessarily know those reasons at the outset. The police officers will not have to give any reason explicitly; they will just have to form a view. That is a dangerous and broad provision.

Mr. Hancock: Would the police officer have to tell people why they have changed their minds and on what evidence they have based their decision not to pursue the matter?

Mr. Hughes: The more questions my hon. Friend asks, the more likely I am to be caught out. I think that the answer is no. The Home Secretary has accepted that an Opposition amendment is good in principle. Under that amendment, there would be a right to compensation if someone were unlawfully stopped, detained and arrested. We would support that proposal. However, to challenge such decisions, people need to know the reasons why they were made, although they might be compensated if they were given no reason and then released, especially if they had missed their planes or whatever. My hon. Friend's sensible questions show exactly that the Bill is nonsense.

I shall allude to two more dangerous provisions. First, to trigger the process, the coppers involved have to decide whether the person in front of them has at any time in their lives caused or contributed to any violence or disorder in the United Kingdom or elsewhere. People need not have been convicted, shown to be likely to have been convicted, or convicted if they had been tried here for an offence that occurred abroad. The test simply involves the policeman deciding whether someone has caused or contributed to any violence or disorder, and then only on the balance of probabilities.

The First Deputy Chairman: Order. I ask the hon. Gentleman to address the Chair.

Mr. Hughes: I beg your pardon, Mr. Martin. I was trying to deal with my hon. Friend, but I accept what you say.

There is a second trigger. People must fulfil not only that very general requirement, which has never been seen before in English law. I stand to be corrected by more learned lawyers than me. The copper has to fulfil a second test, which the court has to fulfil later, and show that, after the 24-hour detention, there are reasonable grounds to believe that the banning order would help to prevent violence or disorder from occurring at or in connection with any regulated football match. That extremely wide provision should not be included if we want the law to be clearly interpreted by the citizen—our constituents, who may make representations about it—as well as the state.

Mr. Robert Marshall-Andrews (Medway): The hon. Gentleman raises the issue of the police officer's state of mind, namely, that he should have "reasonable grounds to believe", which is of course incorporated in Government amendment No. 42—the compromise amendment. For the benefit of those of us on the Labour Benches who will support the hon. Gentleman's amendment relating to

[Mr. Robert Marshall-Andrews]

reasonable grounds, would he like to reflect on whether those reasonable grounds will be objective or subjective, given that the Bill is silent on that matter?

Mr. Hughes: In the words, I think, of Edward Lear, I was coming to that; I was about to turn to the Government amendments. The hon. and learned Gentleman is right that the Bill is silent on the matter. Under Government amendment No. 42, which is supposed to improve the Bill, but which is difficult to justify, the constable in uniform must have reasonable grounds to suspect that the first condition has been met—that is, someone has a history of violence.

Furthermore, he will have to have reasonable grounds not for suspecting, but for believing that a banning order should be made. Imagine a group of lay magistrates deciding at short notice whether a succession of people appearing before them as speedily as prostitutes appear before the magistrate at King's Cross on Monday mornings—*[Interruption.]* I think that someone on the Conservative Benches said, "Oh happy days," but I may be wrong. Perhaps experience that I had not anticipated being discussed will be brought to light. *[Interruption.]* Indeed, some of those on the Conservative Benches are not even lawyers.

Magistrates would have to judge individuals on their merits with no guidance and according to those two criteria because they would have to decide there and then, and on the balance of probabilities, whether to make a banning order which would stop a person travelling. Magistrates would not even have to be certain. That represents a huge intrusion on civil liberties. The Bill, even with the amendments, would be impossible to interpret properly and fairly in terms of logical drafting, sensible English and dealing with the issues in a logical order.

Mr. Desmond Browne (Kilmarnock and Loudoun): I return to what the hon. Gentleman has described as a conversation we had on Second Reading on that issue. I happen to agree about the need to clarify the reasons for detention and when detention can be repeated, but I part company with him when he describes the power of summary detention as a constitutional innovation. Police officers in Scotland have enjoyed the power summarily to detain in all police investigations since 1980, when it was introduced by the Conservative Government. Similar legislation—the Criminal Procedure (Scotland) Act 1995—was introduced subsequently. I venture to suggest that the hon. Gentleman voted for it, although I am not certain. More interestingly, I understand that the hon. and learned Member for Orkney and Shetland (Mr. Wallace), the Minister for Justice in Scotland, has no intention of changing those powers, because of their constitutional implications.

Mr. Hughes: The hon. Gentleman properly reminds us of his intervention on Thursday. To be honest, I have not had the chance to read the Scottish legislation. My hon. and learned Friend the Member for Orkney and Shetland (Mr. Wallace), to whom I have spoken about the Bill, is responsible for those matters in Scotland. Even the hon. Gentleman would concede that my hon. and learned Friend has been busy in the past year introducing lots of good, reforming legislation. He may have it in mind to change those powers, but all I know is that, as the Home Secretary rightly said, the proposal has not been adopted by the Scottish Executive or by my hon. and learned Friend, as acting First Minister. *[Interruption.]* Nor has the Bill. In fairness to my hon. and learned Friend, I cannot say whether he has it in mind to change the law.

Mr. Browne *rose—*

Mr. Hughes: Let me deal with the hon. Gentleman's substantive point before he intervenes again. Scottish law and English and Welsh law have allowed both the power of detention and the power of detention for a particular purpose, but I think I am right to say that there has never been a power of detention in the absence of a previous conviction or the belief than an offence has been or is about to be committed. Under the Bill, the whole process could be gone through and a ban introduced without an offence having been committed and no view being formed that a person would ever commit an offence. That is mischief. Surely the hon. Gentleman does not accept it as good law.

Mr. Browne: I want to engage the hon. Gentleman on his contention that summary detention is a matter of great constitutional significance in the United Kingdom. In fact, it has been the norm since 1980 and was legislated for in Scotland by this Parliament. In Scotland, it is possible for a police officer with reasonable cause to suspect that an offence may have been committed to detain a person. It is possible—*[Interruption.]* Wait a minute. A detainee may breach the terms of the detention and accumulate a criminal record, although no offence was ever committed.

Mr. Hughes: If I may say so, the hon. Gentleman makes the point better than I. Of course there is a power of detention in Scottish law, as there is in English law, but people are detained on the basis of a reasonable suspicion or a belief that an offence has been or will be committed. There is always a link between the detention and the offence. Under the Bill, a person could be detained without having committed an offence or without ever having been likely to commit an offence, because the threshold does not have an offence on the radar screen. Not only that, the Bill would not require it to be proved beyond reasonable doubt that an offence had been committed. That represents a significant difference.

I say to the hon. Gentleman that were we going through normal procedures and were the Committee meeting upstairs today and again in two days, I would be able not only to take advice, talk to my colleagues and his in the Scottish Executive and check the Scottish legislation, as would all other hon. Members, but to confirm all that with authority outside the House. That is why these are important matters. I would not want him to mislead the Committee by saying that there is a precedent for this proposal, because I do not think that there is, although there is a precedent for detention.

That leads me to the important point that my hon. Friends and I have never said that there should not be a power of detention in English law. That is not our argument. Our argument is that powers to detain have to be carefully given, clearly circumscribed by judicial authority and tightly defined so that there can be no uncertainty. On all those tests, the Bill fails.

Let me deal with the remaining points quickly as I am hugely conscious of the deadline that the Government have imposed on us, in spite of my colleagues and me resisting it as much as we could. Government amendment No. 42, to which the hon. and learned Member for Medway referred, is an improvement because it would introduce new tests. However, it also gives rise to the set of questions with which we dealt a few minutes ago. Government amendment No. 43 is an improvement, but that makes me wonder about the original drafting. Since last week, the Government have changed their view: a person could have been detained for 24 hours, but could now be detained for only four, which could be extended to six with authority. That is a significant improvement

Mr. Leigh: We are going that way.

Mr. Hughes: We are going in the right direction, but if the Government now believe that four hours is the right proposal, how could they believe last week that 24 hours—six times as long—was right? I would find that change difficult to justify and it is another example of dangerously bad legislation. To be fair to the Government, a six-hour detention would need the authority of an inspector.

Mr. Leigh: Legislation on the hoof.

Mr. Hughes: Not only did I write that phrase down when thinking about today's debate, but it keeps coming back into my mind and has done so ever since we first saw the Bill on Thursday. *[Interruption.]* The Secretary of State is being unreasonable.

The Government have tabled amendments to proposed new section 21B, which make the case for getting rid of it and proposed new section 21A and rolling them together to achieve a clear provision that includes all the different parts of the offence. I have made the point that the removal of that extraordinary arrest provision and the phrase "constable's reasons for thinking" represents a welcome improvement.

The Conservatives' amendment No. 7 represents an improvement, but it would retain the behaviour test. Amendment No. 6 would keep the behaviour test, but it also refers to an offence. I am not clear as to what offences the Conservative amendments would deal with. Would they cover football violence offences that do not merit an arrest under present law? Perhaps the right hon. Member for Maidstone and The Weald will explain. We are not discussing people who will be nicked for dropping litter, although that is an offence, because clearly such an offence is not covered by the Bill.

Amendment No. 33 would produce a nonsense provision. There would be two tests of the words "reasonably necessary". It would have to be "reasonably necessary" for the police officer to discover whether it was "reasonably necessary" to detain a person. That would not make good law.

7.30 pm

The right hon. Member for Maidstone and The Weald has proposed that the officer who has to give authority should be of a higher status, which would be an improvement. Her amendment to place on the person an earlier requirement to give reasons in writing deals with the point that my hon. Friend the Member for Portsmouth, South (Mr. Hancock) raised. If there is to be an earlier stage, that is certainly something we should provide.

The Tories have proposed a 12-hour detention period. The Home Secretary has gone further than that and has dealt with the criticisms that my hon. Friends and I made by making it three hours. The Tories suggested a three-hourly review. They would probably accept that that may not be necessary if there is a four-hour maximum period. The Tories have made a good point in their amendment No. 35, which is that no person should be detained seriatim. We must prevent vexatious detention. If a police officer realises that he has made a mistake, he cannot continue to detain that person. We need to put that in the Bill somehow.

The "reasonable grounds to believe" provision in amendment No. 11 is better and more consistent, but still does not wrap everything up coherently, and is open to the criticism that the hon. and learned Member for Medway made. We may need to consider the requirement for a warrant, but there is no consensus on that yet. We welcome the sensible compensation provision.

We welcome the proposed changes to the Bill. We welcome the fact that the Government propose to reduce detention from 24 hours to four or six hours. We welcome the fact that the Government propose that detention should be with the authority of an officer of a higher rank, and that detention will be on the basis not of someone's behaviour, but of reasonable grounds to believe or reasonable grounds to suspect.

The Home Secretary knows that we have at all times been willing to try to get the Bill right, whether we liked it or not. The Bill as amended still contains a lot of nonsense and inconsistency, and it raises but never adequately answers the question why we need the power to detain. If someone is going to commit or has committed an offence, he should be nicked. Arrestable offences already exist. If the Government want a banning order, let us have one. The burden of proof is on the Home Secretary to make the case, and he must satisfy the House that this power is needed. He must explain whether anyone would be caught by it without a breach of their civil liberties who would not have been caught by the other three provisions. We think that we need to remove this provision and start again, and we believe that the other place will support us.

The Secretary of State for the Home Department (Mr. Jack Straw): It may be of assistance to the Committee if I explain the approach that the Government intend to take to the amendments. I should first like to deal with the gravamen of the hon. Gentleman's remarks, which is whether it is appropriate and proportionate to have the powers of summary process in what is described as the fourth part of the Bill.

My understanding, not least from the relative silence of the Liberal Democrats, is that they support in principle the idea of a football banning order available through civil process, in slower time.

Mr. Hughes *indicated assent.*

Mr. Straw: I am glad to have that agreement. In that case, the hon. Gentleman's argument that one should never have a power of arrest unless it leads to a criminal

[Mr. Straw]

conviction falls away. The football banning order is a civil process, and is similar to that of an anti-social behaviour order—that was accepted by the right hon. Member for Sutton Coldfield (Sir N. Fowler) when it was originally proposed two years ago, and by the hon. Member for West Chelmsford (Mr. Burns) in discussions last year on the Football (Offences and Disorder) Act 1999.

If there is a process by which an order can be made by the court under a civil jurisdiction, there has to be a process to get those people into court. In extremis, the only way of getting people into court is by a coercive power, which amounts to the issue of a warrant by a court or other more summary process. When a football banning order is being dealt with in slower time, if a respondent fails to respond to the complaint, the court can issue a warrant for his arrest and it is for the police to execute it. I accept that there is a difference between the bench issuing a warrant and its being executed by the police and an individual police officer, off his own bat, deciding to make an arrest, but there is no difference in principle in those circumstances. The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) suggested that a power of arrest should never apply when only the civil process is involved, and the process does not lead to the prospect of a criminal offence. That is simply not the case.

Sir Nicholas Lyell: I am having enormous difficulty understanding how a process can be described as a civil process if it allows someone to be arrested and detained—in other words, locked up—even for a comparatively short period as the Home Secretary now proposes, and makes him subject to an order of the court that restricts his liberty to travel, which is contrary to European law, or at least requires strong reasons under European law. The Home Secretary is well aware that the European convention considers the substance, not the language, of the process. Could the Home Secretary explain how he maintains the notion that it is a civil rather than a criminal process?

Mr. Straw: The right hon. and learned Gentleman knows that there is a difference between the civil and the criminal process. He also knows that the House, with agreement from both sides, including his own party, has accepted the principle of the anti-social behaviour order, which is that there should be civil process.

Mr. Humfrey Malins (Woking): I have not.

Mr. Straw: I realise that there were deep divisions in the Conservative party on this issue, but I remind the hon. Gentleman that during the debates that took place almost exactly two years ago on the Crime and Disorder Act 1998, the principle of the anti-social behaviour order was supported from the Opposition Front Bench by the then shadow Home Secretary, the right hon. Member for Sutton Coldfield. The House accepted that civil jurisdiction of the magistrates was an appropriate vehicle to constrain the anti-social behaviour that is described in the 1998 Act. That is a civil process. It leads to the courts making a coercive order, which amounts to a restraining injunction.

Sir Nicholas Lyell *rose—*

Mr. Straw: I shall not give way to the right hon. and learned Gentleman again, because I must make progress.

The House has accepted the coercive orders issued by magistrates courts exercising a civil jurisdiction with regard to anti-social behaviour orders, yet they are just as oppressive as, if not more oppressive than, the restraint that is exercisable by a football banning order.

As the right hon. and learned Gentleman very well knows, the civil courts have long had powers of injunction against individuals to restrain a commission of nuisance and many other public and private acts. They are coercive, but there is not the least suggestion that they are outwith articles 5 or 6.

Sir Nicholas Lyell: I am most grateful to the Home Secretary for his courtesy in giving way. With all respect, I believe that he is confused on this matter. The comparison with anti-social behaviour orders is a fair one, but there is a fundamental distinction between an injunction, which orders someone not to do something illegal but does not restrict his liberties—it is not a restriction of liberty to have to obey the law—and the Bill, which enables someone to be arrested and detained on suspicion or on reasonable grounds that they have committed a criminal offence. The Home Secretary has rightly indicated that he will accept that aspect. There is a fundamental distinction there, and the Home Secretary should take advice—even if he does not want to answer that point now—on how he calls the two things the same.

Mr. Straw: With great respect, I do not accept that there is a fundamental distinction. Many injunctions issued by the courts—regarding nuisance, for example—prevent somebody from doing what they want to do or from going about what they think is their lawful business. We see this order and the anti-social behaviour order as similar to injunctions; they are preventive and not penal in nature. When a court has decided that there is a risk of a person contributing to violence and disorder at a football match, I do not happen to believe that preventing him from going to that match is a penal sanction. It is a minor and modest restriction of something that he wanted to do, but it is pretty minor and modest, given that he can watch the match on television.

In terms of proportionality, the courts are well versed in balancing rights under the convention, because the public have rights under the convention, as well as individuals. We are balancing the rights of an individual to go abroad and commit violence and disorder at or around a football match against the right of the rest of the country, for example, not to have the reputation of the country so vilely abused as it was at Charleroi and Brussels.

Mr. Browne: Under the Scottish equivalent of an injunction, it would be possible to restrict someone's movement with an interdict. Would it be possible for Chelsea, for example, to seek an injunction against named supporters to prevent them from attending football matches?

Mr. Straw: Since Chelsea is a private company, it could, if it wished, go to court and seek injunctions against any of its supporters who sought to gain entry to its ground without permission.

The right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell) may not accept the principle of the football banning order as a civil process, but the

Liberal Democrats do. If he believes that there are no circumstances in which civil process should ever be used to deal with this kind of problem, he must accept that we have to wash our hands of taking effective action against what we saw in Charleroi and Brussels. Obviously, the view of the right hon. and learned Gentleman is shared by a number of Conservative Members. However, there is no point in the Conservatives' complaining the next time trouble occurs, because they will have decided that no other process is available to restrain such behaviour.

The Liberal Democrats take the view that the civil route to a football banning order ought to be available. The hon. Member for Southwark, North and Bermondsey has accepted that there has to be a process for getting respondents into court if they do not wish to go there. In slow time, the process is a summons or complaint served against the person. If he refuses to comply with the summons, a warrant is issued for his arrest. The fourth part of the Bill deals with circumstances where someone is in the process of leaving the country—although not necessarily at the port—and when there are reasonable grounds for believing that he will get involved in violence or disorder at or around a football match.

If we want to deal with that, we must have a process for getting those individuals into court as quickly as possible—if that is what the Committee wants. We have thought about this matter and we have shown that we are open to suggestion on amendments. However, I cannot conceive of any other means by which we can get individuals into court for consideration of whether or not a football banning order ought to be issued except by giving the police powers, however constrained, that are ultimately coercive to require that person to go to court.

Moreover, because the alternative is to do nothing and let the person go abroad and commit mayhem, there has to be a court process and a means of getting people to court before there has been a court process. That is why we have suggested that the police should have a power to stop someone, question them—to form a proper judgment about whether they ought to be subject to a court process—and get them to court. If there are reasonable grounds for believing that a person will not comply with the notice given, we should arrest him and deliver him to the court, as the bench does in other circumstances. The structure of this part of the Bill is, I suggest, perfectly coherent. Some may disagree, but we have thought the process through.

7.45 pm

Mr. Simon Hughes: That is a perfectly proper point, and I have not argued that there could not be detention. If the precondition were a previous conviction, for example, and if detention immediately followed—based on action that was authorised by judicial process and on reasonable grounds—we could have one process, rather than two. If the Home Secretary is willing to look at that, he will be moving in the right direction.

Mr. Straw: We have one order. At the time of Charleroi, many suggestions were made that we should take powers similar to those used in Germany, where it appears that the police had a power simply to stop people and turn them back, partly on the basis of lists that they had maintained.

We know from experience in Belgium that, in certain circumstances, the police there have an administrative power of arrest under which they need no grounds whatever to pick someone up and detain them for 12 hours. I never thought that such a process was appropriate; it is quite inconsistent with the rule of law and traditions of this country to give the police a power to pick people up without that ending in court action. There are limited circumstances—I am not suggesting that they are parallel—where the police have the powers to detain and that does not end in court process, as under the Prevention of Terrorism Acts and immigration legislation. Those are different circumstances.

Given the desire to deal with the mischief of people not previously known as football hooligans going abroad and causing the kind of mayhem that we saw in Charleroi, there is a process by which the police could intercept those people—but that has to be linked to a court process. We have proposed to deal with that by the football banning order: one order with two routes—one slower and one more urgent—to achieve that end.

The hon. Member for Southwark, North and Bermondsey cannot have it both ways. I have tried to be as open as possible and I put a draft before the House as early as possible to be the subject of discussion. Legislation is an iterative process, and so it should be. I have sought to respond whenever right hon. and hon. Members have made suggestions.

As this is a faster process than usual, we have had to act quickly. I listened to the debate on Thursday, discussed the matter with the Minister of State and came to the view that we had not got the Bill right and that we should therefore table amendments. Since we had formed that view, we decided to respond straight away, rather than dragging things out until today.

Government amendment No. 42 changes new section 21A(2) in a way that I hope will command widespread agreement. It makes it clear that a constable must have reasonable grounds for suspecting that the person before him has

> at any time . . . caused or contributed to any violence or disorder in the United Kingdom or elsewhere

before detaining him to make further inquiries. He must also have reasonable grounds to believe that

> making a banning order would help to prevent violence or disorder at or in connection with any regulated football matches.

New section 21B is similarly amended so that the constable must also have those grounds before directing someone not to leave the country.

Dr. Lynne Jones (Birmingham, Selly Oak): What possible reasonable grounds might a constable have for believing that somebody had

> caused or contributed to any violence . . . ?

Mr. Straw: That goes to the heart of the measure. It depends on the evidence. The constable must believe that there are reasonable grounds for such a suspicion and for believing that a banning order would help to prevent such violence or disorder. The phrases are directly paralleled by powers that have been in the Police and Criminal Evidence Act 1984 for more than 15 years, and the courts are well used to interpreting them. As my hon. Friend the Member for Kilmarnock and Loudoun (Mr. Browne) said, such powers are also paralleled in legislation in Scotland. We decided to make this important change in the light of comments made on Thursday.

[Mr. Straw]

The inclusion of "reasonable grounds" aims to dispel any lingering notion that the measure could be used to detain and issue a notice to people solely on their appearance or on the basis of meagre evidence. The constable is effectively required to ask himself the same question as the magistrate and consider whether the evidence would justify a banning order before issuing a notice.

Government amendment No. 43 responds to concerns about the maximum period of detention for further inquiries as originally drafted. Originally, there would have been 24 hours, either for inquiry or for process to the court, or both. It would not have been possible for someone to be detained for more than 24 hours overall.

I accept the concerns that have been expressed, and I am satisfied—and so, more importantly, are the police—that four hours, or six if authorisation is received from an inspector or above, is sufficient time to enable the constable to make his inquiries. At the very latest, a decision on whether to issue a notice will have to be made on the evidence before the constable when the period expires. I feel that that strikes an acceptable balance between the rights of the individual and the operational imperatives on the police in the necessary effort to combat hooliganism.

Government amendment No. 44 is consequential on the foregoing two amendments. Government amendment No. 45 further tightens up the procedures. There will now be a requirement on the constable to state the grounds for issuing a notice directing someone not to leave the country and to appear before a magistrates court.

The additional safeguards that the Government amendments put in place should go a long way to reassuring those who have been concerned about the powers granted to the police that they are no more than is required in order to tackle the problem of hooliganism effectively. They are no more than is needed to ensure that, when there are reasonable grounds for believing that a banning order should be made, the individuals can be got to court quickly so that the court can make the decision.

We cannot accept amendments Nos. 20 and 21, as they would entirely remove the measure that empowers a constable to issue a notice. Similarly, we cannot accept amendment No. 28, which would remove the power to detain to make immediate inquiries to ascertain whether a person has

> at any time . . . caused or contributed to any violence or disorder in the United Kingdom or elsewhere.

Amendments Nos. 6, 7 and 8 are superseded by the Government amendments about which I have just spoken, and I hope that the right hon. Member for Maidstone and The Weald (Miss Widdecombe) will not press them to a Division.

Amendments Nos. 9 and 11 are not acceptable because operational practicalities are such that an inspector may well be the senior officer present at the scene. Authorisations for many parts of PACE used always to be given at the level of superintendent or above. As a result of a process that began under the previous Administration, with our support, of providing greater empowerment to ranks lower down, some of the powers are now authorised at the level of inspector. My recollection is that we made proposals to extend authorisations at inspector level as amendments to PACE in the Crime and Disorder Act 1998, and I believe that those amendments carried the support of the whole House.

Inspectors are senior and experienced police officers, well used to making difficult decisions, and I think it wholly appropriate that they should be able to authorise the use of this new power. Those who are worried about some continental police practices should bear it in mind that all these powers take place in the context of strong powers—to be made stronger in due course, when we fulfil our commitment to introduce firmer arrangements—that already exist in the Police Complaints Authority to investigate complaints against the police.

Miss Ann Widdecombe (Maidstone and The Weald): What about amendment No. 9?

Mr. Straw: I will come back to that in a moment.

Amendments Nos. 33, 34 and 38 are superseded by Government amendments reducing the maximum period of detention, and I hope that they will not be pressed to a vote.

Amendment No. 35 is designed to ensure that the police are unable to detain a person on more than one occasion in 48 hours and to limit the maximum aggregate period of detention in any seven-day period. I am not sure that the first limb is helpful. The second is unnecessary in the light of the Government amendment restricting detention periods to a maximum of four hours.

Providing that someone shall not be detained more than once in 48 hours has the following consequence: if someone is detained and then released and a direction not to leave the country is issued, and that person seeks to breach the direction and leave the country from another port, it becomes illegal for officers at that port to detain him while inquiries are made. That would not be a sensible outcome.

I understand that amendment No. 35 is designed to ensure that the power is not used oppressively. I am certainly ready to consider the matter further, and if I conclude that a serious mischief has been left undealt with, we will arrange for suitable amendments to be introduced in another place.

Amendment No. 36, as it relates to authorisation of an extended period of detention, is superseded by Government amendment No. 43. I hope that that will be accepted.

Amendment No. 37 is not strictly necessary. It is a long-established requirement of English law that reasons for detention must be given. However, I am content to accept this additional safeguard and agree to the amendment, so we will have belt and braces.

Amendment No. 9—[Hon. Members: "Ah! He has found it."] Like a genie out of a bottle. I have suddenly remembered the answer. Luckily, I can read my handwriting for once. The amendment would require a magistrate's warrant before a notice could be issued. That is simply impractical. The Bill is designed to get the person before the court as soon as possible.

Mr. Nick Hawkins (Surrey Heath) *indicated dissent.*

Mr. Straw: That is how we read the amendment, even if the hon. Gentleman thinks otherwise.

Amendment No. 39 deals with compensation. I accept that the Bill would be improved by explicit provisions on compensation, going beyond the provisions of common law, and we are currently preparing an amendment on the subject to be introduced in another place. Among the matters to be covered that are not covered by amendment No. 39 are the maximum amount and the possibility of appeal against refusal to grant compensation. I spent 18 years in opposition and I well recognise the difficulties of drafting amendments, so I make no complaint about the amendment. It raises an important principle, but I hope that in the light of what I have said the right hon. Lady will withdraw it.

I have spoken as briefly as I can to cover the ground and I hope that hon. Members on both sides will accept that we have gone a long way to meet the spirit and, in some cases, the letter of the amendments that have been tabled, except those that simply seek to remove a major, operative part of the Bill, which we cannot accept.

8 pm

Miss Widdecombe: This is an important group of amendments, many of which go to the heart of the doubts and queries that right hon. and hon. Members on both sides of the Committee have about the Bill. So important is this group of amendments that I regret that we were obliged to spend more than two hours debating a completely unnecessary guillotine motion: that time would have been much better spent debating the merits of the Bill's various clauses.

It is true that both my right hon. Friend the Leader of the Opposition and I—not to mention other right hon. and hon. Friends—have called for some time for measures to be taken. However, if the Home Secretary is frank, he will admit that the fourth of the four options that he set out in his statement had never been sought; was completely new; and is the source of most of the concern that has surrounded our debates. The right hon. Gentleman will acknowledge that on no occasion did my right hon. Friend the Leader of the Opposition or I urge him to introduce that particular power. I have never suggested that that power does not have merit, but I have said that it is new and unexpected and has serious implications for the civil liberties of innocent people and for the police vis-à-vis the courts, and that there should therefore be a full and proper examination of that power. What the Home Secretary sees as a contradiction in the Opposition's position is not in fact a contradiction at all.

Mr. Straw: I do not disagree for a second with the right hon. Lady about the need to debate the issue properly, or that our proposal is new. However, she said last month that my position would have been very much strengthened if I

had taken all measures that other countries have taken.—[*Official Report*, 19 June 2000; Vol. 352, c. 38.]

I took her to mean such powers as the German police had taken, and that, while at that stage we did not have such powers in mind, she did.

Miss Widdecombe: I admire the elegant wriggle that the Home Secretary has just performed, but it does not take us any further forward.

I shall, with as much brevity as the Home Secretary, turn to the amendments before us. Amendments Nos. 6, 7 and 8 stand in my name. I recognise that Government amendment No. 42 seeks to cover the sources of concern, which were the grounds on which a constable or an inspector could detain, delay or prevent somebody from travelling. I recognise that Government amendment No. 42 takes care of many of my concerns, and the Home Secretary will be relieved to know that I shall not press my amendments.

I must, however, take up an issue which I find puzzling—and which the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) also found puzzling. I do not believe that the Home Secretary gave a response to it in his contribution. In Government amendment No. 42, the Government use the phrase "reasonable grounds for suspecting". In our amendments, we offer the phrase "reasonable grounds to believe". The Government have also used "suspect" and "believe" in different places in the Bill. Is there a distinction between those words? Are we being asked to accept a lower standard in Government amendment No. 42—or is it just an accident that the Government resort to the two different words in different places? The hon. Member for Southwark, North and Bermondsey also raised that point and I should be grateful for clarification. Even in the absence of clarification, however, we will not press amendments Nos. 6, 7 or 8.

Amendment No. 33 makes an important point which the hon. Member for Southwark, North and Bermondsey appeared unable to understand, but which is in fact rather obvious. We sought to apply the test that detention should last only as long as reasonably necessary, and not until the officer had decided whether to proceed. If detention could last only as long as reasonably necessary, that would introduce an objective test. A police officer detaining somebody until he gets round to deciding whether to proceed is not an objective test. I accept that some of the Government's amendments cover that point and I shall not press amendment No. 33.

I listened carefully to what the Home Secretary had to say about amendments Nos. 36 and 11, when he took issue over the suggestion that the appropriate rank to grant authorisations should be superintendent. Amendment No. 36 also seeks to introduce an authorisation process: there is an authorisation process for the new powers in proposed new section 21B but not for the exercise of powers in proposed new section 21A. I await the Home Secretary's comments before deciding whether to take the matter further.

I thank the Government for accepting amendment No. 37, but I do not think that it is as superfluous as the Home Secretary tried to suggest. As the right hon. Gentleman is in emollient mood, I shall not press him further on that. Similarly, I accept that Government amendment No. 43 goes beyond what we propose in amendments Nos. 44 and 38, in which we sought to limit the time of detention and to reduce it from 24 hours. We shall not, therefore, press those amendments.

Mr. Straw: It may be helpful if I pick up the right hon. Lady's point about the use of the words "suspect" and "believe" in different places. It is deliberate, I am relieved to tell the House, and—more important—it mirrors and draws on the provisions of PACE. The phrase "reasonable grounds to suspect" is appropriate for the powers of detention and to make immediate inquiries. Once the inquiries have been made, the constable needs to have

[Mr. Straw]

"reasonable grounds to believe" that the conditions for a banning order have been met. That is consistent with PACE.

Miss Widdecombe: I am glad that the Home Secretary's brain caught up with him. It did not have far to travel. I note his explanation and, as I have said, we shall not press those amendments. However, I ask him to accept that amendment No. 35 has merit in that it would provide that the power of arrest and detention in proposed new section 21A should not be used repeatedly. Without that safeguard, it could be used seriatim as a power of preventive detention. The Home Secretary has acknowledged that there could be merit in the proposal, and I will accept his offer of considering it further and perhaps seeking to introduce an amendment in the other place. If he does not, others may seek to do so.

I note the Home Secretary's comments on amendment No. 11. I retain some doubt about whether proposed powers of such gravity should be left in the hands of the inspector, but the right hon. Gentleman has described operational reasons and I am prepared let that rest.

We shall, however, press amendment No. 9 to a Division when the appropriate time comes, unless the Home Secretary can persuade me that I am in deep error. The right hon. Gentleman lost his response to that amendment, then found a relevant bit of handwriting in the margin to his notes, but he did not go on to explore it very thoroughly. He has therefore not convinced me that I am in any error.

Amendment No. 9 would make the issue of a notice to appear authorisable only by judicial warrant. That process is not unknown in law. The amendment would modify what at present is an arbitrary power. Unless the Government can give me a good reason to the contrary, we shall feel constrained to press the amendment to a Division.

Mr. Simon Hughes: The right hon. Lady knows that I am sympathetic to the thrust of her argument. Does she not agree, however, that the correct process should be that the police officer who stops a person initially must have formed the view that he has sufficient justification to convince a magistrate that his action is appropriate—in addition to his obtaining the judicial authorisation of a magistrate's warrant? If the Bill provided that the same test had to be applied by the officer making the initial decision to stop a person and by the court, the measure would be simpler and clearer.

Miss Widdecombe: Yes, that is a reasonable suggestion.

Mr. Straw: I want to help the right hon. Lady on amendment No. 9. The conundrum concerns the need to get people into court, and to instigate a process that will ensure that matters are properly considered by the court. For the purposes of this argument, at least, it appears to be accepted that the police will have to intercept people about to leave the country who are intent on hooliganism. However, there will then be a need to get those people into court, and for the court to have an opportunity to consider the case against them.

First, the Government propose that the constable should have a power to stop people, to make inquiries about them, and to stop them disappearing while those inquires are made. The time limit governing that power is now to be four hours, extendable to six, but the inquiries may only take a short time. Secondly, it is our view that, if the constable is satisfied, on the basis of previous convictions, that further action is necessary, he must be able to issue a notice to get people into court.

The right hon. Lady appears to be saying that, if a constable forms the view that people have contributed to violence and disorder in the past and that there are reasonable grounds for believing that they will contribute to violence and disorder at a football match, those people must be taken to a magistrate who will issue a warrant to get them into court. I hope that she will consider—

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): Order. I remind the Home Secretary that he is making an intervention.

Mr. Straw: The right hon. Lady's proposal would mean that magistrates would have to be on hand day and night wherever the power was exercisable. That would simply not be practicable.I see that the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell), the former Attorney-General, is nodding, so I think my point about practicality is accepted.

Miss Widdecombe: I do not agree. What is impracticable about having a stipendiary magistrate on duty? If there were a real will to safeguard the rights of innocent citizens, there would be a much greater will to involve the courts and judicial processes at all stages. Therefore, I still intend to press amendment No. 9 to a Division. By the end of the debate, the Home Secretary may have thought up some even more impressive arguments, but at the moment I cannot believe that the amendment is impracticable.

8.15 pm

Sir Nicholas Lyell: I nodded at the Home Secretary because he was raising a practical problem, but my right hon. Friend is right to raise this issue. Enormous practical problems will arise from the Bill. A person can be under arrest for up to six hours, but what happens if he walks off before being called before the court?

Miss Widdecombe: My right hon. and learned Friend makes a valid and helpful point.

I hope that the Home Secretary will deal with amendment No. 39, which would provide for compensation to be paid if a person prevented from travelling abroad did not qualify for a banning order. The right hon. Gentleman said that he accepted the principle of the amendment but not its drafting, and that he would raise the matter in another place. On that basis, I am happy not to press the amendment.

We welcome Government amendments Nos. 42 to 46, which do much to improve the Bill and which reflect some of the sentiments in our amendments. We are glad that they have been taken on board.

I have given much consideration to Liberal Democrat amendments Nos. 20 and 21, and also to the amendments tabled by my right hon. and learned Friend the Member

for North-East Bedfordshire and my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis). I do not think that we on the Opposition Front Bench can support or press them, although my right hon. and learned Friend and my right hon. Friend are entitled to make their own decisions. The amendments would effectively negate this part of the Bill. We continue to want to try to improve the Bill instead of throwing it out altogether. That is why we shall not stand in the way of Third Reading tonight, although very substantial improvements must still be made before we can have confidence in the Bill.

Mr. Browne: I shall be brief. I made clear my feelings about summary detention when I intervened in the speech of the hon. Member for Southwark, North and Bermondsey (Mr. Hughes). As to whether the phrases "reasonable cause to suspect" or "reasonable cause to believe" would generate difficulty for magistrates, my experience in the summary criminal courts in Scotland leads me to believe that there is plenty of help with their meaning to be found in road traffic legislation. For years, those phrases have been used liberally in that legislation, and they have been well chewed over by lawyers north and south of the border. They are clearly and well understood.

I wish to speak to two issues—the right to re-detain, about which I have some concerns, and the absence in the Bill as previously drafted of any requirement for constables to record the reasons for stopping a person, or to supply those reasons to the people detained. I hope to make clear to the Committee why I think that those issues are related.

Now that amendment No. 37 has been accepted, I am satisfied that the requirement to record the reasons for stopping a person has been incorporated in the Bill. That is important, but so is protecting people from the misuse of the power of summary detention. That is why the Bill should contain a clear provision preventing constables from using the four or six-hour power of detention to prevent a person from travelling, when those constables do not have the power to move to the next stage of the process—in other words, where there is no evidence to support a statement or warrant application under proposed new section 14B.

I agree with the principle of amendment No. 35, but not with its wording. I suggest that a simple amendment should be incorporated in the Bill requiring that, where a person is released at the termination of a period of detention under the relevant provision in the Bill, he will not thereafter be detained under that provision

on the same grounds, or on any grounds arising from the same circumstances.

The purpose of such a simple amendment—and I understand the Home Secretary to have indicated that he has an open mind about the issue—is to prevent someone from being detained again for exactly the same reason as he was detained before. If information or reasons additional to the information or reasons previously recorded come to the constable's attention, such an amendment would allow him to exercise his statutory power again.

That suggestion to the Government is in response to the problem identified in amendment No. 35. I have nothing further to add.

Mr. Malins: I wonder whether I might raise with the Minister a few nuts-and-bolts issues about the amendments in connection with detention and reference to court. By way of preamble, it is a tragedy that a Bill of this importance should be debated in such a short time. Many in the House could contribute at length to debates on amendments to improve the Bill. I was given a draft Bill on Wednesday, then a further draft, and then I sat down to work out some amendments. To cut a long story short, it was not until this morning that I knew that they had been selected, and I had them in my hand—what a way to do business. If people could see what we were doing, they would be ashamed of us.

Let me give the Government an example of practical problems that might arise when England plays football against France and 20,000 people from this country decide to go to France to see the match. Some 10,000 have tickets, 10,000 have not. The match is on a Saturday, so people will travel to France on Wednesday, Thursday or Friday, or Saturday morning. Of that 20,000, let us say for the sake of argument that a fifth—4,000—will be travelling from Dover, spread over a few days, and that the police and authorities will be seriously concerned about 10 per cent., or 400 people.

Let us picture the scene. Four hundred people will be stopped by the police at Dover—or around Dover, because they are going there by different routes. Unless the police wait outside the front door of their home—I understand that under the Bill it is entirely possible for the police to stop them at any time they want to—we shall assume that all those people get to Dover. What on earth will the practical situation be?

I pause now to ask whether the Government have taken advice or soundings from the bodies that could advise on detention and trial. There are so many of them—the stipendiary bench, the Magistrates Association, immigration officers, the court service, magistrates clerks, the Law Society and the Bar Council. Will the Minister tell us informally how many of those bodies were consulted before the Bill was presented on Thursday? Will he tell us formally? Perhaps the answer is that no real consultation took place with any of them.

Let us picture the scene at Dover. If one spreads those 400 people over three days, that is 130 or 150 per day. Each of them is, in simple terms, taken into custody by a police officer who is suspicious of them. Are there enough police at Dover to do that? Will the immigration authorities at the point of exit have any powers given to them in this respect?

Mr. John Gummer (Suffolk, Coastal): My hon. Friend fails to point out that these 150 people will be among a large number of other people. I still find it difficult to understand how, in the absence of any previous conviction, one could form a reasonable consideration that one had reasonable grounds, at that point, to detain a particular person among so many. It seems a fiction from the imagination of the Home Secretary that such a situation could arise.

Mr. Malins: My right hon. Friend is absolutely right. We shall be coming on to that a little later. How can an officer make a judgment? Even so, he or she will make a judgment and the person will be taken into custody. Can the Minister confirm that that person can be in custody

[Mr. Malins]

for up to six hours only? If that is right, what happens to the person then? He has so far been treated under a criminal umbrella in that he has been placed in custody. Will the Minister tell me how many custody suites there are at Dover, and whether the police believe that they can cope? Given that the person is in a criminal situation, will the Minister confirm that he has to be released after six hours?

If that person is released, is he given bail under the Bail Act 1976, with all the criteria that apply; or is his case simply adjourned civilly, without there being any duty on him under the 1976 Act to return? If it is under the 1976 Act, and he does not return to face the court case, will the Minister confirm that all the powers of arrest and 1976 Act offences can and will be used, and that they will be used in the same proceedings as the civil complaint?

Mr. Browne: Has the hon. Gentleman looked at proposed new section 21C(2), which appears to answer his question? It provides that if people do not comply with notices under proposed new section 21B—presumably the notices that will be issued to people who are released from detention if they are not then free to go—they will be guilty of a criminal offence and may be arrested.

Mr. Malins: Yes, I have seen that. However, I am going through an exercise to find out what will happen. The position remains that a person will be taken into custody by an officer, has to be released after six hours, and has to go before the court within 24 hours. If the person is released, is he on bail, it being an offence under the Bail Act 1976 not to return to court? Can conditions be imposed under the 1976 Act for someone to return to court the next day?

If 150 cases are to take place in one day, a serious handling problem will arise. If 150 defendants are to come before the court, their cases will not be handled in one court building or in 10. Does the Minister understand that dealing with such cases will require, on those dates, certainly 10 and possibly 20 acting or full-time stipendiary magistrates in court buildings that can take them.

What happens when one gets to court? Does the case automatically go ahead? What happens if the Crown—if it is the Crown—says, "We would like to put this off; our paperwork is not in order"? There could be a huge handling problem at our ports of exit in relation to detention and reference to court, which has not been discussed sufficiently.

Mr. Simon Hughes: Am I right in assuming that what will be required under the law is not just that people be brought before the court within four or six hours, their names read out in court and the cases adjourned, but that the court actually deal with them; otherwise the power of detention expires? That means that there would have to be a substantive hearing.

Mr. Malins: I think that the hon. Gentleman is right. I think it is the case—I am trying to draw it from the Minister—that when the person appears before the court, that is the substantive hearing which is dealt with on the spot, rather than adjourned for a month; otherwise, one would be in a state of complete chaos. Again, I want to know that the Minister has thought the matter through and that the nuts-and-bolts problems of mass exit from our ports over two or three days have been considered in terms of lack of staff, court space or detention space.

8.30 pm

My final point is important, although it is very much a Committee point. What will happen in ports where port authority police work? What will their role be? In Harwich, for example, the port authority police have certain functions and powers. How will those officers overlap with ordinary police officers in cases of this sort?

Sir Nicholas Lyell: I shall try to speak briefly. I am grateful to the Home Secretary for, in effect, accepting amendment No. 28. My right hon. Friend the Member for Haltemprice and Howden (Mr. Davis), who tabled it with me, made it clear before putting his name to it that he would be here for a limited time this evening because of a longstanding constituency engagement.

The Government are accepting that an officer may detain an individual for only four to six hours with a view to bringing that individual before a court. As my hon. Friends have asked, should an individual be brought before the court on the say-so of an inspector, or should there be a warrant from a magistrate? That is a sensible question, and the answer is not easy. There are practical advantages—swiftness for one—in having a police officer undertake that function, but if it is done in summons to a warrant, it may be easier to hold the person until the court can hear the case.

I agree with my hon. Friend the Member for Woking (Mr. Malins) that there is a real danger of chaos in our courts and ports when the Act is put into operation. That is one reason why it is so sad that we are trying to rush the Bill through. Acceptable legislation can be crafted, although it is difficult to do so, but I doubt whether it can be done on the timetable before us and the other place. There is a real risk that we shall end up with an Act that is unworkable.

I shall discuss briefly whether this should be a criminal or civil process. Detention in order to bring someone before a court smacks much more of criminal than civil procedure. With respect, I ask the Home Office to reconsider that aspect. I am much comforted that the Home Office has indicated that it will accept, in a later amendment, that whatever the individual is accused of must constitute criminality. I am grateful for the effective acceptance of amendment No. 28, which will mean that someone can be brought before magistrates only on the basis of reasonable grounds for suspecting that the condition in proposed section 14B(2) of the Football Spectators Act 1989—that the person must have caused or contributed to violence or disorder—is met.

I wish to make two points of substance, on which I shall probably table amendments on Report. I shall probably go to the Public Bill Office to table those amendments during the next hour or two. First, it should not be possible for someone to be subject to an order of the court if the only basis for it is a spent conviction under the Rehabilitation of Offenders Act 1974. I do not believe that it can be fair to place a football banning order on someone on the basis of a conviction that is out of date.

Secondly, there should be some time limit on the conduct that caused or contributed to violence or disorder. As I look around the Chamber with the deep respect in which I always hold Parliament, I expect that 98 per cent. of us—I do not discriminate on grounds of sex—have at some stage in our lives contributed to violence or disorder. There are no mirrors in the Chamber, but, if I saw one, I might find myself in that category.

The definition in proposed section 14B(2) is astonishingly wide. Happily, it is qualified by the proposal that actual criminality must be required. However, anyone who has been caught up in a football crowd that is becoming slightly out of hand will fall within the definition. Any ancient piece of video tape that showed them there, perhaps the worse for wear or a little merry, could be brought forward as evidence, and I am sure that there are many such tapes. That would be going too far and would be oppressive. Some time limit—five, seven or 10 years—should be established to keep the use of such evidence under control.

Mr. Simon Hughes: I support the right hon. and learned Gentleman's last two points. May I draw his attention to amendment No. 41, which deals with the spent conviction point, although I do not pretend that it is perfectly drafted?

Sir Nicholas Lyell: I am grateful to the hon. Gentleman for drawing my attention to that. One of the problems with the time scale facing us is the difficulty of finding time to read the amendments and spot exactly how they fit into the tapestry of the Bill.

I welcome Government amendment No. 46, but must return to practicalities in the magistrates courts. Can the Minister explain how the process will work? Let us suppose that someone is arrested because an officer believes, because of that person's demeanour at the port or airport, that he is the kind of person likely to cause trouble and may well have a previous conviction. If the officer finds that the person does have a previous conviction—a relevant one, which all of us agree should cause the person to be brought before a court and banned—how will the person be kept available to the court once the six hours in which he may be held in detention has passed? What practical arrangements will be made? If, having been let out after six hours, a person may walk away or even board a later P&O ferry, the Act will fall into disrepute. I hope that a sensible answer can be found to that question, and I should be happy to co-operate with the Government in seeking one. For now, however, the position is not clear.

Ms Ward: Has the right hon. and learned Gentleman studied the detail of schedule 1? New section 21B(2)(b) refers to what the notice may require of the person who has been detained. It states that the person would be required

not to leave England and Wales before that time—

and, under (2)(c), might be required

to surrender his passport to the constable.

That would take place before the person's appearance at a magistrates court.

Unless I misheard the right hon. and learned Gentleman, I do not see how someone released after six hours, and before appearing at a magistrates court, could wander on to a ferry. Could he explain his point again?

Sir Nicholas Lyell: The hon. Lady may have a good point, provided that there are enough police to spot what is happening. The individual certainly could not be detained in a cell after six hours on the basis of that provision. If there were enough police officers to keep such individuals under surveillance and to spot them making for a boat, and if they have been summonsed—

Ms Ward: Does the right hon. and learned Gentleman agree that, under the provision to which I referred, they would be required to hand over their passports? After the six hours—whether or not they had been detained—they could not physically leave the country, because they would have no passport. It would also be an offence for them not to appear at the magistrates court. That would clearly be a further consideration for people who believed themselves innocent and wanted to prove that point.

Sir Nicholas Lyell: That may be correct. To take the passport may be the practical answer, but I should like to hear it from the Minister. I should like him to piece those points together to show that they produce a coherent whole. My objective is not to make clever points, but to try to ensure that we produce coherent legislation. The hon. Lady plays a useful role—at least in educating me—and I thank her for that.

Amendment No. 35, tabled by my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe), would prevent repeated arrest and deserves careful consideration. The simple removal, under Government amendment No. 46, of a safeguard in the measure—the provision that someone could not be rearrested within 24 hours—could leave too little protection.

We are all struggling to achieve a balance so that the measure is workable and fair, but there are real difficulties. My main reason for speaking to the amendment was to highlight questions on spent convictions and time limits.

Mr. John McDonnell (Hayes and Harlington): I want to follow up the pragmatic approach taken by the hon. Member for Woking (Mr. Malins), and to seek some reassurance from my hon. Friend the Minister of State on a constituency point.

Heathrow is in my constituency and a large number of people might be detained there at any one time under this measure. I have visited the facilities available there for the detention of suspects and others; they are extremely limited—at the most there are a dozen cells. It is thus possible that overspill detainees might be transferred to police stations in my constituency. That would require additional police resources to supervise the cells and to assist in processing the detainees to the magistrates court. Uxbridge magistrates court is also in my constituency.

I am anxious to obtain assurances that before we implement the legislation, there will be a full review of its resource implications in constituencies such as mine. It could be a significant drain on police resources that would have an impact on the ability of the police to tackle crime and disorder generally in my community.

Mr. John Gummer (Suffolk, Coastal): I am concerned because, if there is a need for sub-paragraph (4), it means that a considerable number of people would have to be apprehended under that provision. If it were to apply only occasionally, it is unlikely that we should be dealing with the matter in that way. The more people who come under that category, the more difficult it is to explain or to defend the whole procedure, as my hon. Friend the Member for Woking (Mr. Malins) suggested.

We are in danger with this measure, because, as none of us like football hooligans and naturally want to stop them travelling abroad and lowering the reputation of our country, we start with the assumption that the Home Secretary must be right in trying to find an answer to the problem. However, many of us are concerned that he has found not one answer, but several. After each successive attempt to find the right answer, he has found that his previous answer was wrong.

It is not possible to believe that, if a period of 24 hours was considered essential three days ago, a period of four hours, with a possible extension to six hours has now become practicable. I suspect that it has not. I suspect that the Home Secretary has discovered that perfectly reasonable, decent, sensible, law-abiding, non-hooligan Members of the House recognise that detention for 24 hours is intolerable if it takes place because a constable believes that someone may have done something in the past that does not—or will not until the Bill is amended—constitute criminality or may in future do something that does not constitute criminality, but that may contribute to violence or disorder.

8.45 pm

If we bring the period down to four hours, we shall face the problem that my hon. Friend the Member for Woking raised. At places where we expect large numbers of people to congregate to go to a match abroad, we shall need not only large numbers of police officers but new arrangements for magistrates to operate. I do not believe that there will be all those policemen or the arrangements for the magistrates. The provision will not work. The same people will return to the same ports and travel abroad to make the same row and the Home Secretary will return to the House and say, "I am frightfully sorry. I did my best, but the provision did not work." That is what worries me about this clause.

The House appears to be saying that there is a problem for which there must be an answer. Any answer will do—the period can change from 24 hours to 4 hours—because if we do not have an answer, people will say that we are not doing our job. However, the worst job that we can possibly do is produce an answer that we know will not work just because we think that we must do something.

Mr. Dominic Grieve (Beaconsfield): If one reads the Bill, one might imagine that the court procedures will take five minutes. However, court procedures with the opportunity, I assume, of some form of representation for those brought before the court are likely to take days. Individual cases will take hours and, if they are not resolved in that period, they may take days, with adjournments, so that the necessary evidence may be adduced.

Mr. Gummer: My hon. Friend is absolutely right. Because that might happen, the tendency will be to treat such cases like speeding offences. It does not matter whether one gets the cases wrong because the important point is to get them through. The provisions in the Bill are serious because I fear that local magistrates will have no alternative but to proceed at a pace that does not fairly give people an opportunity to ensure that they put their case and are heard properly. Magistrates will be tempted to think, "I'm sure this officer is doing the best thing. Indeed, if I do not accept that, I shall undermine an important provision that is necessary if the reputation of my country is to be defended."

Mr. Simon Hughes: The right hon. Gentleman makes a good point. The implications are that if someone cannot be brought before the magistrates within 24 hours—a notice being served after he has been held by a police officer for four or six hours—he is bound to be released. That will discredit the earlier part of the process and, in reality, many people will probably be in that category.

Mr. Gummer: The hon. Gentleman is not only right, but does not go far enough. I hope that the Minister will correct me if I am wrong, but my reading of the clause is that the constable may give the person a notice in writing that requires that person to do several things and the constable can take the passport away. In the debates on Second Reading and in those held so far today, we have not been clear enough about what that would mean. Passports are not granted through the grace of Governments, but are owned by citizens as the result of their being a citizen of the European Union and the British Isles.

Several hon. Members *rose—*

Mr. Gummer: I shall give way in a moment. I want to restate that that is an important issue. Taking away someone's passport is not a mere passing matter, and the House should be extremely concerned if they cannot get it back because the process takes longer than the period that we are discussing. I am not sure to which boiling pot on which side of the House I should give way, but I shall give way to my hon. Friend the Member for West Chelmsford (Mr. Burns) first and then the hon. Member for Watford (Ms Ward).

Mr. Simon Burns (West Chelmsford): I do not know whether my right hon. Friend has recently looked at page 3 of his passport, which states that the passport is the property of Her Majesty's Government and that an individual may keep it only as long as Her Majesty's Government wants him or her to.

Mr. Gummer: I have certainly read that, but I am also aware of the fact that, in this country, we have always felt that the passport is a disagreeable necessity which is required because other people tend to stop our citizens if they are unable to present one. One does not need a passport, which is just a convenience for making sure that one does not get stopped. It is true that, in this House, we have always felt that the passport is a matter not of grace, but of right. I do not wish the provision to undermine that fundamental belief, which is why the amendments are crucial to ensure that the Bill is not a pain.

Ms Ward: Would the right hon. Gentleman accept that there are already precedents in law for the removal of

passports that may not relate to criminal convictions? For example, a court can remove a passport on the basis of a bail condition or in relation to a feared child abduction. Under existing law, courts have the power to remove a passport under football banning orders. The right hon. Gentleman suggested that a passport cannot be taken away, but it can be removed under certain circumstances.

Mr. Gummer: Not for the first time, the hon. Lady has mistaken the position. She referred to occasions on which the courts remove passports. We are considering a position in which policemen remove passports. I am merely saying that if one holds a passport as a matter of right and importance, taking it away is of considerable concern, and I want due process of law. If one follows the matter through, the court will not be in a position to undertake such action within the reasonable period to which the Minister referred.

The Minister is trying to get there, and has spent a lot of time altering his first thoughts to second, third and fourth thoughts, but he is not there yet. At the moment, if the power is to be used sensibly, it will have to be used for more than the occasional person. It could be used for a significant number of people—after all, we were talking about 300, 400 or 500 people being sent back, let alone the ones who were prevented from going out—and the numbers that we talked about when discussing the reasons for this rushed legislation lead us to believe that there will be many people in one place and the courts and the police will not be able to deal with them. The provision is therefore not tolerable unless there is significant alteration.

Unusually, I find myself in some sympathy with the amendments tabled by Liberal Democrat Members, who do not normally table amendments for which I have any sympathy and, of course, they belong to a party with which it is difficult to sympathise.

On this occasion, however, as must be true in the random nature of life, they have hit on something closer to truth than is their habit. They have suggested that it would be a good idea if we did not introduce the Bill in this way but went away and thought about it again.

We have suggested a number of ways in which we could do that, such as having a small gap between the different stages in this House. We were told, rather unconvincingly, by the Home Secretary that he had had a few words with people and they thought that it could not be done. Well, they ought to have found a way of doing it. I worked out the number of days, and it is perfectly possible to do it. There is no reason why the Government should not have given us more time, as my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) pointed out. We are subject to the disagreeable necessity of asking the Home Secretary whether, given that by his own admittance he has got the legislation wrong several times in a short period, he should not give himself the benefit of the doubt and allow himself more time to think about it.

I do not want to be churlish to the Home Secretary because it is kind of him to have given way on a number of issues, although he probably did so because he realised that he was wrong. That is why I want to argue with his position on the amendments, particularly those that my right hon. Friend has said that she may press if he does not give her a better answer. We can argue about parties disagreeing on amendments and about Members being in favour of guillotines when they are in government and against them when they are in opposition, but sometimes the Opposition are trying to help the Government. On this occasion, the official Opposition and the Liberal Democrats wish to help the Government to avoid getting themselves in a pickle, and no doubt the Welsh nationalists, Ulster Unionists and others would share that wish if they were here.

I remember that, from time to time, the previous Government tabled legislation that had the universal support of the House. If anyone asked them whether they were quite sure that it was right, they said that it must be right because everybody wanted it. I have been in the House for about 25 years and I have come to suspect any proposal that everybody seems to be happy with. I find that the press are very happy with a measure until they start to wonder whether it would not be better to do something else, which they start to do the moment that something goes wrong.

I end with a message to the Minister which I hope he will pass on to the Home Secretary. The worst task in the House is that of the Minister who has to defend actions that were popular when proposed but which turn out to be a disaster. All those people who supported him when he proposed the measures do not turn up, and the only ones present are people such as my hon. Friends. We will all turn up and tell the Minister, "I told you so. We tried to be helpful and you didn't listen to us."

I simply say to the Minister that it would do the Government good to step back and give themselves more time by accepting amendments such as those in the names of my hon. Friends and of Liberal Democrat Members. I suppose, therefore, that I hope that they will not accept them, because obviously they will get in a mess and I ought to be pleased that they will be in yet another mess—they are getting into a mess most of the time. On this occasion, however, I must try to help the Government simply because this is not a trivial matter but one of considerable importance.

I have young sons, and many hon. Members have young sons and daughters who, with their friends, could so easily and quite innocently be affected by the Bill, and their first brush with the law should not be in circumstances so ill conceived, ill thought through and badly drafted as the fourth proposal in the Bill. I hope that the Government will think again, even though if they do not, I suppose that we might have a drink on the fact that within six months they will feel very silly indeed and wish that they had listened.

9 pm

Mr. Vernon Coaker (Gedling): Having spoken on Second Reading and from listening to the debate in Committee so far, I think that we have not only improved the Bill but are significantly continuing to do so. That should make us all proud of the procedures that we are adopting. As we saw, dialogue, debate and discussion between my right hon. Friend the Home Secretary and the shadow Home Secretary, the right hon. Member for Maidstone and The Weald (Miss Widdecombe), led to considerable improvement. Such constructive dialogue and opposition is the House working at its best.

I want specifically to speak against Liberal Democrat amendment No. 20, to which the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) spoke,

[Mr. Vernon Coaker]

which would delete the fourth option. I want to address the point that he made—and made well, although I fundamentally disagree with it. It is a very important point for the Committee to consider. I made the point on Second Reading and do so again under the amendment.

With such legislation, there is always a clash between public interest and individual liberty. Law in general often infringes the rights of individuals to pursue their actions or freedoms without constraint. We do not allow people so to behave because we believe that, for the common good, in the public interest, there must be certain constraints on the actions and freedoms of individuals. We therefore legislate on different issues to constrain individuals. We have one such piece of legislation before us.

The Bill is about how we as a Parliament and a Government consider the problem of football hooliganism and deal with it. We have the serious problem of a number of individuals who are exercising their freedoms in a way that impacts on the law-abiding majority not only in this country but in other countries. That presents us with the difficult question of whether, because such people are infringing the rights of the majority—the rights of the majority of those conducting business, of countless families to enjoy football matches or go abroad without feeling harassed, and of huge numbers of people to feel free from fear—a limited number of individuals should forfeit some rights that we would normally wish to convey to them.

I think that the honest answer to that question is yes. Although the majority of people in this country would not wish their Government to legislate for the fourth option, I think that they would reluctantly conclude that, if the law is not to fall into disrepute, it must deal with the unacceptable behaviour that they have seen and the awful way in which some people have abused their freedoms.

Mr. Simon Hughes: The hon. Gentleman makes a very clear point, but would he take it to this conclusion: that it is justifiable for some people who are innocent either to have their liberties taken away or to be convicted, rather than that some people who are guilty should be let off? The existing criminal process always tends to let off some of the guilty rather than convict some of the innocent. Which side of that line does he fall?

Mr. Coaker: My point is that we have to curtail the individual liberty of some to protect the liberties of the many. That is why I support the fourth option—not because it will be popular or because it is something in which we can glory, but because it is a measure that people feel is necessary if we are to protect the law-abiding majority.

Mr. Gummer: If the hon. Gentleman could be assured that everyone made subject to the Bill will be guilty, the views he expresses would be perfectly right, but our concern is that the Bill will result in large numbers of people who are not guilty finding themselves subject to a process that will be extremely damaging to them, and that they will have few means of averting that damage.

Mr. Coaker: First, I do not believe that the number of people will necessarily be large; and, secondly, the police will ultimately have to take individuals involved before the courts. Any law has the potential to affect individuals who are accused of doing something that they have not done, or who have not done anything wrong.

My point is that I believe that the majority of people in this country feel that it is necessary for Parliament to reflect their concern about the way in which some so-called football supporters conduct themselves. They believe that Parliament needs to act. I believe that the majority of people outside and inside the House accept the necessity of our taking actions that, in an ideal world, we would not want to take. In other words, the curtailment of the liberty of some individuals is necessary if the law-abiding majority is to be protected. If the law fails to protect the majority who conform to it, that brings the law into disrepute.

Of course, the individual must be protected under the law and we must respect people's rights, but we cannot do that at the expense of public disorder, which flies in the face of the public interest. We cannot allow the law-abiding majority to feel that their rights are being usurped and that the rights of those who do not respect the law are being put before theirs.

Mr. Roger Gale (North Thanet): My name appears above the lead amendment, along with that of the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) and others. If the hon. Gentleman chooses to press it to a Division, I shall support it, and I shall outline the reasons why.

I am especially glad to have waited long enough to be speaking after the hon. Member for Gedling (Mr. Coaker), because he has, inadvertently, articulated all my fears. Those fears were mentioned the other night by my hon. Friend the Member for West Chelmsford (Mr. Burns), and no one doubts that he has worked extremely hard to respond to those issues. The hon. Gentleman has, in effect, echoed something that my hon. Friend said on Second Reading: that, in the interests of the greater good, the liberties of a few may need to be curtailed.

I represent a constituency in east Kent—one of those constituencies that is closest to the continent; one of those constituencies with greatest access to the channel ports of Ramsgate, Dover and Folkestone, and to Le Shuttle; one of those areas where the innocent law-abiding citizens are extremely likely to be affected by the legislation. Those are not, as was suggested by my hon. Friend the Member for West Chelmsford and the hon. Member for Gedling, the minority. They are the majority.

Thousands of people travel daily through the port of Dover, and millions of people travel annually through the south coast ports. Most of them are law-abiding citizens, with no convictions in any court anywhere in the world, going about their lawful business. Under the Bill, those people are just as likely to be picked up as those whom the Home Secretary described as going abroad with a view to causing trouble. Unless we issue the Kent constabulary with crystal balls, I do not see how those policemen are to distinguish one from the other.

Ms Ward: Surely the hon. Gentleman is not suggesting that a large majority of his constituents act in a way that might reasonably be considered to arouse the suspicion that they will cause disorder or behave violently, or that

they have convictions for violence in the past. Is he suggesting that a large majority or all of his constituents, as I understood him to say, fall into that category?

Mr. Gale: I am grateful to the hon. Lady because she leads me to my next point. During the timetable debate, my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) suggested that although the Bill is supposed to deal with football hooligans, the overwhelming majority of people travelling across the channel during potential closed seasons, which the Bill will introduce, are not going anywhere near a football match and have no desire to do so.

Those people are travelling from all over the south coast of England and beyond, from London and East Anglia, to spend a couple of days across the channel, to go shopping in Cité de l'Europe or Océan or wherever, to buy their duty-free goods and put our traders in east Kent out of business. That, at present, is their lawful right. They have nothing at all to do with football.

Having travelled frequently on channel ferries, I can say, and the hon. Lady may agree, that not all those travellers are endearingly attractive. One or two, on the passage out and on the passage back, have been known to consume alcohol. It is just possible that some of them may attract the eye of Mr. Plod.

The Bill places on the Kent constabulary a duty somehow to discern the day-trip traveller, the two-day traveller, the person visiting northern France, and others who may or may not be going to a football match, some of whom may or may not have an aura about them that suggests unpleasantness.

The Home Secretary said at the Dispatch Box earlier that the Bill would give the police powers to apprehend and detain people who had no convictions. As I said, I am not sure how the police will work that one out. The other night the Home Secretary told the House that of 950-odd people arrested during Euro 2000, only about half had criminal convictions. Therefore, he said, we need to control the others who had no previous convictions, implying that all the people who had been pulled in by the police were guilty—of what? It is of being in the wrong place at the wrong time and, as a result, under the Bill, having a stain on their character that could lead to their being pulled in by the police next time they wanted to go abroad.

9.15 pm

Mr. Tony Banks (West Ham): The hon. Gentleman should not create a largely mythical monster against which he can rail. I do not understand his point; perhaps he can explain it. Why does he believe that police officers would detain large numbers of people? The Bill does not require them to pick up large numbers. The hon. Gentleman should also answer the point that my hon. Friend the Member for Watford (Ms Ward) made. What makes him believe that large numbers of people would be caught? If many people were detained by a police officer, what would be the impact on them? If they were innocent, they would not end up with a criminal record.

Mr. Gale: For good reasons, of which I am aware, the hon. Gentleman was not in the Chamber when my hon. Friend the Member for Woking (Mr. Malins) spoke about likely numbers. We were considering the possibility of 400 people being apprehended. If the Bill is of any value, which I doubt, and each of the 400, some of whom may be on a day trip and thus have their entire day ruined, is detained for up to six hours—

Mr. Gummer: If not many people are apprehended, and mayhem ensues in some football match abroad, will not the public demand, "Why were not more people stopped?" It would be almost impossible thereafter for the police not to stop more people. That will continue until *The Sun* suddenly decides that it is on the wrong side, and twists right round and tells us that we have dealt with the rights of the individual in a cavalier manner. That will happen, and my hon. Friend should say so.

Mr. Gale: My right hon. Friend is right. The police are between a rock and a hard place. They will either pull people in, which entails the great danger of pulling in people who should not be apprehended, or they will not, and be blamed the moment another riot occurs abroad. I am concerned on behalf of the Kent constabulary. Neither the chief constable nor any other Kent policeman has said to me, "Roger, this is a wonderful Bill. You've got to get behind it because it gives us a power that we've really been waiting for." Not one police officer has said that.

Mr. Burns: I wonder whether the chief constable of Kent, or any Kent police officer, has approached my hon. Friend to say that the Bill is dreadful and to ask him to stop it.

Mr. Peter Lilley (Hitchin and Harpenden): They have had no time.

Mr. Gale: As my right hon. Friend says, there has been no time. It is significant that the police have not woken up to the fact that, as well as policing economic migrants and contraband goods, they will be lumbered with deciding who should be detained under the powers that the Bill gives them.

I do not like the blackmail that always accompanies measures such as the Bill: the assumption—which minor, share-dealing tabloid editors will pick up—that anyone who does not support the measure is soft on football hooliganism. My right hon. Friend the Member for Richmond, Yorks (Mr. Hague) clearly said that we would support any Bill that reasonably tackles football hooliganism. However, the Bill does not tackle it because it has no writ north of the border or in Northern Ireland.

The Bill is holed below the waterline before it has even been launched. Anyone who is seriously intent on making trouble will not go with the innocent through Dover, Folkestone or via Le Shuttle; they will go where they know that they will not be stopped. The hon. Member for West Ham (Mr. Banks) is an expert on the subject and has frequently said that we are considering organised hooliganism. It is folly to believe that people who are so organised that they carry briefcases and wear pinstripe suits will not travel through Glasgow, Edinburgh or Belfast. Meanwhile, those who use our ports in Kent will pick up the wreckage of a bad measure.

I shall go with the Home Secretary on the Bill's initial provisions, which we can all support, but when the hon. Member for Southwark, North and Bermondsey presses the amendment to a Division, as I trust he will, I shall support it. It will take the rotten guts out of a bad Bill.

Mr. Hancock: The right hon. Member for Suffolk, Coastal (Mr. Gummer) spoke with conviction and referred to a Minister having to return to these matters; he seemed to be speaking from personal experience. Ministers should take careful note of what he said might happen because there was more than a true word in his comments. The hon. Member for Woking (Mr. Malins) began to explore the scenarios that might arise not only in Kent, but in other parts of the south of England and elsewhere. Heathrow is in the constituency of the hon. Member for Hayes and Harlington (Mr. McDonnell), and he made a similar point. I represent another port of entry to, or exit from, the United Kingdom.

Let us consider the scenario of a weekend game being played in France. Let us start in London. Eurostar trains leave Waterloo at the rate of one an hour throughout the day and, on the way, stop in Kent—the county of the hon. Member for North Thanet (Mr. Gale). Policemen would be needed at Eurostar in Waterloo and at Ashford International. Let us consider the ferry ports. People would be needed at Ramsgate as ferries go from there to Dunkirk. There are dozens of ferries a day from Dover, all of which would have to be manned by policemen. The same applies at Folkestone and, a little further along the south coast, at Portsmouth.

Mr. Simon Hughes: Newhaven is on the way.

Mr. Hancock: Ferries do not currently operate from Newhaven, but I hope that they will return in time. Up to 12 ferries a day regularly travel from my constituency to four ports of entry in France. Ferries also cross to France from Poole, which is a little further along the coast. All those sites will have to be manned.

Three shuttle trains leave this country every hour. I have often travelled on Le Shuttle and have seen perhaps 30 transit vans on some trains. Most of the people in them are going over to France to buy booze, but I suspect that, in future, they will be full of people who want to watch football matches. Every car and person will presumably have to checked.

If policemen had to be at all those ports during the three or four days leading up to a match, an enormous strain would be put on the resources of the police forces of Hampshire and Kent and on the Metropolitan police to ensure that all those trains, ships and cars were properly inspected; otherwise the law would be unfair: it would not operate universally.

Let us consider what could happen if a policeman were to detain someone—the point made by hon. Member for Woking (Mr. Malins). If a policeman had reason to believe that someone was worthy of detention, what would happen at that moment? Would the policeman have to spend a considerable time with that person? Would he have to take the person to a place where he can be detained, perhaps in a room somewhere at the port, which would have to be manned by other policemen who would ensure that the paperwork would be done? Would the policeman then simply return to his place at the front of the queue to look for other people, or would there be other policemen waiting to fill his place so that the process could continue, ensuring that people were properly checked?

How will the selection process take place? Obviously, the police will use their network of sources, and those sources will point out known offenders who have not got convictions. Will those people be put on the list and identified? At least a dozen ports and airports would have to be covered by that process and policemen throughout the country would have to be briefed extensively over a long period to ensure that they picked out the right people.

Let us suppose that a busload of football supporters turned up wearing their England jerseys, jeans and sneakers with their jumpers tied around their waists, and they had all drunk a can of beer on the way to the port. The policeman would say, "I have a reasonable belief that one of you 30 could be a problem on the other side." What would happen to the other 29? What judgment would the policeman exercise? Would the passengers all have to get off the coach at Le Shuttle, although that does not have to happen at present? Would the other 29 be paraded in front of the Kent constabulary and would those who look more suspect than the others be picked out? That would be nonsensical.

Mr. Browne: Again, I seek clarification. In Scotland, drinking in a coach on the way to a sporting event is a criminal offence. Is it not an offence in England and Wales?

Mr. Hancock: I am afraid that the hon. Gentleman has the better of me. I am not sure whether that is a criminal offence in England, but no doubt the Minister will put us right. I can assure the hon. Gentleman that I have passed or travelled on many a coach on which a can or two has been taken. The provision would open the door to all sorts of scenarios that would be difficult to police, difficult to control and difficult to resource.

Ms Ward: Perhaps I can help the hon. Gentleman. Under the Sporting Events (Control of Alcohol etc.) Act 1985, that is an offence under English law, as it is under Scottish law.

Mr. Hancock: The hon. Lady once again refers to sporting events, but people may be travelling abroad on a coach for another purpose. Presumably that would not be covered.

Mr. Burns: The hon. Gentleman must not criticise the hon. Member for Watford (Ms Ward), because his story involved people in football strips wearing jeans, sneakers and sweat shirts around their waists. People do not usually go shopping dressed like that. [HON. MEMBERS: "They do!"] One or two perhaps, but not 30 on a coach.

Mr. Hancock: If the hon. Gentleman represented a city with a football culture, he would have seen many people shopping, going to church or doing myriad things in a football strip.

Mr. Banks: The hon. Gentleman is changing the scenario to suit his speech, which is all over the place. There will not be as many difficulties as he makes out. The provision would be used at designated times—not at any time during the year—when the England team played abroad. If he has travelled with English—

Mr. Hancock: I have.

Mr. Banks: In that case, the hon. Gentleman will know that it is not difficult to spot people who sing "No surrender

to the IRA" as they are usually abusive, plastered out of their minds and shouting racist comments at airports or ports of exit. There will not be as many difficulties as he suggests to the Committee.

Mr. Hancock: The hon. Gentleman does not do justice to thousands of supporters who go to matches, sing, enjoy themselves, have a drink and do not cause problems. Many Members have tried to explain to the Government that they still have time to address that issue. They have already moved considerably.

Mr. Gummer: Does the hon. Gentleman agree that the hon. Member for West Ham (Mr. Banks) has given the game away? If the provision were confined to those who behave as he describes, we would have no problem with it. However, it does not so confine itself, which is why we are in this mess.

Mr. Hancock: I could not agree more. Many Members who under previous Governments held high office in Departments dealing with the law have experienced the difficulties of hastily conceived legislation—and paid the price. They had to try to dig their way out trouble after the legislation was passed. The hon. Member for Gedling (Mr. Coaker) said why he supported the Bill. Those who have been to a football match or travelled with their team or the national side know that events do not take place over 24 hours. People travel to away internationals over three or four days, using different modes of transport, and arrive at grounds at different times. Some stay for a long time afterwards.

9.30 pm

The hon. Gentleman described hooliganism and explained why we should do something about it. I have been at football matches in this country and abroad, and have been subjected to the worst side of hooliganism next to me, across the terrace from me and across the other side of the pitch. As a city councillor in Portsmouth, I represent the area where the football ground is located. For 30 years I have represented people who for long periods were victimised by football hooligans who thought nothing of throwing a dustbin through the front door or window of a flat-fronted terraced house as a passing gesture on their way home, simply because Portsmouth had done their team on the park that afternoon. That happened week after week. I understand the problem, and I want something done about it.

I want resources to be provided so that we can achieve what we are trying to do. It is sometimes difficult to police football matches properly, because the police are hard pressed and the clubs do not want to pay the cost of policing. Hon. Members who have raised the issue of resources are dead right.

We want to ensure that the police officers who make the initial stop are fully able to do their part of the job within the law—that is, they must have good reason. In the four-hour process, when does the clock start ticking? Is it the minute the policeman stops the person, or the minute the person is in a place where he can no longer exercise free will and has been removed from the port, airport or train station? Those questions must be answered tonight.

I doubt whether, at 12 o'clock when we finish the Committee stage, any Member or Minister, including the Home Secretary, could honestly report to the House what the Bill can do. The Minister will report that we have been through the Committee stage and have amended the Bill. What does the Bill do, and what does it not do? The Home Secretary was honest enough to say that between Thursday and Monday he had changed his mind and accepted that there were some good ideas about how the Bill could be amended. The amendments offer him the opportunity to go that little bit further. They do not say, "Come back at a later stage when you have got it right." They say, "For goodness sake get it right. Get three quarters of the Bill, do what most of us want to do, but if you are going the whole hog, ensure that the system is robust enough to stand the test of time, that it can be resourced properly and that it can deliver what the nation expects." A good headline tomorrow will not be sufficient to prevent trouble in September.

Mr. Lilley: I shall make clear what I am in favour of before I explain what I am against. I have no objection in principle to banning orders that prevent people from attending domestic or foreign football matches if that is part of the punishment for a criminal offence of which they have been convicted. I have no objection to giving the constabulary the powers to enforce such banning orders, and ensuring that they can do so effectively and efficiently. However, the Bill goes far further than that, and some of the amendments would rein it back. I favour amendments that try to restrict the powers of the police to enforcing bans on those who are convicted of criminal offences from attending football matches, either here or abroad, as part of their punishment or as a consequence of their criminal conviction.

Before amendment No. 42 was tabled, the Bill referred, as a ground for restricting the movement of someone through the ports, to behaviour of the person present before the constable. If a person is behaving in the port, or on the way to it, in a manner which constitutes a criminal offence—for example, if he is behaving in a drunk and disorderly fashion, committing a breach of the peace or indulging in racial incitement—the constabulary already have the powers to charge that person with an offence. They do not need any special powers. Just the process of charging and arresting them will stop those people going abroad and, in effect, will prevent them from attending the football match.

If those concerned are doing something which is not a criminal offence—they may be a bit merry, raucous or rowdy—it is hard to say that they should be prevented from travelling further to the football match. One is effectively reducing the level of offence if one gives the powers to the police to stop people going to a football match when they are not doing anything which, in itself, is a criminal offence.

If amendment No. 42 is accepted, reference to the behaviour of a person before the constable is omitted and ceases to be the primary consideration in determining whether the constable should detain them. The amendment would mean that if a constable in uniform had reasonable grounds for suspecting that the respondent had at any time caused or contributed to any violence or disorder in the United Kingdom or elsewhere, the constable could detain that person in his custody.

[Mr. Lilley]

There seem to be five possible circumstances in which the constable could subsequently be justified—and the magistrates court could conclude—that the person detained had caused or contributed to any violence or disorder. The first is if they could show that the person had been charged and convicted of a crime that would be relevant to the circumstances of travelling to a football match. I would have no objection, in such circumstances, if the banning order were part of the punishment. However, if we are to add retrospectively to the punishment of people who, in the past, have been guilty of crimes, we will be guilty of retrospection and double jeopardy.

As my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) asked, what if the previous offence's time had expired? In general, if a person has been charged and convicted of a crime, it is perfectly reasonable that he should have restrictions imposed on his right to attend football matches.

The second circumstance might be if the person has been charged with a crime, but not convicted. Are we saying that, in such circumstances, the constable would be reasonable in detaining the person—and the magistrates would subsequently be able to prevent them from travelling—because, under a lesser, civil burden of proof, the magistrates might think that although the person was acquitted on a criminal charge, there was a reasonable basis for thinking that they were reasonably guilty and, therefore, that we should stop them going? Is that what the Home Secretary is saying?

The third circumstance might be if the person had been arrested for something that constituted a criminal offence, but had never even been charged with it. Are we now to say that as an arrest took place, there must have been reasonable grounds for thinking that the person committed that offence and that he is responsible for causing or contributing to violence and disorder, so we will stop him? It is an enormous step in our law—that merely having been arrested for something can be a cause for having one's liberties restricted. The Home Secretary referred to the 965 people who had been arrested—but only one charged and convicted—by the Belgian police. The Bill specifically says that an arrest that is not even made by a British authority can constitute a reason for believing that the person has committed an offence of violence or disorder.

Fifthly, the person may be found to have caused acts of violence and disorder that are not in themselves crimes. The Bill specifically says that people can have their passports removed on the basis of acts that need not be a criminal offence anywhere in the world. It even says that they need not even themselves have caused the violence or disorder, but only have "contributed to" it—perhaps by being present or joining in the singing.

Mr. Gummer: My right hon. Friend must labour that point. In 1961, I was one of the leaders of an anti-ugly march, protesting against an appalling building in Cambridge. If, on the edge of that march, there had been some disorder—and there was—I could evidently have "contributed to" it as one of the march's leaders. Is that a sufficient reason for my being prevented, today, from going to a football match? That is precisely what the Bill allows.

Mr. Lilley: That is a very good point. I hope that the Home Secretary will tell us what he means by "contributed to", as distinct from "caused". For example, if someone had organised a coach tour on which some people behaved in a thoroughly reprehensible manner, is he held to have contributed to the offence and will he be prevented from travelling to football matches? What if someone had contributed in his youth as a student organiser to events that turned a bit unruly, and possibly at which an excessive amount of drink was consumed?

It is pretty offensive that we should be introducing to the law of our land the right of the constable to detain and of the courts to restrict the liberties of people who have done something that falls short of being proven a crime. What is most reprehensible of all is that the Bill allows the magistrates to double-guess, on a lower standard of proof, people who have previously been charged and not convicted, or even merely been arrested and not charged, and take that as evidence that they were guilty of an offence. That is bad not only for the individuals whose liberty may be infringed but for respect for the law, as doubt is cast on the conclusions of the courts and the forces of law and order.

For all those reasons, I strongly support the widest of the amendments, which would comprehensively remove the offensive aspects of the Bill. I also support the narrower amendments. I do not want us to be reduced to the converse of the famous anti-Australian story that causes such offence to my Australian relatives, about the chap who arrived in Australia without a visa. Immigration officials asked him all sorts of tedious questions about his place of birth and his mother's maiden name, and he got more and more irritated, so that when they asked whether he had any criminal convictions, he unwisely said, "I didn't realise they were still required to get into Australia." Under the Bill, one does not even need a criminal conviction to be prevented from leaving the United Kingdom. That will give the last laugh to the Australians.

9.45 pm

I have some factual issues that I would like the Home Secretary to address on the amendments. How many people does he believe are likely to be affected, or are being targeted by the Bill? How many people do not have banning orders against them but are believed to be the sort of people whom we should stop going abroad to football matches because they might provoke the sort of disorder that we saw on our television screens occurring in Belgium, although not in Holland? How many of the people that the Home Secretary expects to fall within the ambit of the legislation are likely to be restricted from travelling not because of a previous conviction for a criminal offence, but because they have caused or contributed to violence at a lower level than would constitute a criminal offence?

I suspect that the Home Secretary will say that he does not know how many, but that legislation is necessary to stop all who might do such things. However, he was able to be quantitative when it came to justifying the Bill as a whole. He referred to the 965 people arrested in Charleroi

and the fact that 42 per cent. had a conviction. Earlier today, he said that the only reason the Bill was justified was the events in Charleroi. Before that, he claimed, one could not have predicted the need for the Bill. It is only because of those 965 people, 42 per cent. of whom had a conviction, that we are considering the Bill today.

I would like to know a little more about those convictions. What proportion had criminal convictions for violence? What proportion were for disorder and what proportion for motoring offences? The Home Secretary is not listening at the moment, but I hope that his officials will wake him up and ask him to tell us more about those 42 per cent. with some sort of conviction.

Mr. Straw: I am listening and I gave that information on Second Reading. It was the right hon. Gentleman who was not listening.

Mr. Lilley: I am sorry that I was not listening and I shall go back to the debate and find out whether the Home Secretary did tell us how many had motoring offences. Perhaps he can remember and remind those of us who were inattentive so that we have that fact, which he thought important enough to give us then, to consider now. If he does not remember it, perhaps he could withdraw his accusation that I am somehow reprehensible for forgetting it too. *[Interruption.]* It appears that the Home Secretary does not know, any more than I do.

If we took a random sample of football fans—not the general population—what proportion might we reasonably expect to have some sort of conviction?

Mr. Straw: On Second Reading, I said:

> Of the 391—

that is the 42 per cent. with previous convictions—

> 133 had convictions for violence, 200 for disorder, 38 for possession of an offensive weapon and 122 for criminal damage. I stress that those convictions were, in the main, not football-related.

Mr. Lilley: I am grateful to the Home Secretary for what is important information, which is why I wanted it before us now. That leads to my next point: how do those figures compare with those that might be found for a random sample of football fans? We heard on Second Reading that a surprisingly high proportion of the general population have some kind of conviction against them.

Mr. Gale: It is a pity that the Home Secretary did not continue his quotation. He also said that

> 97 per cent. of those arrested were not convicted or known football hooligans. That is of great importance in framing further legislative measures to tackle the phenomenon.—[*Official Report*, 13 July 200; Vol. 353, c. 1182.]

His assumption is clearly that those 97 per cent., unconvicted of any offence anywhere in the world, were guilty.

Mr. Lilley: Indeed, there was a presumption that on the balance of probabilities any one of those 965 was guilty of some offence because they had all been arrested by the Belgian authorities, even though 964 of them were never charged or convicted of any offence. I think that it is rather important for the Home Secretary to give the House information as to how many people will fall foul of the Bill if it targets only those whom he intends it to target.

The Home Secretary should also consider whether other people might fall foul of the Bill unintentionally. My hon. Friend the Member for North Thanet (Mr. Gale) said that not all ferry travellers were "entirely endearing" in their behaviour. I use the ferry to France at least six times a year, and my hon. Friend's description of some of my fellow passengers is correct. Under the influence of drink, some behave in a way that is a little too effusive, but they do not necessarily commit any criminal offence.

If the constabulary consider that those people are travelling to a football match, will they be detained and brought before a magistrate? How often could that happen? What harm might the fear of that action do to the relations between the police and the general public?

For those and other reasons, I hope that the various amendments restricting the excessive powers in the original Bill will be accepted today.

Mr. Donald Gorrie (Edinburgh, West): I wish to make three points in support of the amendments tabled by the Liberal Democrats. First, I see no mention in the Bill of the police being required to ask if people are going to a football match. That seems a basic point because otherwise they will have to guess where people are going.

Secondly, it has been suggested that alleged hooligans might leave the country via Scottish airports. If a Scot making a brief visit to England is detained by a policeman who thinks that he is a potential football hooligan, will the policeman be able to prevent the Scot from returning to his domicile in Scotland if there happens to be a football match somewhere in the area? That would not seem right.

The right hon. Member for Hitchin and Harpenden (Mr. Lilley) touched on my third point, which concerns the phrase

> caused or contributed to any violence or disorder.

Many people innocently cause or contribute to disorder. Pop and rock groups cause an enormous amount of disorder. A policeman might reasonably assume that, because a rock group had caused riots in the past, they might do so again if they attended a football match. Would that group be prevented from going to the match?

Throughout history, from Helen of Troy onwards, attractive females have often caused disorder—wars, or something less. Will a lady who in the past has caused men to behave riotously be prevented from going to a football match where she may again cause such behaviour?

Mr. Banks: I am intrigued by what the hon. Gentleman has just said. He mentioned Helen of Troy and said that many wars had been caused by attractive women. May I test his historical knowledge and ask him to give the House a list of all the wars caused by attractive women? I thought most wars were caused by very ugly men.

Mr. Gorrie: My point was that one can quite innocently be the cause of violence. Helen of Troy misbehaved herself in leaving her husband, but she did not fight the war. The hon. Gentleman makes my point for me.

Suppose that the management or board of a football club was very unpopular and there had been riots at that club protesting against their incompetence. A policeman

[Mr. Gorrie]

might believe that there might be another riot if they went to a match and their team lost yet again. Should the policeman stop the management of the club going to the match? As for some of the more violent football players—whose conduct on the pitch is violent in the strict sense—the police may think that if they take part in the match there is liable to be trouble on or off the pitch. Should the police stop them going to the match?

An enthusiastic policeman who had read the Bill carefully and was on duty in Downing street might even believe, if he had looked at television coverage of Prime Minister's Question Time, that the Prime Minister had caused or contributed to disorder. If the policeman believed that Britain or the Prime Minister personally was very unpopular in the country to which the right hon. Gentleman was going for the match, he might believe that the Prime Minister could cause further disorder.

Ms Ward: I am amazed that the hon. Gentleman is managing to say all this with a straight face. Is he really suggesting that the Prime Minister or—I will be generous here—the Leader of the Opposition could be classed as potential football hooligans on the grounds of their conduct on a Wednesday afternoon? I can only hope that the hon. Gentleman is trying to amuse the House.

Mr. Gorrie: I am trying to illustrate the absurdity of the Bill's wording and the fact that people can innocently cause or contribute to violence or disorder. That is what the Bill says, and it leads to all sorts of absurdities.

I have great regard for the Prime Minister, and I am quite sure that he is not a football hooligan. However, the Bill will catch many people who are not football hooligans—that is my point.

Mr. Banks: The hon. Member for Edinburgh, West (Mr. Gorrie), in trying to find absurd situations, has done the police no great service. We must be realistic. There is no way the police will stop all these people, ranging from the Prime Minister to attractive women, leaving the country on the grounds that they might cause an affray when they reach their destination. One must assume that police officers have a modicum of good sense even if the hon. Gentleman does not have much.

Ms Ward: Does my hon. Friend agree that what the hon. Gentleman said is a terrible slur on women, who in general are not the cause of violence at football matches and make up only a small part of the criminal population?

Mr. Banks: That is certainly true. I do not have the statistics in front of me, but I doubt whether very many women have been included in the number of those arrested for football disorder or offences. One of the good things about football these days is the civilising presence of so many women and families at matches. We are trying to ensure that that happens when our supporters go abroad, when we have dealt with the problem of hooliganism at home.

To accept amendment No. 21 would be to destroy the whole purpose of the Bill. The police need these powers. People who understand about football hooliganism know that unless we have the powers to stop people travelling, trying to deal with the export of hooliganism is bound to fail. Having said that, I am not certain that even this Bill will work in the way that we want, because I believe that there are enough hooligans or potential troublemakers who will see what we are doing as a bit of fun and will find ways around any legislation that we introduce. But that does not mean that we should not make it as difficult as possible for them to do so.

10 pm

Mr. Lilley: In a genuine spirit of inquiry, since I do not purport to know much about football hooliganism, may I ask why we need more severe powers to stop hooligans travelling abroad than we possess and have used domestically to reduce the incidence of hooliganism in the United Kingdom?

Mr. Banks: The answer to that is simple. The right hon. Gentleman should go to football matches more often. There have been improvements in the law, in policing and in stewarding inside football grounds. The clubs segregate supporters, the police stop supporters going into grounds if they are drunk and many other means have been used to deal with the problem at home. That is why we find it so perplexing when a problem largely dealt with here is exported abroad.

I do not suggest that there are any easy solutions. No one in the House says that. However, instead of Opposition Members—and some of my hon. Friends—popping up to say that all sorts of strange things may happen, they could acknowledge that we need to do much more than we are doing now. At times, I hear strange words coming from my own mouth: we must sometimes rely on the good sense of police officers at certain specified times to stop people travelling whom they genuinely suspect of being likely to cause trouble if they go abroad. As I said to the hon. Member for Portsmouth, South (Mr. Hancock) a few moments ago, the problems we face are difficult, but not as difficult as some hon. Members are suggesting.

Mr. Hancock: When he was Minister for Sport, the hon. Gentleman made great play, particularly during the world cup, of not wanting English fans without tickets to travel to football matches abroad. Would he think it right for a police officer to ask a group of fans whether they had tickets for a game? If some did and some did not—and given that incidents abroad in the past have sometimes been caused by fans without tickets—would that be a good enough reason for the police not to allow a person to travel?

Mr. Banks: That could be a further piece of evidence that a police officer could use to detain an individual or group of people. Of course it could be that the people involved were not on their way to a football match. Clearly, the police officer would have to ask whether they were. Whether an individual chooses to tell the truth is another matter, but a police officer who was trying to ensure that someone did not travel could use several means to filter information so that he or she could feel reasonably confident that a particular individual should be detained for long enough to find out whether there was any further reason why a magistrate should prevent them from travelling.

We must give the police credit by believing that, at the times designated in the Bill, officers would be looking for potential football hooligans rather than for ordinary, decent, honest citizens who were not interested in football but were going to France for a day out. Why would a police officer make trouble for himself by scooping up large numbers of the constituents of the hon. Member for North Thanet (Mr. Gale) just so that he could say that he had made his contribution to anti-hooliganism by arresting people trying to leave that area?

Mr. Gale: The hon. Gentleman makes my point. Many hours ago, when this debate began, the Home Secretary said that the purpose of the Bill was to catch people who were going abroad to make trouble. How the blazes can a Kent policeman know that someone is going abroad to make trouble? How can he know that until a person who probably had no intention of making trouble has been abroad, had too much to drink and made trouble?

Mr. Banks: I accept that that is a problem. The point is not that a police officer knows that someone will make trouble. How can he or she know what will happen in future? However, an officer can suspect that someone may cause trouble.

The right hon. Member for Suffolk, Coastal (Mr. Gummer) pointed out that, if the measure went wrong, Opposition Members could say, "We told you so". That could apply the other way round. If the amendment is accepted and if there is trouble because the powers provided for the police under the Bill have been removed, what will Opposition Members say? They will have removed from the Bill the one provision that would give the extra filter at the port of exit that police officers require to try to prevent from leaving the country those people who it is suspected might cause disorder.

Of course, the use of such powers is conditional. That is why it is so difficult to draw them up. However, it is worth taking the risk. That is the important point. Opposition Members and some of my hon. Friends should realise that identification of troublemakers would not be as difficult as they seem to think. Many clubs keep lists of such people even though they do not have convictions. That information could be given to the police.

If the Bill is enacted, the police could use their discrimination and discernment, with information from other sources, to try to stop people travelling if they are likely to cause trouble.

Mr. McDonnell: As they did during the miners' strike.

Mr. Gale: The sus laws.

Mr. Banks: The measure is not sus law—

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): Order. Hon. Members should not make these interventions.

Mr. Banks: I must pick up the point made by my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) about the miners' strike. My hon. Friend and I, and other people, ferried supplies to coalfields in Derbyshire. We were stopped regularly by the police—I do not know under which powers—and had to explain what we were doing. I was offended by that because I was—and am—a law-abiding citizen. That might come as a surprise to some Opposition Members.

However, any law-abiding citizen who is stopped under this measure will not end up with a criminal record. There is sometimes a price that we have to pay as law-abiding citizens to stop those people who are intent on breaking the law, either in this or another country. I am prepared to pay that price.

Mr. Burns: In that context, should we not also remember that, if the measure does give rise to problems, there will be an annual review by the House—as there is for the prevention of terrorism Acts? The sunset clause also affords additional protection in case the legislation is not as ideal as we hope.

Mr. Banks: The sunset clause and the review are important, because if the measure is wrong, we can do something about it. Although I support the Bill because I have seen the damage that football hooliganism has done to our reputation all over the world, I point out to my right hon. Friend the Home Secretary that this will not be the last time that we deal with the subject. This Bill is not the complete answer but I am sure that, if the Liberal amendment were accepted, there would be nothing in the Bill to prevent hooliganism abroad—*[Interruption.]* I am asked if I have read the amendment: of course I have.

Mr. McDonnell: Does my hon. Friend appreciate that the argument that the innocent have nothing to fear was also used to justify all the stop and search measures that were used so prejudicially against the black community in London?

Mr. Banks: I did not say that the innocent have nothing to fear, because some innocent people will undoubtedly be caught by the legislation. There will be inconvenience. However, in this place, we have to draw lines—we have to decide on the issues. Although there are times when I would wholly agree with my hon. Friend's point about the use of sus laws to stop black youths in our community, I can also see a reason for the Bill. We have to draw lines. Sometimes we cross or fall short of a line, but we ultimately use our judgment. Our judgment may prove to be wrong.

Mr. McDonnell: It is not our judgment: it is a police officer's judgment.

Mr. Banks: It will be our judgment tonight and a police officer's judgment tomorrow. We will then see how the provision operates in practice. Tonight we must use our judgment alone, and my judgment says that this is a good Bill and that the amendment is a bad one.

Mr. Simon Hughes: The hon. Gentleman misrepresents one point. Those of us who argue that we should remove this measure from the Bill would leave three of the other four measures in it. We would also give the other half of a two-Chamber Parliament a chance to do a much better job than the Government have so far done with this measure.

Mr. Banks: I understand that point. Obviously there is no argument about three of the measures in the Bill. This measure is the crucial one, and that is why we are spending so much time on it.

[Mr. Banks]

To return to what I was saying to my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell), our judgment is as good as that of those in another place. Why do we not trust it? I trust our judgment and I trust my judgment on this point. I believe that we should pass the Bill tonight. If we get the Bill wrong, we shall test it against the reality of practice and change it if necessary.

We are dealing with people who will find their way around the legislation, but we must never give up. If we give up, they will make fools of all of us. Quite frankly, enough of us have already made fools of ourselves.

Mr. Grieve *rose—*

Mr. Banks: I was going to give way, but I have had enough.

Mr. Grieve: I had not originally intended to speak on this group of amendments, but the debate has developed with a genuine exchange of views. I have therefore been prompted to speak.

I have now had a chance to examine the Bill carefully and I think that some of the Bill's basic thrust on banning orders is misunderstood. It is interesting that the hon. Member for West Ham (Mr. Banks) seems to misunderstand aspects of that. Leaving aside the summary procedure to which I shall come shortly, it is clear that it will be a searching and ponderous procedure to secure a banning order against someone when it is not immediately linked to his being convicted by a court.

One only has to examine the procedures in schedule 1 to learn that the process will not take one, two or three hours; I suspect that, in some cases, it will involve a court case that will spread out over several days. That is even before we come to the process by which one goes to the Crown court on appeal. *[Interruption.]* The Minister of State, Home Office, the right hon. Member for Brent, South (Mr. Boateng), is making suggestive gestures—that might be the best way of describing them—but he knows the reality.

A complaint will be made, a summons will be issued, an individual will be targeted and he will be told that, notwithstanding the fact that he is not standing trial for an offence, he will be brought before a court because the police have accumulated sufficient evidence that they consider to be valid to obtain a banning order against him. There will then be a substantial hearing. That hearing will take place—*[Interruption.]* I shall continue for as long as necessary to make the Home Secretary understand the importance of the point that has to be made. That procedure will take time and it will involve witnesses being called. Undoubtedly, character witnesses will be called for the person against whom the allegations are made and, if we are dealing with video evidence, I am sure that there will be issues of identity and a host of other problems.

Notwithstanding those points, I do not think that the procedure that the Home Secretary is introducing for banning orders for people against whom a complaint is made will in any way be unfair. I think that individuals will be targeted who have previously escaped conviction and on whom the courts can make an order and enforce it, which will be regarded as right. In view of that, the summary procedure to bring someone before a magistrates court appears to be all the more remarkable, as it places on a police officer the burden of making a snap decision—it cannot have been made previously; otherwise someone would have gone off and sought a banning order—and applying it to a form of public order control on the spot. The two are not easily reconciled.

10.15 pm

Those who will have banning orders brought against them will be few in number. However, the summary procedure is being depicted as a measure that will result in large numbers of people being picked up at a port or place of exit from this country and prevented from leaving on a general hunch of the police, backed by a few hours of investigation. I therefore hope that the Home Secretary will pay careful attention to amendment No. 9, which would at least require the intervention of a magistrate before such an order is made. He may also wish to consider carefully whether the summary procedure marries easily with the safeguards that he has introduced in the main procedure for getting the banning orders. I cannot help but think that, in reality, when such a situation arises the police will have to make on-the-spot decisions and will have plenty of time to repent at leisure as they subsequently discover that they have inhibited the exit from this country of those against whom they do not have sufficient evidence to obtain a banning order.

Mr. Straw: May I respond to some points that have been raised in our debate, which has gone on for three and a half hours and which, I hope, has been as helpful for the Committee as it has for me?

May I return the compliment to the hon. Member for Beaconsfield (Mr. Grieve), who invited me to listen? I shall not follow up everything that he raised as, although I am sure that he had good reason for not being here earlier, I have been into considerable detail about the reasons for the orders. I am glad that the hon. Gentleman accepts that the procedure will not be unfair. Whether it turns out to be ponderous depends on the nature of the court, but it is proper that it should be searching, as our courts established.

The hon. Gentleman suggested that a limited number of people will be processed under the civil procedure in the third part of the Bill, which allows me to answer in the negative the question asked by the right hon. Member for Hitchin and Harpenden (Mr. Lilley) about whether I knew how many orders would be processed in the ensuing period. Of course the answer is that one cannot tell. However, I must tell the hon. Member for Beaconsfield that I suspect that how long a particular case takes depends, as in any other case in the civil or criminal courts, on the strength and complexity of the evidence. It does not follow that, in every case involving an individual who is subject to the civil process, he or she—although typically he—will resist the complaint or have much of a case to make in defence.

In situations in which it turns out that the application is founded on thin evidence or there is argument about identity, it is perfectly possible that proceedings may take some time. However, we have learned from the process for anti-social behaviour orders that as courts gained experience of the process, they obviously became more skilled in dealing with the matters before them.

In my opening remarks, I made the point at length that the summary power needs to be seen as supplementary to the core power, which involves obtaining a banning order by a civil process. It is to be hoped—the police have this hope—that, so far as possible, candidates for banning orders will be dealt with by the slower process of a normal complaint issued in the magistrates court, where, if a matter is adjourned for a week or so, it will not materially affect the risk that the individual poses.

There has also been much speculation about whether the police in Dover or any other port will be able to identify every person who will cause trouble abroad. Of course they will be unable to do that because, as the hon. Member for North Thanet (Mr. Gale) said, they are not clairvoyant. The Association of Chief Police Officers, superintendents and the National Criminal Intelligence Service strongly support both the powers because they believe that they will assist them in better controlling hooliganism.

I make it clear to the Committee that the Bill will not in itself end football hooliganism abroad any more than the Football Spectators Act 1989, which was the subject of a guillotine exactly 11 years ago today, led to an immediate reduction in football hooliganism in this country. Over time, however, the powers should greatly assist in reducing the threat of football hooliganism abroad.

There is another effect, which I point out in response to the hon. Member for North Thanet. There are people who would be intercepted by the police if better information were available, but at present they may slip through the cordon, go abroad and cause trouble. If there is evidence against them that we can use, it can retrospectively be brought into play to obtain a banning order by the slower process when they return to this country.

Dr. Lynne Jones: Earlier, I asked my right hon. Friend to explain what would be reasonable grounds on which a police officer might believe that an individual had caused or contributed to violence. He responded that provisions such as these are available in other legislation. He has dismissed the idea of tattoos or slogans on clothing being grounds for suspicion, so is it not clear that a police officer would require—

The First Deputy Chairman: Order. The hon. Lady's intervention is too long.

Dr. Jones: I was drawing my intervention to an end, Mr. Martin. Is it not clear that the police officer would have to have intelligence to have reasonable grounds for suspicion, and if that intelligence is available—this is the point that the hon. Member for Beaconsfield (Mr. Grieve) was making—surely the proper procedure would be to use the other provisions for acquiring a banning order?

Mr. Straw: My hon. Friend has two worries. First, she is worried about whether the police will use the power arbitrarily. Secondly, she is concerned that if there is not good intelligence, which is normally inadmissible in a court because of its nature, but there is good evidence, that should be used to obtain a criminal conviction.

On the first point, we have in amendments Nos. 42 to 46 considerably narrowed the grounds on which the police can intercept someone, make inquiries of them, hold them while their inquiries are taking place and issue them with a notice to attend court. Those grounds now parallel those in the Police and Criminal Evidence Act 1984 on reasonable suspicions and beliefs. The reasonable belief must be that if the person concerned is taken to court, which must happen within 24 hours, the court is likely to grant a banning order against them. That power is very constrained, and the police will not, except in very exceptional circumstances, misuse it because whether they have exercised it reasonably will be a matter of judgment within a court process that will begin 24 hours later.

My hon. Friend's other point raises the central issue of whether banning orders by the alternative route of civil process should be available. As she will notice from schedule 1 on page 10, banning orders by criminal process are available only where there are football-related convictions. We are proposing—it receives the general approbation of the three main parties—that there will be a basis for a banning order when there is evidence of someone's past involvement in violence or disorder, which typically will be convictions not for football-related offences but for violence, and when there are reasonable grounds for believing that if, for example, they go abroad, they will cause further violence or disorder around the football ground. I think that that will work fairly and proportionately.

I shall deal briefly with some of the other matters that have been raised. I understand, although I am afraid that I was not present to hear it, that the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell) asked about a power of arrest after a notice had been issued. That arises under proposed section 21B(5) if, in the opinion of the police officer, reasonable grounds make it necessary to arrest the individual in order that the notice is complied with.

Several right hon. and hon. Members have asked about the practicalities of the summary procedures. If grounds for detention under proposed section 21A are met, the constable may detain for immediate inquiry for a maximum of four hours on his own decision and up to six hours in total with the approval of an officer of the rank of inspector or above. As soon as a decision whether to issue a notice is reached, the person is either released, if it is decided that there are no grounds to issue a notice, or the notice is issued. The notice will contain conditions for the person to appear in court within 24 hours, not to leave England and Wales before then, and to surrender his passport if the offence relates to the control period. If the officer has reasonable grounds to believe that it is necessary to ensure compliance with the condition of the notice, there is, as I have explained to the right hon. and learned Member for North-East Bedfordshire, a power of arrest. In other cases, the person will be released.

On appearance in court, the case may be dealt with immediately and dismissed or dealt with immediately and a banning order made. Alternatively, the court may adjourn the case and remand the person either in custody or on bail, as in normal circumstances. Bail may be subject to conditions not to leave the country and to surrender his passport.

I gather that a number of hon. Members asked for figures on the number of custody suites available and on the additional manpower required. There are custody suites all over the country and, obviously, provision will

[Mr. Straw]

be made proportionately, according to available police resources. That is always so because that, by definition, determines the amount of police activity.

Several questions have been raised about the 24-hour limit. We have consulted the Lord Chancellor's Department, and it believes that the 24-hour limit for a magistrates court hearing is doable. Plainly, it is in everyone's interest to get the individual into court as quickly as possible, and in under 24 hours if possible.

Sir Robert Smith (West Aberdeenshire and Kincardine): I may have got the wrong end of the stick, but I understand that a ban would at one point require someone not to leave England and Wales. I may be at the limits of testing the legislation, but if a resident of Scotland passes through an English port and is then suspected by the police, will that person be banned from returning to their home in Scotland?

Mr. Straw: The legislation applies to United Kingdom citizens, who include residents of Scotland as well as of England and Wales and Northern Ireland, so the answer to the hon. Gentleman's question is yes. However, if the person happens to be a Scottish supporter, it is extremely unlikely that they will be caught up in the legislation. *[Interruption.]* I make a serious point; we have a good deal to learn in England from the behaviour of Scottish fans.

10.30 pm

Mr. Malins: We understand that the Home Secretary is unable to cover every point that has been raised by Opposition Members, but, as many important points will remain unanswered at the end of the debate, will he undertake during the next week to send detailed written responses to those of us whose points have not been answered?

Mr. Straw: I am happy to do so.

Mr. Gummer: Is the Home Secretary saying that, for the first time in British law, we are going to stop people going from England to Scotland? Even if it were to be invoked only rarely, that would constitute a real constitutional change. If that is what he is telling the Committee, he is putting before us an entirely new fact of considerable importance.

Mr. Straw: I do not believe that it is the first time in English law that people are to be required not to leave the jurisdiction—

Mr. Gummer *indicated dissent.*

Mr. Straw: The right hon. Gentleman shakes his head, but it is often the case that people are required not to leave the jurisdiction for a certain period. I shall write to him if further inquiry into the matter proves me wrong on that.

We are dealing with new powers. By definition, any legislation passed by Parliament is new; if we never had to change things, we would never need to sit. They are new powers for new circumstances and, as my hon. Friend the Member for West Ham (Mr. Banks) pointed out, the process of legislation involves speculation about the future. We have to use what intellectual and political resources we have to speculate as accurately as possible.

My hon. Friend the Member for Kilmarnock and Loudoun (Mr. Browne) asked whether a person could be arrested more than once in the same 24-hour period. Plainly, it would be wrong to make repeated arrests to circumvent the time limit on the arrangements that we have provided, and we shall consider whether that should be made more explicit. However, I ask the Committee to consider the following case: the police intercept a person on his way to port *X*; they make inquiries of that person, but conclude that there are not sufficient grounds to serve him with a notice requiring him to go to court; that person then moves off to a different port and, at that port, more evidence emerges as a result of different police officers following different lines of inquiry; it is decided that there are good grounds to serve that individual with a notice; that individual is served with the notice and, in due course, the court endorses the banning order. I do not think that would be inappropriate police action, any more than it is inappropriate for the police to stop and search someone who has committed a crime but who has managed to evade detection in a previous stop and search. However, I accept that we need to ensure that there are provisions to prevent gratuitous exploitation in circumstances which, although unlikely, might arise.

Finally, I promised to address Opposition amendment No. 9, which would require a magistrates warrant rather than an inspector's authorisation before an officer could issue someone with a notice not to leave the country and to attend a magistrates court within 24 hours. Our judgment is that insisting on a magistrates warrant before notice is issued is likely to lead to longer delays and longer periods of detention by interposing another procedure between the initial decision to issue the notice and appearance in court. It would complicate matters and I am not sure that it would necessarily be welcomed by the magistracy. It would give magistrates summary powers of arrest and detention which, in our system, are typically given to the police, and then made the subject of proper adjudication by the courts.

I hope that I have dealt with the burden of the main issues raised by right hon. and hon. Members. I have explained the Government amendments and invited the withdrawal of Opposition amendments. I commend the Committee for a constructive debate.

Mr. Simon Hughes: If ever there were an argument for not going from Committee stage to Report without interruption, the past three and three quarter hours have made the case. Like the Home Secretary, I commend colleagues in all parts of the House—Scots and English colleagues—for making important contributions on various matters, demonstrating the need for us to proceed slowly and with caution if we are not to produce legislation that we will live to regret.

The right hon. Member for Suffolk, Coastal (Mr. Gummer) reminded us that although we can speak at length about the drafting, we are discussing real people—often young people—going on innocent journeys, who might find themselves face to face with the law.

That is why I take a different view from that of the hon. Member for West Ham (Mr. Banks), with whom I often agree, the hon. Member for Gedling (Mr. Coaker)

and the hon. Member for Watford (Ms Ward), who, in summary, argued that we must provide the powers so that when the authorities suspect people who, in the words of the hon. Member for West Ham, might cause the trouble, they can take their liberties away. That is not a view that we share.

The hon. Member for Gedling seemed to suggest that protecting the liberties of the many is sufficient justification for risking the liberties of the few. That is not the principle on which we have worked. Historically, we have been willing to let off the few in order to protect the liberties of the many. The hon. Member for Watford said that it was all about what people had done in the past. It is not; it is about what the police might think that people had done in the past, which is an entirely different question.

In a way, this is back-to-front legislation. We should have decided in what circumstances a ban is appropriate, decided whether a previous conviction should be the precondition of a ban, and then decided what power we wanted to give the authorities to detain people, with the prospect of a ban being imposed.

In their contributions, our two Scots colleagues, the hon. Member for Kilmarnock and Loudoun (Mr. Browne) and my hon. Friend the Member for West Aberdeenshire and Kincardine (Sir R. Smith) suggested that in some respects we could learn from Scotland, and that the Bill would benefit from the inclusion of those points.

My hon. Friends and I will shortly ask the Committee to vote on amendment No. 20. The Committee has a straightforward choice between accepting the fourth power, amended as it may be by Government amendments, or deciding that there is now such a muddle and so many unanswered questions that it is better to take it out, not necessarily for ever, but until there is some agreement about what it might do, what it might mean, how it might be enacted and what the practical implications might be. I hope that in a few moments colleagues in all parts of the House, other than those who take the Government pay and are on the Government payroll vote, will join us and decide that we should not support the measure.

To address the question posed by the Home Secretary, of course there must be a power so that people can be apprehended and dealt with in the courts. However, we take the view that people should be apprehended in certain circumstances, and that it must be clear that they have a record of violence before the authorities have the power to detain them.

Although the police might have said in principle that they supported the Bill, one of the obvious outcomes of the debate is that if they had heard the questions raised by colleagues from the courts, I am not sure that they would have been at all happy, but there is no chance to ask the police or to speak to the Association of Chief Police Officers or the Police Superintendents Association. There is no chance to discuss with them the objections that have been raised.

The right hon. Member for Maidstone and The Weald (Miss Widdecombe) slightly misrepresented us. We think that amendment No. 33 is an improvement. We are in favour of amendment No. 37 being accepted, and we think that amendment No. 35 is worth considering. We entirely understand why she may want to move amendment No. 9 later in our oh-too-limited proceedings.

Four colleagues raised questions of practicality—the hon. Member for Woking (Mr. Malins), the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell), my hon. Friend the Member for Portsmouth, South (Mr. Hancock) and the hon. Member for Hayes and Harlington (Mr. McDonnell).

Practicalities are as important as anything else. Will the courts and the police be able to handle the measure? We are not simply considering Euro 2000 or a world cup tournament, but every year's European cup or cup-winner's cup. The measure will be used regularly, and it will affect all the ports and airports. As the right hon. and learned Member for North-East Bedfordshire said, it contains a sweeping definition that covers anyone who might have been guilty of violence and disorder.

The right hon. Member for Suffolk, Coastal reminded us that the Bill will take away not only a few hours' liberty, but people's passports and potentially their ability to travel abroad for many years. The right hon. Member for Hitchin and Harpenden (Mr. Lilley) reminded us that it may be sufficient for someone to have contributed marginally to violence and disorder. Someone who was around the edges of, for example, a student demonstration or civil rights protest in the past could be picked up under the Bill. We do not claim that the police will necessarily intervene, but if they are in the front line and getting some grief, they will have the power to do so.

The choice for the Committee is whether we want to go along with such a Bill or whether we have a duty to say that we shall not make such legislation, that we cannot ignore the plethora of objections or risk people's liberties. When so many hon. Members from different parties have raised so many objections to what one colleague described as the tapestry of the Bill, I hope that the Committee will realise that we are not considering fiction but fact, and that we owe it to people to get the measure right. I hope that a great coalition, consisting of those who want to remove the provision and those who want to go back to the drawing board and start again, will support the amendment.

I hope that the Government realise that they cannot continue to legislate in such a manner. In the words of the hon. Member for West Ham, we have had enough.

Question put, That the amendment be made:—

The Committee divided: Ayes 58, Noes 211.

Division No. 270] **[10.42 pm**

AYES

Abbott, Ms Diane
Allan, Richard
Baker, Norman
Ballard, Jackie
Barnes, Harry
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bottomley, Peter *(Worthing W)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Chidgey, David
Corbyn, Jeremy
Cotter, Brian
Davey, Edward *(Kingston)*
Davies, Rt Hon Denzil *(Llanelli)*
Fearn, Ronnie
Flynn, Paul
Foster, Don *(Bath)*
Gale, Roger
George, Andrew *(St Ives)*
Gidley, Sandra
Gummer, Rt Hon John
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hopkins, Kelvin
Hughes, Simon *(Southwark N)*
Jones, Dr Lynne *(Selly Oak)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kirkwood, Archy
Leigh, Edward

Lilley, Rt Hon Peter
Livsey, Richard
McDonnell, John
Maclennan, Rt Hon Robert
Marshall–Andrews, Robert
Moore, Michael
Oaten, Mark
Öpik, Lembit
Rendel, David
Ross, William *(E Lond'y)*
Russell, Bob *(Colchester)*
Sanders, Adrian
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve
Willis, Phil

Tellers for the Ayes:
Sir Robert Smith and
Mr. Donald Gorrie.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Banks, Tony
Barron, Kevin
Battle, John
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell–Savours, Dale
Cann, Jamie
Chisholm, Malcolm
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Cohen, Harry
Colman, Tony
Connarty, Michael
Corbett, Robin
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dismore, Andrew
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael J *(Worcester)*
Galloway, George
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hope, Phil
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Jones, Jon Owen *(Cardiff C)*
Kaufman, Rt Hon Gerald
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Rt Hon Mrs Helen
Love, Andrew
McAvoy, Thomas
McCartney, Rt Hon Ian *(Makerfield)*
Macdonald, Calum
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Miller, Andrew
Moonie, Dr Lewis
Moran, Ms Margaret
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Oliner, Bill
O'Neill, Martin
Palmer, Dr Nick
Pickthall, Colin
Pollard, Kerry
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rapson, Syd
Reed, Andrew *(Loughborough)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Shaw, Jonathan
Short, Rt Hon Clare
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Snape, Peter
Soley, Clive
Squire, Ms Rachel
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Straw, Rt Hon Jack
Stringer, Graham
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Watts, David
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Jim Dowd and
Mr. Gerry Sutcliffe.

Question accordingly negatived.

Clause 1 ordered to stand part of the Bill.

Clause 2 ordered to stand part of the Bill.

Clause 3

SUPPLEMENTARY.

Mr. Simon Hughes: I beg to move amendment No. 24, in clause 3, page 2, line 14, leave out from "under" to "may" in line 16 and insert "this Act".

The First Deputy Chairman: With this it will be convenient to discuss amendment No. 25, in page 2, line 19, leave out subsection (5).

Mr. Hughes: This will be a brief contribution, Mr. Martin. The amendments are about what procedure the House will retain for controlling orders that will be made under the Bill when it is enacted. On Thursday, the Home Secretary announced that he had accepted

representations from Opposition parties and outside that the Act should have a limited life of five years and that the controversial banning order and summary detention powers should be the subject of renewal orders. The renewal order provision needs a positive motion of the House to be confirmed and the summary detention order and the banning order require the House to be asked its view every year.

The amendments seek to make sure that all the orders that come under the Bill are covered by the affirmative order procedure. The other day, I put it to the Home Secretary that the powers that he has reserved to himself in clause 3 are Henry VIII powers. He said that they were not; they were Edward II powers—puny little extras which allow the Home Secretary to do little things at the edges. I am prepared to go halfway; they may have to be tied to the Bill, which refers to

supplementary, incidental or consequential . . . transitory, transitional or saving

provisions. Some could be persuaded that those provisions could go quite wide if one wanted them to.

There are certain things that we hope are included. The right hon. Member for Maidstone and The Weald (Miss Widdecombe) and her colleagues have referred to the power to make provisions for compensation, legal aid and other things. That would be consequential, so we want to make sure that there are powers available. The general principle is that we ought to have the ability to have a debate on a Bill that is clearly controversial and it ought not to be left to the rather uncertain negative resolution procedures of the House as to whether or not the orders renewing the controversial parts of the Bill are passed by the two Houses.

Amendment No. 24 would sweep the whole Act into the affirmative resolution procedure, while amendment No. 25 takes out the exception so that the rest of the matters that are not specifically provided for would be dealt with under the negative resolution procedure. The amendments go together, and they are straightforward. I can indicate now that we do not propose to divide the Committee on this matter. I hope that the Government will be positive and will give us one generic piece of information. What do they intend to use the power for? What powers will have to be introduced? If the Minister is as helpful as possible about that, it will alleviate some of the concerns.

11 pm

The Minister of State, Home Office (Mr. Charles Clarke): The powers invested in the Secretary of State to make orders under the Bill are limited to "supplementary, incidental or consequential" provisions. Such powers are well precedented, for example in the Criminal Justice and Court Services Bill and the recent Greater London Authority Act 1999. The Bill already requires the affirmative resolution procedure for any amendment to primary legislation and for any order extending the life of the powers under new sections 14B, 21A and 21B.

In accordance with the precedents that I mentioned, other amendments to secondary legislation can perfectly appropriately be dealt with under the negative resolution procedure, which ensures adequate parliamentary scrutiny. Among the matters that may be dealt with by such secondary legislation is the legal aid entitlement of persons issued with a notice to appear before a magistrates court.

For those reasons, the Government are resisting the amendment. I appreciate the motives behind it, but we believe that our approach in the Bill should be similar and equivalent to the way in which we have dealt with these issues in other legislation.

Mr. Peter Bottomley (Worthing, West): Can the Minister say, off the cuff, whether there are also precedents for allowing the affirmative resolution procedure for amending secondary legislation?

Mr. Clarke: I believe that there are precedents, but I cannot give them off the cuff.

Mr. Oliver Heald (North-East Hertfordshire): The Data Protection Acts.

Mr. Clarke: The hon. Gentleman is always extremely helpful in all matters concerning the welfare of the nation. He gives one example of a precedent, but I was going to offer to write to give further precedents to help the hon. Member for Worthing, West (Mr. Bottomley).

I hope that the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) will withdraw the amendment.

Mr. Simon Hughes: The Committee will have heard what the Minister said. He has been helpful in giving us an example of what the Government would use the power for. We have the power in both Houses to have a compulsory vote on important renewal matters. I therefore beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 3 ordered to stand part of the Bill.

Clause 4

EXPENSES

Question proposed, That the clause stand part of the Bill.

The First Deputy Chairman: With this we may consider amendment No. 10, in schedule 1, page 9, line 51, at end insert—

'(8) The Lord Chancellor shall ensure that during any control period a magistrates' court is convened for the purpose of hearings under this section at each port and airport in England and Wales that is a designated port under Schedule 7 of the Terrorism Act 2000.'.

Miss Widdecombe: I want to speak to the amendment. The Home Secretary and the Minister will know that the Opposition attach great importance to this matter. We have made it clear throughout that, unless this can be resolved in one form or another, we will not be able to support the Bill at subsequent stages. Should the amendment fall, which I hope that it will not, we will seek to examine the issue again with a view to finding some means of dealing with it in another place.

The issue, which I raised on Second Reading, concerns the availability of magistrates at the ports and airports. We are very concerned that speed is of the essence in dealing with these cases. I have already pointed out that I am concerned about the civil liberties not of hooligans, but of the innocent.

[Miss Widdecombe]

People will need to travel and their arrangements will be time sensitive. It could be something as serious as travelling to see sick relatives, something as commonplace—but still important—as travelling on business, or simply a matter of missing a match if the process is unduly delayed. It could even be a matter of missing connections if a person does not get a particular flight.

There will always be cases in which a particular urgency to travel is pleaded. Even with the Government's welcome improvement of reducing the 24-hour period, the fact is that there will still be some urgent referrals to be made. Those would be best served if magistrates were present at the ports to sit and hear a case immediately, when that was feasible in terms of the evidence being presented and the case made by the person who had been detained. If the Government will not accept that, they must provide some optional arrangement that will serve to convince the Committee that it will always be possible for an urgent case to be heard immediately.

On the last day of the five-day process, when it is crucial for people to travel if they are to see the match, those detained must have immediate access to a judicial process. After all, they may be perfectly innocent and not travelling to the match to cause any trouble, but may have been caught up in the process—and not even the Home Secretary would claim that in 100 per cent. of cases will the person involved be proved to be worthy of detaining and prevented from travelling. It is crucial that the Government accept amendment No. 10 or put forward a substitute for it in order to secure our support for later stages of the Bill. I intend, therefore, to press the amendment to a vote.

Mr. Malins: I rise in support of my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) on amendment No. 10. It is important that rapid justice be provided at the ports and airports. I do not know how many designated ports are listed in the schedule to the Bill, but some of the airports and ports, such as Dover, already have courts in operation. There is no court at Heathrow, but there is one close by.

My right hon. Friend said that a magistrate should be present, and I would add that a metropolitan or provincial stipendiary magistrate would be a useful addition if cases needed to be heard expeditiously. That point is no reflection on the lay bench, but lay magistrates sit in threes and that makes the process longer. Anyone who has practised in the courts will know that a lay bench takes longer to reach a decision. It is no better or worse a decision than that reached by a stipendiary magistrate, but the bench needs to retire together to consider the matter. If speed is necessary, there is a strong argument for having available a pool of stipendiary magistrates—I have declared my interest in previous debates—because that would speed the judicial process at the ports in question. My right hon. Friend is correct to stress that point.

Mr. Gale: My support for amendment No. 10 is reflected in the fact that I tabled amendment No. 31, which has not been selected but which called for the establishment of stipendiary magistrates and for the resources to be provided for in clause 4 to fund those stipendiary magistrates.

At the end of the previous debate, in response to my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell), the Home Secretary indicated that court space would somehow be made available. If many people were detained, I presume that they would have to be dispersed around the south-east of England. It is not clear how that would work and perhaps the Minister of State will enlighten us. I share the view of my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) that if the process is to be made to work—I have made it clear that I have grave doubts on that score—it must be possible for people to appear before magistrates very quickly. Otherwise, people will be detained who have nothing to do with football hooliganism but who are travelling abroad perhaps, as my right hon. Friend said, for emergency purposes. Facilities must be made available during the banning periods for those people to be heard.

I wish to raise one other issue in relation to clause stand part, and it has to do with the amount of resources devoted to implementing the Bill. Clause 4 states:

> There shall be paid out of money provided by Parliament any increase attributable to this Act in the sums payable out of money provided by Parliament under any other enactment.

I said earlier that the Bill would place a tremendous strain on the already hard-pressed resources of the Kent police, who have the duty to enforce law and order at the several ports in our gateway county. The Government have recently increased the Kent police budget by an amount equivalent to 30-odd officers, who are dedicated solely to policing the ports. If the Bill is enacted it will place an additional burden on Kent, and the Home Office must make available the resources and personnel necessary to implement it.

I hope that the Minister will tell the Committee that he will accept amendment No. 10, and reassure me that the necessary resources will be made available to the Kent police.

Mr. Simon Hughes: I am sympathetic to the amendment. The Minister should answer the practical questions raised by the right hon. Member for Maidstone and The Weald (Miss Widdecombe) and the hon. Member for North Thanet (Mr. Gale). Does he envisage ad hoc courts at some or all of the ports? What is the minimum and maximum number of ports likely to be so covered?

Earlier, the Home Secretary said that the Lord Chancellor had assured him that the system would be able to deal with the demands imposed by the Bill, but what are the cost implications? How many magistrates does the Lord Chancellor consider he has available?

The hon. Member for North Thanet made a general inquiry about the clause, which authorises the money to be spent by Parliament. The newspapers tell us that the Chancellor of the Exchequer may announce more resources for the police tomorrow. What is the Home Office assessment of the policing costs incurred by the additional powers? What minimum number of extra police hours does the Minister think will be required to implement the legislation? What will be the cost to the Exchequer?

What guarantee can Ministers give that any additional court sittings or police attendance at them will not harm the availability of courts elsewhere? Many magistrates courts have been closed, and others are under threat.

Many hon. Members of all parties have raised concerns about that, as have their constituents. We need to be sure that the Bill does not cause a reduction or termination of services in other parts of the country.

Mr. Leigh: I rise to support the amendment, which goes to the heart of the Bill. The Minister has said, in his reasonable way, that the penalty is proportionate—that a person denied the opportunity to go to a football match can watch it on television. The impression given is that that person would be turned away by means of a friendly grip on the arm, and that he would go and watch television quite happily. However, we are talking about arrest and detention, which are far more serious and unpleasant matters. No one has difficulty about hooligans—whoever they are—being detained, but we are worried about perfectly innocent people being detained—or even potential hooligans, who, after all, will not be accused of having committed any crimes. This is a serious matter. It is not simply a matter of telling people that they can watch the match on television.

11.15 pm

We are after all committed to the rule of law. We believe that people should be denied their liberty and their ability to enter or leave their country only on the say-so of a properly constituted court of law.

I can understand what the Government are saying in one sense. The Home Secretary was very dismissive towards my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) on Second Reading, talking about setting up trestle tables and implying that the courts would be drumhead courts.

If we are talking about arresting people—and arrest is unpleasant and embarrassing—it surely is not beyond the ken of the Home Office to arrange for an immediate court hearing to take place. Many of us are worried, especially as no crime has to be proved, and the arrest does not need to take place in the area of the port, that we are talking about a return to the old sus laws. I served on the Committee considering them, and many right hon. and hon. Members, particularly those on the Labour Benches, quite rightly railed against the sus laws and the powers that they gave the police. We do not want a return to those days—we want the Minister's reassurance that that will not happen.

It is not good enough for the Minister to say that this procedure is just like the anti-social behaviour order—it is quite different. Anti-social behaviour orders simply require people to obey the law of the land. That is not an unreasonable request.

The First Deputy Chairman: Order. The amendment is about resources. The hon. Gentleman is going wide of that subject.

Mr. Leigh: I appreciate that, Mr. Martin.

Ministers constantly claim that to set up these courts in time is not achievable, that resources are not available and it is all too difficult. I do not think that that is right—this is a very important principle.

I do not think that my right hon. Friend is asking too much, and I hope that, when the Minister replies, he will not be as dismissive as the Home Secretary was last Thursday. There has been movement—in one weekend, we have brought down the period from 24 hours to four or six, and I give credit to Ministers for that.

I hope that the Minister will approach my right hon. Friend's amendment in a positive and constructive way, and explain why it will not be possible to have immediate court hearings, with the resources available to set them up.

Mr. Charles Clarke: I approach the amendment of the right hon. Member for Maidstone and The Weald (Miss Widdecombe) in a constructive spirit; I think that she tabled it in a constructive way. We cannot accept it for reasons that I shall explain in a moment, but we have agreed that magistrates' hearings will be convened at weekends when necessary to ensure that individuals issued with a notice preventing them from leaving England and Wales will have the opportunity of a hearing as soon as possible, and certainly before the limit expires. I acknowledge the importance of that to the legislation.

I agree that it is vital that the hearings be held in close proximity to the port or airport concerned. I accept, in the spirit of the debate that was mentioned, the point of the hon. Member for Woking (Mr. Malins); I think that the use of stipendiaries is a positive suggestion, and I am prepared to assure him that we will look at it carefully.

Mr. Burns: The Minister said that he thinks that it is important that hearings be held in close proximity to port and airports. Would he include Eurostar and its railway station?

Mr. Clarke: Yes, I would.

I am prepared to give the hon. Member for North Thanet (Mr. Gale) the assurance that he seeks—that we are actively looking at the costs of the legislation for police forces, particularly in Kent. We are considering the situation of those forces, and what grant could be made. He will know that Kent police received a significant grant last year for handling immigration issues, and we are prepared to consider the issue in that context.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) spoke about ad hoc courts. I am prepared to look at that suggestion too, because it is very positive, and we want to meet the spirit of what is proposed. His point on costs is covered at paragraph 27 of the explanatory notes: we estimate that the additional cost to magistrates courts will be about £150,000 a year.

I do not accept what the hon. Member for Gainsborough (Mr. Leigh) said about a return to the sus laws. I had intended to tell the right hon. Member for Maidstone and The Weald that while I do not believe that it will be necessary to set up courts in air or sea terminals, the Government are willing to reconsider that matter when the measure is reviewed in 12 months, to see whether we should have done something different.

I accept the legitimacy of the right hon. Lady's point, but cannot accept her amendment because her reference to ports and airports designated in schedule 7 to the Terrorism Bill is not appropriate. She may or may not have had a chance to read the list of ports involved. The airports include Aberdeen, Biggin Hill, Birmingham, Blackpool and many more. The ports include Ardrossan, Campbeltown, Fishguard, Fleetwood, Heysham and more.

There are two problems with the amendment. First, the designated ports include none of those in Kent and Essex that usually deal with the heaviest traffic in football

[Mr. Clarke]

supporters. I am aware that that is a drafting point and I intend no criticism by saying that the right hon. Lady's definition would not help us with the ports most important to the Bill. Secondly, her amendment states that a court would have to be convened at each designated port in England and Wales. The list of such ports is substantial, but it may be that none bears a relationship to travel to and from football games. It would be ridiculous to provide for court sittings at all the locations during every control period. For example, if the control period were triggered by a London club playing in Europe, setting up a court at Ardrossan, Campbeltown or Fishguard would not be appropriate.

I make no criticism of the right hon. Lady's intention, but we cannot support the amendment because it would not work. I hope that she will accept what I have said about the spirit of what we intend and the assurances that I have given to her and her hon. Friends, including the assurance that we shall reconsider the matter in 12 months' time if necessary.

Mr. Simon Hughes: The Minister is being helpful, but I did not hear him respond to my questions about the minimum number of ports affected by the Bill and on the number of police or police hours that the Home Office expects to result from a control order.

Mr. Clarke: I did not answer that question because we have made no assessment of the number of ports through which people would travel. The number—perhaps eight to 10—is relatively small by comparison with the number contained in the schedule to the Terrorism Act. Similarly, we have made no estimate of the costs of policing, although we have done so on the court side. I cannot give the hon. Gentleman an estimate.

I hope that the right hon. Member for Maidstone and The Weald will withdraw her amendment.

Miss Widdecombe: I have listened carefully to the Minister. I am prepared to admit that the amendment might have been better drafted. However, it is the only amendment before us that addresses an important issue. I intend, therefore, to press it to the vote, and the Government will have an opportunity to amend the Bill on Report or in the other place. The issue is of such importance that the Committee should make a statement on it.

The First Deputy Chairman: The right hon. Lady will appreciate that her amendment will come up for decision at a later stage.

Question put and agreed to.

Clause 4 ordered to stand part of the Bill.

Clause 5

COMMENCEMENT AND DURATION

Miss Widdecombe: I beg to move amendment No. 1, in page 2, line 34, leave out "one year" and insert "six months".

The First Deputy Chairman: With this it will be convenient to discuss the following amendments: No. 2, in page 2, line 40, leave out "four years" and insert "eighteen months".

No. 22, in page 2, line 40, leave out "four" and insert "two".

No. 23, in page 2, line 40, at end insert—

'(5) Before an order is made under subsection (4) above, the Secretary of State shall lay before both Houses of Parliament a report on the working of this Act in the previous twelve months.

(6) The Secretary of State shall appoint an individual or individuals in order to produce a report under subsection (5).'.

Miss Widdecombe: I intend to press amendments Nos. 1 and 2 to a Division. The two amendments relate to the so-called sunset clauses, seeking to reduce the periods involved. The Government propose that the Bill should cease to exist after five years. If it were thought to have been successful, fresh primary legislation would be needed. They also state that the first review of the Bill and its first annual renewal will take place one year after its commencement.

We propose that the Bill should cease to have effect after two years without fresh legislation and should be reviewed, with a view to renewal, for the first time after six rather than 12 months. The reason for that is that the Bill has been exceptionally rushed.

As a matter of form rather than of substance, I pointed out to the Minister that if he did not like my proposal, he could amend it on Report. As the Committee will be aware, it is exceedingly unlikely that, as Report will immediately follow the Committee stage, the Minister will have enough time to draft a suitable amendment.

The rushed proceedings of the Bill make it imperative that we review the measure as soon as possible. At this stage, we should include provisions for renewal, for the Bill to cease to exist and for the introduction of fresh primary legislation. Even if the time limit is two years, that would enable us to get past the world cup qualifying period and the matches about which the Home Secretary and the Minister are so worried. We should have been able to test the measure repeatedly. If it works well, the Minister need have no fear about the ease with which it would be renewed under fresh primary legislation. However, if it is not working, the sooner we get rid of it, the better. It would be counterproductive to add a further three years before it ceases to have effect.

If the legislation had been taken at a more leisurely pace, I would have considered six months unreasonable for the first review date. I would have said that we should have at least a year, so as to give the Bill time to work and to see what happened. However, there has been an exceptional rush. The Government have already had to amend their proposals many times. There were many additions and amendments to the first draft of the Bill before it became the second draft. That too was changed before the final Bill was issued. We have proposed amendments this evening—some of which the Government have accepted. They have added their own amendments and have tabled some on Report. We assume that there will be further amendments in another place.

The whole process has been so rushed that we need to give ourselves an early point of renewal. That is why I propose six months. That period will take us past several matches. The measure will have been exercised in different circumstances in several parts of the country. We shall have been able to form a judgment as to how well it is working. If it is not working—if it turns out to be an expensive piece of inefficiency—the sooner we get rid of it, the better.

If the Minister has confidence in the measure, however, he will accept my proposal. If he believes that the measure will work, there will be no difficulty whatever. Given that we have co-operated in trying to get it through and have done what we can to amend it to make it better, we shall not stand in its way if it is actually working after six months. Indeed, the Minister might like the opportunity to stand at the Dispatch Box and gloat in six months' time—that might be a crucial moment for him to gloat. If he has confidence in the Bill, he will accept the amendments. I intend to press amendments Nos. 1 and 2 to a Division.

Mr. Peter Brooke (Cities of London and Westminster): I support my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe). Hon. Members will have heard me quote the remark of the Speaker of the House of Representatives, Sam Rayburn, Lyndon Johnson's great ally. He said that the three wisest words in the English language were "Wait a minute".

I commend my right hon. Friend for her moderation in asking for only six months and not for a lesser period. I have sat through most of the proceedings of the Bill on Second Reading and in Committee. As the minutes go by, the disadvantages of the process through which the measure is passing become ever clearer. I hope that the Minister will accept the amendment. In choosing a period of six months, my right hon. Friend makes it clear that she has considered both the football programme that lies between now and that deadline and the desirability of reconsidering the measure, given the manner in which we have been considering it.

11.30 pm

Mr. Simon Hughes: My hon. Friends and I are concerned about this clause and we have tabled an amendment that is similar, although not as immediate in its effect, to the one tabled by the right hon. Member for Maidstone and The Weald (Miss Widdecombe). Like the right hon. Member for Cities of London and Westminster (Mr. Brooke), I believe that the process today has confirmed my original view that we should review the Bill sooner rather than later.

If, over the next week, and with the help of the Lords, the House gets the Bill right, we may not need to do much work. However, that is not the issue. The issue is when we give ourselves the lever to do something about it, so I hope that the Minister will be sympathetic to three proposals. The first is that we bring forward the timetable for review. The right hon. Member for Maidstone and The Weald suggested that it should be six months, and the Home Secretary made the good point that it would be unrealistic to have a review at about the time of a general election. It is sensible to plan for the review outside the probable general election month of May and, to be fair to the right hon. Lady, a review in six or in 18 months would achieve that aim.

Mr. Banks: Will the hon. Gentleman tell us how many matches England will play away in the next six months?

Mr. Hughes: The hon. Gentleman knows the answer better than me, but I understand that there is at least one away match in that period. I understand that England will play a friendly against France and the first world cup qualifying match is against Germany, but that is a home game at Wembley. At most there will be two away games; but the hon. Gentleman knows the answer better than I do. However, as we were reminded earlier, there will be club matches that may also trigger the powers in the Bill. There is a competition in Germany in August in which Manchester United are scheduled to play, and the Government may want to act on that.

Secondly, we need to establish what the backstop to the Bill will be. As a result of representations, the Government have offered a backstop of five years, but we, like the Conservative party, are trying to persuade the Government to bring that forward. Such a Bill should not be left for as long as that.

The third proposal appears in amendment No. 23. I hope that the Minister can be positive about the fact that, as with much other legislation—including legislation that has passed through the House this year—there will be provision to report to Parliament on how the Bill has worked before we debate its renewal or extension. The Government should consult the police, the port authorities, the airports and the magistrates so that an informed report is produced by an independent person, and it is clearly not fixed, spun or in other ways subject to political bias.

I hope that my proposals appeal to the Minister and that he will give a positive response to all the amendments in the group.

Mr. Charles Clarke: I shall respond to the amendments in reverse order. I hope that the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) will consider withdrawing amendment No. 23. We acknowledge the importance of reporting to the House and we intend to table on Report an amendment that deals with that point directly. I understand that my hon. Friend the Member for Islington, North (Mr. Corbyn) is one of the signatories to that amendment.

I am pretty militantly against amendment No. 1, which was tabled by the right hon. Member for Maidstone and The Weald (Miss Widdecombe). Six months is too short a period to review any legislation seriously. Considering it after 12 months is perfectly reasonable, because we need to go through at least a full international football season to have an idea of how the Bill has worked in practice. I do not want to be personally critical, but to suggest that we can review the Act in six months is ridiculous and disrespectful to the House. It is perfectly reasonable to report to the House after 12 months, and I would resist the amendment on that basis alone.

Amendments Nos. 2 and 22 are similar in character and relate to the length of the Bill's operation. The total of five years is perfectly reasonable, and I urge my right hon. and hon. Friends to oppose the amendments if they are pressed to a vote. However, I do not feel as strongly about those as I do about amendment No. 1. I acknowledge that there is a balance of judgment about how long we should operate the Bill. Some say it should be five years, some say two years and others say 18 months, and we are prepared to continue discussions on that point, so if the Conservatives want to table different amendments in another place, we will consider them constructively. However, amendment No. 1 should be resisted as ridiculous.

[Mr. Charles Clarke]

In summary, I urge the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) not to press amendment No. 23, and I urge my right hon. and hon. Friends to oppose amendments Nos. 1, 2 and 22.

Question put, That the amendment be made:—

The Committee divided: Ayes 112, Noes 207.

Division No. 271] **[11.36 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Baldry, Tony
Bell, Martin *(Tatton)*
Bercow, John
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chope, Christopher
Clappison, James
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Dorrell, Rt Hon Stephen
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gorman, Mrs Teresa
Green, Damian
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Hawkins, Nick
Hayes, John
Heald, Oliver
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paice, James
Paterson, Owen
Prior, David
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. John Randall and Mr. Peter Atkinson.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Beard, Nigel
Benn, Hilary *(Leeds C)*
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell-Savours, Dale
Cann, Jamie
Chisholm, Malcolm
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Cohen, Harry
Colman, Tony
Connarty, Michael
Corbett, Robin
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dismore, Andrew
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael J *(Worcester)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hope, Phil
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Kaufman, Rt Hon Gerald
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Love, Andrew
McAvoy, Thomas
McCartney, Rt Hon Ian *(Makerfield)*
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meale, Alan
Michael, Rt Hon Alun
Miller, Andrew
Moonie, Dr Lewis
Moran, Ms Margaret
Mountford, Kali
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Oiner, Bill
O'Neill, Martin
Palmer, Dr Nick
Pickthall, Colin
Pollard, Kerry
Pope, Greg

Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rapson, Syd
Reed, Andrew *(Loughborough)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Shaw, Jonathan
Sheerman, Barry
Short, Rt Hon Clare
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Snape, Peter
Soley, Clive
Squire, Ms Rachel
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Straw, Rt Hon Jack
Stringer, Graham
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Jim Dowd and
Mr. Gerry Sutcliffe.

Question accordingly negatived.

Amendment proposed: No. 2, in page 2, line 40, leave out "four years" and insert "eighteen months".—*[Miss Widdecombe.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 152, Noes 208.

Division No. 272] **[11.50 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cash, William
Chidgey, David
Chope, Christopher
Clappison, James
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Day, Stephen
Dorrell, Rt Hon Stephen
Evans, Nigel
Fabricant, Michael
Fearn, Ronnie
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gorman, Mrs Teresa
Gorrie, Donald
Green, Damian
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Moore, Michael
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Paice, James
Paterson, Owen
Prior, David
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Webb, Steve
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. John Randall and
Mr. Peter Atkinson.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Beard, Nigel
Benn, Hilary *(Leeds C)*
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell-Savours, Dale
Cann, Jamie
Chisholm, Malcolm
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Cohen, Harry
Colman, Tony
Connarty, Michael
Corbett, Robin
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*

Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dismore, Andrew
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael J *(Worcester)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hope, Phil
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Kaufman, Rt Hon Gerald
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Love, Andrew
McAvoy, Thomas
McCartney, Rt Hon Ian *(Makerfield)*
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meale, Alan
Michael, Rt Hon Alun
Miller, Andrew
Moonie, Dr Lewis
Moran, Ms Margaret
Mountford, Kali
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Oiner, Bill
O'Neill, Martin
Palmer, Dr Nick
Pickthall, Colin
Pollard, Kerry
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rapson, Syd
Reed, Andrew *(Loughborough)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Short, Rt Hon Clare
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Snape, Peter
Soley, Clive
Squire, Ms Rachel
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Straw, Rt Hon Jack
Stringer, Graham
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Jim Dowd and
Mr. Gerry Sutcliffe.

Question accordingly negatived.

It being after 12 midnight, THE CHAIRMAN, *pursuant to Order [this day], proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clauses 5 to 7 ordered to stand part of the Bill.

Schedule 1

AMENDMENTS OF THE FOOTBALL SPECTATORS ACT 1989

Amendments made: No. 29, in page 6, line 2, leave out from "football" to end of line 5.

No. 32, in page 9, line 6, after "match", insert "outside England and Wales.

No. 42, in page 9, line 7, leave out from "tournament" to end of line 12 and insert—

'if a constable in uniform—

(a) has reasonable grounds for suspecting that the condition in section 14B(2) above is met in the case of a person present before him, and

(b) has reasonable grounds to believe that making a banning order in his case would help to prevent violence or disorder at or in connection with any regulated football matches'.

No. 37, in page 9, line 15, at end insert—

'and shall give the person his reasons for detaining him in writing.'.

No. 43, in page 9, line 19, leave out "24" and insert—

'four hours or, with the authority of an officer of at least the rank of inspector, six'.

No. 46, in page 9, leave out lines 47 and 48.— *[Mr. Mike Hall.]*

Schedule 1, as amended, agreed to.

Schedules 2 and 3 agreed to.

Bill reported, with amendments, pursuant to Order [this day].

As amended in the Committee, considered.

Clause 5

COMMENCEMENT AND DURATION

12.7 am

Mr. Deputy Speaker (Mr. Michael J. Martin): We now come to amendment No. 2—

Miss Widdecombe: On a point of order, Mr. Deputy Speaker. In view of the tremendous rush—the Bill has gone straight on to Report after being in Committee—has the Home Secretary requested an interlude in which to

make a statement to the House on the crime figures released four minutes ago, which show a substantial increase in robberies and crimes of violence?

Mr. Deputy Speaker: The right hon. Lady is pushing her luck.

Mr. Malins: On a point of order, Mr. Deputy Speaker. I tabled a series of amendments to schedule 1 for the Committee stage. It occurred to me at about 10 minutes to midnight that the chances of reaching those amendments was fairly slim. What is the procedure if I wish to table those amendments to be debated on Report?

Mr. Deputy Speaker: I am afraid that the hon. Gentleman has missed his chance. I am sorry about that.

Mr. Gale: On a point of order, Mr. Deputy Speaker. I am sure that you can help the House with this matter. I went to the Vote Office a few moments ago, and the amendments tabled up to 10 o'clock for consideration on Report had been printed, but there was no list of selected amendments. Can you tell the House which amendments you have selected for discussion on Report?

Mr. Deputy Speaker: A revised list will be available within the next quarter of an hour. We can deal now with amendment No. 2, and I understand that there is another amendment that we can discuss. I assure the hon. Gentleman that a revised list will be available soon.

Mr. Simon Hughes: Further to the point of order, Mr. Deputy Speaker. I understand that it is impossible under the guillotine motion for the House to be suspended, which is to be regretted. Some of us have not seen the amendments that were tabled before midnight. Can you tell us whether you have selected any other amendments to be taken with amendment No. 2, which you have just called? Can you give us advance warning about the second group of amendments, so that we have a chance of knowing what is coming and preparing for it?

Mr. Deputy Speaker: I can tell the hon. Gentleman what is coming. Amendment No. 2 has been selected on its own, and amendment No. 4 is coming. The list that I mentioned will be available within a quarter of an hour or even sooner.

Miss Widdecombe: On a point of order, Mr. Deputy Speaker. My hon. Friend the Member for Woking (Mr. Malins) raised a point of order about the amendments that he had tabled and which we were about to reach in Committee. He could not possibly have tabled those amendments for consideration on Report because he did not know whether we would reach them in Committee. Surely such amendments can be tabled during these proceedings.

Mr. Deputy Speaker: The hon. Gentleman can seek to table his amendments, but there is no guarantee that they will be selected.

Mr. Charles Clarke: I beg to move amendment No. 2, in page 1, line 40, at end insert—

'( ) Before making an order under subsection (4), the Secretary of State must lay a report about the working of this Act before each House of Parliament.'.

The amendment is in response to amendment No. 23, which was debated earlier. The Government acknowledge that it is important for the House to have a report about the workings of the Act so that a proper assessment can be made of it. We also acknowledge that there has been substantial debate about the matter, and concerns of substance have been expressed. We think that there should be a review, and it should be informed by a proper report on these matters.

I hope that hon. Members will accept the amendment, which I believe gives yet a further guarantee that the House will be able, throughout the operation of the Act—as I hope it will become—to make its judgments as we move from step to step.

Miss Widdecombe: The Opposition welcome the amendment and have no difficulty accommodating it. However, I wish to make it clear that affirmative motions, reports or anything else are no substitute for a proper review at a much earlier stage than the Bill now provides for. With that caveat, we are happy with the amendment,

Mr. Simon Hughes: The Government's amendment is welcome. However, this is the speediest turnaround of amendments that I have ever known. We spoke to our amendment at 11.30 pm, and I now discover that the Government are tabling their rewritten version of the same amendment at 10 minutes past twelve. There is some merit in speed.

Mr. Paul Tyler (North Cornwall): It is called spinning.

Mr. Hughes: It is spinning in another sense at this time of the morning.

I am assuming the best, but would the Minister be kind enough to confirm that the report provided for by the amendment—which was anticipated by our amendment in Committee—will be prepared and written by someone who is entirely independent of the Government and can do the job without any partisan view?

Mr. Clarke: I am grateful for what the right hon. Member for Maidstone and The Weald (Miss Widdecombe) has said, and I acknowledge that the amendment does not go beyond what she herself has argued previously.

I am grateful also for what the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) has said, although I cannot give the absolute assurance that he is looking for on this point. There is merit in what he says about the need for someone independent to do the report, but we have not come to a view as to the best way of reporting to Parliament on the matter. I am prepared to listen to the hon. Gentleman, but there is a perfectly good case for the Home Secretary to lay the report with the Home Secretary's conclusions. It may well be that the Home Secretary of the day decides that it is better to ask an independent person to carry out that report. I take seriously the point that the hon. Gentleman makes, but I cannot give him the absolute assurance he is looking for.

Mr. Hughes: I am grateful to the Minister for his honesty. The experience of the last three years, and the

[Mr. Hughes]

welcome Government initiative and principle of having an annual report, have shown that an independent report has much more credibility than a report that is not independent.

Mr. Clarke: I accept that there is weight in that point. To use a word that we will become accustomed to in the forthcoming years, proportionality is called for here. In terms of the Regulation of Investigatory Powers Bill and the terrorism proposals, the issues are significant for the state, and having somebody who is clearly seen to be independent is well established in what we do. The point is not so overwhelming in this case, which is why I am not prepared to give the hon. Gentleman the absolute assurance that he seeks. However, it is true that the more independent any report is seen to be, the more it is likely to command general consent and support. That is why I say that I am prepared to look at the proposal, which has merit.

With that, I commend the amendment to the House. Despite the right hon. Member for Maidstone and The Weald's caveat, I hope that she and everybody else will acknowledge that this is an important step and will provide reassurance that the legislation will be kept under close scrutiny.

Mr. Leigh: There is an important point of principle here. This debate on an important procedure has been dismissed in four or five minutes, with some short speeches, and I understand that the amendments were tabled by the Government today. This is a most extraordinary way of dealing with serious legislation. I wonder how many Members know in any detail what the amendments are about. The Government talk about modernisation and how it is bad to make laws after 10 o'clock at night. What an extraordinary way of proceeding. Is it really necessary to gallop through this after midnight and not even wait a day?

12.15 am

Mr. Clarke: I do not accept that. The amendment is one of the most clearly phrased that the House has had to deal with. I acknowledge that there are more complicated issues on other amendments that require close study, but we should also acknowledge that the amendment is clear in its phraseology.

Mr. Heald: Will the Minister amplify a little more what he would expect the report to contain? Will it simply be a list of the number of orders and detentions or will it give a wider view of the effect, for example, on the crime figures, which are rising extremely fast, with violent crime in particular up by a huge amount in the past year?

Mr. Clarke: I hesitate to embarrass the hon. Gentleman in front of the hon. Member for Gainsborough (Mr. Leigh), who has been so eloquent, but the wording is crystal clear when it says

report about the working of this Act.

The question was fair, apart from the general political soundbite surrounding it.

Mr. Heald: Ignore it, then.

Mr. Clarke: That is a good idea.

The question is simple. It concerns how often the powers are used; how they have been used; what pressures they have put on the criminal justice and police systems; to what extent we believe that we have successfully apprehended individuals who would have been involved in violence abroad; how the legislation has taken effect; and to which football matches it has been applied. In short, it is a list of how the legislation has operated, how the various players have behaved and what problems and difficulties have arisen as a result of trying to implement it.

I hope that some of the concerns expressed by the Opposition will not be borne out by events. The report will allow us to assess the extent to which their concerns have been justified.

Mr. Christopher Chope (Christchurch): Will the report include the costs of implementing the legislation?

Mr. Clarke: I would certainly assume so. In the financial section of the explanatory notes, we have made an estimate of the costs, and it would be entirely appropriate for Parliament to know what the costs have in fact been.

I commend the amendment to the House.

Amendment agreed to.

Schedule 1

Offences

Mr. Charles Clarke: I beg to move amendment No. 4, in page 4, line 37, at end insert—

'but, for the purposes of paragraph (a), any football match included in the qualifying or pre-qualifying stages of the tournament is to be left out of account.'.

The amendment is intended to clarify, in response to the Second Reading debate elsewhere, the way in which the Secretary of State might use his or her powers to apply the legislation. We felt that it was important that the qualifying or pre-qualifying stages of a tournament be left out of account. For example, in considering the world cup finals or the Euro 2000 finals, we would not take into account all the qualifying games over two years, or whatever is the relevant period.

The amendment is sensible and responds to concerns that have been raised by hon. Members. I hope that the House will support it.

Miss Widdecombe: The amendment reflects what we sought in amendment No. 3. The Minister did not acknowledge that.

Mr. Straw: My hon. Friend and I meant to acknowledge that, and I did indeed acknowledge it earlier in our proceedings.

Miss Widdecombe: I am grateful to the Home Secretary for that acknowledgement, but why was amendment No. 3 not accepted? I am prepared to believe that there is a good reason for that, but how is amendment No. 4 better than amendment No. 3? The purpose of amendment No. 3 was to clarify the definition of the phrase "external tournament", which the Bill uses to define overseas tournaments such as Euro 2000. The amendment stated that that definition

shall not include any . . . qualifying or pre-qualifying stages.

As far as I can see, amendment No. 4 has the same purpose. I do not oppose it, but I ask out of curiosity: did the Government refuse to accept amendment No. 3 on a matter of principle?

Mr. Simon Hughes: I have a practical question that relates to earlier interventions by the hon. Member for West Ham (Mr. Banks) and others. Will matches in the qualifying or pre-qualifying stages of the next world cup be excluded from the provisions of the Bill? I thought that the House was speeding the passage of the Bill in order to include games in the first stages of a competition. I understand that competitions such as Euro 2000 should be ring-fenced, but will England's first away game in the world cup qualification group be covered by the Bill?

Mr. Banks: I can help the hon. Gentleman. England's first away game in the qualifying stage for the 2002 world cup is against Finland on 11 October. On 28 March next year, the England team will travel to Albania. Crucially, the team will travel to Germany on 1 September next year, before finishing the programme with home games against Albania on 5 September, and against Greece on 6 October.

I assume that those matches—and especially the away match against Germany—would be covered by the Bill.

Mr. Hughes: There is agreement among hon. Members of all parties that those games must be covered by the Bill. However, the relevant control period may be not the one that governs the tournament, but a different control period that specifically ring-fences individual fixtures. The House needs to know the score about that, and exactly what powers we are being asked to approve.

How will the Bill affect the away games that England will play between now and the end of the qualifying period? I hope that the Minister will clarify that. If he cannot reassure the House that everything is fine, we may need to table another amendment.

Mr. Clarke: First, may I say that I in no way intended to snub or offend the right hon. Member for Maidstone and The Weald (Miss Widdecombe) by not acknowledging the critical contribution of amendment No. 3 to amendment No. 4? However, after discussions with the parliamentary draftsmen, the Government decided that the clarification

for the purposes of paragraph (a)

in amendment No. 4 made matters much clearer and addressed the situation more effectively. We sought the most precise form of words for the amendment, and this is it. I am genuinely sorry if the right hon. Lady was offended earlier.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) asked about regulated football matches. He will see that schedule 1 states:

'Regulated football match' means an association football match . . . which is a prescribed match or match of a prescribed description.

The control period relates to a regulated football match and can be itemised to deal with a particular game, whatever type it may happen to be, in whatever kind of way. It could be one of the games in the qualifying period, for example.

Subsection (6) of proposed new section 14 relates to a tournament. We believed that it was important to restrict the period to the finals of the tournament, so that we did not have a much more general power. The changes have restricted the Home Secretary's freedom to do this in a way that is important and rational but does not remove the danger referred to by the hon. Member for Southwark, North and Bermondsey—that particular games might be left out. The Home Secretary will make a judgment about whether a particular game, in any circumstances, poses risks of the type that we acknowledge, based on the information that he has. He will then decide whether to establish a control period and consider the various relevant issues.

Where we wish to deal with the finals of a tournament, as we have seen in Belgium and Holland, and saw in France last year, rather than citing a whole series of different games, we think it right to make it explicit that the provision deals only with the final stage of that tournament rather than with all the pre-qualifying stages as well.

Mr. Hughes: The Minister is clear; he is giving us the interpretation that careful reading—I was reading as he spoke—makes clear allowance for the two different types of prescription.

In practice, how will the fact that this law is applied—that the Home Secretary has made a decision to apply the law to a particular match or set of matches—be widely enough known in advance for everybody in the country to be aware that it applies to that particular fixture, and to club games as well as national games?

Mr. Clarke: That is one of the practical things that we will have to address in detail—how to communicate exactly when and where the Home Secretary will make his decisions. What the hon. Gentleman says is right—it is important that everybody should be quite clear what the situation is before the event. We will ensure that that is the case. It is straightforward to do that, as I think the hon. Gentleman will acknowledge.

Amendment agreed to.

Mr. Deputy Speaker (Mr. Michael Lord): Order. Before I call the next amendment, I should like to tell the House that an up-to-date list of the amendments that we are discussing is now available in the Vote Office.

12.30 am

Mr. Simon Hughes: On a point of order, Mr. Deputy Speaker. May I first thank the staff of the House who have produced this in virtually no time at all? I also thank the civil servants, who have been given slightly more work than they had bargained for.

My point of order is this: I see that in Madam Speaker's provisional selection of amendments on Report, the next group includes amendments Nos. 6, 7, 8 and 9. The next amendment selected—amendment No. 12—is in the name of the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell), and is about the rehabilitation of offenders and a backstop point. Amendment No. 8, in my name, is also about spent convictions. Would you, Mr. Deputy Speaker, consider whether it would not be more sensible to take the two amendments on spent convictions together? I have not had a chance to consult the right hon. Gentleman about this, for which I apologise, but it seems to me that they are about one subject, whereas amendments Nos. 6, 7 and 9 are about another.

Mr. Deputy Speaker: I hear the point that the hon. Gentleman makes. It is not normal to query Madam Speaker's selection of amendments, but I will reflect on the hon. Gentleman's point.

Mr. Leigh: On a point of order, Mr. Deputy Speaker. I know that in British industry it is fashionable to talk of just-in-time delivery, but is it usual for the selection of amendments to be delivered to us literally two minutes before we are told that you have selected them for debate?

Mr. Deputy Speaker: It is not I who have been selecting the amendments but Madam Speaker. The Clerks are doing their very best to keep ahead of the procedures before the House.

Schedule 1

AMENDMENTS OF THE FOOTBALL SPECTATORS ACT 1989

Mr. Simon Hughes: I beg to move amendment No. 6, in page 5, line 27, leave out—

'caused and contributed to any violence or disorder'

and insert—

'been convicted of an offence involving violence or any other relevant offence'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments:

No. 7, in page 5, line 28, after 'or' insert—

'caused or contributed to any violence or disorder'.

No. 8, in page 5, line 28, at end insert—

'(2A) A conviction under subsection (2) above does not include a spent conviction.'.

No. 9, in page 6, line 2, leave out from 'football' to end of line 5 and insert—

'(3A) In this Part, "violence" and "disorder" are limited to conduct which constitutes a crime under the law of any part of the United Kingdom, or conduct which, if committed outside the United Kingdom, would constitute a crime under the laws of the United Kingdom if committed in any part of the United Kingdom.'.

12.30 am

Mr. Hughes: I shall speak first to amendments Nos. 6, 7 and 9. When I have finished my relatively brief remarks on those, Mr. Deputy Speaker, perhaps you would be kind enough to say whether you wish me to take amendment No. 8 together with them or separately.

In the bizarre, Alice in Wonderland world of this debate, we have moved from a Committee stage in which we debated one important issue—summary detention—but could not debate how to deal with banning orders into a Report stage in which we may debate banning orders but will have no opportunity to reflect on the debate on summary detention.

As the Report stage began, my hon. Friend the Member for North Cornwall (Mr. Tyler) said to me that crucial issues affecting the police relate to both issues, and there has been absolutely no chance for anyone to talk to any representative of the police between the first debate and the second—

Mr. Banks: I have.

Mr. Hughes: No representative, that is, except those available to us locally, who deal with parliamentary hooligans.

Amendment No. 6 is extremely important. My colleagues communicated our agreed position to the Home Secretary and the Government before Second Reading. We want to replace the general and dangerously wide provision in schedule 1 with a more specific provision.

At present, there are two conditions for a banning order that is triggered other than by a court decision on punishment. The order can happen on conviction or by complaint. The post-conviction order is non-controversial, if I have judged the mood of the House correctly. The order triggered by complaint is more controversial. It was anticipated by the hon. Member for West Chelmsford and others, but we had not seen the exact wording involved.

A banning order may be made on the complaint of a police officer who has detained someone summarily and who, after four or six hours, must serve a notice saying that he or she intends to seek a banning order. That notice, in writing, indicates an intention to seek an order within a further 18 or 20 hours, the total period being 24 hours. My colleagues and I strongly hold the view that to say that it is sufficient for a police officer or a court to think that someone's past history qualifies that person for a banning order on the basis that the person may have caused or contributed to any violence or disorder, but without having been convicted, goes dangerously wide. We reject that as a trigger for a banning order.

Instead, we offer the House a straightforward statement that a banning order can be considered if someone has previously been convicted of an offence involving violence or any relevant offence. That takes the law further than at present, when banning orders happen only if there has been a football-related offence. My hon. Friend the Member for Taunton (Jackie Ballard) and I are of the clear view that it is part of the job of politicians to deal with violence in our society, and it is reasonable that someone convicted of violence unrelated to football might be regarded as having a greater propensity to violence in a football-related context than someone with no convictions for violence.

Unlike the hon. Member for Woking (Mr. Malins)—who is not in his place—we do not think that domestic violence should be excluded. It is not reasonable to say that violence in the home does not show a propensity to violence elsewhere. Indeed, we think that it is clear evidence of violence. A conviction for domestic violence must be part of the material background.

The third issue relates to amendments that have been selected for debate later and on which we have similar views to the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell). It would be wrong for the measure to recriminalise a person whose other convictions were spent. Under rehabilitation of offenders legislation, if a date has been specified after which a person can put his crime behind him, it would be wrong to resurrect that crime simply for a banning order.

Mr. Jeremy Corbyn (Islington, North): The hon. Gentleman said that people's previous convictions for violence should be taken into account and they should be arrested on that basis. Unless I have misunderstood him, that is surely a departure from the normal principle that previous offences should be taken into account only when sentence is imposed. They cannot be considered in any initial action by the police against an individual.

Mr. Hughes: I understand the point the hon. Gentleman makes. I am dealing with proposals for banning orders, which, as he is aware, are in effect an injunction. If that injunction is breached, a criminal action will be triggered. We have tried to be reasonable and to co-operate with the Government. As Parliament has accepted banning orders in the past—on a "Let's see if they work basis"—and as several councils have used that procedure, it is reasonable to use it in the measure, in certain limited circumstances.

There are two strands that have to come together before a banning order can be imposed. The first is a consideration of the person's history and the second is that we must believe that the person is about to do something—I shall come to that point in a moment.

Our view is that we should not base the first strand on the fact that the person has a general association with violence or disorder in the past. The right hon. Member for Suffolk, Coastal (Mr. Gummer) pointed out that the fact that people had been on a demonstration where there was violence—even though they were not personally involved—might mean that they were swept up under the measure. We should not be able to get over the first hurdle unless it can be verified that the person has committed a criminal offence. The offence must be football related—including offences involving alcohol—or violence related.

Mr. Corbyn: I am grateful for that explanation. However, I am not entirely happy. Surely any police action or arrest has to be based on the fact that an offence has been committed. The court should take account of past offences only after guilt has been proved and sentence is being considered. The danger with the hon. Gentleman's suggestion is that it would seem to give the police the power to interpret previous but wholly unrelated offences according to the action that they proposed to take.

Mr. Hughes: That is why the Liberal Democrats—and some Labour and Conservative colleagues—have resisted a provision that would permit a banning order when there was neither a previous nor a current offence. Amendments tabled in Committee and on Report would meet the hon. Gentleman's requirement. They provide that people should not be detained unless they are committing an offence.

That point returns us to an earlier debate. Most relevant offences are those for which people can currently be arrested—the use of racial abuse, or violent or drunk and disorderly behaviour. The power of arrest already exists for such offences. No one has satisfactorily answered the question: what are the offences for which a person would currently not be arrested that would cause the police to act in the context of football? I do not think that there are any. Dropping litter is technically an offence, but it cannot be considered relevant in these circumstances. I share the hon. Gentleman's view that the test must be that a person has committed an offence in front of a police officer.

Ms Ward: I am listening carefully to the hon. Gentleman and he might have been planning to come to this point later. However, will he explain how the amendment would assist when someone is arrested abroad and there is evidence—it may be documentary or video evidence—to suggest that he was involved in an offence? That person might not be charged but would be deported, so how would the amendment assist in such a case?

Mr. Hughes: The hon. Lady asks a perfectly proper question. I suggest that she looks at the other amendments in the group. I do not want to deceive the House because amendment No. 7 is controversial. It would allow for a slightly wider past history to be taken into account for offences that take place abroad. We had an interesting and important debate on Second Reading and in Committee, and amendment No. 7 keeps the Bill's current wording for offences committed outside the United Kingdom.

There must be a conviction for offences committed in the UK, but the question is how we deal with offences, such as those that we saw on television being committed in Charleroi, for which no one is convicted. Clearly any sensible person would regard hitting someone over the head with a chair in a town square or throwing something through a window as an offence.

I do not pretend that amendment No. 9 is perfect, but a similar amendment was tabled in Committee by the Conservative party and ourselves. It attempts to deal with the second half of the question that the hon. Lady reasonably asked. We wanted to find a way that ensured that something that happened abroad could be prayed in aid as long as it passed the test that it was a criminal offence. The amendment states that

> "violence" and "disorder" are limited to conduct which constitutes a crime under the law of any part of the United Kingdom, or conduct which . . . would constitute a crime under the laws of the United Kingdom

if it had been committed here.

I am slightly nervous about that proposal, but it is only a probing amendment. I am nervous about it because of a point raised by Conservative Back Benchers last week. We do not know what the tests of a foreign court might be. Let us take an extreme example. In China, one might be convicted by processes that we would regard as

[Mr. Hughes]

anathema to us and as entirely unacceptable. We would not want to sign up as a Parliament to the automatic importation of a conviction that took place abroad. We have tabled that probing amendment to try to discover the Government's view because we have not yet had a chance to find out their thinking.

Ms Ward: I understand the point that the hon. Gentleman is trying to make, but I read from the amendment that he accepts the principle that someone in this country can be stopped under the provisions in the Bill without having been convicted of an offence. We are referring to offences that were committed abroad and would have constituted a crime in the UK if they had been committed in the UK. In this very amendment, he accepts the principle that someone can be caught by the provisions in the Bill without actually having a conviction.

Mr. Hughes: As it happens, we do not. We intend to press amendment No. 6 to a vote later and it insists that the precondition should be a conviction in the courts of this country. Amendments Nos. 7 and 9—the latter was originally tabled by the Conservatives in Committee—are probing amendments. We are not persuaded—certainly my colleagues in the other place are not persuaded—that what might or might not have been an offence abroad is sufficient reason to trigger the powers in the Bill. Our view is that the precondition—part one of a two-stage process—is that there must have been a relevant conviction in the United Kingdom. That would be achieved by amendment No. 6. The second part of the process is that a offence needs to be committed if someone is to be marched off to the magistrates court for a banning order.

12.45 am

Mr. Browne: I have been following the hon. Gentleman's remarks closely, but it seems to me that amendment No. 6 would not achieve that objective because it leaves the word "elsewhere" in proposed new section 14B(2). If amendment No. 6 were made, the Bill would read:

> That condition is that the respondent has at any time . . . been convicted of an offence involving violence or other relevant offence in the United Kingdom or elsewhere.

Mr. Hughes: To be fair, the hon. Gentleman is right. I do not pretend that the amendment is perfect; we have been acting under the same time constraints as he has. We want to ensure that there can be action by the police and in the courts in the United Kingdom—or England and Wales—only if there has been a conviction. The hon. Gentleman may be right to imply that we should have sought to delete the word "elsewhere", and if amendment No. 6 is not made, we should seek to delete the word in amendment No. 7.

Mr. Corbyn: I would be grateful if the hon. Gentleman could help me because I have become completely puzzled by his arguments. I cannot understand why he has tabled amendment No. 9 at all because he appears to be speaking strongly against that amendment, which in effect would allow a prosecution to take place in Britain for an alleged offence in another jurisdiction, where the quality of evidence and prosecution is unknown and it would be hard to collect any serious evidence other than photographs in newspapers. I gently suggest to the hon. Gentleman that he may be better off withdrawing that amendment.

Mr. Hughes: That is a perfectly reasonable objective, and we have been trying to tease out all the issues so that we can debate them. I reassure the hon. Gentleman that amendment No. 9 is a probing amendment and we will not pursue it.

In a debate triggered by the Government, it was said that video footage and evidence of activities abroad could be prayed in aid and would be sufficient, but we do not accept that—it is a dangerous view. I gave an extreme example, and we may not play football against China very often, but there are countries closer to home where we would be suspicious about evidence. In Euro 2000, some of the activities and administrative procedures carried out by the Belgians gave cause for concern.

The hon. Member for Ludlow (Mr. Gill) referred to such a case. Some of us heard the contribution on the "Today" programme on Monday morning from the father of the one person who has been charged by the Belgian authorities, and he said that his son had an alibi and was not even on the scene. I do not want to prejudge that case, but there are good reasons for arguing that such activity should not be imported into domestic law.

I reassure the hon. Member for Islington, North (Mr. Corbyn) and the right hon. Member for Maidstone and The Weald (Miss Widdecombe) that our objective in the debate is to make sure that the first leg of the process is achieved by a previous, relevant conviction in the UK. We accept the Government's argument that relevant convictions should not only be alcohol related, but we believe that those convictions should be limited to violence, football and alcohol and should not include spent convictions. The Bill certainly should not import activity from abroad that has not resulted in a conviction in the United Kingdom. I hope that that is clear, and we shall ask the Committee to divide only on amendment No. 6.

Mr. Leigh: I like amendment No. 6 because it has a certain neatness. It deletes the provision that has always worried me about the Bill, which is that one can be subject to the measures if one has

> caused or contributed to any violence or disorder.

It is terribly hard to define exactly what that means in terms of bad language, gestures, demeanour or actual violence.

The strongest part of the speech made by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) was his point that amendment No. 6 will make it clear that if one is to be the subject of an order, one must have been properly convicted in a court of law. All of us have confidence in our courts, so we believe that that provides a clear basis. Therefore, I am perfectly happy with amendment No. 6.

I hope that the hon. Member for Southwark, North and Bermondsey does not mind my saying that the weakest part of his speech was that relating to amendment No. 9.

I do not blame him for that because he is working under time constraints that are unfair to him and others who have sought to table amendments. His provision would apply—he may certainly interrupt me if I have this wrong—a very different test abroad from that applied here.

I accept the part of amendment No. 9 that states:

"violence" and "disorder" are limited to conduct that constitutes a crime under the law of any part of the United Kingdom.

That is sensible. The hon. Gentleman is right that there are jurisdictions not in Europe but elsewhere in the world of which we are very suspicious and in which civil liberties are infringed. Why is he not also insisting that the conduct is of such a nature that it would not only constitute a crime here but result in a conviction abroad? Would not that be a double test, a belt and braces approach?

If the hon. Gentleman had tabled amendment No. 9 in such terms, he would be insisting that the person would have had to be subject to a conviction either here or abroad for such an order to be made. I do not know why he has not made that clear.

Mr. Simon Hughes: To put it bluntly—I am not trying to defend an attempt to cover all bases without an opportunity for consideration—amendments Nos. 7 to 9 were fall-back positions to test the water if we did not succeed with amendment No. 6. I repeat that the only amendment in the group to which we want to be signed up and will go through the Lobby to support is amendment No. 6.

Mr. Leigh: I am glad that the hon. Gentleman has made that clear. Amendment No. 6 is a very important amendment. It is rather a pity that we are discussing it at eight minutes to 1 o'clock in the morning, but that is the procedure that we have been given. That is not the hon. Gentleman's fault. I commend him for moving the amendment.

Miss Widdecombe: I have some sympathy with some of the amendments, but, oddly, I am not totally convinced of the wisdom of amendment No. 6. Effectively, amendment No. 6 would ensure that unless somebody has been convicted of an offence involving violence or any other relevant offence, that person will not be caught by the provision. We are specifically asked to

leave out "caused or contributed to any violence or disorder".

I know that the provision is controversial, but it is possible that somebody who could have contributed to violence or disorder could, for example, have organised violence or disorder but not been convicted of it. If intelligence and the use of material known to the police and others is to mean anything at all, clearly the only test applied to it cannot be that somebody has been brought before a court and convicted. So, in fact, amendment No. 6 goes against the spirit of much that we are trying to achieve.

However, I have very substantial sympathy with amendments Nos. 8 and 9. Amendment No. 9 is more or less a re-presentation of amendment No. 4 that we tabled in Committee, which was not reached. We tabled that amendment because there was then in the Bill a very clear statement that behaviour on which police would make a judgment as to whether it deserved detention and an application for a ban need not be confined to behaviour that constituted an offence. That rang tremendous alarm bells on the Conservative Benches—we were talking about behaviour that might not be criminal.

I am quite happy to say that the behaviour might not have resulted in a criminal conviction because, as the Home Secretary pointed out, such offences were committed abroad but no prosecution took place, or because, under the law of that jurisdiction, the behaviour was not as easily definable as an offence as it would have been in the UK. The Home Secretary made that clear and I understood that difficulty. However, that is why we made a provision that behaviour would be judged according to UK law, not the law that might prevail in whatever jurisdiction in which the behaviour took place.

Perhaps I became confused during the rash of Government amendments taken at the end of Committee, but I got the impression that a Government amendment was made that took care of the problem, simply by eliminating that chunk of the clause—restricting the definition to violence and disorder and eliminating the offending provision whereby the behaviour had to constitute a crime. There appears to be a flurry of activity on the Treasury Bench—perhaps the Minister will be able to confirm that that amendment was made. If so, I am happy not to support amendment No. 9, because the matter with which it deals has already been addressed; if not, we shall support amendment No. 9 if it is pressed to a Division.

Mr. Charles Clarke: I was checking the number of the amendment; it was, in fact, amendment No. 29, made in the final flurry of amendments in Committee.

Miss Widdecombe: I am grateful to the Minister for that confirmation—I thought that that was what happened. In that case, I see no point in the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) pressing amendment No. 9.

That brings me to amendment No. 8. Before committing Conservative Members, I should be interested to hear what justification there might be for relying on a spent conviction. If it is to be relied on, it will have to be made public and be the subject of discussion, with all that that implies for the rehabilitation of offenders. It would be an extremely serious proposition to say that spent convictions could be used for the purposes of the legislation. I remain to be convinced, but, for now, I believe that amendment No. 8 and amendment No. 12—which, for some reason, appears separately and stands in the name of my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell)—are wise amendments, which we might support depending on the Minister's reply.

Mr. Charles Clarke: We have had a helpful debate, the nub of which has been amendment No. 6 moved by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), which I shall address later.

First, the right hon. Member for Maidstone and The Weald (Miss Widdecombe) is right to say that amendment No. 29 was passed in Committee. We believe that it

[Mr. Charles Clarke]

satisfactorily addresses the issue she raised, and I am sorry for the delay in providing the exact number of that amendment.

Mr. Simon Hughes: Like everyone else, I am trying to keep up. Amendment No. 29 was tabled by the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell) and it only partially deals with the problem. It merely removes the second part of the definition of "violence" and "disorder" on page 6. I acknowledge that, at some point during the final group of amendments made in Committee, we might have passed a new definition, but that certainly was not achieved through amendment No. 29, which was certainly not a Government amendment.

Mr. Clarke: I know that amendment No. 29 was not a Government amendment. I believe that, in his opening remarks this afternoon, my right hon. Friend the Home Secretary stated his intention to accept the amendment tabled by the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell). The Government accepted that amendment, rather than table our own, because we felt that it was correctly phrased and dealt with the issue—although it might not have done so to the satisfaction of the hon. Member for Southwark, North and Bermondsey—and we were keen to accommodate the point made by the right hon. and learned Gentleman both on Second Reading and in his amendment No. 29.

Mr. Hughes: I accept that, and I did not intend to misrepresent the Home Secretary. I am not trying to put the Minister on the spot, but can he tell us where we have amended the Bill to put back in another definition of previous convictions, the first definition of which was removed by amendment No. 29?

1 am

Mr. Clarke: I shall come back to the hon. Gentleman on that in a moment, if I can, but first I shall respond to the various points that were raised.

On amendment No. 8, to which the right hon. Lady spoke, I accept the intention behind it, but the amendment is not necessary by virtue of section 4(1)(a) of the Rehabilitation of Offenders Act 1974, under which no evidence relating to spent convictions will be admissible in proceedings before a judicial authority.

When we debate amendment No. 12 in a moment, I intend to tell the House that we accept the spirit of that amendment, and also of amendment No. 8, but we will table amendments in the other place to put them in precisely the wording that we consider correct.

The motive behind amendment No. 7, as we understand it, is to provide further clarification of the conditions set out in new section 14B(2), but I am advised that the purpose and meaning of the conditions are already explicit, so I hope that the hon. Gentleman will not press the amendment.

Amendment No. 6, as the hon. Gentleman said, is the nub of this group of amendments. It is fair to say also that it was at the core of the debate on Second Reading. As I said when replying to that debate, the issue is key and clear. By proposing amendment No. 6, the hon. Gentleman is effectively seeking to ensure that the only evidence relevant to a banning order by complaint would be a previous conviction.

We believe that although there are perfectly reasonable arguments for that, which I understand, that would undermine the basis of the banning order by complaint. It is necessary for the courts to be able to impose banning orders on people who, for example, have been filmed causing trouble overseas, yet were not prosecuted in that country. Unless we are able to make the change, we would effectively preclude the police and the courts from tackling much of the football hooliganism of the type that we witnessed in Brussels and Charleroi. The intelligence issues highlighted by the right hon. Lady are correct and raise the same sort of questions as do film.

Mr. Corbyn: I am grateful to my hon. Friend. Does he agree that this is an enormous departure from the normal legal process, and that we are in effect encouraging prosecution on the basis of circumstantial evidence imported from another jurisdiction? Would it not be better to seek international agreement so that, instead of countries merely deporting everyone who causes trouble—as happened in the case of Belgium as we understand it—they should be encouraged to undertake prosecution within their own jurisdiction? After all, that is where the offence has been committed. Does my hon. Friend further agree that there is a risk involved in the use of video evidence, which can be confused, inaccurate and dangerous, and can result in innocent people being convicted of serious criminal offences?

Mr. Clarke: My hon. Friend makes two important points. First, I agree that it would be far better to get international agreements. That is the best way to proceed on all the international jurisdictional issues. The right hon. Member for Hitchin and Harpenden (Mr. Lilley) said on Second Reading that the best way to deal with these matters is to ensure that the forces of law and order in the jurisdiction of the country concerned deals with the situation. I understand the point, and it is a legitimate one.

However, as my hon. Friend the Member for Islington, North (Mr. Corbyn) will understand from his own experience, there can be a long wait for international agreements to be secured. What do we do in the meantime? Do we say that no action can be taken until we have those international agreements, or do we say that, even in the absence of such agreements, some action is necessary? I acknowledge that that is a matter of judgment.

That brings me to the second point that my hon. Friend raises, which has emerged as the key debate in relation to the Bill today and on Second Reading. When we consider the proportionality of the relevant issues, we must weigh up the view that there should be no violation of individuals' civil liberties in the circumstances that we are discussing—a perfectly fair point of view—and the need,

which the Government perceive, to inhibit the hooliganism. The penalty is not ultimately very great because only limited sanctions are available. One has to make a judgment. My hon. Friend the Member for Islington, North has been clear about his judgment, which I respect; I also respect that of the hon. Member for Southwark, North and Bermondsey. However, it is not our judgment.

Mr. Tyler: Does not the Minister recognise that the fact that this country could put the Bill on the statute book in its current form will delay and dilute the likelihood of international agreement? Other countries will reasonably ask, "Why should we bother? If we deport people back to the United Kingdom, it can deal with the problem under its legislation."

Mr. Clarke: I do not accept that. The Government have worked hard to develop a stronger international jurisdiction, especially in the European Union. My right hon. Friend stressed that at the EU Tampere summit, and will do so in all the debates that he will attend later this week. He is keen to achieve mutual recognition of jurisdictions, and we have worked hard to that end. I therefore do not believe that the Bill will inhibit progress. For that reason, we will oppose amendment No. 6.

Mr. Corbyn: In the event of football supporters from another country arriving here to watch a match and causing all sorts of trouble, is it normal practice to prosecute or simply to deport without prosecution? In view of the obvious urgency with which the Government are pursuing the issue, will my hon. Friend at least open discussions with major neighbouring European countries and ask them whether they are prepared to prosecute in the event of drunken and disorderly behaviour such as that in Brussels, and thus abandon the incredibly complicated and possibly unsuccessful attempt to pass the Bill?

Mr. Clarke: I am prepared to assure my hon. Friend that we will discuss the matter with our allies in the EU. However, it is generally acknowledged that events at Euro 2000 and the fact that English so-called supporters were predominantly, although not uniquely, involved, to our national disgrace, puts us in a different position from some other countries in trying to deal with the issues that we are discussing. On prosecution or deportation, I am not familiar with the relevant legislation in detail, but I believe that prosecution rather than deportation is the normal course.

We had memorandums of understanding with Belgium and Holland in which they agreed to prosecute those committing offences. We also made Orders in Council that set out corresponding offences to enable banning orders to be made here. In the event, those involved were not prosecuted.

The hon. Member for Southwark, North and Bermondsey made another point about the position on section 29 of the Football Spectators Act 1989.

Mr. Chope: Does the Minister accept that unless amendment No. 6 is passed, someone who is prosecuted and acquitted will be in double jeopardy? On the basis, which the Minister outlined, of someone who has a spent conviction being let out, it is surely more important to accept amendment No. 6 and ensure that people who are prosecuted and acquitted are not subject to double jeopardy.

Mr. Clarke: I shall answer that point directly later. However, I want to deal with the specific point raised by the hon. Member for Southwark, North and Bermondsey. Proposed new section 14C defines violence clearly in the context of the Bill.

I intended to conclude by saying that while I do not accept the position that the hon. Member for Southwark, North and Bermondsey presented, I respect it, as I respect that of my hon. Friend the Member for Islington, North. I also respect the comments made by the right hon. Member for Maidstone and The Weald on amendment No. 6. She is right to take that stance, although, to be blunt, that has been difficult for her as there are clearly different views in her party, as the remarks of the hon. Member for Christchurch (Mr. Chope) have shown. Conservative Front Benchers are right to have made such a judgment and I pay respect to her for that.

I know that there have been differences and disagreements in the Conservative party, and I return to the point made by the hon. Member for Christchurch. We have to decide whether a previous conviction alone is the only test and the only evidence relevant to making a banning order by complaint or whether we accept that there is a wider test. He says that a conviction should be the only test. I understand that point of view—I made a similar response to the hon. Member for Southwark, North and Bermondsey—but I do not accept it.

Mr. Chope: I am grateful to the Minister for giving way again. He has conceded the point about spent convictions, so how can he put a spent conviction in a superior position to an acquittal?

Mr. Clarke: We have to make a simple choice: should we allow other forms of evidence to be taken account of? We say yes, clearly and categorically. That is our judgment.

Mr. Browne: I am concerned that confusion between civil proceedings—proceedings by complaint—and criminal proceedings and convictions is creeping into the debate. My experience of the law north and south of the border and throughout the United Kingdom is that there is a healthy and growing jurisdiction under which people take proceedings to the civil courts even though a complaint to the criminal courts may have been unsuccessful. The Stephen Lawrence case is a prime example. Were we to accept the Liberal Democrat amendment, we could be in a ridiculous situation: citizens of the United Kingdom could be subject to civil proceedings and prevented by injunction or interdict from attending football matches in this country, but the Government would be unable to use civil proceedings to prevent the same people from travelling abroad to create mayhem. That would be nonsensical.

Mr. Clarke: That extremely helpful intervention has helped to clarify the discussion and I am grateful to my hon. Friend, who has set out the situation clearly.

[Mr. Clarke]

I have responded to all the points and I hope that amendments Nos. 7 to 9 will not be pressed. If the hon. Member for Southwark, North and Bermondsey presses amendment No. 6 to a vote, I urge my hon. Friends to reject it and support the Government.

Mr. Simon Hughes: The choice is clear, and the Minister has been fair about that. The present law covers people with a previous football-related conviction, but the Government argue that we will be able to catch more people if the range of activity is extended to include people who have no convictions. However, that would lead to the anomalies to which the hon. Member for Christchurch (Mr. Chope) referred, to his credit. The most extreme and bizarre would be that a conviction for a violent or football-related offence secured under the "beyond reasonable doubt" rule would be blotted out if it fell outside the period for the rehabilitation of offenders, which varies according to the offence, whereas a person who had appeared before the court, but whose case was not proven, could find himself in double jeopardy.

May I deal with the point made by the hon. Member for Kilmarnock and Loudoun (Mr. Browne)? North and south of the border, the United Kingdom allows civil and criminal proceedings. Indeed, injunctions secured in civil proceedings have been available for a long time. *[Interruption.]* The hon. Gentleman should bear with me. On the balance of probabilities—often in domestic cases, in which I have acted myself—a person has to persuade a judge to make an order prohibiting another person from going within a certain distance of, or from interfering with, him. That triggers a criminal conviction only if that individual disobeys the injunction. That then represents an offence and the individual can be arrested. The same applies here. Do we want the fact that someone has a track record of bad behaviour to be sufficient to allow an injunction-type order and a criminal sanction?

1.15 am

We should proceed gradually, because there is a big danger that we will catch not just people who have caused trouble at home or abroad, but those against whom the evidence has never been tested to a satisfactory conclusion. We can argue about the right procedure, but Liberal Democrats do not think that we should move in one leap from people with convictions for football-related offences, past people with convictions for all violence-related offences, to people with no convictions at all. That is not a justified leap to take in legislation that has been through the House in two days, that has had no chance to be assessed externally, that many organisations are unhappy about, and that has not been proved necessary on the experience of Euro 2000 or anything else. It is a step too far. It is of course much more likely that people will be prevented from going abroad, but do we want to have the power to do that on the basis of thin, arguable and marginal evidence?

Sir Nicholas Lyell: It is my understanding that if there is no conviction on which the magistrates can base a banning order, they have to have evidence and proof of the circumstances. They cannot simply have something mentioned: it must be established. I believe that it must be established to the criminal standard of proof.

Mr. Hughes: The legislation is silent on that matter. On Second Reading, the right hon. and learned Gentleman raised the question whether the criminal balance of proof will be required to establish the second head. The court, as well as knowing the history of previous activity, must be

> satisfied that there are reasonable grounds to believe that making a banning order would help to prevent violence or disorder at or in connection with any regulated football matches.

The combination of those two leaves unclear what the balance of proof must be. The right hon. and learned Gentleman properly argued that this was another matter for which we should have explicit, not implicit, law.

Sir Nicholas Lyell: I think that it is the criminal standard of proof. The two ingredients in new section 14B(4)(a) provide that the application can be made to a magistrates court only if

> it is proved on the application that the condition in subsection (2) above is met.

The condition of subsection (2) is that the respondent has been guilty of violence or disorder.

Mr. Hughes: I tend to the right hon. and learned Gentleman's view. I did not do as much in the courts as he did, and I was not as eminent as he was— *[Interruption.]* Yes, I was cheaper. My recollection of the civil courts is that one did not have to prove the circumstances but merely had to satisfy the judge on a balance of probabilities. It was a "more than 50 per cent." test. Therefore, that question remains unanswered.

The experience that justifies the Government's case has not been proved to our satisfaction. I ask the House to proceed cautiously. We should not legislate if we are in doubt about whether we should take away people's liberties, their passports, their right to go abroad, or their ability to be detained or to walk free.

I understand that the right hon. Member for Maidstone and The Weald (Miss Widdecombe) feels obliged to support the Government on this provision, because it provides a tougher power. The leader of her party often seems to set the agenda on law and order for the Government to follow. Some of us are arguing that we must defend the Liberty position and ensure that the case for prosecution and for further extension of the criminal law is made.

Question put, That the amendment be made:—

The House divided: Ayes 43, Noes 196.

Division No. 273] **[1.20 am**

AYES

Abbott, Ms Diane	Brake, Tom
Allan, Richard	Brand, Dr Peter
Baker, Norman	Breed, Colin
Ballard, Jackie	Bruce, Malcolm *(Gordon)*
Barnes, Harry	Burnett, John
Beith, Rt Hon A J	Burstow, Paul
Bell, Martin *(Tatton)*	Chidgey, David

Corbyn, Jeremy
Cotter, Brian
Davey, Edward *(Kingston)*
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Gidley, Sandra
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kirkwood, Archy
McDonnell, John
Moore, Michael
Oaten, Mark
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Truswell, Paul
Tyler, Paul
Webb, Steve
Willis, Phil

Tellers for the Ayes:
Sir Robert Smith and
Mr. Donald Gorrie.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Arbuthnot, Rt Hon James
Banks, Tony
Barron, Kevin
Battle, John
Beard, Nigel
Benn, Hilary *(Leeds C)*
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burns, Simon
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell–Savours, Dale
Cann, Jamie
Chisholm, Malcolm
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clelland, David
Clifton–Brown, Geoffrey
Clwyd, Ann
Coaker, Vernon
Cohen, Harry
Colman, Tony
Connarty, Michael
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darvill, Keith
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Day, Stephen
Dismore, Andrew
Dowd, Jim
Drew, David
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael J *(Worcester)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Hawkins, Nick
Hayes, John
Heald, Oliver
Healey, John
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hope, Phil
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Love, Andrew
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McAvoy, Thomas
McCartney, Rt Hon Ian *(Makerfield)*
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meale, Alan
Michael, Rt Hon Alun
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Mountford, Kali
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Oiner, Bill
O'Neill, Martin
Palmer, Dr Nick
Pickthall, Colin
Pollard, Kerry
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Quinn, Lawrie
Randall, John
Rapson, Syd
Reed, Andrew *(Loughborough)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Snape, Peter
Soley, Clive
Squire, Ms Rachel
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Watts, David
Widdecombe, Rt Hon Miss Ann
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mrs. Anne McGuire and
Mr. Tony McNulty.

Question accordingly negatived.

1.30 am

Sir Nicholas Lyell: I beg to move amendment No. 12, in page 6, line 19, at end insert—

'(4A) A court shall not take into account any conviction which is spent pursuant to the Rehabilitation of Offenders Act 1974, or conduct which took place more than ten years prior to the relevant control period.'.

I shall be brief. Under proposed new section 14B(2), the court can make a banning order on the basis of a conviction, or on the basis of evidence brought before it. However, the Bill contains no time limit in relation to such a conviction or to evidence. The amendment would make it clear that the court could not take into account a conviction that had become spent under the Rehabilitation of Offenders Act 1974. I am sure that the House will find that reasonable. It would also mean that the court could not take account of evidence that related to an event more than 10 years before the relevant control period.

It is wrong that the Bill should contain no limitation. The limitations in the amendment are reasonable, and I commend them to the House.

[Mr. Charles Clarke]

Mr. Charles Clarke: The position on spent convictions is covered by the Rehabilitation of Offenders Act 1974, as the right hon. and learned Member for North-East Bedfordshire said. Section 4(1)(a) of that Act provides that no evidence relating to spent convictions is admissible in proceedings before a judicial authority, including a magistrates court. Section 7(1) makes an exception of criminal proceedings, but proceedings under proposed new section 14B will be civil, not criminal, proceedings.

It follows that the effect of the amendment would be the same as the effect of the law already. However, I accept that the amendment would add clarity and certainty. Although we believe that the amendment is not necessary, we accept the spirit in which it was moved.

I also agree that the point about conduct of more than 10 years before is legitimate, and my right hon. Friend the Home Secretary and I will consider it further. We will table amendments in another place to give effect to the proposal, and we believe that we can do so in a way satisfactory to the right hon. and learned Member for North-East Bedfordshire. On the basis of that assurance, I hope that he will be prepared to withdraw the amendment.

Mr. Simon Hughes: I and my colleagues are grateful to the right hon. and learned Member for North-East Bedfordshire for tabling the amendment. We hope to be associated with the consideration of a proposal to ensure that an amendment along the lines of amendment No. 12 finds its way into the Bill.

Mr. Lilley: The amendment covers spent convictions, but will the Minister say whether it will be possible for the court to consider unspent convictions? Proposed new section 14C(4) states:

> The magistrates' court may take into account the following matters . . . so far as they consider it appropriate to do so.

The first of those matters is

> any decision of a court or tribunal outside the United Kingdom.

None of the four prescribed matters relates to decisions of courts in the UK, so it is not clear whether the court could consider a conviction, spent or unspent.

I tabled an amendment to proposed new section 14C(4)(a) to include courts inside the United Kingdom, but Madam Speaker was unable, in the time available, to include it for consideration. That is certainly no criticism of Madam Speaker or of you, Mr. Deputy Speaker. It is the fault of the Government that we have had no pause between Committee and Report, when these matters could have been given proper consideration. However, it is clear that there is a very odd feature in the Bill, and I hope that the Minister will explain why that is.

Miss Widdecombe: As I indicated in the debate on amendment No. 8, we have enormous sympathy with the proposal of my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell). However, in view of the Government's promise to address the matter in another place, if my right hon. and learned Friend were to withdraw his amendment, we would be equally happy.

Mr. Charles Clarke: I appreciate what the right hon. Lady has said. I can give her and the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) the assurance they seek—the Opposition Front-Bench spokesmen will be involved in discussions about the nature of the amendment in the other place.

Proposed new section 14C(4), referred to by the right hon. Member for Hitchin and Harpenden (Mr. Lilley), says:

> The magistrates' court may take into account the following matters (among others) . . .

The purpose of the provision, as I understand it, is to make clear the power of the magistrates court to look at those wider areas. I believe that the magistrates court's right to look at unspent convictions is covered adequately in other parts of the Bill, and I will write to the right hon. Gentleman with the details at a later stage if he wishes.

With that, I hope that the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell) will consider withdrawing his amendment.

Sir Nicholas Lyell: I am grateful for what the Minister has said. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Charles Clarke: I beg to move amendment No. 5, in page 6, line 48, at end insert—

> '( ) If it appears to the court that there are such circumstances, it must in open court state what they are.'.

To give the right hon. Member for Maidstone and The Weald (Miss Widdecombe) the credit that she is due—and which she seeks on every occasion—the amendment gives effect to amendment No. 5, tabled in Committee by the Opposition. As proposed by the right hon. Lady and agreed in Committee, the Government accept in principle that if the court does not impose a requirement of passport surrender when making a banning order, the court should state in open court the relevant exceptional circumstances. The amendment gives effect to that proposal, and I have no hesitation in commending it to the House.

Miss Widdecombe: I thank the Minister for those few kind words and for accepting the spirit of the amendment, which was important to us. One of the reasons why the Government have had to toughen up considerably on banning orders is that they have not been used by the courts as often as they might have been. We therefore strongly believe that it is only in exceptional circumstances that they should not be used, and that, where such exceptional circumstances are deemed to exist, we should have the full reasons.

Will the Minister please explain why our amendment No. 5 in Committee and his amendment No. 5 on Report differ so substantially as to make a significant difference? I am not sure that I see why, although the spirit of the hon. Gentleman's reaction is gratefully received.

Mr. Burns: I know that it is late and I hope that the House will forgive me, but I have a genuine concern. It is not about the intention of the amendment but about its

working and meaning. Perhaps the Minister will be able to explain and the answer will be very simple: unfortunately, I am not a lawyer.

The intention of section 5(3)(5A) of the Football (Offences and Disorder) Act 1999 was to make the courts impose international banning orders on those convicted, unless, in the courts' mind, there were exceptional circumstances which meant that such an order should not be imposed. The court would have to give a reason, in open court, as to why it had not used the powers in the 1999 Act.

We have seen, in the evidence since September last year, that the courts have been reluctant to do that, so the Government have rightly decided to toughen up the provision. However, I do not understand how amendment No. 5 to proposed new section 14E(3) would do anything different from what the 1999 Act provides, except that "shall" is used in the 1999 Act, whereas "must" is used in the Bill. I cannot believe that that is of paramount significance. We can tell the court that it must do something, but that is diluted by the rest of the Bill. If the court believes that there are exceptional circumstances not to do that thing, it will, as a result of the amendment, have to give reasons why, exceptionally, it is not using the powers.

What is the difference between the 1999 Act and the Bill? And, if there is little difference and no statutory duty on the courts to impose orders except in exceptional circumstances, how will the Government actually be tightening matters to ensure that banning orders on conviction of hooligans become the norm rather than the exception, as has been the experience under the 1999 Act?

Mr. Charles Clarke: First, on the point made by the right hon. Member for Maidstone and The Weald (Miss Widdecombe), we are all in the hands of the parliamentary draftsmen, who said that our version was better because it was simpler, shorter and clearer than the otherwise excellent wording proposed by the right hon. Lady.

On the point made by the hon. Member for West Chelmsford (Mr. Burns), what has happened so far has not been good enough, and we need to strengthen the provisions. "Must" is a stronger word than "shall", and our amendment, in response to the Opposition's wishes, will strengthen the powers further. We shall monitor matters and report to the House. This debate and the tighter legislation that has resulted give reason to believe that we shall achieve more rigorous adherence to what the House wants than has been the case under existing provision. As with the rest of the Bill, however, the proof of the pudding will be in the eating, and we shall assess that at the appropriate time.

Amendment agreed to.

Order for Third Reading read.

1.42 am

Mr. Charles Clarke: I beg to move, That the Bill be now read the Third time.

I am acutely aware of criticisms about the time taken to address the Bill and consider its various aspects. Let me return to what my right hon. Friend the Home Secretary said earlier—we have had a substantial and full, discussion of the points of principle. Moreover, we have sought, as the right hon. Member for Maidstone and The Weald (Miss Widdecombe) and the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) have acknowledged, to work in the most consensual way possible—for the practical reason that we wanted to get the Bill through both Houses as quickly as possible, and for the equally practical reason that the more consensus there is in the House, the easier it will be to put the Bill into effect.

Important judgments remain to be made. Ultimately, the important question is whether we are determined to do all in our power to stamp out the football hooliganism that has so disfigured our society. The Government are determined to do so, and to ensure that international and club games can take place in a more positive and constructive atmosphere than has existed until now. We are determined to carry the Bill through, and I hope that it receives the unanimous support of the House so that the other place may consider it in its entirety. I commend the Bill to the House.

1.44 am

Miss Widdecombe: After a fairly consensual approach, I hate to end our proceedings on a note of dissent: the procedures that have been inflicted on the House today—although not those debates that we have been allowed to hold—amounted to a farce.

We have tried to discuss the Bill responsibly. The Government obtained a Second Reading with no difficulty, in the same time that would have been taken if we had debated it on the Friday originally proposed by the Government. We have been in constant discussion with the Government about possible or agreed amendments. We have done all we could. All we wanted today was the opportunity to debate some major issues in Committee.

We wasted more than two hours discussing the ill-considered guillotine motion when we should have been discussing the Bill. As a result, half the amendments tabled in Committee were not debated. If we had been allowed to complete the Committee stage properly, it would not have been necessary to return to some matters on Report: we could have debated and voted on some important issues.

When the Bill was introduced, we made it clear that, if we were to support it at later stages, certain matters were extremely important to us—for example, the presence of magistrates in the ports. Today, we held an important discussion on magistrates warrants. We were not able to vote on that matter—not because there had been no debate, but because the guillotine fell at midnight and we had not yet reached that point in the order of consideration.

The same point pertained in another important discussion on magistrates in the ports. The debate was held, but we were not allowed to vote. We have not been able to amend the Bill to our satisfaction. What is even worse is that we did not even debate the amendment on the criminal standard of proof. That issue is central to the Bill. It came up tangentially in other discussions, but the amendment was not debated.

Against that background, we have made it clear throughout the Bill's proceedings that we will not obstruct its further consideration. We shall not obstruct sending it to another place. However, it goes there in a much less

[Miss Widdecombe]

satisfactory form than if there had been no guillotine today and if we had been allowed to co-operate as we have done all along.

Mr. Charles Clarke: Does the right hon. Lady agree that the political divisions in the Conservative party are the main reason for today's guillotine? We saw those divisions on Second Reading, when Conservative Members voted against the right hon. Lady's lead. Moreover, certain Conservative Members have made a practice of disrupting the business of the House. It is the Opposition's failure to control their Back Benchers that has led to what occurred today—there are splits and divisions in the right hon. Lady's party, as she is aware.

Miss Widdecombe: That is utter tosh. The Minister is well aware that we made it clear through the usual channels that we did not expect any undue delay in tonight's proceedings and that we expected to conclude them at a reasonable hour—although certainly not by 10 pm, which would have been the effect of the original guillotine that the Government had the gall to table. We gave such assurances as we could in the circumstances, having talked to all the people who had difficulty with the Bill.

The Government had no grounds other than their own muddle and incompetence for tabling the guillotine motion. The hon. Gentleman should not say that it had anything to do with divisions in the Conservative party. There have been divisions over the Bill in the Labour party, too—a fact which the Minister persistently ignores. The Bill will receive quite a rough passage in the other place—and not only from the Opposition. Considerable disquiet will be expressed by Labour Members; they will not say that they want to curtail discussion of the measure because they fear dissension in one particular party. I am sorry that it has come to this, for the simple reason that, until the guillotine motion was tabled, we were proceeding in a spirit of co-operation. We could have had a sensible debate tonight and we could have reached and voted on the other issues. The Bill that is being sent to the other place would have been in better shape, and that would have been better for the Government had they wanted it to receive the quick passage through the other place which I suspect it is most unlikely to receive.

1.50 am

Mr. Simon Hughes: I note that three hours and 10 minutes remain to debate the Bill, but it may be for the convenience of the House to learn that I anticipate that we shall finish this debate in 10 minutes and not three hours.

Mr. Corbyn: Do not talk the rest of us out.

Mr. Hughes: I know that other hon. Members wish to speak.

I share the general view, as expressed by the right hon. Member for Maidstone and The Weald (Miss Widdecombe), about the procedure that has been used. It is nonsense that Parliament has been asked to take all the Bill's stages in two days and, in particular, that in the past 12 hours we have taken its Committee and Report stages and are debating its Third Reading with no chance to consult people between those stages. We have not been able to consult key people such as the police, the courts, the football authorities and the rest. The House has been asked to consider amendments on Report to a Bill that was not even before us simply because it had not been printed as amended in Committee. People who had not been here would not have been able to follow debate on the Bill that we were amending, and those of us who were here all day have found it difficult to follow the implications of each and every amendment.

It was not necessary to take all these stages today. As my hon. Friend the Member for North Cornwall (Mr. Tyler) said last Thursday, and as the right hon. Member for Haltemprice and Howden (Mr. Davis) argued earlier, we could have held the Committee stage today and the remaining stages on Wednesday. The whole House could have participated and we would have completed the Bill in time for it to go to the other place. The Lords could have completed its consideration on separate days and that would have still left some days before the end of term. Not only was the guillotine motion bad practice, but it has probably resulted in bad legislation.

On the policy issues, we have always said that we wanted further legislation to deal with football hooliganism. We have always said that the problem was particularly an English one and that it was logical, because of the procedures that we use, to have a Bill that covered England and Wales. We have always said that we would support a Bill that would make international a domestic ban and that, in such cases, the courts could make it a requirement to surrender a passport.

However, we have also made two points very clear. We said that banning orders must have the precondition of a conviction. We moved an amendment to that effect on Report, but we were not able to carry the House with us even though Members from both the other main parties supported it. We also said that we were not willing at this stage—without testing for toughened legislation with further bans and further entitlements to remove passports—to intrude so much into the individual liberties of the citizen that we would introduce summary detention on the basis of a record that might not have involved a conviction or that might never involve a conviction. That would be a piece of legislation too far. We tested that proposition and, again, we had support from Members of both parties, but we were unable to carry that point in Committee.

It would be inconsistent of us to say that we were now happy with the Bill. Let me be honest with the Minister. If this were a single-Chamber Parliament, we would have the crude choice between voting against the Bill, knowing that we had no chance to improve it, and seeing no Bill on the statute book. This is not a single-Chamber Parliament and another Chamber will give the Bill significant consideration next week. We hope that it will pick up many of the unresolved issues that have been left from these debates.

It would be churlish of me not to acknowledge that the Government have moved their position and not to accept the co-operation that they have offered and that there has been between the three parties. That has improved the Bill, but it is still not a good Bill and, in some respects, it is still a dangerous Bill. The dangerous, extended

provisions, which my colleagues and I do not think are good law or good drafting and which are not justified, mean that we feel obliged to vote against Third Reading.

If the Bill is passed tonight and goes to the Lords, we hope that they will amend it and teach the Government that it will be better to have the Bill without the fourth provision than to have a badly drafted Bill with the fourth provision included against considerable opposition in this House and elsewhere. The Government have about nine days to think again; we hope that the other House will persuade them to do so.

1.55 am

Mr. Banks: It might be regrettable that the House has had to consider football hooliganism again today, but that does not mean that we are passing bad legislation.

The arguments that we have heard today have been well rehearsed over a long period. The 1989 legislation and the Act introduced by the hon. Member for West Chelmsford (Mr. Burns) have contributed to the argument about how we deal with football hooliganism, and we have moved on stage by stage in a reaction against the behaviour of the minority of fans who still do so much to damage the game abroad.

My feeling is that this Bill will not be the last because, whatever the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) thinks, it would not be worth anything at all without the fourth provision. He shakes his head, but we will see who is right in the long term. We will probably have to revisit the subject in the House—so be it. We will have a chance to assess whether the Bill is effective. We must get it right, and the important point is that if we keep getting pushed by hooligans, we will keep pushing back.

We have had a short debate, but the arguments have been well heard and well rehearsed and we have answered them very well.

1.57 am

Mr. Burns: Like the hon. Member for West Ham (Mr. Banks), I suspect that this will not be the last legislation on football hooliganism that a Government have to pass. I do not believe that legislation alone will solve the problem, but it is an important part of the equation in minimising hooliganism.

If one studies the record and considers the seven pieces of legislation since 1985, one realises that there has been a significant drop in incidents of hooliganism at domestic matches. As the Home Secretary said earlier, the problem has now shifted overseas with a vengeance. Last year, I introduced the Football (Offences and Disorder) Act 1999, but was unable, as a private Member, to include the provision for a court to take away the passports of unconvicted football hooligans if it was satisfied that there were reasonable grounds for believing that if those people travelled abroad, they would cause problems. As a result of that debate, that provision has been included, and the Bill will now move from this House to another place and hopefully become law before we rise for the summer recess.

It would have been perverse of me not to support the Government's proposals because I have been arguing for over 15 months for most, but not all, of the Bill's provisions. Some of them have built on my Act; some are measures that I desperately wanted in my Act, but could not, as a private Member, achieve; and some are totally new. On Second Reading, I expressed concerns about some of those new provisions. I am not opposed to them in principle because, like the hon. Gentleman, I think that if we removed the fourth provision, we would gut the Bill, and that would mean that we would return to the House to deal with further legislation far sooner. I had some reservations about certain aspects, as did many of my right hon. and hon. Friends, but I am pleased that, as a result of the concerns that were expressed on both sides of the House on Second Reading on Thursday and—presumably—in discussions since then, the Government have proposed changes to build in greater safeguards. From a purely personal point of view, I am satisfied with those safeguards.

I genuinely hope that, when the Bill reaches the statute book, it provides the state with a significant weapon with which to deal with those people who have caused so much misery to so many other people and ruined the reputation of the game of football and enjoyment of it among innocent citizens of this country.

I conclude by saying what I said on Second Reading: of course the House has a proper duty to safeguard and protect the civil liberties of the minority, but there comes a time in the affairs of state when the civil liberties of the majority, which have been infringed for so long in this area, must be protected and strengthened so that they may also enjoy them free of fear, intimidation or violence.

2 am

Mr. Corbyn: After 10 hours of debate, it is a little odd to call this Bill a rushed piece of legislation. However, although what happened in Charleroi and Brussels was appalling, as is the violence associated with England playing international games, the House ought to ask whether pushing a Bill through in two days on a ludicrous timetable is a sensible way to deal with the issue. Quite why the right hon. Member for Maidstone and The Weald (Miss Widdecombe) suddenly tabled an amendment so that we could talk until 5 am on Third Reading but curtailed debate in Committee by speaking for so long on the timetable motion beggars belief. One wonders about the Conservatives' intentions.

I hope that the Bill is significantly amended in the Lords because it is a very bad piece of legislation. There ought to be a great deal more examination of its long-term and very serious implications.

Ms Diane Abbott (Hackney, North and Stoke Newington): Does my hon. Friend agree that, although everyone shares the shock and horror at the outrageous scenes in Charleroi in Belgium, legislation passed in a hurry on a wave of popular outrage is inevitably shoddy? Sadly, that may prove to be so with this Bill.

Mr. Corbyn: I agree with my hon. Friend because it is a serious issue to condemn—rightly, as everyone does—the violence associated with Euro 2000 and the abominable racism that surrounded much of the violence not just in Brussels and Charleroi but earlier in Copenhagen and at other events surrounding matches between Leeds and Galatasaray and Arsenal and Galatasaray. I was pleased

[Mr. Corbyn]

that the Home Secretary yesterday started to address the chauvinism, nationalism, racism and violence associated with so much of the trouble.

We must ask some serious questions. If other countries are capable of playing international football matches without their newspapers leading up to them as though it were the start of a war, perhaps we have some lessons to learn. Perhaps football commentators could say and do a little more, rather than merely reporting with glee that the England fans at the game were playing the music from "The Dam Busters", singing "Rule Britannia" and behaving as though Britain could never be defeated at anything—as if England suddenly became Britain at a football match. I welcome the fact that the Home Secretary has opened up that debate because it is high time that was done.

I still think that the Bill is dangerous and misguided. If anyone commits an offence at a football match—drunken behaviour, violent behaviour, racist violence or some other offence—there are laws to deal with such behaviour both in this country and in all the western European countries on which our debate has focused. It is only right that prosecutions should take place within the jurisdiction in which the offence is committed.

My objection to the Bill is that it gives a great deal of power to individual police officers, based on their own perception and on suspicions arising from evidence of what individuals may or may not have done abroad, to apprehend people, remove their passport and deny their right to travel. It might be said that no more is involved than those people missing a football match which they can watch on television—provided that they can afford to subscribe to Sky—but the reality is that it is a serious matter to give such powers to the police.

When I first entered Parliament, there was a campaign to get rid of the sus laws introduced in 1824, which gave the police the power to apprehend people on suspicion. The people whose behaviour in Brussels and elsewhere that we have discussed do not sound like especially nice people or people with whom one might have much sympathy, but I urge the House to think about the serious implications of giving such powers to the police outside any judicial process.

We must also ask the simple question, will the legislation work? It does not apply to the Republic of Ireland, Northern Ireland or Scotland, so there are obviously enormous loopholes. If trouble surrounds the England-France game in September—after the Bill has been pushed through both Houses of Parliament—what will we do then? Will we come back and give the police even more sweeping powers of arrest? Will we prevent people from travelling at all? Will we ban everyone from watching the games? There is a danger that the Bill will not work.

I recognise that the House will pass the legislation—both major parties are agreed on it and a majority of Members have been whipped to pass it. However, our experience of rushed legislation is that it is ineffective and inaccurate. Legislation passed in haste means that, at some point, we shall have to return to the subject and repeal parts of the legislation.

Finally, the statements made by Liberty and the Law Society suggest that the Bill is outwith the European convention on human rights. A case will end up before the European Court and I suspect that the British Government's position will prove untenable. We should remember that the civil liberties we want for ourselves should apply to everyone else. If we give powers to the police without considering the implications, we shall have done an extremely bad job in the House today.

2.8 am

Mr. Lilley: On Second Reading, I expressed my fear that all five of the conditions that typically give rise to bad legislation prevailed in respect of the Bill and accounted for its poor quality. It has been carried through in undue haste; it was introduced after cries that "Something must be done," even to influence events that take place outside our jurisdiction; it is the subject of Front-Bench collusion; it is driven by an orgy of sanctimonious vilification of an unpopular minority; and it will be carried through because the Government lack any firm commitment to the principles of liberty and individual freedom.

I am afraid that all those conditions still apply. The result is a Bill that, although somewhat improved, is not a great deal better than the one we started with, and certainly not a Bill that is good enough to command the support of the House. As for the process by which the measure has been considered, it is fair to say that it has been carried through with unnecessary haste. We have had time enough to see how bad the Bill is, but not time enough to make it better. Above all, we have not had time before Committee stage to seek advice and amendments from our constituents, interested parties and experts outside the House, and no time at all between Committee and Report. Indeed, nobody could table an amendment after Committee stage and before Report—we had to table them before the end of Committee stage. If they were tabled late, they were too late for consideration by the Speaker, so could not be included in the rather brief Report stage that we eventually had.

The Home Secretary gave a devastating indictment of his own case when he was at the Dispatch Box earlier and considered the question whether the Bill had been introduced with undue haste. First, he said that the ideas for such legislation had been around for months and people had had plenty of time to consider them. Then he said that no proposal such as that tabled by the Government today could have been conceived before the events at Charleroi. It was only those events that made us see the need for such a Bill.

So, far from there having been months to consider the proposal, it is only since the proposal arising out of the events at Charleroi was presented to the House a few days ago that there has been any opportunity for anyone to consider the issues on which we are legislating, allowing the House to give the police powers to arrest on suspicion, to detain, and to remove people's civil liberties, even though they have never committed a crime or been tried according to standards of criminal proof.

The Secretary of State went on to note that in his experience, proper consideration was never given to a set of proposals until concrete proposals had been published, which in the case of the Bill was not until last Thursday.

It is only since last Thursday that we have had an opportunity to spark off detailed consideration of the truly offensive nature of the proposals before the House.

As an example of how bad the legislation is, the central issue is whether we should remove people's right to travel and their passport only if they have been convicted in a court of law, or should we remove those rights on some lesser basis, if they have never been convicted of any crime?

That is the central issue, yet a few moments ago the Minister could not even tell us why, in the clause in which the courts are invited to consider relevant evidence as to whether someone has behaved in a way that means that he should not be allowed to have a passport and travel abroad to a foreign football match, the courts are invited to consider any decision of a court or tribunal outside the UK, but they are not invited to consider the decision—that is, the convictions—of a court within the UK.

The Home Secretary could not tell us why. He will write to me—very nice. After the Bill has been passed, we will know something about the central matter that we have debated for a few brief hours and on which the liberties of British citizens are to be taken away. The right hon. Gentleman suggested that the Bill did not need to tell the courts that they could take into account the decisions of British courts—they could take that for granted. However, the very next item on the list of factors that courts can take into account is

> any decision of a public authority, whether in the United Kingdom or elsewhere.

The courts can take into account decisions by public bodies that do not result in the conviction of a citizen, but we are not invited to take into account the convictions of courts.

That is how bad the legislation is. Ministers do not even know and cannot explain to us what it means. They could not explain in the final part of the Report stage whether the courts would have to be convinced of a standard of criminal proof, or merely of civil proof, whether a person had committed an offence of violence and disorder, or done something equivalent to an offence of violence and disorder. My right hon. and learned Friend the former Attorney-General thought—he was being helpful to the Government—that the Bill probably required a criminal standard of proof, but others, including the Front-Bench spokesman for the Liberal party, thought that only a civil standard of proof was required. That was what the Home Secretary himself had been suggesting up till now.

On the Bill's central issue, we do not know the standard of proof that will be required of the courts. Even now, the Minister cannot tell us that. In their heart of hearts, Labour Members believe at least as passionately as I do in the rights of the individual citizen, and they were elected on a manifesto to uphold the liberties of their constituents. Yet they will go blindly into the Lobby to vote for a Bill that will enable the police to arrest on suspicion someone who might have committed an offence, which may not be a criminal offence, and will not have to be proved to the standard of criminal proof. Are they happy that the Bill will be passed? Are not they relieved that we have a second Chamber, which will—I hope—turf it out or alter it before it returns here and give them a chance to reconsider before their Front-Bench Members get them into real trouble?

The measure will be operational by the autumn. Hon. Members will witness innocent people being caught by the Bill. Some doubt that, and believe that the Bill will not affect too many innocent people. I prefer to proceed on a basis of legislative certainty rather than hope.

The third factor that leads to bad law is legislating on the cry that something must be done, especially about events overseas. The Home Secretary said that the measure could not have been foreseen, and that it was provoked by the events that took place in Charleroi when 965 British citizens were arrested. Only one was charged and convicted. However, the Home Secretary said that they were obviously a bad lot because 40 per cent. had criminal convictions, many of which, as the right hon. Gentleman helpfully showed the House, were for violence and disorder offences. Many of them are, therefore, bad lots.

The essence of our debate is deciding whether we should, as is right and proper, deprive people who have committed an offence and been convicted in a court of violence and disorder, of the right to travel to football matches and remove their passports, or whether we should extend the power to cover people who have never been convicted of an offence. If we are considering stopping only the 40 per cent. of the 965 people from travelling abroad, we do not need extra powers such as the fourth power for which the Bill provides. We could do everything on the basis of those who had been convicted. As the Home Secretary said, a large minority had been convicted.

The Bill invites us to go far beyond considering whether people have convictions from United Kingdom courts and to consider whether they have been arrested and expelled from countries such as Belgium, and whether they are part of the 60 per cent. who had no convictions. The Bill provides for the courts to take into account the fact that people have been arrested and expelled from abroad even though they have never been charged with or convicted of any offence abroad or at home. Under the Bill, those people can be deprived of their passports.

The hon. Member for Eastwood (Mr. Murphy) assured me, during a friendly debate that we had on television at midnight, that the Home Secretary had assured him about the innocent ones at Charleroi—among whom he nearly found himself because he was there, but, happily, was not in the square and was not rounded up. The hon. Gentleman is patently innocent—a vegetarian, teetotal Scot—who is therefore incapable of wrongdoing. However, if he had been in the square, he might have been caught up, arrested and expelled. He assured me that the Home Secretary assured him that the names of people who were expelled but had no convictions against them would not be made available to the courts.

I ask the Minister, who is covering his eyes to help him better to concentrate on my words, to say whether the rest of the House can have a similar assurance that the details of those who were expelled from Charleroi despite having no convictions against them in English courts—indeed, they had no convictions against them in Belgian courts, nor were any charges made under Belgian law—will not be given to the courts should a policeman stop them, detain them, take them to a magistrate and seek to prove that they are the sort of people who might get involved in trouble abroad. I hope that he will make that clear; he had better do so if the debate is to be meaningful.

[Mr. Lilley]

The fourth aspect that gives rise to bad legislation is collusion between Front Benchers, which is often used to curtail debate. The Minister himself said that he had curtailed the debate only because he saw opposition coming from the Conservative Back Benches. Had Conservative Front Benchers been able to prevent that opposition, he would have allowed full debate. Ministers subscribe to the wonderful doctrine that there will be full debate on a Bill only if there is no opposition to it or if those on the two Front Benches have conspired to curtail or prevent opposition. [HON. MEMBERS: "Sit down."] If the Labour Members who have taken no part in these brief proceedings and who want to curtail the rights of their constituents would care to tell me their constituencies, I shall read them into the record so that their constituents will know how lightly and trivially they take citizens' rights. *[Interruption.]* The more they go on, the longer I shall go on pointing out what is wrong with the measure—until 5 o'clock if need be, with your permission, Mr. Deputy Speaker, and as long as that is in order. This serious matter deserves serious consideration, but otherwise I do not intend to prolong the debate unnecessarily.

The fifth aspect that gives rise to bad legislation is a sanctimonious orgy of vilification of a currently unpopular minority. Hooligans, thugs, racists and drunks are unpopular, and rightly so. We are all happy to see legislation introduced that bears exclusively on those who commit crimes so that they can be brought to court and properly and duly convicted. What worries Conservative Members is that innocent football fans are likely to be caught up by these measures. Some will be suspected by a constable because of their demeanour or behaviour in front of him, which is what the original draft of the Bill said. They will be taken to court and deprived their liberty on a standard of proof less than that required to convict them of any crime, even though they may have done something that may not be a crime according to the Bill.

We know why the Government are happy to risk a lot of perfectly innocent young working class white males getting caught up with the thugs, whom we would all like to be caught by the law. That is part of the new Labour strategy. The Government can take the working class for granted, but they have to pander to middle class susceptibilities. The Prime Minister's memo made it clear that he wanted dramatic measures—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The right hon. Gentleman will know that he must talk about the content of the Bill. He must not go into matters relating—

Mr. Lilley *rose—*

Mr. Deputy Speaker: Order. The right hon. Gentleman should remain in his seat when I am standing. He cannot go into what happened in Downing street today or the other day. That is not in the Bill.

Mr. Lilley: Obviously I abide by your ruling, Mr. Deputy Speaker. I was endeavouring to explain why this is such a bad Bill and its origins in the memo leaked to the newspapers today. The memo called for precisely such a Bill and said that tough measures were needed to deal not with a real problem, but with the Labour party being perceived as weak on crime and crime that affects the middle classes. However, I shall not elaborate for fear of incurring your displeasure.

The final aspect of bad legislation—a Government's lack of firm commitment to any principles—prevailed in this example. The Government have made a principle of not having principles, and have admitted that this measure will curtail the rights of innocent as well as guilty people. It will affect the innocent, and it will abrogate the normal assumption that a person is innocent until proven guilty. It requires a lower level of proof than that normally required. It is retrospective in some respects, and has an element of double jeopardy. It may infringe the human rights convention. It possibly curtails the rights of free movement under European law.

At no point was the principle brought to bear that says beyond this no sensible Government ought to go, because alas the Government put spin above substance. They put the desire for a soundbite and for a measure that bites above real measures that properly target only the guilty and protect the rights of the innocent. I for one shall not support the Bill.

2.26 am

Dr. Lynne Jones: People across the length and breadth of the country who have campaigned for the past three years for the introduction of worthy legislation will be amazed that the Government have been prepared to rush this Bill through the House simply because an international football match is being held in September, and a friendly game at that.

Hon. Members arrived at the House today not having seen the amendments that were to be debated during our consideration of the Bill. A guillotine was imposed between the Committee stage and Report. Such a procedure is unacceptable, and I am surprised that the Government were prepared to abuse the procedures of the House in that way. I have no problems with the use of the guillotine, but to use it to ensure that there is no opportunity for the House to take stock of the debate in Committee before moving on to Report is unbelievable.

I support many of the provisions in the Bill. I do not agree with my hon. Friend the Member for West Ham (Mr. Banks) that the most important part of the Bill is the fourth pillar—the ability for police officers to detain people at ports simply because they have suspicions that they may have participated in violence or disorder. When I queried that, I had no answer to my question about the grounds on which a police officer may have such suspicions. As it has been ruled out that those grounds could relate to the appearance, clothing or demeanour of the individual, one has to assume that they must relate to some intelligence or information about the past behaviour of the individual concerned. If that information is available, why could not other powers that are provided in the Bill be used to take that individual through the courts and to ban him from participating in overseas football matches? I disagree entirely with my hon. Friend. I believe that measures in the Bill could ensure that if there is appropriate evidence or information that people would be likely to cause violence, their cases could be taken to the courts.

I cannot support the Bill as it stands. I hope that amendments in the other place will mean that when it comes back to this House it is in a much better state than when it leaves.

2.30 am

Mr. Jim Murphy (Eastwood): I listened with interest to the right hon. Member for Hitchin and Harpenden (Mr. Lilley). I cannot help feeling that some of his frustration is explained by the fact that he may hope to travel to France this summer, as I understand that he has a house there.

I wish to refer to the summary measures and the fact that the Bill does not apply to non-UK residents living in the UK. There are approximately 2.5 million non-British residents living in the UK, many of whom are passionate football supporters. I am not alleging that there is a disproportionate criminal element among them, but I ask my hon. Friend the Minister of State to keep the issue under review, as this is a potential loophole.

2.31 am

Mr. Chope: It is a pleasure to follow the hon. Member for Eastwood (Mr. Murphy) who makes the case for a UK Parliament—a Parliament in which we can discuss all at once football hooliganism as it affects Scotland, England, Wales and Northern Ireland. Unfortunately, the Bill is confined to England and Wales. Despite that, it will be voted upon by right hon. and hon. Members from all four parts of the UK. That must cause concern.

I cannot support the Bill, for the same reasons given by my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley), and because of some of the arguments from Labour Members. One of the advantages of voting on the Bill is that I have had the opportunity of speaking to people such as the hon. Member for Islington, North (Mr. Corbyn).

The Bill combines the worst elements of gesture politics and rushed emergency legislation. That was encapsulated by the Minister's earlier remark that the Government were determined to do all in their power to stamp out football hooliganism. If that is how he feels, why does he not say exactly the same thing about stamping out the truly terrifying increase in violent crime in London, as announced today by the Government? If he had the same approach to violent crime as he says he has to football hooliganism, we might have expected a knee-jerk reaction and instant legislation to reintroduce the sus laws, to change the advice on Macpherson and so on.

Mr. Deputy Speaker: Order. In a Third Reading debate, hon. Members must speak about the Bill and not other matters.

Mr. Chope: Absolutely, Mr. Deputy Speaker.

The reason why the Government are concentrating on this Bill is because they think it is a soft target and a diversionary tactic that enables them to avoid the much more serious issues. My constituents will think that the Bill demonstrates the Government's failure to grasp the real priorities. My constituents are interested in dealing with hooliganism, but they are much more concerned about hooliganism at home than abroad. They want to make sure that the anti-social behaviour orders brought in by the Government can be implemented. I am told that it costs £20,000 per order.

Mr. Deputy Speaker: Order. The hon. Gentleman is straying again. Even though we are into the early hours of the morning, I am still sharp enough to notice that.

Mr. Chope: I am addressing my remarks to the issues of the priorities of the Government as encapsulated in the Bill—*[Interruption.]*

Mr. Deputy Speaker: Order. *[Interruption.]* Let the Deputy Speaker deal with the matter. This is a Third Reading debate. I am bound by the rules of the House. The hon. Gentleman must not talk about anything other than the Bill. He will have another opportunity at some other time to speak about these matters.

Mr. Chope: I am against the Bill because it introduces infringements of liberty that are not justified by the mischief that the Government have described. They said that the mischief involves about 900 people who were arrested on the continent during the recent international football season. That represents fewer than two people per constituency. The Bill is a sledgehammer to crack a nut and a total overreaction by the Government, who have wasted valuable parliamentary time that could have been better used to deal with other priorities affecting people and their liberties.

2.35 am

Mr. Hawkins: The Minister must respond to some important questions as the Bill proceeds to another place. My hon. Friend the Member for Christchurch (Mr. Chope) drew attention to some of the continuing issues relating to national boundaries and nationality. The Minister and the Home Secretary have been pretty co-operative in responding to and accepting amendments. I hope that the Minister recognises that there are still substantial concerns among both Opposition and Government Members. Those concerns will be reinforced in the debates in another place.

In particular, I hope that the Minister will confirm that he continues to keep under review what we may call the national borders loophole—the fact that, even if all the powers become law in more or less their current form, it will still be possible for people to go to Scotland or Northern Ireland in order to try to evade what the Government suggest will be a tough new law.

We welcome the fact that the Government have accepted the idea of sunset clauses. It was suggested earlier that there should be a shorter period before the legislation is reviewed, and we were grateful that the Home Secretary and the Minister agreed to keep under review the period after which it will be further considered.

The Minister said that the Government's report on the legislation would deal with the costs, but I think that he will concede that the costs set out in the explanatory notes will already have increased as a result of amendments that the Government have tabled or accepted. Will further explanatory notes be provided before the Bill goes to another place, updating the estimate of what the costs will be?

[Mr. Hawkins]

As my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) said, the guillotine was entirely inappropriate and unjustified. Because of it, some matters were either never discussed or not voted on. Amendment No. 1 on Report was not selected for debate and, more significantly, we debated amendment No. 10 in Committee but were not able to vote on it. With the benefit of hindsight, the Minister may recognise that the Government were very unwise indeed to impose a guillotine.

To correct a misunderstanding that cropped up on Third Reading, it was the Government's original intention to try to curtail debate at 10 pm, and it was only because they accepted an Opposition amendment to the guillotine motion that we were able to continue until midnight in Committee and could have gone to 5 am to complete Report and Third Reading. My right hon. Friend the Member for Maidstone and The Weald was right to say that the proceedings today have been something of a farce. The Government suggest that, through the Modernisation Committee, they will introduce changes to the procedure that will mean that all debate must end at 10 pm every night. However, they also said that they needed to rush this Bill through, and that meant that the House sat into the night last Thursday and tonight. That is indecent haste.

Finally, I shall deal with some points raised by other speakers. The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) raised his fervent concerns and said that the Government were providing only crude choices. That will be a grave worry for the House of Lords.

The hon. Member for West Ham (Mr. Banks) said that he was worried that this would not be the final Bill on this matter. He may be right, and the House of Lords will have concerns about that.

My hon. Friend the Member for West Chelmsford (Mr. Burns) spoke of the valuable work in his private Member's Bill, but he also mentioned the importance of protecting the law-abiding football fan. I am sure that he is right.

The hon. Member for Islington, North (Mr. Corbyn) misunderstood the fact that it was the Opposition who tabled the amendment to the original timetable motion and who therefore gave us a few more hours for debate. However, his contribution reinforced the point made by my right hon. Friend the Member for Maidstone and The Weald that there is opposition to the Bill among Labour Members. That was also made clear by the hon. Member for Birmingham, Selly Oak (Dr. Jones). The hon. Member for Islington, North made it clear that he considered that the Government were introducing the sus laws, or even "sus plus".

My right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) pointed out that the background to the Bill lies in the Prime Minister's memo. He also drew attention to some of the issues that the Government have not yet resolved, and which no doubt will be raised again in another place. He also pointed out the dangers to innocent football fans of bad legislation.

The hon. Member for Eastwood (Mr. Murphy) referred to the important position of non-British citizens resident in the UK, and he asked the Minister to deal with that point, which has not yet been addressed. It is clear that problems remain.

The Opposition made it clear that we would not stand in the way of a Bill that dealt properly with the issues relating to football hooliganism. We have kept that promise, and we have even managed to bring the debate to a conclusion a fraction earlier than the Government's revised and amended timetable motion set out. However, substantial concerns remain. Even before we saw the first draft Bill or its revision, we said that the measure had to receive proper parliamentary scrutiny. I have no doubt that that scrutiny will continue in another place.

We shall not stand in the way of the Bill proceeding to another place, but we think that a great deal of work remains to be done.

2.42 am

Mr. Charles Clarke: Almost all the issues raised in this Third Reading debate were dealt with earlier, so I shall not speak to them in detail.

My hon. Friend the Member for Eastwood (Mr. Murphy) asked about UK citizens. We considered extending the Bill to citizens of all countries, but the complications involved persuaded us to go for the simplest option.

I think that the right hon. Member for Maidstone and The Weald (Miss Widdecombe) acknowledged that amendment No. 10 was not drafted perfectly, for reasons of which I have no criticism. However, she will also accept that we stated that we would try to take into account in later amendments the principles that she established in amendment No. 10.

The review process has been set out clearly. I do not accept the contention that there will necessarily be an increase in costs as a result of the amendments that we have accepted, but I shall monitor the matter carefully.

Questions were raised about the guillotine. I am advised that the Government's original proposal was for a seven-hour debate, which would have ended after 10 pm. However, we were happy to accept the Opposition amendment on that matter.

Points have been raised about the procedure, but I can tell Liberal Democrat Members that the House of Commons is the primary Chamber in our parliamentary system. They should accept that the law of the land is made in this House, and not take a provisional view, based on amendments that may be passed in another place.

It is not surprising, given the speeches of the right hon. Member for Hitchin and Harpenden (Mr. Lilley) and the hon. Member for Christchurch (Mr. Chope) that the official policy of the Conservative party has been to abstain on the Bill. The hon. Member for Surrey Heath (Mr. Hawkins) said a number of times that the Conservatives would not stand in the way of the Bill. In the words of the right hon. Member for Richmond, Yorks (Mr. Hague), the Leader of the Opposition, the Conservative party would give the Bill

> our full support and co-operation in Parliament . . .

Full support and co-operation is different from not standing in the way. The official Opposition are abstaining on the matter because they have no unity within their party, and a

decision to vote for the Bill, as the right hon. Lady would have wished, would not have commanded the support of Conservative Members.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 171, Noes 42.

Division No. 274] **[2.45 am**

AYES

Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Banks, Tony
Barron, Kevin
Battle, John
Beard, Nigel
Benn, Hilary *(Leeds C)*
Best, Harold
Blackman, Liz
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burns, Simon
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell–Savours, Dale
Cann, Jamie
Chisholm, Malcolm
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clelland, David
Coaker, Vernon
Cohen, Harry
Colman, Tony
Connarty, Michael
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Curtis–Thomas, Mrs Claire
Darvill, Keith
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dismore, Andrew
Dowd, Jim
Drew, David
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael J *(Worcester)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Harman, Rt Hon Ms Harriet
Healey, John
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hoey, Kate
Home Robertson, John
Hope, Phil
Howarth, Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jones, Rt Hon Barry *(Alyn)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Love, Andrew
McAvoy, Thomas
McGuire, Mrs Anne
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meale, Alan
Michael, Rt Hon Alun
Miller, Andrew
Moonie, Dr Lewis
Moran, Ms Margaret
Mountford, Kali
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Olner, Bill
O'Neill, Martin
Palmer, Dr Nick
Pickthall, Colin
Pound, Stephen
Prosser, Gwyn
Quinn, Lawrie
Rapson, Syd
Reed, Andrew *(Loughborough)*
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ryan, Ms Joan
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Squire, Ms Rachel
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Watts, David
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Robert Ainsworth and
Mr. Clive Betts.

NOES

Allan, Richard
Baker, Norman
Ballard, Jackie
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Chidgey, David
Chope, Christopher
Corbyn, Jeremy
Cotter, Brian
Davey, Edward *(Kingston)*
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Gidley, Sandra
Hancock, Mike
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kirkwood, Archy
Lilley, Rt Hon Peter
McDonnell, John
Marshall–Andrews, Robert
Moore, Michael
Oaten, Mark
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tyler, Paul
Webb, Steve
Willis, Phil

Tellers for the Noes:
Sir Robert Smith and
Mr. Donald Gorrie.

Question accordingly agreed to.

Bill read the Third time, and passed.

DATA PROTECTION

Ordered,

That the Motion in the name of Mr. Secretary Straw relating to the salary of the Data Protection Commissioner shall be treated as if it related to an instrument subject to the provisions of Standing Order No. 118 (Standing Committees on Delegated Legislation) in respect of which notice has been given that the instrument be approved.—*[Mr. Mike Hall.]*

School SSAs (Cornwall)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Mike Hall.]*

2.56 am

Mr. Matthew Taylor (Truro and St. Austell): It is some time since I took part in an Adjournment debate at such a late hour. I had hoped that late sittings had been abandoned, but, during the past few weeks, they seem to have made a remarkable return. They are no better for their brief absence. I am sure that all of us who took part in tonight's proceedings would prefer that they had been handled differently—even those hon. Members who caused them to be so.

To make rushed changes in response to immediate circumstances is likely to result in bad legislation. It was for that reason that I voted against the measure in our earlier proceedings. However, the exact opposite applies to the subject of this debate: no movement at all has resulted in a bad situation and I hope that we can change it.

The problem is due to the distribution formula and it affects most rural counties—not only in education, but in policing, local government and health. However, it strikes especially at education. The formula was developed by the Conservatives in the 1980s and has never been substantially changed. Year after year, it has delivered a lower spend per pupil in schools in areas such as Cornwall than in other parts of the country. It discriminates against children in rural schools.

In counties such as Cornwall, a primary school of about 100 pupils receives about £10,000 less each year than the English average. A secondary school of about 500 pupils receives about £50,000 less. That was Labour's inheritance when they came to office. People in my county expected that the formula would be changed under Labour, but that has not yet occurred. As a result, our county and similar counties fall further behind every year, despite the fact that they face higher costs in delivering education.

Those counties have to bear the costs of supporting and providing for small rural schools and the costs of rural transport. Cornwall county council's transport budget was overspent by £1.2 million last year. The council and the county's head teachers analysed the shortfall facing Cornwall's schools. Under the present formula, there is a minimum shortfall of about £37 million, compared with the amount that is needed to deliver the basic national curriculum.

In April last year, when I initiated a similar debate on this issue, a rising number of Cornish children were in classes of 31 or more. Numbers had risen in Cornwall, although they had declined in the rest of England.

Mr. Colin Breed (South-East Cornwall): Does my hon. Friend find it perverse that at a time when the Government are providing more funds to build a new classroom at a school, the very same school finds itself without the funds to employ a teacher to go in that classroom?

Mr. Taylor: Not only do I find it perverse, but it makes me angry to see the problems that schools suffer. Schools in my constituency face similar problems and those problems will get worse as the demographics mean that a declining number of children will go into small schools. That will mean a loss of funds and a loss of teachers.

I am not using the debate as an opportunity to lambast the Government. The disaster was caused by the Conservative funding formula, but the disappointment lies in the problems that have been caused by the lack of early action by this Government. We are more than three years into the Parliament and we still have not seen a solution to a problem that Ministers themselves acknowledge. Indeed, the last time we debated this issue, more than a year ago, the Minister for School Standards acknowledged that the funding formula was not fair, adding that with a bit of determination and

> with a bit of give and take and some realism from Members of all parties representing all geographical areas, we can improve it.—[*Official Report*, 21 April 1999; Vol. 329, c. 874.]

The problem is that there has been no improvement.

Indeed, the standard spending assessments for education for Cornwall mean that spending for primary school pupils has fallen behind the national average by £105 for every pupil and for secondary school pupils by £117. That is substantially worse than the position that the Labour Government inherited. It is an average underfund of £111 for every pupil in Cornwall. That has directly impacted on the quality of service. The number of pupils has risen by 1,107 since 1997, but the number of teachers has dropped by 13 since then. No wonder there have been increasing class sizes.

The Liberal Democrat team in the county decided to contact every head teacher to allow them to express their views. Those views make worrying reading. The policy to reduce infant class sizes that has been pursued by Labour has meant larger class sizes for older pupils. Head teachers predict rises in both junior and secondary class sizes over the next three years, despite a falling birth rate in the county.

More than two out of three head teachers have had to cut spending on books and classroom equipment since 1997, when Labour was elected. Three out of five made cuts last year and fewer than two out of five feel that they can afford sufficient materials to guarantee the quality of the education that they provide. Two thirds of head teachers say that their schools do not have sufficient funds for building maintenance.

The impact of that is perhaps most disturbing when one considers the response that head teachers gave to questions about how they felt about their own profession. They universally talked about the importance that they attached to teaching and about how they cared about the service that they could give their pupils, but fewer than two in five said that they would recommend teaching as a profession to a member of their family. Fewer than a third said that they would recommend head teaching, and seven out of 10 head teachers are considering early retirement. No wonder that 95 per cent. supported our argument that more resources were needed. Every teacher surveyed endorsed our campaign to secure equality of funding with the rest of England and a fair funding system across the country.

Mr. Andrew George (St. Ives): Is my hon. Friend prepared to comment on the fact that in my constituency a survey identified that nearly four out of five schools had experienced cuts in staff since 1997? Despite the welcome

resources made available by the Government, there are clearly pressures on staff. As we have heard today, they have resulted in the fact that 10 per cent. of head teachers have taken leave owing to stress.

Mr. Taylor: The figures are alarming and they are reflected across the county. Four in five schools have cut staff since Labour was elected. More than half have had to reduce teacher non-contact time and more than half say that they are employing younger teachers when vacancies occur as a way of saving funds.

That is the reality behind Labour's claims substantially to have increased spending. First, the county has fallen further behind the average because of a funding formula invented by the Conservatives which Labour has not yet changed. Secondly, although in the earlier debate the Minister for School Standards claimed that the previous comprehensive spending review made £19 billion available for education, Labour has since been forced to acknowledge that its figures were misleading and inflated, as we argued at the time.

One reason why I am so pleased to have secured this debate, despite the late hour, is that the second comprehensive spending review will be announced tomorrow, and it will be time to correct the exaggeration of last time, when the Government did not deliver the money that the Chancellor claimed they would. Teachers have suffered as a result, not least because much of that money was taken up not only by inflation and double and triple counting, but by non-funded salary increases for teachers, which the schools have found to be a burden in distributing resources and which have forced them to lose staff.

Lack of resources has meant that over two thirds of head teachers have had to cut spending on classroom equipment; over 60 per cent. have had to make cuts in equipment; and over one third have had to find other forms of fundraising to meet the shortfall. Indeed, 77 per cent. said that they relied on fundraising by parent-teacher associations and others not only for extracurricular activities, but for books, equipment, computers and educational trips. Reliance on fundraising for basic essentials has increased in 53 per cent. of schools.

The survey is at its most telling when one reads what teachers have to say about that. One said:

> We have been forced into having class sizes under 30 in infant classes. This is a simplistic argument and does not show any understanding of current education policy coming out of the standards department.

Another said:

> We have mixed age group classes in the juniors due to a lack of space for any additional classrooms.

Another said:

> We have to buy a great deal of second hand equipment from schools which have closed, to provide a reasonable level of equipment in most classes.

Another said:

> We have no staffroom, no headteacher's office. A toilet block and classroom were funded by the Parents Association because the LEA would not pay.

Another teacher said:

> We have been allocated £600 this year for capital expenditure, but what can that provide?

Another said:

> We always have 1 or 2 pupils below the threshold for the third teacher to be reinstated . . . in January, and usually go over the threshold during the summer term.

In other words, the school is a teacher short. Another said:

> To make a manageable budget we are making cuts in resources year on year.

Yet another said:

> Rising teacher costs means that there is very little left in your budget for resources.

Finally, one teacher said:

> We had substantial reserves four years ago and dig deeply into them each year to set the budget. It is unlikely that we will be able to set a reasonable budget after this year.

I know that these problems are inherited from the Conservatives. They created a funding system that discriminated against rural counties such as Cornwall and left our schools underfunded. It played a major part in the general election campaign, when we fought on the argument that the Conservative party was underfunding Cornish schoolchildren by an average of £100 a head. I do not believe that, on the election of the new Government, anybody in the county believed that that would get worse, but it has done, both in the absolute problems of schools having to cut staff, as I have said, and, perhaps worse for our county, in that discrimination against us has widened that gap, even as the Government have sought to put extra funding into education.

The comprehensive spending review to be announced tomorrow provides a double opportunity, first, to release those resources from the war chest that could and should have been spent in the past three years and to release extra spending to schools. All the signs are that that will happen, and if it does, it will be welcome. We will see where the money is spent and criticise where we think it spent wrongly. Secondly, I press the Minister to take the opportunity to sort out this discriminatory, unfair funding system that she has inherited from the Conservative party and which has left Cornwall, Devon and other rural counties so badly served.

It is difficult for Governments to create new funding formulae to redress the balance when it means having to take from some areas to give to others. However, there is an opportunity in the context of extra spending in the comprehensive spending review, which I hope and believe will be realised tomorrow, to redress the effects of the funding system by investing extra money into counties such as Cornwall without snatching it off others. We are talking not about cuts but about a fair funding formula for those who so richly deserve it—those who work in our schools and deliver good results but do so with big classes and under-resourcing, having to rely on parents in the poorest county in the country to provide essentials.

Schools are left thousands of pounds a year worse off because of a funding formula that Labour has so far failed to change. There is an opportunity to redress that; I hope that the Minister can provide some reassurance that that opportunity will be taken before we have to fight another general election. If the formula has not been changed by then, people will ask,"What was the point of a Labour Government when they could not deliver?" I do not believe that the Minister wants to have to answer that question from angry Cornish parents. The Conservative

[Mr. Taylor]

party has nothing to say on the issue because it was responsible for the formula in the first place. Ministers must take action if they are to justify their position.

3.11 am

The Parliamentary Under-Secretary of State for Education and Employment (Jacqui Smith): Despite the lateness of the hour, I congratulate the hon. Member for Truro and St. Austell (Mr. Taylor) not only on securing this Adjournment debate on the issue of school funding, which is clearly important to hon. Members on both sides of the House, but on doing so at the start of an important day in the history of this Government's commitment to putting into our schools the resources that we all agree are important.

As a Worcestershire Member of Parliament, I share and have sympathy with the hon. Gentleman's view of the unfairness of the distribution system. I come from an authority that fares even worse than Cornwall in the standard spending assessment arrangements. Although I will not, therefore, be defending the current funding system, I will be defending the Government's commitment to increasing overall spending in our schools, as well as explaining the effects that that has had on Cornwall and the actions that the Government are taking to improve fairness and transparency in the funding of schools.

The first thing that I must reiterate is that the Government have delivered an overall increase, allowing for an extra £2.1 billion to be spent on education in 2000–01 and an education SSA increase of 5.4 per cent. across the country. On top of that, an extra £500 million has been made available for the standards fund, £50 million for support of school budgets and £14 million for excellence in cities authorities. There is £19 million extra spending headroom through the deferral of an increase in pension contributions and an extra £290 million was announced in the Budget.

Notwithstanding the way in which that is distributed across the country, that is a substantial real-terms increase in funding—equivalent to an increase per pupil in real terms of £180 this year, and of £300 since 1997. Under the previous Government, funding per pupil fell by £60 in real terms between 1994–95 and 1997–98. Our increases are significantly more than could have been delivered from putting 1p on income tax.

I have said that it is not my intention to defend the distribution system, but I must point out that the Government's overall funding increase has significantly benefited Cornwall. Cornwall's education SSA for 2000–01 is £199.6 million—an increase of £9.77 million or 5.32 per cent.

Mr. Paul Tyler (North Cornwall): Given the Minister's sympathetic comments about the distribution system, does she acknowledge the point made by my hon. Friend the Member for Truro and St. Austell (Mr. Taylor), that the time to correct a discrepancy is when one is in a position to be more generous? I hope that she will at least give an assurance that she will make representations to her right hon. Friends in the Cabinet that now is the time to correct the discrepancies.

Jacqui Smith: Later in my speech, I shall outline what the Government intend to do in that respect.

As the hon. Member for Truro and St. Austell points out, Cornwall's is not the best placed LEA, being 101 out of 150 LEAs in terms of funding per pupil. Nevertheless, the increases that Cornwall has received are substantial—not only in its SSA, but in its standards fund allocation for 2000-01 which, at £20.58 million, represents an increase of 82 per cent. on the 1999-2000 allocation; in its share of the additional £50 million announced in November, which is £483,000; and in its share of the additional £290 million announced in the Budget, which is more than £2.7 million. As the hon. Gentleman will be aware, the latter was not allocated according to the SSA formula, so schools throughout the country, and in Cornwall in particular, will receive increases of up to £50,000 per secondary school and up to £9,000 per primary school.

The hon. Gentleman mentioned capital expenditure. It may well be that schools in Cornwall feel that that is not yet adequate, and I do not suggest that we have addressed fully our inheritance from the previous Government of crumbling schools. However, this year we have spent three times as much on capital expenditure as was planned by the previous Government; and, in the new deal for schools 4 allocation alone, Cornwall received £5.7 million, which constitutes a significant contribution to improving schools' infrastructure.

I should like to take this opportunity to congratulate Cornwall's teachers, governors and pupils on their excellent results, with the percentage of pupils with five or more A-starred to C GCSE passes standing at 51.6 per cent., which is above the national average of 47.9 per cent. It is clear that the authority has been making good use of the extra resources provided by the Government, and that teachers, governors and pupils have been working hard to improve results.

The hon. Gentleman mentioned class sizes. The Government targeted money on fulfilling our pledge to reduce class sizes for five, six and seven-year olds. The hon. Gentleman appeared to dismiss that achievement, but the Government believe that it will have a lasting effect on children as they pass through the education system, and we shall make £620 million available to support that pledge. Allocations to Cornwall so far total £3.5 million, which has helped to reduce average key stage 1 class sizes in the hon. Gentleman's constituency to 24.9 from 25.4 in January 1997, and in Cornwall as a whole to 25.3 from 26.2 in January 1997. That additional investment in Cornwall has had a direct effect on reducing key stage 1 class sizes.

Mr. Matthew Taylor: I did not gloss over the figures for five to seven-year-olds, but I did make the point that overall class sizes have increased, with substantial numbers of pupils in older age groups in classes of more than 31. I am sure that the Minister will concede that.

despite the Government's belief that priority should be given to younger pupils, that is a cause for concern arising from the process.

Jacqui Smith: Overall in the country, the size of the average primary class has fallen, and average class sizes as a whole have fallen. Were secondary head teachers to use the extra money that they received—between £30,000 and £50,000—to reduce class sizes, the pupil-teacher ratio could be reduced by 0.4. We have put in place the money to enable our class size pledge to be met, and to ensure that some of the side effects identified by the hon. Gentleman do not occur.

It is important to consider the position with regard to early years. Since 1997-98, the Government have prioritised the provision of places for four-year-olds and five-year-olds. The funding available through the SSA and the nursery education grant has increased nationally by almost £400 million. That has enabled some 120,000 new, free early education places for three and four-year-olds to be created nationally across all sectors.

In Cornwall, 5,216 free four-year-old early education places are to be created during the summer term 2000, of which 3,697 were funded through Cornwall's under-fives SSA sub-block and 1,519 from nursery education grant. For three-year-olds, during 1999–2000, £40 million was made available and targeted on helping children in 65 local education authorities chosen on the basis of social need.

In autumn 1999, funding was initially given to the 57 most deprived authorities, using the Government's index of local deprivation, augmented by two additional child-centred measures. We then made available to eight more authorities, including Cornwall, extra funding to create three-year-old places for the spring term. In that way, Cornwall benefited overall from the Government's commitment to providing early years places and from specifically targeted funding that recognised the levels of deprivation in the county.

It is important to recognise that Cornwall has benefited from the Government's policy on education action zones. Although it is not in the hon. Gentleman's constituency, the zone covering Camborne, Pool and Redruth, which was approved by the Secretary of State in November 1999 and allocated a Department for Education and Employment grant of £500,000 each year for three years and up to £250,000 match funding, will be important for the innovative initiative that it is proposing and for the fact that such innovation has knock-on benefits for other schools in the area.

As I stated at the beginning, my hon. Friends and I have not attempted to defend the current system of local authority grant distribution. That is why the Government are undertaking a review. It was not possible to find a way forward as quickly as the hon. Gentleman and probably many other hon. Members would have wanted, but we were honest about that and are now looking for a longer-term way of reviewing that distribution. Because education accounts for about 40 per cent. of local authority revenue expenditure, the future of education funding makes up an important part of the Government's review.

The Government expect to publish a Green Paper later this summer, setting out a range of options for debate. We are seeking arrangements that will be fair between different parts of the country; which will be more transparent; and which will provide greater predictability and stability. They could include methods for improving the distribution of funding from central Government to make it fairer and to address the points that the hon. Gentleman outlined, giving LEAs three-year funding settlements so that they can plan ahead, and giving separate assessments for schools and LEAs, to increase the clarity and certainty of funding.

Our objective is to remove the worst of the disparities that exist in the country. We look to levelling funding up, not down. We will therefore take action to ensure that future distribution of funds is fairer, more rational and more satisfactory to the hon. Gentleman's constituents and mine. However, given the announcements—about which we are hopeful—that will be made later today, I ask hon. Members to acknowledge not only the challenge of distributing the money that is made available for education, but the challenge of providing more genuine resources for our schools. I suggest that the Government are already meeting that challenge; they will certainly meet it in future.

Question put and agreed to.

Adjourned accordingly at twenty-five minutes past Three o'clock.

House of Commons

Tuesday 18 July 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF NEWCASTLE UPON TYNE BILL *[LORDS] (BY ORDER)*

Order for Third Reading read.

To be read the Third time on Tuesday 25 July.

ALLIANCE & LEICESTER GROUP TREASURY PLC (TRANSFER) BILL *[LORDS] (BY ORDER)*

Order for Second Reading read.

To be read a Second time on Tuesday 25 July.

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

The Secretary of State was asked—

Iran

1. **Mr. Frank Roy** (Motherwell and Wishaw): If he will make a statement on the verdict of the trial of the Jews from Shiraz in Iran. [129540]

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): We have expressed our deep concern to the Iranian authorities about the sentences. We and our European Union partners have consistently raised our concerns about the conduct of the trial—in particular, its closed nature despite earlier assurances to the contrary.

Mr. Roy: Does my hon. Friend agree that, at a time when the Israelis and the Palestinians are moving that extra mile for peace, Iran remains a bastion of religious intolerance? Will he express to the Iranians the British Government's deep concern about their sham trial of Jewish teachers, rabbis, schoolboys, shopkeepers and cemetery attendants who are guilty of no more than being Jewish?

Mr. Hain: I agree that the trial was deeply flawed. Indeed, we have consistently made our concerns about it clear to Iranian Ministers.

It is, perhaps, something of a mercy, given that 17 Iranian Jews have been executed since 1979, that at least these were not death sentences; but they were nevertheless very heavy. In the context of a flawed trial, we hope that the appeals process will address that. It should be seen against the wider background of a reform agenda in Iran which we welcome, in which we are engaged, and which has improved human rights in many other respects—although, sadly, it has not yet improved human rights for the Iranian Jewish community.

Mr. Richard Spring (West Suffolk): The Minister will be aware that the 10 Iranian Jews were held for months without charge, and were denied the right to appoint their own lawyers. Will he remind the Iranian Government, given the pending appeals process, that Iran is a signatory to the international charter of human rights, which enshrines the right to a just trial?

Mr. Hain: I agree with the hon. Gentleman. My hon. Friend the Member for Greenwich and Woolwich (Mr. Raynsford), the Minister for Housing and Planning, is in Iran now. He has raised our concerns about the trial yet again, and has pressed for the sentences to be reviewed in a favourable way that addresses precisely the points that the hon. Gentleman has raised.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will my hon. Friend nevertheless insist that if there is really a serious programme to bring Iran into the circle of nations that believe in democracy, and if Iran really wishes once more to be an important player in world politics, Iran must recognise that show trials are not acceptable, that democratic countries will not support them, and that unless there is a very rapid move towards at least lightening the sentences there will be total opposition to allowing Iran to regain the role that it sees for itself?

Mr. Hain: I agree that the eyes of the world will be on this case, and particularly on the way in which the appeals process proceeds. As my hon. Friend says, the trial was deeply flawed, and an injustice has been done. We continue to believe, however, that our policy of critical engagement with the reforming Iranian Government of President Khatami is the best way both to protect human rights in Iran and to engage the Iranian people directly with the objective of achieving an Iran that returns to what my hon. Friend rightly described as the circle of nations, so that it can play an honourable and peaceful role in the establishment of justice in the region and internationally.

EU Reform

2. **Mr. Desmond Swayne** (New Forest, West): When he next plans to meet the French Foreign Minister to discuss EU institutional reform; and if he will make a statement. [129541]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): I have a high regard for the French Foreign Minister, whom I meet regularly to discuss institutional reform. The hon. Gentleman will no doubt warmly welcome Mr. Vedrine's statement of last week that he was a pragmatist rather than a federalist.

Mr. Swayne: Does the Foreign Secretary agree with the French Foreign Minister that a constitution for Europe is an aspiration?

Mr. Cook: I read with interest the whole text of Mr. Vedrine's statement last week. He made it clear that

it was difficult to conceive of a constitution for Europe, because it would require a people of Europe. There is therefore no proposal from the French Foreign Minister for such a constitution.

Mr. Bill Rammell (Harlow): Does the Foreign Secretary agree that there is no consensus among EU Governments in favour of either the French or the German long-term view of the European Union, and that therefore—much though the Conservative party might wish it—the federalist nightmare is not upon us? Does he also agree that if the European Union enlarges there will need to be change, and that that change should focus on, as much as anything, the need to reconnect national Parliaments with decision making in the European Union?

Mr. Cook: The proposal for a pioneer group of European member states has encountered criticism from various countries, from Finland to Italy. The Prime Minister of Italy has said:

> Federalism is the model of the past.

Although Opposition Members may wish to scare us with the bogey of federalism on the march, the fact is that most member states agree with us that there is no case for a federal superpower, and that this is not a debate from which we should run away as Opposition Members wish us to.

Mr. Mark Oaten (Winchester): In his discussions with the French, will the Foreign Secretary still call for swift progress on enlargement, as promised in the Government's annual report, or does he now accept that there has been a cooling off on the issue, with 2006 being the earliest date at which countries will be able to join?

Mr. Cook: I assure the hon. Gentleman that there is no cooling off on the part of the Government of Britain on that issue. We remain firmly committed to enlargement, and enlargement as soon as possible. Indeed, when this morning in Berlin, I met the German Foreign Minister, I repeated Britain's conviction that we should stick with the timetable that we set out recently at Helsinki, which is that the European Union should be ready for new members by the end of 2002. There are countries in central Europe that are making major strides, very painfully, towards membership. We should encourage, not discourage, them.

Mr. John Redwood (Wokingham): When the Foreign Secretary prepares for his meeting with his French opposite number, he will have to read the draft treaty of Nice. Does he understand that, in that draft treaty, it is proposed that a large number of powers should transfer from our elected Parliament to an unelected European Government, including powers to tax? Will he now tell the House if he will rule out transfer of such powers under that treaty?

Mr. Cook: I have repeatedly told the House—I am happy to say to it again for the right hon. Gentleman's benefit—that the Government will not agree to qualified majority voting on tax; but I notice that he is credited with having introduced Mr. Paul Sykes to the Conservative party. Perhaps, therefore, he can shed light on why it is that he belongs to a party—and was in a Government—which went into the European Community without a referendum, which signed the Maastricht treaty without a referendum, and which would deny us a vote on the single currency if it were ever in power again; and explain why he has suddenly decided that a referendum on the treaty of Nice would be appropriate. The answer is that it has nothing to do with what might be in the treaty of Nice and everything to do with Paul Sykes and what he might put into Tory party bank accounts.

Ms Rachel Squire (Dunfermline, West): Does my right hon. Friend agree that there would be little or no benefit to Britain if our approach was to stand and whinge on the sidelines like the Tory party? Does he further agree that the best place for Britain to be is at the centre of the European stage, working for reform and enlargement to build a more democratic and accountable European Union?

Mr. Cook: I absolutely agree with my hon. Friend. It is important for Britain to be at the centre of Europe and to be a leading partner in Europe. We will be a leading partner only if we retain the support that we have received from the countries that are seeking to be the new members of Europe. I believe that it is very important for Britain to champion enlargement and to be regarded by those countries as their ally and friend. That is why I view with bewilderment the Conservative party's decision to campaign strongly against the treaty that is necessary for enlargement and to throw away that support from central and eastern Europe.

Mr. Richard Spring (West Suffolk): Does the right hon. Gentleman agree that EU enlargement through membership of the former communist states of central and eastern Europe is a political and, indeed, moral imperative? Can he, despite his assurances, therefore comment on recent reports that the enlargement process is being delayed to 2005 or 2006 because of the EU's unwillingness to carry through the necessary reforms? Does he agree that, for enlargement to succeed, the EU will have to reform itself as well as the candidate countries?

Mr. Cook: Absolutely—of course Europe must reform itself. That is precisely what we are doing in the enlargement intergovernmental conference, which will culminate in the treaty of Nice. It is the hon. Gentleman and his party who are proposing to campaign against the treaty of Nice. If it is a moral imperative to enlarge the European Union, perhaps he can explain why the Tories will oppose the very reforms necessary for it. The reality is that he represents a party that, far from enlarging the European Union, frequently sounds as if it would rather shrink the European Union by taking Britain out of it.

Mr. Spring: But is not the real barrier to enlargement the unreformed common agricultural policy? Why are the British Government not leading demands at the intergovernmental conference to tackle that? Is not their failure to engage seriously in the debate raging on the continent about the future shape of the EU yet another example of Britain being, to use the Prime Minister's own

self-description, "insufficiently assertive"? Why is it that the Government have no vision whatever of what the enlarged European Union should look like?

Mr. Cook: I appreciate that the hon. Gentleman has recently joined us as his party's European spokesman. He may, therefore, have forgotten—or not noticed—that, at the Berlin summit, Britain did lead the campaign to reform the common agricultural policy. *[Interruption.]* The hon. Gentleman asks what that got us. It has got every household in Britain £64 off its food bill compared with the food bill when he was last in office and the previous Government were in power.

The hon. Gentleman has totally failed to answer the question that I put to him. If Conservative Members really believe that it is important for Europe to be enlarged and for these countries to be encouraged, why are they proposing to oppose the treaty of Nice? Is it not that they would rather have Paul Sykes in their party than 13 more countries inside the European Union?

Cyprus

3. **Mr. Andrew Love** (Edmonton): If he will make a statement on recent bilateral contacts with Cyprus. [129542]

The Minister of State, Foreign and Commonwealth Office (Mr. Keith Vaz): Recent bilateral contact with Cyprus has been both regular and valuable. My right hon. Friend the Prime Minister met President Clerides in April, and my right hon. Friend the Foreign Secretary met Foreign Minister Kasoulides in May. The meetings focused on the current United Nations Cyprus settlement process and the United Kingdom's continuing interest in and support for that process. Sir David Hannay, the UK special representative for Cyprus, is in regular contact with all those in Cyprus who are involved in the settlement process.

Mr. Love: This week sees the 26th anniversary of the invasion of the island, and they have been long, frustrating years for Cypriots waiting for a solution. I welcome resumption of the proximity talks in Switzerland. Can my hon. Friend reassure the House that the Government continue to support a comprehensive solution to the problems in Cyprus that will reunite the island? Can he also confirm that the action that he is taking will lead to those talks being productive?

Mr. Vaz: First, I congratulate my hon. Friend on all the work that he has done on the issue and on behalf of his many Cypriot constituents. I can reassure him that the Government are doing everything that we possibly can to support the proximity talks. As he knows, the talks will resume next Monday. As I said, Sir David Hannay is our representative. He has visited twice this year to talk to both sides. Our ambition, as set out in the Prime Minister's statement on 23 September 1998, is that there should be a just and lasting settlement. We would like to see a united Cyprus entering the European Union, but that is not a precondition to accession. We shall continue to do everything that we can to propose and support that settlement.

Sir David Madel (South-West Bedfordshire): Can Turkey become a full member of the European Union and yet still keep its army in northern Cyprus?

Mr. Vaz: The issue of Turkey's candidacy is quite separate from the issues in Cyprus. Turkey has only just become a candidate for inclusion in the Helsinki accession process, and Turkey will be judged on whether it meets the Copenhagen criteria and on the state of its negotiations. No third country has a veto over the accession of another country into the European Union. We will, of course, be carefully monitoring the situation. We will ensure that we are fully aware of all the negotiation processes.

Mr. Andrew Dismore (Hendon): Will my hon. Friend take the opportunity of confirming that the Government will stick to their position that Cyprus's accession to the European Union will not be vetoed by Turkey or by any other country, and that settlement of the Cyprus issue is not a condition for Cyprus to join the European Union? Will he also make it clear to Turkey, in negotiations on its entry, that there can be no prospect of Turkey's joining the European Union unless and until it gets its troops out of Cyprus?

Mr. Vaz: As I have just made clear, and as the Foreign Secretary made it clear on 14 February, we would like to see a united Cyprus entering the European Union. However, that is not a precondition for accession. Cyprus has done extremely well in the negotiations—it has opened 29 of 31 chapters of the acquis, and closed 16 chapters. Turkey does not have a veto over the accession of Cyprus. The issue for Turkey is quite separate: it will have to meet all the criteria. As we have said on many occasions, Turkey is a long way off. It will have to meet the Copenhagen criteria, and it will have to be part of its own negotiation procedures.

Sir Sydney Chapman (Chipping Barnet): In relation to Cyprus's application to join the European Union, will the Minister confirm that the main issues still to be resolved centre mainly on banking and ship registration? Will the Minister further confirm that there is no reason why those and a few other remaining matters cannot be cleared up in, say, six months' time? If so, why should Cyprus have to wait another two years for the sake of diplomatic convenience so that other successful applicants can join at the same time?

Mr. Vaz: We would like Cyprus to join as soon as possible. It has made excellent progress and has opened 29 of the 31 chapters. There are a number of outstanding chapters and difficult negotiations, including banking. We would like Cyprus to join as soon as possible. It is up to the European Union to ensure that the IGC is completed as at the end of this year. Once that is done and the various treaties have been ratified, it will then be for Cyprus to set its own timetable. We are doing everything that we possibly can to help Cyprus as want to see it in the European Union.

Portugal

4. **Ms Debra Shipley** (Stourbridge): What recent assessment he has made of bilateral relations between the UK and Portugal; and if he will make a statement. [129543]

The Minister of State, Foreign and Commonwealth Office (Mr. Keith Vaz): Relations between Britain and Portugal have always been close, both bilaterally and as partners within the EU and allies within NATO. The relationship is stronger than it has ever been, following the intensive contacts we have had with Portugal in the run-up to and during its presidency of the EU. I pay tribute to the work of our ambassador to Portugal, Sir John Holmes.

There has been considerable ministerial contact in the run-up to the Portuguese presidency and during the presidency itself. Since November 1999, 10 senior Cabinet Ministers have visited Portugal and 12 other Ministers have also been there.

Ms Shipley: I thank my hon. Friend for that answer. Can he confirm whether or not the historic British-led agreement on the EU economic reform at Lisbon is now paying off in terms of real jobs and growth creation in the EU? Is that not the right way forward for Britain and Portugal, by contrast with the suggestion by the Opposition, who would have Britain out of the EU and working in partnership with Mexico in the North American Free Trade Agreement area?

Mr. Vaz: My hon. Friend is absolutely right: Lisbon was an enormous success. It was a watershed in terms of the economic reform of the European Union and a tribute to the negotiating skills of my right hon. Friends the Prime Minister and the Foreign Secretary. The importance of the Lisbon summit is that it was preceded by a number of bilateral agreements between the United Kingdom and other countries. Of course our future is in the European Union—not in NAFTA, as has been barmily claimed by some Opposition Members.

Mr. William Cash (Stone): The Minister will recall that the murderer of my constituent Isabelle Peake escaped to Portugal from France and thereby escaped justice in France. Will he confirm both that progress is being made in establishing how that person managed to evade justice and extradition by committing suicide in his cell, and the circumstances in which that happened? Apparently, the guards were watching football rather than guarding the prisoner. Finally, will he confirm that we will resist all attempts to pay compensation through Portugal to the person who committed the murder rather than to the victim and her parents?

Mr. Vaz: I know that these must be painful matters for the family of Isabelle Peake, the hon. Gentleman's constituents. May I suggest that he come to see me about this matter with her parents so that we can take these matters forward? We will certainly do everything that we possibly can to assist the family and the hon. Gentleman in getting justice for his constituents.

British Council

5. **Ann Keen** (Brentford and Isleworth): If he will make a statement on the funding of the British Council. [129544]

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): The British Council is receiving grant-in-aid of some £136 million this financial year as part of the three-year comprehensive spending review settlement. This represents a 2 per cent. increase in real terms over the 1998–99 level.

Ann Keen: I thank my hon. Friend for that reply. I am sure that he and all right hon. and hon. Members will agree that the British Council does excellent and supportive work. I should particularly like to highlight its current work in the Punjab in relation to human rights and encouraging women there to stand as local government representatives. Will he confirm his support for higher funding for the British Council, in line with the opinion of the Select Committee on Foreign Affairs?

Mr. Hain: I agree with my hon. Friend that the British Council is doing an excellent job in the Punjab. It has, for example, a library that is a showcase for Britain there, as it has in many other parts of the world. Wherever I go on overseas ministerial visits, I make a point of visiting the British Council if I can. As for funding, we shall have to wait for the Chancellor's statement, but 10 years ago under the Tories, spending on the British Council was 8 per cent. of the budget of the Foreign Office, whereas now it is 12 per cent. That shows our commitment to the British Council, and we shall continue to give it.

Miss Anne McIntosh (Vale of York): I declare an interest. I received a British Council grant to study at a Danish university. I also received a grant from Rentokil. How many postgraduate students are now able to benefit from British Council funds to study at a European Union university, as I did in my early 20s?

Mr. Hain: I am not sure whether the hon. Lady can spray a bit of Rentokil around the Conservative Benches, thereby enhancing the quality of the House. We are committed to the British Council's getting as much support as possible in respect both of the issue that she raises and of other issues. When I have visited posts, I have seen the excellent work of the council and the way in which it encourages students to come to Britain by providing all sorts of support, from IT support and English language training to assistance with visas and university placements. That is another excellent mark to its credit.

Mr. Derek Wyatt (Sittingbourne and Sheppey): May I join the fan club of the British Council and express the hope that in the next hour it will receive an increase in its three-year funding? Will my hon. Friend use his best endeavours to support the council? As he knows, it deals with the English language, which is the world's premier language. Would it not be great if we could use some of the money in the next three years to link the British Council with the British library so that we could offer the best service in the world through British Council offices?

Mr. Hain: I will certainly consider that. I agree with my hon. Friend that the council's commitment to English language teaching, much of it now self-financed, is extremely important. When I travel in francophone or lusophone African countries, it is clear that their leaders want to see their people and their countries engage increasingly with the English language and the anglophone world, not least because English is the language of IT and international business. For that reason,

the council's work will continue to have support from the Foreign Office, and I am sure that it will have support from the Chancellor later.

Zimbabwe

6. **Mr. John Bercow** (Buckingham): What plans he has to meet the President of Zimbabwe; and if he will make a statement. [129545]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): Meetings with President Mugabe are always memorable, but at present I have no immediate plans for another such meeting. The recent elections in Zimbabwe were a triumph of the democratic spirit over attempts to suppress it. Despite two months of intimidation and gerrymandering, almost as many citizens of Zimbabwe voted for the Opposition as for the Government. I have urged President Mugabe to respond positively to the Opposition offer to work together and to accept the mood for change demonstrated by the people of Zimbabwe.

Mr. Bercow: I am grateful to the Foreign Secretary for that reply. Given the appalling violence in the recent Zimbabwean elections, the call by Morgan Tsvangirai for the impeachment of President Mugabe, and the Prime Minister's acknowledgement that the Government are seen to be "insufficiently assertive" on this issue, why does the right hon. Gentleman not make President Mugabe a pariah by pressing internationally for the freezing of his assets and the immediate imposition of a ban on his foreign travel?

Mr. Cook: I have the advantage over the hon. Gentleman, in that I spoke to Morgan Tsvangirai earlier today. He made it clear that the Opposition would be seeking ways of working together—*[Interruption.]* The hon. Gentleman quoted Morgan Tsvangirai; he should allow me the courtesy of sharing with the House what Morgan Tsvangirai shared with me this morning. He made it clear that, as the Opposition were seeking to work with the Government in the Parliament, which sits for the first time on Thursday, and as he had invited the Government to respond to that call for national reconciliation, he did not believe that penal sanctions would be helpful. The matter of impeachment is in the hands of the Parliament of Zimbabwe, not this Parliament.

President Mugabe faces inflation of 60 per cent. and has just announced a budget deficit of 15 per cent. He faces food shortages, power cuts and business failures. No measure that we could take would impose more hardship on the people of Zimbabwe than what President Mugabe is already doing.

Mr. David Taylor (North-West Leicestershire): Would my right hon. Friend the Foreign Secretary be astonished to hear that the hon. Member for Buckingham (Mr. Bercow) was once the secretary of the immigration and repatriation committee of the Monday club? Does not that show the nature of the remarks that we are hearing from the Opposition Benches? Is not the mask being peeled away, to show the racism and xenophobia that have always been endemic in the Conservative party?

Mr. Cook: I was unaware of that episode in the career of the hon. Member for Buckingham (Mr. Bercow). I have obviously failed to follow it with the attention that it deserves.

Both sides of the House have praised the courage of Morgan Tsvangirai and the Opposition and their determination to put their case with dignity and without violence at the election. If we respect their courage and determination, we should respect also their advice when they ask us not to take sanctions against Zimbabwe.

Mrs. Cheryl Gillan (Chesham and Amersham): The Foreign Secretary has been remarkably slow to condemn what has happened in Zimbabwe in the past. Given the universal condemnation of the elections as a travesty of democracy and the remarkable success of an extremely brave Opposition, operating with all the odds stacked against them; and given the fact that the Mugabe regime seems to have changed its behaviour not one iota since the elections, does the right hon. Gentleman agree that it is time now for Britain to use its position at the centre of the Commonwealth to mobilise some serious international action? Such action would show Mr. Mugabe that he is being watched, that he and his thuggish cronies will not be permitted the type of conduct that they have engaged in to date, and that it belongs firmly in the past? If he fails to do so, will he not be receiving another memo from the Prime Minister demanding to know why, on issues like Zimbabwe, the Government are seen to be "insufficiently assertive"?

Mr. Cook: Far from our being slow on the question of Zimbabwe, there were 400 election observers towards the close of the election campaign, solely because Britain mobilised the international community and obtained observers from both the Commonwealth and the European Union—action which was warmly welcomed by the Opposition and the Opposition candidates. I have already discussed the report of the Commonwealth observers with the chair of the Commonwealth ministerial action group. We are inviting the comments of President Mugabe and the Government of Zimbabwe in response to it. We shall be ascertaining what steps we can take to ensure that when the people of Zimbabwe next have the opportunity of an election to fill the presidential post in two years' time, they can take it without fear of violence, intimidation and gerrymandering.

Burma

7. **Mr. Jim Fitzpatrick** (Poplar and Canning Town): If the Burmese regime has responded to the recommendations made by the International Labour Organisation following its recent mission to the country. [129546]

The Minister of State, Foreign and Commonwealth Office (Mr. John Battle): We are deeply concerned about the brutality of the military in Burma, the use of forced labour and the displacement of ethnic minorities.

Sadly, the Burmese regime has done nothing to implement ILO recommendations dating from 1998 that relate to forced labour, including women, children and the elderly, despite the recent ILO mission to Rangoon in May

Mr. Fitzpatrick: Will my hon. Friend continue to make it clear to investors in Burma that the military regime is in breach of ILO and other international conventions and that they should not be helping this outlawed country by doing business with its rulers?

Mr. Battle: Yes. We announced on 17 June 1997 that we do not encourage trade with or investment in Burma. We have suspended financial support for trade missions and trade promotions. In March, I told Premier Oil, the largest UK investor in Burma, that we would welcome its moving out. Any British companies that inquire about trade with Burma are informed of the dire political situation and its appalling human rights record.

We discourage tourism as well. It is not possible to ban people going to Burma, particularly from other countries, but every British tourist who goes to Burma should realise that he or she must exchange about US $300 on arrival, and every one of those dollars will be propping up that murderous regime.

Mr. David Heath (Somerton and Frome): Given the abuses that the Minister has already described, will he continue to stress that message to British companies, including Premier Oil? Will he seek also to persuade the Governments of eastern Asia, especially the Japanese, that the policy of constructive engagement with Burma is not working and that stronger measures are now needed?

Mr. Battle: The answer is yes, we are doing that, and we will continue to do so. We have put pressure on the ILO, and, I think for the first time in its history, it has adopted exceptional measures which, if there is no change, will come into force in November. We have made representations, and we have proposed measures to strengthen the EU position. We have co-sponsored UN resolutions, and, with countries in the Association of South-East Asian Nations, we have also made the point forcefully that we will keep up pressure on Burma until it respects the democratic rights of all its people.

Mr. Owen Paterson (North Shropshire): Why does the ethical foreign policy apply to Burma but not to China?

Mr. Battle: It does apply to China. The small difference is that Burma does not accept that there is even a question of its denying human rights, despite the fact that it is estimated that between 500,000 and 2 million people are refugees within that country. Burma will not enter into a dialogue at all. At least China is prepared to discuss the question of human rights. With Burma it is a shut door.

World Service

8. **Mr. Paul Keetch** (Hereford): What assessment he has made of the BBC World Service's role in conflict prevention in third-world countries; and if he will make a statement. [129547]

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): The objectivity that is the hallmark of BBC World Service broadcasts plays a crucial role in areas of tension and conflict. The BBC World Service also plays an important role in carrying out media training predominantly funded by the Government, where local media bias may be a contributing factor to conflict.

Mr. Keetch: Does the Minister agree that the BBC remains the premier and most impartial international news organisation? Will he pay tribute to the World Service, not just at Bush house and elsewhere in Britain, but to its training programmes in places such as the Balkans, Indonesia, Sierra Leone and Afghanistan? Will he assure the House that, in the Chancellor's announcement which is to follow this Question Time, the World Service will be given the additional resources that it needs to upgrade its transmitters and relay stations and keep pace with modern technology?

Mr. Hain: The hon. Gentleman will not expect me to respond to his request to anticipate the Chancellor. The Government are strongly committed to the BBC World Service, which is booming. Since last year, the number of its listeners has risen by 8 million to a record 151 million, and we have put in an additional £44 million during the current three-year period. That is a sign of our commitment. We want to see the BBC World Service and BBC world television extend their coverage throughout the world.

Mr. Tom Clarke (Coatbridge and Chryston): Does my hon. Friend accept that many of us welcome the positive comments that he has just made about BBC radio and television internationally? Will he take this opportunity to congratulate it on its balanced coverage in a difficult situation during the recent elections in Peru?

Mr. Hain: I agree with my hon. Friend that the coverage was very good, as it almost always—if not always—is throughout the world. Travelling throughout the world as my colleagues and I do, we continually hear praise heaped upon the BBC World Service, as one of the few objective sources of information in far too many countries.

Mr. Martin Bell (Tatton): Does the Minister share my view that the BBC World Service in radio and television is Britain's greatest diplomatic asset?

Mr. Hain: Yes, probably, apart from the present team of Foreign Office Ministers.

Colombia

9. **Mr. Paul Goggins** (Wythenshawe and Sale, East): What recent representations he has made on behalf of kidnap victims in Colombia. [129548]

The Minister of State, Foreign and Commonwealth Office (Mr. John Battle): The British ambassador in Bogota delivered a clear message to the guerrillas that they must end their involvement in kidnappings, forced disappearances and extortion, prior to an international meeting in Colombia on 29–30 June. A statement subsequently issued by all 23 countries and organisations

represented—including our EU partners—also called for an end to extortion, kidnappings and other serious violations of human rights.

Mr. Goggins: As my hon. Friend is aware, kidnapping for political and financial advantage is an all too common occurrence in Colombia. I draw my hon. Friend's attention to the five remaining hostages of the Avianca hijacking in April last, one of whom is Juan Manuel Corzo, a member of the Colombian Parliament. Will the Minister use every means at his disposal to urge all armed groups in Colombia, including the FARC and the ELN to grant an early release to all hostages as a genuine and sincere indication of their desire for peace?

Mr. Battle: Yes. We regularly discuss human rights with the Colombian authorities. Those discussions include the subject of kidnapping and hostage taking. My right hon. Friend the Prime Minister raised our concerns over the continuing violence in Colombia when he met President Pastrana during the President's visit to London on 13 April. We also stress the need for further progress on human rights. When my right hon. Friend the Minister for the Cabinet Office visited Colombia, she also urged the Government to tackle the problem of the paramilitaries.

Of course, the best way to end kidnapping is to help the Colombian Government to advance the peace process. More encouragingly, on 10 July President Pastrana signed legislation making forced disappearances a criminal act under Colombian law. What we now want the Colombian Government to do is to introduce the instruments to enforce that legislation.

Mr. John Wilkinson (Ruislip-Northwood): I associate myself from the Conservative Benches with the remarks of the hon. Member for Wythenshawe and Sale, East (Mr. Goggins). Is not the fact that President Pastrana has sent his former high commissioner for peace to this country as ambassador a sign of the importance that the Colombian Government attach to the United Kingdom in advancing reconciliation and the restoration of security within that country? Can Her Majesty's Government now make resources available to Plan Colombia to reconstruct the country, and not necessarily wait for the European Union to do it?

Mr. Battle: In relation to Plan Colombia, we are playing a full part in the international and EU discussions. We convened a conference in London to engage the non-governmental organisations in that process. The recent conference in Madrid took the process further. I believe that no country is discussing contributions at this stage, because we want the structure of our contributions to the plan to be right, which includes improving the human rights situation in Colombia. Our aim is to work constructively to ensure that the peace process is properly supported, and that the horrific accounts by Amnesty International of some 24,000 murders that it has catalogued become a thing of the past.

Dr. Jenny Tonge (Richmond Park): I understand that the Minister for the Cabinet Office has recently had meetings about Plan Colombia in Colombia and in the United States. Can the Minister tell us something about those meetings and whether the British Government are mindful of the need to modify the military aspect of Plan Colombia, which would do so much damage to the people there? Will the Minister also comment on the fumigation of crops that is proposed by the United States Government?

Mr. Battle: The fact that my right hon. Friend was engaged in the process both during her visit and at the meeting in Madrid was a clear indication that we certainly attach importance to supporting the peace process. That not only means including alternative crops rather than spraying, but involves a wider social and economic agenda than has been suggested by others: it means tackling illegal drug production and trafficking, and we insist on an emphasis on human rights. Our intention has been to broaden and deepen the agenda so that it is not a single instrument; that would be in no one's interests. We want to ensure that in the long term Colombia has a peaceful way of ensuring the development of the people and not a dependency on drug cultivation.

Mr. Tony Lloyd (Manchester, Central): My hon. Friend is right to say that the best long-term guarantee against kidnapping is to move on the peace process. But will he also make sure that the message from our Government is clear: we expect the Colombian Government to prioritise the problem of hostages and hostage taking and make sure that that is a part of their own peace dialogue; and that there is also an expectation that the ELN and the FARC will make sure that hostage taking becomes a thing of the past, as a measure of their sincerity in moving towards the process of peace?

Mr. Battle: I can only re-emphasise that in all our meetings at every level we tackle that agenda and keep insisting on it. The British embassy maintains a regular dialogue with human rights bodies and other NGOs in Colombia and has facilitated meetings between NGOs and representatives of the Colombian armed forces in order to encourage confidence building. In addition, the ambassador and officials often visit trouble spots, both at the invitation of interested parties and on their own initiative, to try to bring people together around the peace process, which is the way forward.

Middle East

10. **Mr. James Clappison** (Hertsmere): What recent representations he has received about the middle eastern peace process. [129549]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): We warmly welcome the initiative of President Clinton in bringing Israel and the Palestinian Authority together in a summit. My right hon. Friend the Prime Minister and I met Prime Minister Barak on the eve of the summit and my right hon. Friend the Prime Minister has sent a message of support to President Arafat. There remain formidable differences to be bridged on the territory of the west bank, on the status of Jerusalem and on the rights of refugees.

Both sides must show courage and compromise if they are to secure for their peoples the great prize of a permanent peace.

Mr. Clappison: Does the Foreign Secretary agree that, in their response to President Clinton's initiative, both Prime Minister Barak and President Arafat are making it abundantly clear that they are committed to the peace process and are doing everything in their power to bring about a lasting settlement in the face of substantial internal opposition? Can the Foreign Secretary tell us what practical steps the Government are taking to support them and, in particular, to help gain the acceptance of the Israeli and Palestinian people for the peace process?

Mr. Cook: I agree absolutely with the hon. Gentleman about the courage being shown by both those leading the delegations. I stress that peace is a far greater advantage to both sides than the price of any compromise necessary to secure that permanent peace. The hon. Gentleman asked what we are doing to be helpful. Only yesterday, I spoke to Madeleine Albright and assured her that, if there is a peace settlement, Britain, and Britain in the European Union, will be willing to ensure that we take every possible step to see that it is bedded down and that the people of Israel and Palestine can see that there are real and concrete advantages from it.

Mr. Michael Clapham (Barnsley, West and Penistone): I welcome the fact that my right hon. Friend has played an important part in bringing together President Arafat and Prime Minister Barak. Does he agree that one of the major keys to peace in the area is to persuade and encourage the Syrians to support the peace deal? Will he step up his efforts, possibly working with one of the Arab leaders, such as Egypt, to persuade the Syrians to accept peace with Israel?

Mr. Cook: Britain's position has always been to favour a comprehensive peace settlement. Only with a comprehensive peace settlement and all its tracks can we have security for the region. I met new President Bashar al-Assad at the state funeral in Damascus and assured him that we will wish to continue our dialogue and would wish to encourage both sides to find a solution to the Golan Heights and the Syrian track, which will bring stability and security to the region.

EU Enlargement

11. **Mr. Peter Luff** (Mid-Worcestershire): If he will make a statement on the agenda for the current IGC as it relates to enlargement. [129550]

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): The central purpose of the intergovernmental conference is to prepare the European Union for enlarged membership. The applicant countries will measure Europe's commitment to enlargement by our resolve to complete these reforms on schedule. Britain's positive role in the IGC reflects the Government's position that Britain must be the champion of enlargement.

Mr. Luff: Notwithstanding the Foreign Secretary's platitudes, does he agree with recent authoritative estimates that enlargement could cost the EU budget £24 billion because of a failure to achieve fundamental reform of the common agricultural policy? Does the Foreign Secretary regret his Prime Minister's failure to secure such reforms at Berlin last year?

Mr. Cook: At Berlin we secured reform of the structural funds and the common agricultural policy, which has provided—*[Interruption.]* We did indeed. Every household in Britain will see its bill decrease by £64 as a result. We created room in the budget to afford enlargement in the current financial perspective until the year 2006.

The hon. Gentleman and his hon. Friends cannot pose as supporters of enlargement if they constantly harp on the cost of enlargement. There will be benefits. For Britain, those benefits could result in almost an additional £2 billion-worth of trade. We will benefit from that as an existing member; it is not just the new applicants that will benefit.

Mr. Harry Barnes (North-East Derbyshire): Is there not a paradox in that many of the new applicants are newly emerging democracies? If they are accepted, they will be joining an organisation that is bureaucratic and centralised and will be giving up some of the democracy that has just been established? Should not the European Union enhance its democracy and help them to share in its operation?

Mr. Cook: Whether those countries should join is a decision for their own democracies. I do not know any of those Governments who are not enthusiastic about joining the European Union. I agree with my hon. Friend that we must make the European Union more transparent, democratic and accountable and that is precisely why we are pressing at the IGC for reform of the Commission and the Council of Ministers, and for votes that will fairly reflect the size of population in the larger countries such as Britain.

Africa

12. **Mr. Damian Green** (Ashford): What steps he has taken to put into practice his ethical foreign policy with regard to Africa; and if he will make a statement. [129551]

The Minister of State, Foreign and Commonwealth Office (Mr. Peter Hain): We back positive change in Africa by supporting those Governments who promote democracy, respect for human rights and the rule of law. We are helping Africa in the fight against poverty, AIDS, corruption and conflict. I am focusing on activities that fuel conflict and break sanctions, especially the illegal diamond trade. Yesterday, I spoke at an international diamond trader conference in Antwerp to press for action to block diamonds that fund wars in Angola, Sierra Leone and the Congo.

Mr. Green: I am grateful to the Minister for his words, but when he contemplated the sight of child soldiers in Sierra Leone carrying British weapons, did he consider the devastating candour of his own analysis in the *New Statesman* that the phrase "ethical dimension" in relation to Britain's foreign policy was just

a hook on which we found ourselves . . . ?

Will he now acknowledge that the so-called ethical foreign policy is the Foreign Secretary's personal contribution to the Government's most pervasive failing—the desire at all times for spin rather than substance?

Mr. Hain: That was a well rehearsed little contribution, wasn't it? The fact is that this Government have taken a stronger stand on human rights and social justice than any previous Government in Britain, and certainly the previous Tory Government of 18 years. What action did they take against the diamond traders who fuel conflict in Sierra Leone, Angola and the Congo? They did nothing. Yesterday, I represented the Government and my right hon. Friend the Foreign Secretary in Antwerp in seeking an agreement with the International Diamond Manufacturers Association, the producer countries and the importer countries, and the trading centres in Tel Aviv, Bombay and Antwerp, to put on the agenda for the first time a proper certification scheme to stop the illicit export and import of the diamonds which fuels war rather than prosperity. That is a great blow for human rights in Africa and elsewhere.

Mr. Donald Anderson (Swansea, East): My hon. Friend has made a significant personal contribution to human rights, especially in southern Africa. Does he agree that when apartheid reigned in South Africa, when the Group Areas and Registrations Act was on the statute book and when Nelson Mandela was in prison, there was no ethical foreign policy from the then British Government? One of the most significant things that we can do now to promote an ethical foreign policy is to help the South African Government with good governance and to relate to them in every way so that they can be a beacon in the region.

Mr. Hain: Absolutely. As my hon. Friend points out, it was Conservative Members and their former leader who condemned Nelson Mandela as a terrorist. It was some of them and their supporters who went round universities in Britain with badges saying "Hang Nelson Mandela." Where was the ethics and the commitment to human rights in that? Our commitment on those issues was strong in opposition and continues to be driven forward in government.

Mrs. Cheryl Gillan (Chesham and Amersham): Has the Minister had the opportunity to see yesterday's report that five people collecting relief items were killed in an ambush by Sudanese Government forces in the Nuba mountains? Is he aware that in recent months the Sudanese Government have bombed schools and medical centres in their country? Given that the United Nations Security Council and the United States have both condemned strongly the atrocities committed by the Sudanese Government, will not many people be appalled and dismayed by the tactless move of this Government in granting a visa to and laying out the red carpet for the Sudanese Foreign Minister today? When it comes to foreign policy, can the Minister tell us where hypocrisy ends and ethics begin?

Mr. Hain: I shall take no lessons in hypocrisy from the hon. Lady, or from Conservatives generally. Is she saying that the Foreign Minister of the Sudan, who met me this morning to discuss the peace process and how to take that forward and who will meet my right hon. Friend the Foreign Secretary this afternoon, should not come to visit the Archbishop of Canterbury either—because he is to meet the Archbishop too? To take forward the agenda for peace in that war-stricken country, the hon. Lady should support the Intergovernmental Authority on Drought and Development peace process and all the initiatives that we are taking and discussing with the Sudanese Government to end the misery and atrocities. I agree with her that those atrocities and miseries should be ended as soon as possible, which is why we are taking decisive action.

Estonia

13. **Dr. Alan Whitehead** (Southampton, Test): If he will make a statement on recent bilateral contacts with Estonia. [129552]

The Minister of State, Foreign and Commonwealth Office (Mr. Keith Vaz): Bilateral contacts with Estonia are in excellent shape. In July 1999, my right hon. Friend the Foreign Secretary visited Tallinn on the occasion of the formal opening of the new British embassy building and held talks with senior members of the Estonian Government. President Meri called on my right hon. Friend the Foreign Secretary during his visit to the UK in March this year. I plan to visit Estonia in the autumn.

Dr. Whitehead: I thank my hon. Friend for that reply. Does he accept that the passing of language laws in Estonia on 14 June was a genuine step forward in the protection of minorities there? Will he assure me that as enlargement takes place in the EU, applicant states will be closely monitored on their dealings with minorities and on good governance?

Mr. Vaz: I agree that the passing of that law was extremely important. I assure my hon. Friend that, working through the High Commissioner for Ethnic Minorities at the Organisation for Security and Co-operation in Europe, we are doing our best to monitor the situation. Estonia is doing extremely well in its application to join the European Union and has opened 29 of the 31 chapters of the acquis, having closed 13 of them. Relations with our country are excellent and I believe that there is even an Estonian football player who plays for Derby County.

Mr. Ian Bruce (South Dorset): I am sure that the Minister will acknowledge that Estonia is close to being ready for accession, as are a number of states. Can he tell the House when he expects accession to take place, as all the applicant countries keep telling us that they are getting extremely frustrated at the way in which Europe is holding them back?

Mr. Vaz: As I told the House earlier, it is not for the European Union to set admission dates for applicant countries. It is for us to get our house in order, which the Foreign Secretary says we will have done with the conclusion of the IGC by the end of this year. We obviously want Estonia to join as quickly as possible, but it must set its own timetables and will only join once we have completed institutional reform. It will set its own timetables, and we want to see it in as quickly as possible.

Vatican

14. **Mr. Andrew Mackinlay** (Thurrock): If he will make a statement on the UK's relations with the Holy See. [129554]

The Minister of State, Foreign and Commonwealth Office (Mr. Keith Vaz): We have very good relations with the Holy See. During my visit to Rome in January this year, I had a meeting at the Vatican with Monsignor Migliore, and also met Cardinal Etchegaray, Archbishop Van Thaun and Bishops Martin and Fitzgerald. Her Majesty the Queen will meet Pope John Paul II when she visits Rome between 16 and 19 October.

Mr. Mackinlay: Does the Minister recall that the Foreign and Commonwealth Office, along with the American Department of State, considered it appropriate to give unsolicited advice to the Vatican on what it deemed to be the imprudence of the Holy Father making a visit to Iraq. Bearing in mind the fact that the Pope's travel arrangements are deemed to be appropriate business for the FCO, as well as our residual duties and obligations to promote human rights and religious liberties in Hong Kong, can the Minister tell us what representations have been, or will be, made to the Chinese authorities in the light of the fact that they refused the Pope permission to visit the 250,000 Catholics in Hong Kong on a pastoral visit?

Mr. Vaz: If our embassy in the Holy See is consulted on these matters, we will be part of the discussions. There is no question of our telling the Pope or the Vatican where they should go or whom they should visit. However, if those matters are raised as part of the bilateral discussions and negotiations, the UK Government will put their views forward.

Cyprus

15. **Mr. Eddie O'Hara** (Knowsley, South): If he will make a statement on the resumption of the Cyprus proximity talks. [R] [129555]

18. **Mr. Tom Cox** (Tooting): If he will make a statement on the resumption of the Cyprus proximity talks between the President of the Republic of Cyprus and Mr. Denktash. [129558]

The Minister of State, Foreign and Commonwealth Office (Mr. Keith Vaz): We welcomed the resumption of the UN proximity talks on 5 July in Geneva, which have adjourned but will resume on 24 July and proceed until around 4 August. There will then be a further recess, after which talks will resume on 12 September in New York. UN Assistant Secretary-General De Soto has stated that he is happy that a calendar for the talks has been established but is unwilling to characterise their state of play.

Mr. O'Hara: On behalf of the British Government, will my hon. Friend condemn the recent advance of the Turkish army across 200 m of neutral ground at Strovilia, which is not only an act of aggression but an insult to the UN and, indeed, calculated not to facilitate the success of the negotiations? Further, will he confirm that the recognition of a Turkish republic of northern Cyprus as a legal entity can be neither the starting point nor the end point of negotiations, as that would legalise the armed occupation of a sovereign state?

Mr. Vaz: My hon. Friend is clearly a friend of Cyprus and has raised these issues on a number of occasions. The Government do not want anything to interfere with the success of the proximity talks, which as he knows will begin on Monday. I shall certainly take on board the points that he has made and pass them to Sir David Hannay. *[Interruption.]*

Madam Speaker: Order. I should be obliged if the House would come to order. It is still Question Time.

Mr. Cox: Although I note my hon. Friend's reply, is he aware of the crucial importance of the present round of talks? Over the 26 years since the brutal invasion of the Republic of Cyprus, which I remind my hon. Friend is a Commonwealth country, we have seen countless similar talks, only for them to fail. I hope that my hon. Friend will propose that the United Nations resolutions on Cyprus form the basis of the talks and that Mr. Denktash and his advisers will at long last be asked to enter meaningful discussion and not engage in the spoiling tactics that have been used repeatedly over the years since the invasion of the Republic of Cyprus.

Mr. Vaz: I pay tribute to my hon. Friend's work on the Cyprus issue. He will recall the Prime Minister's statement on 23 December 1998 and the progress that we have made in the past two years. He will know of the importance of the proximity talks, and that they resume on 24 July—next Monday. We will do everything that we can to ensure a just and lasting settlement to this sorry issue.

Spending Review

3.31 pm

The Chancellor of the Exchequer (Mr. Gordon Brown): With permission, Madam Speaker, I should like to make a statement.

The public spending allocations for 2001–04 that I am announcing today are possible because, having eliminated the £28 billion deficit that we inherited and having reduced the national debt, the state of our public finances is strong. In the economic cycles of the past 30 years, the current budget deficits averaged £109 billion. The national debt doubled and by 1997 had risen to 44 per cent. of national income. Stop-go in the economy meant stop-go in the public finances.

Our first task was to create stability and sustainable public finances and, having set clear fiscal rules over the economic cycle, a current budget in balance, borrowing only to invest within prudent and cautious limits. Today, we have not only low inflation and stable growth but year-on-year current budget surpluses and debt falling below 40 per cent. of national income—indeed, debt being repaid this year and next. It is this sustained and sustainable improvement in public finances that makes possible a sustained and sustainable improvement in our public services.

Our second task was to encourage the work ethic and secure rising employment. Today, with the assistance of the new deal, unemployment is at its lowest for 20 years, and almost 28 million people—more people than ever before—are in work in our country. Now, building on that foundation of stability and strengthened economic fundamentals, we can move to the next stage in creating a better future: to make good the damage done by the legacy of decades of underinvestment across our public services, and to realise long-term national goals that we have set for a decade. They are to close the productivity gap with our competitors, to deliver and sustain full employment, to secure higher education for a majority of our young people, to halve and then abolish child poverty and to build strong public services as we create a Britain where there is security and opportunity not just for some people but for everyone.

The first conclusion of this year's spending review is that prudent, targeted, long-term investment is not only a social good but, in a changing and often insecure world, an economic necessity. It is only by investing in education, science and the future of our children that we can equip ourselves for future economic success and ensure opportunity for all. It is only by investing in health, transport, the environment and law and order that we can ensure a more productive economy and security for all.

Just as stability and economic strength make possible new investment, so too new investment will reinforce stability and create longer-term economic strength. So, while we will raise current expenditure only in line with our neutral view of trend growth by 2½ per cent. a year, we propose to tackle the long-term neglect of investment in our country with a step change in capital investment for education, science, health, policing and transport and infrastructure.

As I announced in the Budget, net capital investment will more than double, rising from £7 billion this year to £18 billion by 2004, within a ceiling for public investment of 1.8 per cent. of national income as we renew our public services.

The second conclusion of our spending review is that it is by tying new resources to reform and to results and by locking in incentives, penalties, inspection and information that we ensure that new investment goes to the front-line services: in secondary as well as primary schools, new targets for literacy, numeracy and IT; in hospitals, new systems of inspection; in law and order, reforms of criminal justice; in defence, the next stage of the strategic defence review; in local government, new public service agreements; and in transport, the new partnership between public and private sector. At every stage, money will be tied to output and to performance.

Let me give the full details of the financial background. In the Budget, I confirmed that the current surpluses from 2000 would be £14 billion, £16 billion, £13 billion, £8 billion and £8 billion in the succeeding years. I also confirmed that net borrowing would be minus £6.5 billion, minus £5 billion, plus £3 billion, plus £11 billion and plus £13 billion—lower borrowing in every year than in any year of the previous Parliament. I said that, as a share of national income, debt will be 35, 34, 33, 33 and 33 per cent. Thus, even with our programme of public investment, we meet both our fiscal rules, and we do so even on the most cautious case and even on the most cautious view of trend growth at 2.25 per cent.

In accordance with the code of fiscal stability, I will publish the second set of fiscal forecasts of the year in the autumn, but I can already report to the House that, since the Budget, the fiscal position has further strengthened. For the year ending March 2000, the current surplus is healthier than originally forecast at the time of the Budget. *[Interruption.]* The Opposition are not used to these announcements. The current surplus is not £17.1 billion, but £20.4 billion. Debt as a share of GDP has been reduced from 37.1 to 36.8 per cent.

Indeed, I will use a further underspend of £2.5 billion in annually managed expenditure to repay more debt. Two billion pounds in departmental expenditure can be carried forward. However, on grounds of prudence, I have decided to allow a carry forward of only £1.5 billion and to allow spending of only half of that this year and half next year, and to allocate the remaining sum to repay more debt.

It is only because we have put the public finances on a sustainable footing that I can raise spending today. That same discipline allows me to inform the House that, this year, we have repaid £6.2 billion more debt than the £11.9 billion originally planned—in total, a debit repayment this year of £18.1 billion. That is the largest repayment of debt in any year since the war.

We have not, and will not, relax that discipline. So I have three policy announcements to underspin—*[Laughter]*—underpin the strength of our public finances. Further limited sales of spectrum will take place by the end of 2001. We will not repeat the mistakes of the North sea oil windfall. We will not repeat the mistakes of the privatisation sales, where receipts were immediately used up in current spending. I can confirm that all the capital proceeds will, as with the £22 billion from the first sale of spectrum, go to further reducing the burden of debt.

As debt is reduced, so too are debt interest payments. The first spectrum sale alone will save the bill for debt interest by a further £1 billion a year by 2003–04. As I will confirm later this afternoon, that money will go, year after year, directly to improve our public services.

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Secondly, Departments and authorities will make asset and property sales of £4 billion a year over the next three years. That makes £4 billion a year released by realising unproductive assets that we do not need to fund service improvements that we do need. Because money is tied to modernisation, the new public service agreements signed with Departments, and now signed for the first time with local government, will specify not only agreed outcomes, but precise timetables for making necessary reforms.

I can tell the House that as a result of the fall in the share of administration costs in total government spending, new money makes possible a substantial shift in spending to front-line services to recruit more nurses, doctors, teachers, classroom assistants and police—more staff for our front-line services. With the success of the new deal, the bills for social and economic failure are £3½ billion lower, enabling us to transfer £3½ billion every year from paying unemployment benefits to funding public services.

With that improvement comes a radical shift in the composition of public spending in our country. Our promise was to reduce the costs of failure—the bills for unemployment and debt interest—in order to reallocate money to key public services. In the two decades from 1979 to 1997, rising debt interest and unemployment and social security accounted for 42 per cent. of all extra public spending. That meant that 42p in every additional pound was not available to the key public services.

In the coming three years, unemployment, social security and debt interest payments will account not for 42 per cent., but for only 17 per cent. of extra public spending—even as we direct more money to child benefit and the minimum income guarantee. That leaves 80 per cent. of new money for health, education, transport, policing and other public services. The extra resources are available to us not at the expense of prudence, but because of our prudence.

Within our fiscal rules and within the envelope that I set in the Budget, and have strictly adhered to, I can announce that spending on public services—what is called the departmental expenditure limit—is able to rise from £195 billion this year and from our previously planned £203 billion next year to £212.1 billion, then £229 billion, then £246 billion in 2003–04. By 2004, an extra £43 billion a year will be allocated to front-line services in our country. Sustained improvements in public services are now made possible because, with stability and strengthened economic fundamentals, lower debt interest and lower unemployment, we have sustained improvements in our public finances.

I turn now to the departmental allocations. In recent years, in addition to their conventional responsibilities, Britain's defence forces have taken on a new and valued role in international peacekeeping and in conflict prevention, promoting human rights and peace throughout the world, including in Sierra Leone and Kosovo. To complete the restructuring agreed in the strategic defence review, and to fund new equipment and increase the mobility of our front-line forces, defence spending, which has fallen in real terms every year since the end of the cold war, will now increase in real terms. The allocations are £23.6 billion next year, rising to £25 billion in cash in 2003-04.

The rise in the Foreign Office budget from £1.2 billion next year to £1.32 billion in 2003–04 will not only finance the proper representation and promotion of Britain abroad. My right hon. Friend the Foreign Secretary will also announce today that the British Council will receive extra funds, and the budget for the BBC World Service will rise substantially from £174 million this year to £180 million next year and £210 million by the end of the period in order to achieve our new target of 153 million World Service listeners by 2002.

Because we take seriously our international responsibilities to the environment, the Government are also announcing today a special £85 million fund to assist with the nuclear clean-up at Chernobyl.

The international community's clearest duty and greatest challenge is to halve world poverty by 2015 and to make primary education universal for every child. Our international aid budget will therefore rise from £2.8 billion this year to £3.1 billion next year, then £3.3 billion and £3.6 billion by 2004—a real-terms rise of 6.2 per cent. a year, in contrast to the falling share of national income devoted to overseas aid from 1979 to 1997, now a rising share of national income today and in the future, as we honour in full our commitment to debt relief, which is our obligation to the poorest countries of the world.

I turn to our second set of decisions—new investment to build stronger communities. The Home Office budget will rise from £8.2 billion this year to £9.6 billion next year, to £10.3 billion the year after and £10.6 billion in 2003-04, an annual rise in real terms averaging 6.4 per cent. a year. And tomorrow the Home Secretary will set out both his targets and how this allocation will be spent.

To implement fully the Good Friday agreement, an extra £316 million over three years will help fund the modernisation of policing and criminal justice in Northern Ireland, and in this way help underpin peace and future prosperity.

Every community in the land is weakened by the evil of drugs. In return for challenging new targets to cut drug-related reoffending by 50 per cent. over the decade and to treat twice as many addicts through the new National Treatment Agency, the new anti-drugs budget will be set at £870 million in 2002 and rise to £931 million and £996 million by 2004, an average annual real growth rate of 10 per cent.

Strengthening our local communities involves a new partnership with local government based on increased investment and new targets. The three-year settlement for local government—an annual real-terms rise of 3 per cent. over and above inflation—will be set out in full by the Minister for Local Government and the Regions, and Ministers in Scotland, Wales and Northern Ireland will make related announcements.

Local and national Government need to work ever more closely in a new partnership for reform and for improvement, particularly in our poorest areas. For decades, our whole country has been scarred by deep and persistent deprivation and underachievement in high-unemployment communities. While much previous spending has been directed to dealing with the consequences of economic and social failure, it is time now to invest in tackling the causes—poor school results, poorer standards of public health and low levels of economic activity.

Today, our poorest council estates suffer unemployment four times and burglary rates three times the national average, and mortality rates are 30 per cent. higher. These unjustifiable and divisive inequalities cannot any longer be tolerated. Both Government and communities must raise their sights, with a new target to raise up the poorest areas and thereby narrow the gap between these areas and the rest of the country.

So we will not only extend the new deal for communities but strengthen the institutions—from our schools to our health centres—on which these communities depend. In return for local service agreements that require new minimum standards in school attainment, public health, law and order and job creation, a new neighbourhood renewal fund will provide, by 2004, new resources worth £400 million.

In this spending round, housing—and our objective of decent affordable housing for all—will receive the priority it deserves and the resources it needs: an additional £1.6 billion of new investment by 2004, a real-terms rise averaging in this round 12 per cent. a year.

Across the social sector, we will ensure that half a million more houses will be modernised or repaired. This is part of a 10-year plan to eliminate all substandard housing; and, as we implement key recommendations of the Rogers report, reclaimed brownfield sites will account for 60 per cent. of new housing, creating thousands of new construction jobs.

Investment in the future must mean also investment in a cleaner environment. To meet our climate change commitments, the Minister for the Environment will announce how new resources will promote emissions trading and energy efficiency in Britain's homes. Further announcements will be made on the use of renewable energy and recycling by local authorities.

In rural communities, the new rural transport fund has extended the rural network, with 2,000 new or improved bus services. The rural transport fund will now be increased from an annual allocation of £60 million to £95 million; and there will be an announcement later of new finance available for maintaining the post office network in both rural and urban areas.

As farming restructures, deals with BSE and meets challenging targets to move from the old farm production subsidies to the new environmental improvement payments, the agricultural budget—including the Intervention Board—will increase from £1 billion this year to £1.35 billion by 2004, an average annual real-terms increase of 6 per cent. The Food Standards Agency will see its budget for its important work rise from £87 million this year to £111 million by 2004.

Extending access, particularly for our young people, to the arts and to sport will strengthen every community. With a 4.3 per cent. annual real-terms rise in the budget of the Department for Culture, Media and Sport, there will be significant improvement in funding for the arts. My right hon. Friend the Secretary of State for Culture, Media and Sport will give details of new funding to encourage children to use our libraries, museums and arts and to encourage sports, especially in schools and throughout our communities.

Strengthening communities of course involves strengthening our social services and our health service. The NHS plan will be announced next week. There will also be a major package of investment in services for elderly people, including the Government's response to the royal commission on long-term care. My right hon. Friend the Secretary of State for Health will announce the detail of this and other allocations from the health and social services budget next week.

I can also confirm that, in the autumn, the Government will publish our proposed plans for a new pensioner credit, with a view to further announcements on a Budget timetable.

The strong civic society that we seek is built not by rights alone, but by rights and responsibilities. So we will match our Budget tax reliefs to encourage the giving of money with new measures today to encourage the giving of time. Extra resources of £60 million pounds by 2003–04 will have the clear aim of encouraging 1 million more of our citizens to be volunteers in community service.

I turn now to the investment that we must make in our economic future. Britain has great strengths. It is the best place in Europe to do business, with world-class companies in science and technology, but to build for the future we must put in place the long-term investment that is the precondition of a strong economy and of bridging the productivity gap with our competitors. We must avoid the short-termism of the past.

Working with business, the role of Government in the modern world is not to subsidise loss makers or to attempt to pick winners. The new role of Government is to invest in science and innovation, to promote competition and small business development, to encourage balanced regional development, to meet the pressing needs of transport and infrastructure and, most of all, to invest in those great drivers of prosperity—education and skills.

I deal first with investment in science. With our investment in a £1 billion public-private partnership with the Wellcome Trust to re-equip university science, and extra resources to support pioneering medical research that will be announced later, we will raise the science budget by 5.4 per cent. a year in real terms.

To ensure that invention in Britain leads to manufacturing in Britain and jobs in Britain, my right hon. Friend the Secretary of State for Trade and Industry will also announce new resources for a university challenge fund that commercialises inventions, and for university-based regional enterprise centres.

Britain's small businesses are the backbone of local economies. To offer the new services that businesses have themselves requested, the budget of the new Small Business Service will rise substantially, from just under £200 million this year to £277 million by 2004. That will include a national internet service offering comprehensive business advice and a consultancy service for start-ups. It will be worth up to £2,000 for start-ups in high-unemployment areas. As a result, the numbers of small businesses that employ people, which have already risen from 1.2 million in 1997 to 1.3 million now—a rise of 10 per cent. under this Government—can expand in every area of the country.

The newest and most decisive challenge in the new century, demanding higher levels of investment, is to master and lead in the new information technologies. To make Britain best for electronic trading and to bridge the growing digital divide, we have agreed a three-year programme of rapidly rising investment in our

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communities and a new fund, which my right hon. Friend the Prime Minister will announce, to ensure that by 2005 Britain will have all Government services offered online.

Investment in innovation, infrastructure and skills is essential in every region if there are to be high levels of productivity in Britain and full employment throughout our country. To secure that balanced regional development, regional development agencies will receive additional resources, and their budgets will be increased by £500 million a year by 2003–04.

There will not only be new funds but new flexibilities, so that local people can promote local priorities and meet local needs they have identified. In the north-west, there is the regional plan to promote innovation and research; in the north-east, increasing entrepreneurship; in Yorkshire and Humberside, funds for small business development; in the east midlands, information and communications technology; in the west midlands, modern manufacturing; and in the south-east and south-west, as in Scotland, Wales and Northern Ireland, the promotion of clusters of growth. In every region there is new support for skills, for employment and for schools and colleges to promote enterprise open to all.

The overall settlement for Scotland provides for an increase of £3.4 billion a year by 2003-04, which is an annual real-terms rise of 4.4 per cent. A separate announcement will be made by the Scottish Executive.

For objective 1 areas in the United Kingdom—in Wales, Cornwall, Merseyside and South Yorkshire—and for objective 2 and 3 areas, I am today announcing a new approach that will raise their levels of investment. Within our departmental allocations that we are making today, the Government will ensure funding for the European share of objective 1, 2 and 3 projects. For European Union structural funds, that is estimated to total £4.2 billion over three years, including an estimated total of £600 million for new objective 1 programmes in English regions.

The settlement also increases funding for Wales by a total of 5.4 per cent. a year in real terms, and allows for match funding. It includes a special allocation to ensure funding of the European share of Wales's objective 1 needs—an allocation to Wales of £80 million, £90 million and £102 million over the next three years. I am also transferring management of the European social fund allocations of £149 million for Wales over the next three years to the Welsh Assembly.

It is because of the importance to all regions of modern transport and infrastructure that we will now make a step change in investment in public transport. In the Budget, we removed the automatic fuel escalator, and extra money was allocated to roads and public transport this year. Now we are able to raise spending on roads and public transport by significant extra sums to meet the needs of business and the public, from £4.9 billion this year to £6 billion next year, then to £7.4 billion and £9.1 billion in 2003–04, which is a real-terms rise of 20 per cent. a year to 2004. Details of the targets to improve bus and rail services and to cut road congestion, and of the allocation of funds, will be set out in the 10-year plan to be published by the Deputy Prime Minister on Thursday this week.

The modern economy can succeed only when it uses all the talent of all its people. Any potential squandered is a resource denied to this country's future. In this review, we allocate new funds to advance our goal of full employment. For 70,000 employers, nearly 500,000 young people and for Britain, which has seen long-term youth unemployment fall by 70 per cent., the new deal has been succeeding and is a central building block for our policy of full employment. Long-term youth unemployment, which rose to 500,000 in the 1980s, is 50,000 today.

The windfall levy raised more than £5 billion, with £1.6 billion allocated to investment in our schools, and £3.5 billion to employment creation. Because the new deal has been even more successful than forecast, with more people getting back to work more quickly, there is an underspend that enables us to fund the new deal well into the next Parliament, and to transform what started as the new deal for the young unemployed into a permanent deal for all long-term unemployed.

Having helped 500,000 on the new deal, we now set plans to help the next 500,000. Next year and until 2003, I expect £1.7 billion to be available from the windfall levy to do more to coach the hard-to-employ young unemployed and systematically to create new opportunities for our long-term unemployed, nearly 1 million single parents and thousands of disabled men and women who want to work.

To bring both child care and employment within the reach of more parents, child care investment will rise from £66 million this year to £200 million by 2003–4, as we deliver, as we promised, our national child care strategy.

Because of our success in cutting unemployment, social security spending, which grew by 4 per cent. a year in the previous Parliament, is growing by 1½ per cent. a year this year and over the next three years, and the budget for unemployment-related benefits is falling.

To make further social security savings by tackling fraud and error, we are announcing new investment in staff and technology. Having cut errors in income support claims by half, we now plan to cut fraud and error in the jobseeker's allowance and in income support payments, first by 25 per cent. by 2004, and then by 50 per cent. Some, including the Leader of the Opposition, have proposed savings of £1 billion from social security fraud in the next Parliament. Our proposals achieve savings in excess of £1 billion.

I turn now to investment to ensure that all children have the best start in life. Today's children will be tomorrow's doctors, scientists, engineers and nurses—our future work force in every area. By investing in children, we are investing in our country's future. We have invested £7 billion a year more in families during this Parliament, raising child benefit by 35 per cent. and guaranteeing a minimum family income under the working families tax credit; and from next April, the new children's credit will be worth £442 a year to the typical family.

It is now time to take further steps. The war against child poverty requires not only additional cash but the support and encouragement of all forces of care and compassion in every community. It can be won only by the combined efforts of parents and the private, voluntary, charitable and public sectors working together. In a unique initiative, after consultation with charities and voluntary organisations, we will create a national children's fund with a budget over three years totalling £450 million, to help children and young people at risk.

The children's fund will work with national children's charities and local community organisations, secular and faith based, and will support those dedicated staff and committed volunteers who offer one-to-one help to young people and to parents at risk, and £70 million will be allocated to a network of local and regional children's funds.

I turn to investment in education. With the funds that my right hon. Friend the Secretary of State for Education and Employment allocated from the first spending review, he has made major reforms in education, ensuring nursery education for every four-year-old; cutting class sizes for five to seven-year-olds; raising literacy and numeracy standards for 11-year-olds by 6 and 10 percentage points; and reforming and expanding higher and further education.

Education qualifications are, in the modern world, the surest route to opportunity and security for all. All children should be ready to learn when they reach school. From the first spending review came sure start, which is now lifting 50,000 children and their parents out of poverty.

In the second review, and tied to targets for improving child development and parental responsibility, we will by 2004, with a budget of £500 million, expand the number of children helped in our country to 345,000. With nursery places already increasing from 200,000 in 1997 to 400,000 in 2002, my right hon. Friend the Secretary of State for Education and Employment will announce funds for the next stage in our expansion of nursery education.

Having improved standards in our primary schools, the next task is to raise standards as decisively in the secondary schools, so the expansion of resources that my right hon. Friend will announce for all schools is designed to back up reform and to bring radical improvement in the comprehensive system to ensure that opportunity for all means the highest standards of education for all.

My right hon. Friend will consult on and fund a new target for our secondary schools: by 2007, not today's 60 per cent., but 85 per cent. of 14-year-olds must meet literacy, numeracy and computer standards. To raise Britain's appallingly low staying-on rate at school, we are setting aside £150 million a year for education maintenance allowances worth up to £40 a week. Our new and challenging target is: by 2004, 80,000 more 16 to 18-year-olds in education and nearly 60 per cent. of young people having left school or college with A-levels or their equivalent by age 21.

Under the new deal for schools, 17,000 of our schools will have had some improvement, modernisation or renovation by 2002, and every one of our schools—32,000 of them—will be linked to the internet by that date. Our objective by 2004 is 500,000 more computers in our schools. By 2010, we want the majority of young people to be going on to higher education. My right hon. Friend is allocating £100 million extra to higher education in 2001–02, a 4.6 per cent. real terms increase in total. The review provides further finance that will raise the numbers in part-time and full-time higher and further education towards that goal of 50 per cent.

State pupils secure two thirds of the top A-level qualifications, but only half the places in some of our leading universities. To bridge that gap, the Secretary of State for Education and Employment is today setting a new objective to improve access. The Higher Education Funding Council for England will provide financial help for universities submitting plans for year-on-year improvements in the widening of access.

Two million adults have a reading age of seven or lower. Adult illiteracy is not just a failure of our society, but—as business leaders around the country have told me—an economic inefficiency that the country cannot tolerate. In the coming weeks, the Secretary of State will announce the provision of new resources to tackle those barriers to opportunity and earnings.

The best education for all, from early learning to lifelong learning, is not only a time-honoured social ideal but, in today's world, an absolute economic necessity. That is why we have decided to make increased investment in education the priority of this year's review, and to back sustained long-term reform with a sustained increase in resources.

In the Budget I was able to allocate new resources to the national health service, amounting to a rise of 6.1 per cent. a year in real terms over the four years to 2004. I was also able to allocate an additional £1 billion to United Kingdom education for this year. Today, in return for the new targets for improved standards, we can allocate further resources for UK education for the next three years.

Under the last Government, UK education spending rose by an average of only 1.5 per cent. a year in real terms. Over the next three years, it will rise by 5.4 per cent. in real terms. Spending will rise from last year's £40.6 billion and this year's £45.8 billion to £49.5 billion, £53.4 billion, then £57.7 billion. The money that I have announced in the Budget and today will deliver, over the four years from now until 2004, an average annual increase of 6.6 per cent. in real terms—an annual rate of growth far in excess of the 1.5 per cent. achieved from 1979 to 1997.

I have one further and final announcement to make. In March, the Secretary of State for Education and Employment made special payments direct to head teachers for books and equipment. They ranged from £3,000 to £9,000 for primary schools, and from £30,000 to £50,000 for secondary schools. A total of £290 million went direct to head teachers, to be spent by schools for use in the classroom.

The Government have decided to continue that innovation, but next April the Secretary of State will allocate to our head teachers not £290 million but £540 million. As a result, head teachers in every one of our smaller primary schools will next year receive not £3,000, but a payment of £6,000. The larger primary schools will receive not £9,000, but £20,000. For the smaller secondary schools there will now be payments of £50,000, rising, for the larger secondary schools, to £70,000. Those payments will now be made not just for one year, but for every year until 2004.

We have made our choice: improved investment in health, education, transport and social services, and in our communities. It is now for those who oppose our spending plans to state clearly where their cuts would fall. This Government have been prudent for a purpose. Our

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choice is stability, employment and sustained long-term investment, now and into the next Parliament, to create a Britain of security and opportunity for all.

I commend this statement to the House.

Mr. Michael Portillo (Kensington and Chelsea): As usual, I draw attention to my entry in the Register of Members' Interests. [HON. MEMBERS: "Ah!"] At least I am honest about it.

I believe that:

The level of public spending is no longer the best measure of the effectiveness of government.—*[Laughter.]*

I was quoting from the Labour party manifesto. *[Interruption.]* Labour Members roar. It is in there. That is the basis, that is the commitment, on which the Chancellor of the Exchequer fought the last election campaign. Was the Chancellor being insincere with us then, or is he kidding us all now? Either way, who can believe a word that he says now?

Does the Chancellor recall promising, two years ago, £40 billion to transform health and education and to tackle crime? If Labour Members believe that the £40 billion that he has announced today will save their seats, they should remember that the previous £40 billion did not improve public services. This £40 billion will not improve public services, because Labour's spending is not working. Today the Chancellor announced lots more targets. The history of the Government is that they have dumped the targets that they cannot meet.

Another gem in the Labour manifesto was its commitment that the Labour Government would be

wise spenders, not big spenders.

Now, that is all turned around. Now they are going to be big spenders, not wise spenders, because we are all paying for their failure to reform welfare. We are all paying for their distortion of the clinical priorities in the national health service—distorted by a Government obsessed with spin. We are paying for their failed policies of interference in education. Here is the Chancellor today offering titbits directly to schools. Why does he not give the vast majority of the money directly to schools, as we propose to do? We are still paying for the dome. Is it any wonder that the Labour Government—*[Interruption.]* Oh yes we are. Is it any wonder that the Labour Government tax more and deliver less?

Does the Chancellor remember that the last time he spoke to us, he said:

if we don't spend the money well, people will suffer.

Well, people have suffered. Their taxes have gone up, but public services have got no better. Hospital waiting lists are up. Class sizes are bigger. *[Interruption.]*

Madam Speaker: Order. I would be obliged if the House would come to order. The House was not always in good order for the Chancellor, but it was for most of the time. I expect the same for the Opposition spokesman.

Mr. Portillo: Hospital waiting lists are up. Class sizes are bigger. Today the Government have released the most appalling figures for violent crime. How can they spend so much, and spend it so badly?

Today the Chancellor tells us that spending will be tied to output. If that is the case, what has he been doing in the past? There is never any danger of this Chancellor "underspinning", as he said today. Having broken all his promises before, does he really think that the solution is to make promises again?

The Labour party fought four general elections on a policy of tax and spend. Those are the four general elections that it lost. The only time that Labour won an election was when it committed itself—or appeared to commit itself—to Tory prudence.

Let me remind the House why the Chancellor has so much money in his election war chest today. *[Interruption.]* Labour Members do not want to hear about that. Is it not because he has taken £5 billion a year out of people's pension funds? This is a Chancellor of the Exchequer who, for his own glorification, is prepared to spend today at the cost of impoverishing generations of pensioners tomorrow.

Does not the Chancellor have the money today only because he has relentlessly increased taxes? Petrol has now reached £4 a gallon, and council tax has increased four times faster than inflation. Tax relief for mortgages has gone, and tax relief for marriage has gone. The additional age relief for pensioners has gone, too. Does not the Chancellor realise that, for families and pensioners, the tax increases that he has imposed are reality today, and that all the fine words that we have heard from him are merely promises for tomorrow?

Did the Chancellor really think that people would not notice that they were being taxed? Did he really think that he could put an extra £670 of tax on average working families in this country and they would not notice? For many families, that is the difference between living comfortably, and life on the edge. It is the difference between getting on and getting into debt—*[Interruption.]* That is the real world. How out of touch can the Prime Minister and the Chancellor of the Exchequer be?

Is it not true that those who can least afford it have been taxed and taxed until the pips squeak, with taxes on alcohol, taxes on cigarettes and taxes on petrol—the most regressive taxes of all? *[Interruption.]* Labour Back Benchers know what has happened, and they know that a Labour Chancellor who taxes the poor is no socialist hero. I believe that hard-working families and pensioners should pay less tax than they do now, because Governments—*[Interruption.]*

Madam Speaker: Order. Many of the people of this country will be watching us, and many will certainly be listening. Tomorrow, I shall get many telephone calls and letters about the extremely poor behaviour in this Chamber.

Mr. Portillo: I believe that hard-working families and pensioners in this country should pay less tax, because Governments often waste their money. I do not believe that it is morally superior for the Government to take money away from parents—money that they might have spent on their children, or on putting a better meal on the table.

A Conservative Government will cut taxes for those people, because families need lower taxes and businesses need lower taxes. When Governments all over the world are cutting taxes, how else is Britain going to compete?

Despite the revisions that the Chancellor announced today, can he confirm that he still assumes that national income will increase by 2¼ per cent. a year, yet commits himself to increase overall national spending by 3.3 per cent. a year? Would any family in the land plan to go on increasing their spending, year after year, by more than the increases in their income?

Is not the Chancellor's plan just a spending splurge? He will increase spending by almost 1½ per cent. of national income, which is the equivalent of £600 of extra tax for every taxpayer. Is it not true that the budget surplus can be spent only once, and that when we have spent that surplus, we are back on the road to higher taxes?

What happens if the future is not quite as rosy as the Chancellor thinks it will be? Is he committed to all the numbers that he has just given us, whatever may happen to the economy four years from now?

We shall study the Chancellor's remarks very carefully. Although he claimed to be "underspinning" today, he will have to admit that every previous statement he has made included double and triple counting, and many hidden surprises. Now, the Prime Minister's notorious leaked memo has displayed the cynicism deep at the heart of this Government. When people trust them so little, who knows what we shall find in the small print?

We shall find out what constitutes genuine investment in our future, and what, on the other hand, risks being wasted by a Government who are now spending £11,700 every second. I trust that we shall find many things to be welcomed, just as we welcomed the extra money for the health service that the Chancellor announced in the Budget statement.

The Chancellor has taken time to prepare his plans, and we shall take time to prepare ours. However, our framework is more prudent than his. We can and we should increase spending in real terms on the things that really matter to people, but we should do that at a sustainable rate. Steady increases above inflation and within the growth in the economy can be combined with tax cuts for hard-working families and for pensioners. Are these not now the dividing lines?

We will fight the next election as the low-tax party. Labour has been exposed as the high-tax party. What Britain needs is not a splurge of taxpayer's money from a Government whom people do not trust, but a sustainable policy for the long term. Labour Governments always end up with tax and spend. A Conservative Government would tax less and spend better. A Conservative Government would show common sense and prudence.

Mr. Gordon Brown: I take it that the right hon. Gentleman is against our spending plans. I think that the most relieved man in the House this afternoon is the Leader of the Opposition—except for the fact that he has had landed on him the policies of the shadow Chancellor.

This afternoon we have heard an extraordinary statement from the shadow Chancellor, because he has refused to match any of our spending commitments. He has refused to match the £11 billion extra that we are spending on education, so in every constituency in the country Opposition Members will have to answer to parents, teachers and others about the Tory education spending cuts guarantee.

The right hon. Gentleman has refused to match the £8 billion extra for public and private improvements in transport, so Conservative Members will have to answer for their transport cuts guarantee to all the road users, all the car owners and all the people who depend on public transport. The shadow Chancellor has even refused to match my right hon. Friend the Home Secretary's spending on combating crime, so they will have to answer for a guarantee of spending cuts on law and order, as well.

When the shadow Chancellor went round the television studios at the weekend and said that our spending was unsustainable and, as he repeated today, that it was a "splurge", that Labour was a party that could not be afforded, and that the rate of spending in this country should be 2 per cent. not 3.3 per cent., he was actually saying that public spending should be cut by £16 billion by year four. He cannot escape from that, try as he might. Throughout the country he will have to say which school, which hospital, how many teachers and how many nurses would be affected by his proposals. When Conservative Members go back to their constituencies this weekend, they will have to give the answers.

There is another point. In 1992 the shadow Chancellor imposed 22 tax rises. He is now threatening £16 billion in cuts. I am happy to have our record compared with his when he was at the Treasury. He talks about taxation, but the biggest tax rises took place when he was there. There were 22 tax rises, including VAT on fuel, the rise in national insurance, the airports tax, and the reductions in mortgage tax relief and the married couples allowance. He is not the answer to the Conservatives' problems on tax; he is their problem on tax.

The shadow Chancellor says that he will be prudent. We have reduced the national debt. When he was Chief Secretary the national debt rose by £80 billion. It rose by the fastest rate in years, as the Conservatives doubled the national debt. The right hon. Gentleman says that he does not want to borrow, but when he was at the Treasury borrowing rose from £20 billion to £50 billion—and we have had to sort out the difficulties. We take no lectures from the Conservative shadow Chancellor given that he was responsible not only for tax rises but for borrowing at record levels and doubling the national debt.

There is another reason why we will not take lectures from the right hon. Gentleman this afternoon. In the 1980s the Conservative Government of whom he was a member refused to invest in our country—in education and infrastructure—and blew the privatisation of North sea oil revenues, which led us to the underinvestment and the problems that emerged with boom and bust in the early 1990s. The Conservative party cannot now tell us that it has a solution to the problems of this country, while the Labour Government are having to deal with their legacy of underinvestment to sort out those problems.

Only a few weeks ago, the shadow Chancellor's tax guarantee—it was a guarantee, then—was the issue of the moment, and he was trying to prove that resources were available. Instead of saying that the economy was running into ruin, that it was unsustainable and that things were getting out of control, he said on the Jimmy Young show:

> The economy is doing well. There is absolutely no denying that, and I am not going to go around saying that the economy is not going well.

In another speech, he praised us for an "absolutely reliable anti-inflation strategy". How is it that immediately after the Budget, with exactly the same figures for the framework for public spending, he could praise us for our anti-inflation strategy and say that the economy was doing well—but today he comes to the House to predict doom and gloom?

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As we have seen in the seven days since its spending announcement, the Conservative party has resorted to its old ways. It is not prepared to finance education. It is not prepared to finance health as it should be financed. It is not prepared to finance our social services. When the shadow Chancellor left the House of Commons, he said that the Conservative party was identified as uncaring, harsh and not concerned about unemployment, poverty or social conditions—yet it is a return to that Thatcherite policy that he is presuming today.

The shadow Chancellor lost the last election with 22 tax rises. He will lose the next election with £16 billion of public spending cuts.

Mr. Giles Radice (North Durham): The Treasury Committee will want to question my right hon. Friend on his statement, as he knows, but is it not the case that his announcement of significant but affordable public spending increases is a vindication of the Government's economic policies? Does it not show that the Government's restraint in the first two years in office, the new monetary framework and the steady economic growth have led to a virtuous circle of low inflation, low public debt, and now the increased public spending in vital areas such as education and health that we have heard announced this afternoon?

Mr. Brown: I am grateful to my right hon. Friend. He is the distinguished Chairman of the Treasury Committee, and he says that the economy has been put on a strong foundation. The figures show that 42 per cent. of additional expenditure under the Conservatives went on social security and debt interest, but that only 17 per cent. will go on those things under the new spending plans. That is a recognition not only that the public finances are in order, but that we are using them to best effect. I shall give the House the benefit of further information. Under the regime of the former Chief Secretary to the Treasury, who is now the shadow Chancellor, it was not 42 per cent. but 55 per cent. that went on social security and debt interest. More than half the expenditure went on social security and debt interest. Today, most expenditure goes on health, social services, education, transport, tackling crime and building a better Britain.

Mr. Matthew Taylor (Truro and St. Austell): Millions of people will have had one question in their minds as the Chancellor sat down: what about the pensioners? With £43 billion to spend, the Chancellor's Budget in March, with its 75p a week for pensioners, looked miserly; now, with a £2.5 billion surplus in the social security budget, his zero increase for pensioners looks positively mean.

As for the rest of the statement, no one will accuse the Chancellor of underspinning. The shadow Chancellor may be underperforming, but the Chancellor is not underspinning. However, the question that the Chancellor must answer is whether his statement today was effectively an admission that what has happened in the past three years was unnecessary, that Liberal Democrats were right to say that the Government were building an election war chest, and that—contrary to what the shadow Chancellor said—what we suffered from was the problem of having had a Conservative budget in the early years of this Parliament, and the costs that it imposed on pensioners, pupils, patients, the police and public services as a whole. This is bust-boom economics; this is exactly the treatment of public services that Liberal Democrats have predicted for the past two years, because it was there for all to read.

The irony of the shadow Chancellor's position is that this Budget will only bring Government spending, as a proportion of national wealth, back to the level they inherited from the previous Conservative Government, having cut it in the early years by following Conservative Budgets. That is not what people voted for, and it was a wasted opportunity. The statement makes that absolutely clear. We have bust-boom treatment of the public services.

The Conservatives now offer £20 billion of cuts while the Liberal Democrats welcome increased investment in public services, even if it is late. However, will the Chancellor guarantee it? In the previous comprehensive spending review, he gave figures that we now know were not true. For example, he said that there would be a 5.1 per cent. increase in spending for education. We know now that last year, schools received only a 2.5 per cent. increase. The spin is all there, but where will the delivery be? It is not there for pensioners. Will it be there for the police? Is the Chancellor able to tell us whether there will be more police on the beat at the end of this process than there were when he came into office?

Will the right hon. Gentleman get rid of tuition fees? Is he able to guarantee lower class sizes for all children, and not only for those up to the age of seven? Or will the position continue to worsen, as it has so far since Labour took office? Can the Government even guarantee that tuition fees are not set to rise to help pay for their higher education policy?

The 18 years of Conservative government were a disaster for public services. However, the early years of the Labour Government left Conservative policies in office. The bust-boom approach is not a sensible way of handling public service investment. It never was, and the Government's cynicism showed through in every sentence that the Chancellor read out. No wonder the Prime Minister's memo did not mention the Chancellor. There never was any chance that the Chancellor would underspin. He follows the same agenda of trying to win elections at the cost of public service.

We will scrutinise the figures because we know that on every previous occasion, the Chancellor has sought to mislead. We want to show pensioners that the Government had the money to give them a decent pension and have not delivered. I suggest to Labour Members that when the leave this place, they will experience the anger of pensioners because they are still left with 75p. That will be the greatest single legacy from the Chancellor's statement.

Mr. Brown: At the general election, the Liberal Democrats stood on a manifesto that stated that they would put £500 million more every year into the national health service. Under our plans, we are putting £13 billion more a year into it. The Liberal Democrat manifesto stated that they would put £1.9 billion extra into education. Under the new plans, there will be £10 billion extra a year. The Liberal Democrats said that they would raise the pension only in line with inflation. They also said in their manifesto that they supported a minimum income guarantee.

Now we have the shopping-list approach to economics, which has been adopted, unfortunately, by the Treasury spokesman for the Liberal Democrats. He wants in one part of the country to say that he is doing this, while saying in another part that he is doing that. In other parts of the country, he wants to appease particular groups. He tries to coin a new line about bust-and-boom economics, but that sits uneasily with the fact that we have put public finances in order. The national debt has been reduced and the borrowing that we inherited has been eliminated. Debt as a proportion of national income is falling, and we are now able to have sustained and sustainable improvement in our public sector services for the years ahead. That would not have happened under the Liberal Democrats' policy.

Mr. Alun Michael (Cardiff, South and Penarth): I welcome the fact that my right hon. Friend's announcements today address Labour issues from the international to the local. In particular, his announcement on the new deal will give opportunities to young people as individuals.

My right hon. Friend will be aware that the announcement has been particularly awaited with interest in Wales. Will he confirm, not least for the right hon. Member for Caernarfon (Mr. Wigley), that his settlement enables the National Assembly for Wales to spend in full the money available to Wales under objective 1 without cutting into education and health spending? Does it also provide the necessary flexibility for the Assembly to deal with matters such as match funding?

Mr. Brown: I am grateful to my right hon. Friend. The settlement does exactly that. I am grateful to him for the work that he has done and I am grateful to all his colleagues who are Welsh Members of Parliament. The Welsh objective 1 settlement ensures that the resources are there to move ahead. The Wales Office expenditure is rising by 5.4 per cent. in real terms, something that could never have happened under Plaid Cymru policies.

Equally, my right hon. Friend is right to say that we have been spending money in Wales on the new deal and the working families tax credit in a way that gets money to the communities that need it most—an allocation of public expenditure that is most important to areas of high unemployment. In total, we are spending £231 million on the new deal and the working families tax credit. Taking into account the Barnett formula, the additional money for objective 1 spending, which my right hon. Friend has urged—as have many others over a period of time—and the £231 million expenditure on the new deal and the working families tax credit, this is not only a good settlement but one that will help Wales to invest in its future and to invest to create a Wales of full employment.

Mr. Kenneth Clarke (Rushcliffe): Will the Chancellor, who strives for a reputation as a serious policy maker, agree that no one, including himself, can predict accurately now the course of the economic cycle or the growth in the British economy during the next four years? The Chancellor is never knowingly underspun when he is surprised by changes that are favourable compared with his forecast, but will he accept that, if the forecasts go wrong, he does not know the extent to which he might have to raise tax, the extent to which public borrowing will go up, the inflationary pressures that might be caused and the extent to which he might squeeze out private sector investment in business by what he has announced? Is not the explanation for a statement in which I do not think Prudence was mentioned once—*[Interruption.]* I am told that she had four sad and parting mentions.

The reason for these U-turns and the bran tub approach of throwing money at every problem is that the right hon. Gentleman's colleagues have become panic stricken that big numbers and big promises two years ago have delivered nothing, so they now hope that big numbers and big promises beyond the next election will deliver them a return to office.

If the Chancellor wants to turn to serious policy making, does he accept that the future that we want and the strength of our public services, as well as our jobs and well being, depend on sustaining growth with low inflation and healthy public finances, which he and I have been lucky enough to enjoy at the Treasury for the best part of seven years now? If he wants to sustain that, he should run a surplus at this stage of the cycle and wait, year by year, to see the course of economic events, and release money sensibly to finance public services when he has the money in his pocket.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I appreciate the right hon. and learned Gentleman's vast experience in this matter, but that was too long a question.

Mr. Brown: The former Chancellor is forgetting that he left behind a legacy of a £28 billion borrowing requirement, debt at 44 per cent. of national income, inflation rising, the economy heading back to stop-go and even the shadow Chancellor after him predicting that there would be a recession. We had to tackle the issues and reduce the debt. So far from us praising him for the legacy that he left us, he should be more humble about what he achieved when he was at the Treasury.

I was wanting to agree with the right hon. and learned Gentleman because he put up a better show than the shadow Chancellor, but I have since heard that this afternoon, he said on television that VAT on fuel should now be raised to its full amount—something which he says will happen soon. Again, we remind ourselves that two of the Ministers who were responsible for that policy have spoken in the House this afternoon. If the right hon. and learned Gentleman wants to reject three-year planning for public spending and to go back to the old annual cycle, he should remember that there were huge losses in that, with end-of-year settlements that did not work properly. Local government, the health service, education and transport need a long-term framework within which to move ahead.

The right hon. and learned Gentleman talked about the economic cycle. We have met, and will meet, our fiscal rules, even on the most cautious case. We have an £8 million surplus in the current side, even in the year when the surplus is lower, and we have reduced national debt from 44 per cent of national income to 33 per cent. Therefore, the investment can be made on a sustainable basis. I would have expected someone who said that his own spending plans were "eye-wateringly tight" when he passed them on to us would want to praise the fact that we are now spending the sums that I would have thought he wanted to spend on education, health, transport and the public services.

Mr. Robert Sheldon (Ashton-under-Lyne): Is it not clear that my right hon. Friend came to office with a

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three-year programme to put the public finances in order and then to turn to investment? He said that money would be spent to ensure that output and investment were achieved; this is his third test and his track record so far makes us optimistic.

Mr. Brown: Yes; I am usually talked of in the context of five tests.

The first thing we had to do was to create stability. The second thing we have to do is to get people back to work. The new deal, which the Opposition would abolish, is a programme that is helping thousands of young people and the long-term unemployed back into work. I would have wanted an all-party consensus on moving forward on this issue. Instead, the Opposition are determined to abolish the new deal and to deprive young people of the chances of jobs.

The third thing we have to do is to invest to build a stronger economy and a stronger society. That is exactly what my right hon. Friend has spent much of his political career advocating, particularly in relation to productivity and output in the manufacturing sector of the economy. The funds that we are making available for training, education and science, and the funds for regional development agencies so that we can build up our regions, are one way in which we can build a stronger industrial base for the future, in accord with the ambitions that my right hon. Friend has always furthered, on which I congratulate him.

Mr. David Davis (Haltemprice and Howden): I should like to follow on from the Chancellor's comments on investment. I think I heard him say that the target for net investment will increase from £7 billion to some £18 billion in the next two years. The House of Commons Library tells us that his target last year was £6 billion, but the outturn was less than half that, at under £3 billion. How will he make the promise turn into delivery?

Mr. Brown: Here is a Conservative accusing me of spending too little, rather than too much. Over 20 years, Departments have not been in the business of moving forward investment plans as quickly as we want. We have also innovated in many areas including, following the last Government, public-private partnerships. I believe that the momentum is now there, particularly in transport, where investment is needed. Public-private partnerships in the London Underground and elsewhere have been developed. Therefore, I believe that we can make progress in these investment plans. Given what the right hon. Gentleman says, I hope that, in contrast to the shadow Chancellor, he will support us in them.

Dr. Gavin Strang (Edinburgh, East and Musselburgh): It is to my right hon. Friend's credit, and to the credit of this Labour Government, that the country's finances are in such a healthy state.

Does my right hon. Friend recall that in his last comprehensive spending review, he announced a proposal partially to privatise our air traffic control system and a timetable for the partial privatisation of DERA, the Defence Evaluation and Research Agency? Does he agree that the country's finances are much better than could have been imagined in 1998? Against that background, will the Government reconsider their decision to privatise key strategic assets such as National Air Traffic Services and DERA?

Mr. Brown: This is a proposal to get new investment into air traffic control. It is a proposal to secure massive investment funds which everybody knows are needed for the future of the air traffic control service. It will raise money from the private sector, but involve a public-private partnership. The same goes for DERA where, again, we are getting new funds in so that we can have the necessary investment in equipment and technology for the future.

This is about investment; about building for the future. In the air traffic control business, it is about building alliances right across the continents. I think that when the final plans are eventually implemented, we shall have the investment that we need in air traffic control and in DERA.

Mr. Peter Brooke (Cities of London and Westminster): Will the Chancellor remind the House of the annual real-terms growth rate over the three years for defence spending?

Mr. Brown: The annual rate is 0.3 per cent. in real terms over the next year. I take it from what the shadow Chancellor said that he cannot even support that.

Mr. Tam Dalyell (Linlithgow): What was the financial message that Sir Charles Guthrie, Chief of the Defence Staff, took to Downing street some two weeks ago? Is the real-terms increase in defence expenditure really sufficient to meet the long-term demands of our commitments in Kosovo and Bosnia? A fortnight ago, when some Albanians under the protection of British troops were asked how long KFOR and the British Army were expected to remain, some of them said 20 years and others said for ever. Has the Chancellor built in that long-term commitment to the Balkans? We have it now, whether people wanted it or not.

Mr. Brown: We have regular meetings with the Chief of the Defence Staff to talk about defence issues. I believe that this is an important settlement which allows our defence forces to complete the strategic defence review which was started by Lord Robertson and which is now being continued by my right hon. Friend the Secretary of State. It provides funds to buy new equipment and to replenish what has to be replenished after Kosovo. It provides funds to ensure the retention and recruitment of staff and to help our international peacekeeping role. As my hon. Friend knows, in normal terms, Bosnia and Kosovo become claims on the reserve.

Sir Peter Tapsell (Louth and Horncastle): If the pre-election bonanza that the Chancellor has just announced is to be regarded as economically sound, why has it been necessary for the Bank of England to raise interest rates repeatedly in recent months, causing great distress to British export manufacturing industry and to British agriculture?

Mr. Brown: I always enjoy discussing the economy with the hon. Gentleman because he seems to forget that when the shadow Chancellor was Chief Secretary, interest rates rose to 15 per cent. and remained there for a year. Interest rates are now at 6 per cent., and I remind him that the Bank of England had the Budget announcements,

which were the framework within which we made our decisions. It said that the result of the Budget on interest rates seemed unlikely to be large over the next two years. All the framework figures were given to the Bank of England. The framework figures on which the decisions were made in the public spending round were announced in the Budget.

Mrs. Anne Campbell (Cambridge): I warmly congratulate my right hon. Friend on his statement, in particular the extra resources for education and science funding, which will be warmly welcomed in my constituency. Will my right hon. Friend ensure, perhaps using his considerable influence, that the extra funding for education is distributed in a way that makes the total funding for each pupil more equitable than at present?

Mr. Brown: This is, of course, a matter for my right hon. Friend the Secretary of State for Education and Employment, who has done a superb job in recent years building up our education system. I believe that he will look at such decisions carefully. I praise my hon. Friend for her work to promote the case for science in our country. It is important to ensure that sufficient funds are spent on science and innovation so that we can build the best productive base for the future. It is also important that investment in education and our schoolchildren is made at the necessary level. It is unfortunate that the Conservative party does not even seem to support education spending now.

Mr. Dafydd Wigley (Caernarfon): Why has the Chancellor not taken this opportunity to pass over to Wales the whole of the European structural funds meant for Wales, over and above the Barnett block limit? Of the £540 million coming from Brussels to Wales for objective 1 funding over the next three years, only £272 million has been passed over and £268 million is being pocketed by the Treasury. In other words, the right hon. Gentleman has conceded the principle but kept the cash. Is not the First Secretary right to say that Labour will pay a heavy price for this at the coming general election?

Mr. Brown: The right hon. Gentleman should be man enough to say that we have done a good job and sorted out the problem of objective 1 funding. Wales has a 5.4 per cent. real terms increase in its budget, which is higher than it ever had under a Conservative Government. It is something that the right hon. Gentleman's party could never have delivered had it been in power in the Welsh Assembly or anywhere else. I notice that in the candidatures for leadership, Plaid Cymru is now descending back to being a wholly separatist party, and the right hon. Gentleman should be embarrassed by that.

The Labour Government are putting into the spending settlement the resources needed for the objective 1 programme to be carried out. It is those resources that enable the European funding and provide the matching funding through the spending settlement we have made. In addition, through the windfall tax on the privatised utilities, more money is being spent on the new deal and the working families tax credit in Wales—something that the right hon. Gentleman's party could never have achieved. The fact is that unemployment is coming down in Wales because of a Labour Government.

Mr. Barry Jones (Alyn and Deeside): I note the advance towards full employment and I thank my right hon. Friend for that and for his plans for decent social services for all of our people. However, what are his plans in the coming years for assisting manufacturing, not least the steel industry and Shotton steel works in my constituency? Does he recollect the £530 million he has given to British Aerospace for the A3XX project, and does he know that I have so far failed to persuade the First Secretary to give £25 million to secure 1,400 new jobs? Will my right hon. Friend use his famed skills of persuasion in Whitehall—using metaphorically the twisted arm and the steel-capped boot—to persuade the First Secretary to give that money and secure those jobs?

Mr. Brown: My right hon. Friend's congratulations have an edge. On manufacturing industry, it is true that we have helped the British aerospace industry, and that matters to his constituency and others around the country. We will continue to support new projects that can yield jobs, investment and growth for our economy in the future. I acknowledge that the difficulties with the pound have caused problems for many sectors of manufacturing, including the steel sector, but at the same time manufacturing productivity has been rising by 5 per cent. We have put in place more measures today, including, first, a research and development tax credit so that we finance a substantial part of the investment in new technology and innovation by manufacturing firms. Secondly, we have put 100 per cent. capital allowances in place, so that small and medium-sized firms can claim all that against their tax in the first year. Thirdly, we have put in place regional investment and venture capital funds, which will be of assistance in Wales and other parts of the country.

In terms of stimulating new investment in the manufacturing economy, we are doing what we can and will continue to do so. I can tell my right hon. Friend that even manufacturing firms under pressure say to me that the last thing they want—and what we are avoiding with our policies—is a return to Tory boom and bust.

Mr. John Redwood (Wokingham): Far from the Chancellor offering to marry Prudence, with a purpose or without, he has clearly cast her off cruelly. Is he ashamed that he imposed such a massive tax on petrol? Was not that a mugging with a menace that turned out to be totally unnecessary in view of the figures that he has published today?

Mr. Brown: I thought that the right hon. Gentleman was leading the Tory campaign in the House and in the country, but he has started by scoring a massive own goal. Who put the fuel escalator on petrol? It was the Conservative party. Who took it off? It was the Labour Government.

Mr. Dennis Skinner (Bolsover): Is the Chancellor aware that some 22 years ago, the previous Labour Government made a statement that resulted in pay freezes and cuts in the budgets for health and education? It was met by some weary, drooping heads on this side of the House. This statement, whichever way you cut it, is a sight better than that one. When I hear my right hon. Friend talk about an extra 3 per cent. above inflation for this Department, an extra 4 per cent. above inflation for that Department and an extra 5 per cent. above inflation

[Mr. Dennis Skinner]

for yet another, I can only assume that the pensioners will also get 3, 4 or 5 per cent. above inflation. Will he confirm that?

Mr. Brown: My hon. Friend tries to draw me into something that is a matter for further consultation. Unlike the Conservative party, we will keep the winter fuel allowance and pay that £150. Unlike the Conservative party, we will ensure that the free colour television licences goes to pensioners and the minimum income guarantee rises in line with earnings to take thousands of pensioners out of poverty. For further announcements, I hope that my hon. Friend, who has been patient for 22 years, will continue to be patient for at least a few more days and weeks.

Mr. Michael Jack (Fylde): Can the Chancellor confirm that today's announcement on spending levels is predicated on the figures in the "Financial Statement and Budget Report" for tax receipts and total Government receipts maintaining their increasing percentage share of GDP? On the question of fraud, as a Chancellor interested in outcomes, will he explain to the House why the Department of Social Security has so far failed to meet any of its fraud targets?

Mr. Brown: The Department of Social Security has just cut the number of inaccurate income support payments by half and has made considerable savings as a result, which is something that, unfortunately, the Government of whom the right hon. Gentleman was a member failed to do when in power. On tax revenues, the right hon. Gentleman should consult the Budget documents; he will find that the tax share of national income, which has been 37.1 per cent, 37 per cent and 36.9 per cent, is 36.7 per cent in 2003–04. The right hon. Gentleman should consult the appropriate table on that matter.

The problem for the Conservative party having dropped its tax guarantee, is that, nobody trusts it at all on the issue of tax. As a result of its failure to spell out its public spending cuts, every public service, from education to health, transport, housing and social services is now seen to be vulnerable. It is the same old Tories.

Mr. Bill Rammell (Harlow): May I tell the Chancellor about Brays Grove school in my constituency which, having had to wait 10 years under the Tories to refurbish its science labs, has now received £325,000 under the new deal for schools? Does my right hon. Friend agree that, as a result of this afternoon's statement, other schools in my constituency are likely to benefit in future? Is it not that increased investment in our schools which is most at risk from the return of a Conservative Government, as the Opposition are committed to cut those increases? Is not the most dishonest aspect of the politics that the Opposition are putting forward the fact that they are calling for cuts but are never prepared to say where the cuts will be imposed?

Mr. Brown: The shadow Chancellor came to the House this afternoon for the traditional occasion on which he replies to the statement, and says what he agrees with and what he does not agree with. He was unable to tell us that he would protect even the education budget, and he has put his party in a sorry state because, over the next few days, right across the country, Conservatives will have explain to parents and teachers why education is not safe from the £16 billion of Tory cuts.

My hon. Friend is right to raise the repair of schools, as there are 32,000 schools in the country, 16,000 of which will have been repaired or modernised as a result of the new deal for schools. The new deal for schools was made possible by the windfall tax on the privatised utilities, which was opposed tooth and nail by the Conservative party. However, it has yielded better schools for 15,000 communities in our country.

Mr. John Townend (East Yorkshire): Does the Chancellor accept that he would not have been able to come here today and announce these telephone number increases in expenditure if the Government had kept the pledge that the Prime Minister made before the election—that there would be no overall increase in taxation? The Chancellor is getting £25 billion over a five-year Parliament from pensions, and billions of pounds from petrol and extra tobacco tax. He has attacked married couples with more tax and has also attacked home owners. Does he accept that if, as he proposes, expenditure continues to rise at a faster rate than the growth in the economy, further tax increases are inevitable? Is not this Labour Government reverting to type, as they are taxing, spending and taxing again?

Mr. Brown: Our pledge was to keep the basic rate of tax the same, or to reduce it, which is what we did. We also pledged not to raise the top rate of tax and to cut to 5 per cent. the rate of Conservative-imposed VAT on fuel, which we did. Our pledges on taxation have been kept.

I know that the hon. Gentleman is a permanent tax cutter, and has been saying that in the House for as long as I have known him. He must be very sad that the Conservative party is now dropping its tax guarantee, or is trying to do so. The hon. Gentleman believed in the tax guarantee, but the problem is that the shadow Chancellor did not. The Conservative leader said that there would be a tax guarantee, with no ifs, no buts and no question marks, which the Conservatives would carry out. It was absolutely clear that the tax guarantee would be imposed, which the shadow Chancellor confirmed only a few weeks ago. The Conservatives tried to ditch that seven days ago, which is why nobody believes anything that they say about tax.

Ms Sally Keeble (Northampton, North): I very much welcome the extra spending on child care, schools, higher education and health care. My right hon. Friend also mentioned the child care tax credit and the working families tax credit. Will he give some global figure of how much extra the Government are investing in public services through the tax credits to support hard-working families? As those families rely to a great extent for their security and stability on knowing the long-term plans, does he agree that people will also want to know in the run-up to the election whether the Conservative party is committed to such spending levels?

Mr. Brown: I agree with my hon. Friend. We are spending £7 billion extra a year on families. We are doing that by raising child benefit by 35 per cent., which I presume the Conservative party now wants to cut; by

introducing the working families tax credit, which is benefiting 1 million families, and which we now know the Conservative party wants to abolish; and by introducing the child care tax credit from next year, which I must presume from the Conservative party's silence it would abolish too. I also presume that the Conservative party will not want the extra investment that we are making in child care under the national child care strategy, which is welcome throughout the country.

We have just today set up a children's fund, in which we have linked charities, community groups, Churches and other organisations throughout the country to tackle and to help to solve the problems of children in need. That will be a £250 million fund which I believe charities will welcome and with which community groups will be happy to work. Again, I must presume that the Conservative party's new policy means that it would oppose even that.

Mr. Michael Fallon (Sevenoaks): Amidst all the hype and spin, will the Chancellor confirm one fact: at the end of his three completed years so far, the tax burden is higher than it was when he started? Secondly, if it is right to give every secondary school £70,000, why not give the schools all the money?

Mr. Brown: The Conservatives' proposals which were issued without great thought—like almost all their policies which have had to be rethought, including the tax guarantee—would fail to promote, for example, special needs. The £1 billion for special needs, and, indeed, school transport, were not even calculated for. After this week's episodes, the Conservative party will have to go back to the drawing board with their proposals in their entirety.

On the tax burden, I have already given the figures: 37.1 per cent., 37 per cent. and 36.9 per cent. and, by 2003-04, according to the published figures, 36.7 per cent. The shadow Chancellor has got yet another fact wrong today.

Mr. Nigel Beard (Bexleyheath and Crayford): I congratulate my right hon. Friend on his statement, which is indeed a watershed in the history of public services in this country. Given the accumulation of problems over 18 years of neglect of health, education and our transport service, how does he intend to ensure that the money is spent to best effect?

Mr. Brown: I am grateful to my hon. Friend. He rightly says that the matter is not just one of increasing the amount of money. It must be increased, contrary to what the shadow Chancellor says, because there has been long-term underinvestment, which was a feature of 18 years of Conservative government. We must ensure that the money goes to front-line services. That is why, when the health and transport plans and what are called our public service agreements are published, there will be strict output targets, a new regime of penalties and incentives, greater inspection in many areas and a flow of information to the public, which is itself a discipline.

Therefore, we are taking steps to try to improve value for money and quality of service, which particularly people from the poorest areas have been denied for too long as a result of cuts in investment. We are determined to ensure such action. I welcome what my hon. Friend says. This is sustained investment in our country's future and it means that we can look forward, under a Labour Government, to improvement in the social and economic fabric.

Mr. Deputy Speaker: Order. We must move on; there will be further opportunities to return to these matters.

Point of Order

5.4 pm

Mr. Bob Russell (Colchester): On a point of order, Mr. Deputy Speaker. On 6 July, along with other right hon. and hon. Members, I tabled an oral question to the Chancellor of the Exchequer. I had the good fortune to be drawn at No. 1. Last night, 11 days later, I was advised that the question had been vetoed by the Chancellor. I have made inquiries today and his office has confirmed that. The question was identical to one that I tabled two years ago, which was answered on the Floor of the House by the Paymaster General. May I please have some guidance on the Chancellor's right personally to veto an oral question 11 days after it was tabled?

Mr. Deputy Speaker (Sir Alan Haselhurst): I am grateful to the hon. Gentleman for giving notice of his point of order. As "Erskine May" makes clear, it is a long-established principle that decisions on the transfer of questions rest with Ministers, not the Chair. However, the Speaker does expect Departments to act promptly in transferring questions. Successive Speakers have said that it is a discourtesy if transfers are not notified within two sitting days of the first appearance of the notice. In this case, the practice has been breached by a very wide margin. Decisions on which Minister should answer a particular question should be taken consistently, so that Members can have a reasonable expectation of what questions will be answered by which Department when they table oral questions.

Leasehold Reform

5.5 pm

Shona McIsaac (Cleethorpes): I beg to move,

That leave be given to bring in a Bill to enhance and protect the rights of homeowners in purchasing the freehold of their house; and for connected purposes.

To put my case simply, I want to bring in a Bill to stop greedy landowners insisting that home owners—usually pensioners in my part of the country—pay them tens of thousands of pounds simply so that they can stay in their own homes. I wish to thank the chairman of the all-party group on leasehold reform, my hon. Friend the Member for Brent, North (Mr. Gardiner), the Campaign for the Abolition of Residential Leasehold and LEASE—the Leasehold Advisory Service—for their support on this issue.

Two million people live in leasehold properties; there are thousands in my constituency. That is a time bomb waiting to go off. Unless the Government wake up and do something urgently, thousands of pensioners could find themselves on the streets through no fault of their own. Councils will have to pick up the tab, while landowners and landlords will be laughing all the way to the bank.

Many homes built in the Victorian building boom in the 19th century were sold on 99-year leases. Those leases are now up for renewal, and people who have worked hard all their working lives to pay off their mortgages are being asked to fork out vast sums to buy the freehold of homes that they thought they already owned. Residents are being asked to pay up to £30,000 to purchase the freehold of those houses. In Grimsby and Cleethorpes, that is more than the value of the property.

Of course people who cannot afford to buy the freehold can extend their lease by 50 years, but, in doing so, they lose all their rights to buy the freehold and, in effect, become tenants. That is a scam by the landlords and landowners. It is a scandal that those who have contributed nothing for almost 100 years can waltz in and demand from home owners outrageous sums so that they can stay in their own homes. Those landlords and landowners never laid a brick or paid to build the houses. They never paid a penny towards their upkeep and improvement over the years. They never paid a household bill, insurance, the rates or the council tax. Yet they want tens of thousands of pounds from mainly elderly people—often widows—who simply cannot lay their hands on such sums. The law must be changed to stop leaseholders being fleeced by unscrupulous landowners.

Leasehold is a fundamentally flawed system of home ownership. It is a throwback to feudal times. Someone who wrote to me recently called his landlord a modern-day robber baron. The leasehold system enables the landowners to benefit from a rise in property values at no cost to themselves.

My right hon. Friend the Minister for Local Government and the Regions said:

leasehold tenure is totally unsuited to the society of the 20th—let alone 21st century—which still allows abuses to flourish and causes misery and frustration to many leaseholders.

I shall tell the House about some of the misery that I have come across in my constituency. One woman was quoted £20,000 to buy the freehold when there was still 30 years on the lease. Another pensioner is frantically trying to

raise money from relatives to meet a demand of £10,000 to buy her freehold, which is due to expire soon. She cannot get a bank loan for that sum because she is aged over 80.

Another frail widow wanted to sell her house so that she could go into residential care. Her lease is due to expire, and she too has been quoted £10,000 to buy the freehold. She had hoped for comfort and care in her remaining years, but is now fraught with worry about raising money that she simply does not have. Another family who could not get hold of the necessary money have resigned themselves to extending the lease for 50 years. Those people have become tenants, losing the right to buy their freehold. They no longer own their own home. In all the cases that I have given, the mortgages had been paid off. People thought that they owned their own homes.

We must reform the completely unrealistic conditions that apply when families inherit leasehold houses. To buy freehold, family members must have been resident in the house at the time when the deceased passed away, and they must have been resident for three of the past 10 years. Everything is stacked in favour of the landlords: few families can meet those conditions.

The Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Sunderland, South (Mr. Mullin), wrote to me saying that people who inherit a lease will often be unable to qualify to buy freehold and might have to pay large sums for it. I can offer the example of a constituent who passed away in January, leaving his house, with the mortgage paid, to his family. The family discovered that the lease ran out at the beginning of April. The freeholder, a Mr. J. C. Mountain, refused at first to sell the freehold. When I put pressure on him, he agreed to do so, and wrote to me on 13 March—days before the lease expired—quoting a price of £35,000 if my constituents were to inherit their parents' home. They could not raise the money and have lost their parents' home. The freeholder is laughing all the way to the bank.

Owners of freeholds, such as Mr. Mountain and the estate of the Earl of Yarborough, must be delighted that the Government have been slow to introduce measures to stamp out their nice little earners. Landowners also fail to tell people about their rights—leasehold valuation tribunals, for example. Bully-boy tactics are being used to scare pensioners into coughing up the dosh.

Ultimately, the Government must keep their manifesto promise to abolish leasehold as a form of housing tenure. Today, however, I seek to protect the rights of homeowners through the abolition of marriage value as part of the calculation in determining the price of a freehold. We must get rid of the special valuation basis for calculating the price of a freehold, which, because of high prices, freeholders in Grimsby and Cleethorpes are using wrongly to determine prices. The special valuation basis, under which the landowner must receive 50 per cent. of the marriage value and compensation for any severance and losses while the leaseholder must meet his or her own costs and those of the landowner—is wrong.

My hon. Friend the Member for Great Grimsby (Mr. Mitchell)—who is not present—has told me that Grimsby grannies, many of whom are widows of trawlermen for whom he has fought for many years, are losing their homes while the Government dither.

I therefore introduce this Bill to enhance the rights of owners of leasehold houses by abolishing marriage value when considering the purchase price of the freehold, by extending the rights of family members to purchase the freehold of a house on inheriting it and by extending the right of homeowners to purchase a freehold if, at the end of a 99-year lease, they extend it.

Question put and agreed to.

Bill ordered to be brought in by Shona McIsaac, Mr. David Borrow, Mrs. Christine Butler, Mr. Ian Cawsey, Valerie Davey, Mr. Paul Flynn, Mr. Barry Gardiner, Mrs. Joan Humble, Mr. Jon Owen Jones, Mr. Austin Mitchell, Mr. Ian Stewart and Mrs. Betty Williams.

LEASEHOLD REFORM

Shona McIsaac accordingly presented a Bill to enhance and protect the rights of homeowners in purchasing the freehold of their house; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 21 July, and to be printed [Bill 163].

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Alan Haselhurst): I propose to put together the Questions on the five motions.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

INSIDER DEALING

That the draft Insider Dealing (Securities and Regulated Markets) (Amendment) Order 2000, which was laid before this House on 22nd June, be approved.

TRADE UNION AND LABOUR RELATIONS

That the draft Code of Practice on Industrial Action Ballots and Notice to Employers, which was laid before this House on 26th June, be approved.

LOCAL GOVERNMENT FINANCE (SCOTLAND)

That the Local Government Finance (England) Special Grant Report (No. 64) on the Special Grant for Activities undertaken by Beacon Councils (House of Commons Paper No. 564), which was laid before this House on 27th June, be approved.

LEGAL AID AND ADVICE

That the draft Legal Aid (Functions) Order 2000, which was laid before this House on 27th June, be approved.

That the draft Legal Aid (Prescribed Panels) (Amendment) Order 2000, which was laid before this House on 27th June, be approved.—[*Mr. Jamieson.*]

Question agreed to.

FINANCE BILL [*MONEY*]

Queen's recommendation having been signified—

Resolved,

That for the purposes of any Act resulting from the Finance Bill, it is expedient to authorise the deduction of sums from the gross

revenues of the department of the Commissioners of Inland Revenue for the purpose of making payments in respect of stamp duty paid on instruments—

(a) executed in the period beginning with 22nd March 2000 and ending with the day on which the Finance Bill is passed, and

(b) stamped on or before the day on which the Bill is passed,

where stamp duty was chargeable in respect of the instrument and, had the instrument been executed after the day on which the Bill is passed, no stamp duty or less stamp duty would have been chargeable.—*[Mr. Jamieson.]*

FINANCE BILL [*WAYS AND MEANS*]

Resolved,

That provision may be made in the Finance Bill, amending section 97A of the Finance Act 1986 by the insertion, after subsection (12), of the following subsection—

"(13) Nothing in section 70(9) or 97(1) above has effect to prevent a charge to stamp duty or stamp duty reserve tax arising—

(a) on a transfer to which subsection (5) above applies, or

(b) on a deemed transfer under subsection (11) above.".—*[Mr. Jamieson.]*

FINANCE BILL [*WAYS AND MEANS*]

Resolved,

That, notwithstanding anything in the Resolution of the House (Amendment of the Law) of 27th March 2000, provision may be made in the Finance Bill amending paragraph 5(4) of Schedule A1 to the Value Added Tax Act 1994 by the insertion, after paragraph (e), of the following paragraphs—

'(f) wind turbines;

(g) water turbines.'.—*[Mr. Jamieson.]*

Orders of the Day

Finance Bill

Not amended in the Committee and as amended in the Standing Committee, considered.

Ordered,

That the Finance Bill, as amended, be considered in the following order: New Clauses; Amendments relating to Clauses 1 to 6, Schedule 1, Clauses 7 to 17, Schedule 2, Clauses 18 to 22, Schedule 3, Clause 23, Schedule 4, Clause 24, Schedule 5, Clauses 25 to 30, Schedules 6 and 7, Clauses 31 to 47, Schedule 8, Clause 48, Schedule 9, Clauses 49 to 57, Schedule 10, Clauses 58 and 59, Schedule 11, Clause 60, Schedule 12, Clause 61, Schedule 13, Clause 62, Schedule 14, Clause 63, Schedules 15 and 16, Clause 64, Schedule 17, Clause 65, Schedule 18, Clauses 66 to 68, Schedule 19, Clause 69, Schedules 20 and 21, Clauses 70 to 82, Schedule 22, Clauses 83 to 87, Schedule 23, Clauses 88 to 91, Schedule 24, Clause 92, Schedules 25 and 26, Clauses 93 to 97, Schedule 27, Clause 98, Schedule 28, Clauses 99 to 102, Schedule 29, Clause 103, Schedule 30, Clause 104, Schedule 31, Clauses 105 to 116, Schedule 32, Clause 117, Schedule 33, Clauses 118 to 128, Schedule 34, Clauses 129 to 132, Schedule 35, Clause 133, Schedule 36, Clauses 134 to 139, Schedule 37, Clause 140, Schedule 38, Clauses 141 to 146, Schedule 39 and Clauses 147 to 151; New Schedules; Amendments relating to Clauses 152 and 153, Schedule 40 and Clause154.—[*Miss Melanie Johnson.*]

New Clause 3

STAMP DUTY: EXCEPTIONS FROM SECTION 119

'.—(1) Section 119 does not apply by virtue of paragraph (a) of subsection (1) of that section in any of the following cases (any reference in this section to A or B being taken as a reference to the person referred to as A or B, as the case may be, in that subsection).

(2) Case 1 is where B holds the estate or interest as nominee or bare trustee for A.

(3) Case 2 is where A is to hold the estate or interest as nominee or bare trustee for B.

(4) Case 3 is where B holds the estate or interest as nominee or bare trustee for some other person and A is to hold it as nominee or bare trustee for that other person.

(5) Case 4 is where (in a case not falling within subsection (2) or (4) above)—

(a) the transfer or vesting is a conveyance or transfer out of a settlement in or towards satisfaction of a beneficiary's interest;

(b) the beneficiary's interest is not an interest acquired for money or money's worth; and

(c) the conveyance or transfer is a distribution of property in accordance with the provisions of the settlement.

(6) Case 5 is where (in a case not falling within subsection (3) above) A—

(a) is a person carrying on a business which consists of or includes the management of trusts; and

(b) is to hold the estate or interest as trustee acting in the course of that business.

(7) Case 6 is where (in a case not falling within subsection (3) above) A is to hold the estate or interest as trustee and, apart from section 839(3) of the Taxes Act 1988 (trustees as connected persons), would not be connected with B.

(8) Case 7 is where—

(a) B is a company;

(b) the transfer or vesting is, or is part of, a distribution of assets (whether or not in connection with the winding up of the company); and

(c) the estate or interest was acquired by B by virtue of an instrument which is duly stamped.

(9) This section shall be construed as one with the Stamp Act 1891.

(10) This section applies to instruments executed after the day on which this Act is passed.'.—[*Miss Melanie Johnson.*]

Brought up, and read the First time.

5.15 pm

The Economic Secretary to the Treasury (Miss Melanie Johnson): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss the following: Government new clause 4—*Stamp duty: relief for certain instruments executed before this Act has effect.*

Government new clause 5—*Stamp duty and stamp duty reserve tax: transfers between depositary receipt systems and clearance systems.*

Government amendments Nos. 108 to 130.

Miss Johnson: New clauses 3, 4 and 5 and amendments Nos. 108 to 130 respond to a number of representations about the Finance Bill provisions relating to stamp duty. New clause 3 makes some exceptions to clause 119. New clause 4 applies these exceptions to documents executed between the Budget announcement and Royal Assent, and similarly backdates the relief in clause 129 for transfers of local authority housing stock to registered social landlords. New clause 5 makes an existing relief more comprehensive in response to developments in the financial markets.

The bulk of amendments Nos. 108 to 130 address a concern about the application of clauses 122 to 124. They align the definition of a stamp duty group with the definition of a group for the purposes of corporation tax group relief.

Clause 119 ensures that there is a stamp duty charge based on market value on land or buildings which are transferred to a connected company. In Committee, I mentioned that I would be tabling measures to exempt land settled on an independent corporate trustee from the scope of that clause.

New clause 3 ensures that trustees are exempted and also that transactions involving nominees and certain types of distribution of land in specie fall outside the scope of clause 119. New clause 4 provides for the effect of these exemptions to be backdated to 28 March, when clause 119 took effect.

Mr. John Burnett (Torridge and West Devon): Is that exemption on settlement where the settlement is for nil value?

Miss Johnson: Perhaps I could come back to that, because I am not sure what point the hon. Gentleman is raising.

[Miss Johnson]

New clause 4 also backdates the effect of the relief for transfers of local authority housing to registered social landlords. Clause 129 relieves these transfers from stamp duty with effect from Royal Assent. New clause 4 extends this relief to transfers after 21 March. This affects transfers under the large-scale voluntary transfer programme that has taken place since the date of the Budget announcement.

New clause 5 is a response to representations from the financial markets. It concerns transfers between depositary receipt systems and clearance systems. Its purpose is to make the stamp duty and the stamp duty reserve tax reliefs for transfers between these systems more comprehensive to cope with market developments. Transfers of United Kingdom shares within depositary receipt systems or clearance systems are free of duty, in return for the payment of a 1.5 per cent. charge when the shares first enter the system. That is usually described as a season ticket charge. There are reliefs which ensure that no stamp duty charge arises when shares are transferred from one season ticket system to another of the same type. The new clause extends the reliefs to include transfers from one type of season-ticket system to another.

Government amendments Nos. 108 to 125 deal with stamp duty group relief. The new clauses and amendments align the definition of "stamp duty group" with the definition of "group" for the purposes of corporation tax group relief. One of the effects of the new clause is that, when there are arrangements in place for a company to be sold out of the group, it ceases to be a group member. That provision blocks group relief for the transfer of assets between that company and the rest of the group, and it is needed to prevent assets from being transferred into the company leaving the group.

I have received representations expressing concern about the blocking of relief for transfers from the company about to leave the group to another group member—in other words, when the company leaving the group is the transferor. I am persuaded that there are commercial situations in which an asset is transferred to another group company after arrangements are in place for the transferor company to leave the group; in a sense, therefore, the asset never leaves the original group. I am willing to make a concession for such cases, which will be useful to businesses, as their legal advisers have suggested.

I have some worry that it might be possible to construct avoidance devices from the concession, so I have asked the Stamp Office to monitor carefully the use of the relief. If the concession is abused, the Government will not hesitate to act swiftly.

As I said, the new clauses and amendments have been tabled in response to representations about the effect and timing of the measures in the Bill. They meet a range of reasonable concerns expressed to us on these matters—some of them by Conservative Members in Standing Committee.

I commend the new clauses and amendments to the House.

Mr. Howard Flight (Arundel and South Downs): The Government amendments are welcome, as they deal with situations where no transfer of beneficial ownership takes place. A major aspect of some of the exemptions is that they will not get in the way of company reorganisations, but that will apply only when the transfer takes place entirely within the group. Company reorganisations involving joint ventures, for example, will attract full stamp duty at a likely rate of 4 per cent.

Not long ago, I recall the Chancellor standing at the Dispatch Box and referring to the McKinsey report. He spoke about a difficulty in improving productivity that stemmed from the existing legislation in respect of property and planning. The report referred specifically to problems and delays in obtaining planning consents, and to the costs of property transactions. Those costs have now been increased still further, and there is an element of hypocrisy in that.

I put it to the Government that, if the aim is for greater productivity and greater flexibility of property use in business, the amendments could go a lot further. The proposals amount to a major stealth tax on business.

In essence, the later amendments deal with securities that move between depositary receipt systems and that contain exemptions as a result. That is the territory of the business of the City of London. I should declare an interest in that respect, as should all hon. Members who are members of the House of Commons pension scheme.

I have a question for the Economic Secretary. At a public meeting two years ago, I asked Lord Simon, who was then Minister for Trade and Competitiveness in Europe, whether the Government were aware of the business that was being lost to Frankfurt as a result of the stamp duty that applies on securities in this country, and whether the Government intended to do anything about it. He responded that the Government were well aware of the issue and intended to address it.

It is ironic that I am asking this question on the very day on which the Government have announced a massive and cynical splurge to buy votes ahead of an election. It is an age-old game to tighten taxation in the first three years in power and then splurge a year or so before an election. That tactic is as old as the hills.

However, given the strength of the revenues, if there were any desire to protect them, the near future would be the time to address this issue. Unless stamp duty on securities is phased out, there will be a massive loss and haemorrhaging of business in security transactions away from the United Kingdom and to the other centres in Europe, especially Frankfurt, where no stamp duty applies. When will the Government honour the pledge that the previous Minister for Trade and Competitiveness in Europe gave on this issue? Have they considered the potential total loss of revenue if that issue is not addressed?

Mr. Burnett: It might help the Economic Secretary if I mention that my earlier intervention related to exemptions on transfer into settlement. Let us make the question absolutely clear: is that exemption available only when there is no consideration and no passing of beneficial ownership?

The Finance Act 1998 contained many anti-avoidance provisions for stamp duty and for stamp duty reserve tax. At that time, the Government trumpeted the effect of the anti-avoidance measures. Unfortunately, they were not very successful under that Act, and because transactions were channelled through American depositary receipts, significant amounts of revenue were lost to the Exchequer.

I understand that in three major transactions—involving, I believe, BP Amoco, Vodafone and one other—some £1.5 billion was lost to the Treasury. To what extent does the Inland Revenue believe stamp duty and stamp duty reserve tax are being avoided, especially in international transactions? The Economic Secretary has told the House that the Stamp Office is monitoring transactions for avoidance. What has been the cost to the Government of avoidance of stamp duty since March 1998?

Miss Melanie Johnson: I am interested by some of the remarks that Opposition Members have made, which do not entirely relate to the amendments. However, I shall do my best to answer them. In his earlier intervention, the hon. Member for Torridge and West Devon (Mr. Burnett) asked the question that he has now reiterated, which was whether the exemption to clause 119 is available when there is a nil consideration. The answer is yes, the exemption takes the transaction out of the scope of clause 119, whatever the consideration, including a nil consideration.

Mr. Burnett: Does that mean that there is no change in the beneficial ownership, or can the exemption apply if there is no consideration but there is a change in the beneficial ownership?

Miss Johnson: I shall await some further thoughts on that matter.

The hon. Member for Arundel and South Downs (Mr. Flight) said that many opportunities for joint ventures will not be helped by the group relief. The relief will apply where a joint venture falls within the scope of the group relief provisions. The new clauses have not changed the rules for joint ventures.

The new clauses and amendments are all about anti-avoidance measures and making those measures work properly, ensuring that they are effective but not too tight. None of the existing arrangements is changed, although it is always tempting for hon. Members to think otherwise.

Mr. Flight: The key point is that the cost of the tax to business is enormously higher than it was three years ago. The rules may not have changed, but they are a far more powerful deterrent to corporate modernisation than they were.

5.30 pm

Miss Johnson: The only change in the Budget was to increase the upper limit to 4 per cent., and that has affected only those making transactions involving more than £500,000. That is a sizeable sum, so we are talking about large deals and not smaller businesses or individuals, unless they are quite wealthy. The Budget leaves 95 per cent. of stamp duty effects completely unchanged. I understand that the proportion of stamp duty revenue from shares and from property transactions has remained more or less constant.

The hon. Member for Arundel and South Downs spoke about the changes in stamp duty reserve tax and the arrangements for depositaries to ensure that we reflect changes that we understand are likely to take place in the business environment. This has not been an issue for business to date. We are enabling a flexibility in the system which has not hitherto existed but which we believe will be necessary in the future.

The hon. Gentleman asked about the future of stamp duty reserve tax in general, which is not directly relevant to the new clauses and amendments. We consider these matters every year in the Budget. We have not identified any need for action this year, so it was not a feature of the Budget or the Bill, but we always keep these matters under review.

On the hon. Gentleman's little splurge of an attack on so-called splurge, let me remind him that it is the Government's prudence in managing the economy and public expenditure that has enabled us to announce today some very generous investment in public services. Instead of spending 42p in the pound of extra money on social security and debt repayment, as the previous Government did, we have brought the figure down to only 17p. I caution the hon. Gentleman not to return to the earlier discussion, because we would be delighted to have a further debate on those subjects.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 4

STAMP DUTY: RELIEF FOR CERTAIN INSTRUMENTS EXECUTED BEFORE THIS ACT HAS EFFECT

'.—(1) This section applies to an instrument of any of the following descriptions executed in the period beginning with 22nd March 2000 and ending with the day on which this Act is passed—

(a) an instrument transferring or vesting an estate or interest in land in such circumstances as are mentioned in section 119 (transfer of land to connected company), in a case specified in section (*Stamp duty: exceptions from section 119*) (excepted cases);

(b) a conveyance or transfer of an estate or interest in land, or a lease of land, to a qualifying landlord within the meaning of section 129 (transfers to registered social landlords, etc.) from a qualifying transferor within subsection (6)(c), (d), (e), (f) or (h) of that section.

(2) If the instrument is not stamped until after the day on which this Act is passed, the law in force at the time of its execution shall be deemed for stamp duty purposes to be that which would have applied if it had been executed after that day.

(3) If the Commissioners are satisfied that—

(a) the instrument was stamped on or before the day on which this Act is passed,

(b) stamp duty was chargeable in respect of it, and

(c) had it been stamped after that day no stamp duty, or less stamp duty, would have been chargeable,

they shall pay to such person as they consider appropriate an amount equal to the duty (and any interest or penalty) that would not have been payable if the law in force at the time of execution of the instrument had been that which would have applied had it been executed after that day.

(4) Any such payment must be claimed before 1st April 2001.

(5) Entitlement to a payment is subject to compliance with such conditions as the Commissioners may determine with respect to the production of the instrument, to its being stamped so as to indicate that it has been produced under this section or to other matters.

(6) For the purposes of section 10 of the Exchequer and Audit Departments Act 1866 (Commissioners to deduct repayments from gross revenues) any amount paid under this section shall be treated as a repayment.

(7) This section shall be construed as one with the Stamp Act 1891.'.—*[Mr. Jamieson.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 5

STAMP DUTY AND STAMP DUTY RESERVE TAX: TRANSFERS BETWEEN DEPOSITARY RECEIPT SYSTEMS AND CLEARANCE SYSTEMS

'.—(1) In Part III of the Finance Act 1986 (stamp duty), after section 72 insert—

"*Transfers between depositary receipt system and clearance system*

72A.—(1) Where an instrument transfers relevant securities of a company incorporated in the United Kingdom between a depositary receipt system and a clearance system—

(a) the provisions of section 67(2) to (5) or, as the case may be, section 70(2) to (5) above shall not apply, and

(b) the stamp duty chargeable on the instrument is £5.

(2) A transfer between a depositary receipt system and a clearance system means a transfer—

(a) from (or to) a company that at the time of the transfer falls within section 67(6) above, and

(b) to (or from) a company that at that time falls within section 70(6) above.

(3) This section does not apply to a transfer from a clearance system (that is, from such a company as is mentioned in subsection (2)(b) above) if at the time of the transfer an election is in force under section 97A below in relation to the clearance services for the purposes of which the securities are held immediately before the transfer.".

(2) In Part IV of the Finance Act 1986 (stamp duty reserve tax), after section 97A insert—

"*Transfer between depositary receipt system and clearance system*

97B.—(1) There shall be no charge to tax under section 93 or 96 above where securities are transferred between a depositary receipt system and a clearance system.

(2) A transfer between a depositary receipt system and a clearance system means a transfer—

(a) from (or to) a company which at the time of the transfer falls within section 67(6) above, and

(b) to (or from) a company which at that time falls within section 70(6) above.

(3) This section does not apply to a transfer from a clearance system (that is, from such a company as is mentioned in subsection (2)(b) above) if at the time of the transfer an election is in force under section 97A above in relation to the clearance services for the purposes of which the securities are held immediately before the transfer.".

(3) In sections 67(9), 70(9), 95(1) and 97(1) of the Finance Act 1986 (transfers between depositary receipt systems or between clearance systems), the words "and is resident in the United Kingdom" and "and is so resident" shall cease to have effect.

(4) In section 97A of that Act (clearance services: election for alternative system of charge), after subsection (12) add—

"(13) Nothing in section 70(9) or 97(1) above has effect to prevent a charge to stamp duty or stamp duty reserve tax arising—

(a) on a transfer to which subsection (5) above applies, or

(b) on a deemed transfer under subsection (11) above.".

(5) The amendments in this section have effect as follows—

(a) subsection (1), and subsections (3) and (4) as they apply for stamp duty purposes, apply in relation to instruments executed after the day on which this Act is passed;

(b) subsection (2), and subsections (3) and (4) as they apply for the purposes of stamp duty reserve tax, apply where the securities are transferred after that day.'.—*[Mr. Jamieson.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 1

CORPORATION TAX ON CERTAIN INSURANCE COMPANY PROFITS

'(1) Section 88A of the Finance Act 1989 (lower corporation tax rate on certain insurance company profits) is amended as follows.

(2) In subsection (1) for the words "lower rate income", substitute "lower rate income or gains".

(3) In subsection (3) for the words from the beginning to "following descriptions", substitute—

"(3) In this section, references to a company's lower rate income or gains for any accounting period are references to all of the chargeable gains of its basic life assurance and general annuity business for the period, and to so much of the income of that business for the period as consists in income of any of the following descriptions—".

(4) In subsections (4), (5) and (6), for the words "lower rate income", in each place where they occur, substitute "lower rate income or gains".

(5) This section has effect for the financial year 2000 and subsequent years.'.—*[Mr. Jack.]*

Brought up, and read the First time.

Mr. Michael Jack (Fylde): I beg to move, That the clause be read a Second time.

New clause 1 would make a small—some may even say technical—change to the method of taxing life assurance policies. That small change, however, represents an attempt to bring the way in which the taxation of such policies deals with capital gains tax, in terms of taxation within the policy, into line with the change in the impact of CGT on those with assets whose value increases outside life assurance policies.

I was grateful to the Financial Secretary for writing me a courteous and helpful letter on 1 June, following my first foray into this area. When I raised the subject in general terms when clause 37 was debated in Committee, he agreed to consider my arguments, and wrote me that helpful letter. I was heartened by the beginning of the final paragraph, in which he wrote:

I accept that the case for change is not totally without merit.

I think I scored seven out of 10. The purpose of this debate is to establish whether we can bring that score nearer, or perhaps all the way, to reality.

When preparing for today's debate—and, indeed, for the debate in Committee—I first wanted to identify the cost implications of my proposal. I therefore tabled a

series of parliamentary questions to try to elicit some facts from the Treasury. I think it worth noting how the Treasury responded to a perfectly legitimate request for information.

The taxation formula known as I minus E relates to life assurance policies, and my proposed change relates to that formula. I wanted to know how much it would cost. When I asked the cost of a 1 per cent. change in each rate of tax in the so-called composite that constitutes the life assurance tax rate, the Treasury told me that no estimates were available. When I asked what the tax yield from life assurance policies had been over the past eight financial years, in the context of the I minus E formula, I was told that the information was not available.

I then tried a different tack in an attempt to elicit the truth. I asked for the individual rates that made up the composite taxation rate of life assurance returns each year. I managed to obtain that information from the Treasury, which pointed out that there was an inconsistency between the personal rate of capital gains tax and that used in terms of the I minus E formula.

I have dwelt on those parliamentary answers for a reason. It is remarkable that, when the Financial Secretary finally got around to responding to my points on clause 37, he managed to find out how much my proposal would cost. Let me send this message to the Treasury: when Opposition Back Benchers ask legitimate questions to which they, the public and the insurance industry should be able to obtain answers, they should not have to go through the expensive process of tabling numerous parliamentary questions and being told that the information requested is not available, only to find that—magically—it is available when the Financial Secretary writes a letter.

Some 25 million people, including me, have life assurance policies, which, for them, represent an important part of saving. Many, however, have seen the returns on their policies suffer as a result of changed economic circumstances. The new clause would enable the money saved through the change in capital gains tax—about which I shall say more in a moment—to go back into those policies and, in a modest way, to help increase returns on them, thus counterbalancing some of the market tendencies that have disadvantaged their holders.

The proposal would have the advantage of not discriminating against the life assurance policy as a form of saving. As I have said, changes have been made under section 26 of the Finance Act 1999, which reduced the rate of capital gains tax paid by basic rate taxpayers to 20 per cent. People with assets outside a life assurance policy get that lower rate. Under the present arrangements, those with life assurance policies do not have that advantageous change in the capital gains tax regime incorporated in the composite rate of tax attached to the earnings of life assurance policies.

Originally, when the Financial Secretary wrote to me costing out the proposal, he said that, in his estimate, the proposal would cost £30 million, but the Association of British Insurers observes that the basic rate of tax that has been proposed has dropped to 22 per cent. I should be grateful if the Economic Secretary confirmed that that change in the basic rate of tax reduces the cost of my proposal to £20 million or thereabouts. It is important that there be equitable treatment of capital gains tax within life assurance policies to bring them into line with the way in which capital gains apply outside life assurance policies. That is the purpose of the new clause.

People value the life assurance policy because, effectively, the tax for which they would be liable had they made that investment in some other way is paid for them as the policy appreciates over time. If it is a qualifying policy—that is, one with regular payments lasting 10 years or longer—the situation of effectively receiving the money tax paid applies to both the basic rate and higher rate taxpayer. Therefore, it is a particularly, if you like, tax administrative-friendly form of saving, but I do not see why at this juncture the Government should not agree to make the small change that I propose: to bring into line the external capital gains treatment with the internal capital gains tax treatment in terms of life assurance policies.

The Association of British Insurers, which was most helpful to me in analysing the situation, rightly drew my attention to the fact that, if the change were to come in instantaneously, there might be a problem because the gains within a policy build over time. It may be that the new clause has a technical deficiency that does not necessarily reflect that particular situation. I would take advice from the Economic Secretary on that, but it is the principle that is at stake. If they do not accept my proposal now, the Government should commit themselves to firm action to regularise the position with regard to capital gains tax.

Mr. Flight: I support the new clause. The taxation of insurance companies is one of the mysteries of our culture. The number of people who understand it can perhaps be counted on the fingers of one hand. Time was when it was tax advantageous to save through insurance companies, which was unfair against other forms of saving. That was sorted out about 15 years ago. There is a powerful logic to the point of principle that my right hon. Friend the Member for Fylde (Mr. Jack) makes, which is that, given the changes that the Government have made to the capital gains tax regime, there should be a level playing field between saving within an insurance wrapper and without an insurance wrapper.

The Government have commissioned the Myners report to look into institutional investment in venture capital and to identify why it is not greater. As the Minister will no doubt be aware, one of the main things that it has found is that there is a need for reform of the tax of insurance companies, which do not have the lower capital gains tax incentives on venture capital that are available outside. I believe, therefore, that the rather broad drafting of my right hon. Friend's new clause would address that issue, which the Government's own commission is asking to be addressed.

5.15 pm

Miss Melanie Johnson: I am not aware that the Myners review has reported yet. The hon. Gentleman must be getting his intelligence on that from his tea leaves.

New clause 1 would reduce the rate of tax that life assurance companies and friendly societies pay on capital gains that will contribute to benefits payable to policyholders. As the right hon. Member for Fylde (Mr. Jack) said, the logic behind the new clause is to

[Miss Melanie Johnson]

bring the rate of corporation tax on those gains into line with the rate of tax applied to the capital gains of individuals. There are already rules to ensure that the share of a life company's income needed to fund policyholder benefits is charged to tax at rates equal to the basic rate or the lower rate of income tax, whichever would apply if the income belonged to an individual policyholder.

Before April 1999, the rate of corporation tax on a life company's policyholder gains and the rate applicable to an individual's capital gains did correspond. However, as the right hon. Gentleman said, under the Finance Act 1999 the rate applicable to individual gains was reduced from the basic to the lower rate of tax without a corresponding change in the rate applicable to a life company's gains.

I can confirm that, because of cuts in the tax rates, the cost of the right hon. Gentleman's proposal would be £20 million annually. Therefore, at first sight, his proposal seems logical. However, a more detailed analysis shows that the logic applies only at a relatively superficial level. There are fundamental differences between the regimes for taxing gains made by companies, especially life companies, and the capital gains of individuals. When citing the formula I minus E, the right hon. Gentleman should really have said I plus G—for gains—minus E. That is the right formula.

The right hon. Gentleman raised the same issue in the Committee's debate on clause 37. As he said, my hon. Friend the Financial Secretary wrote to him. In that letter, my hon. Friend set out some of the key differences between the way in which a company's gains are taxed and the way in which an individual's gains are taxed. For the benefit of the House, I shall outline those differences, as they are entirely relevant to whether parity could be achieved as the right hon. Gentleman suggests in new clause 1.

Individuals enjoy taper relief, whereas companies have indexation. Another difference is that individuals have an annual exempt amount below which gains are not taxed. Additionally, life companies can deduct management expenses in computing their liability on chargeable gains, whereas individuals cannot. Life companies are also able to fund payments to policyholders from incoming premiums without realising assets and, therefore, making capital gains. That enables the companies to defer making taxable gains almost indefinitely, and so reduces the effective rate of tax that they pay on the policyholder gains. Those differences mean that a simplistic comparison, or a relatively simplistic comparison, of nominal rates of tax is not a very satisfactory way of comparing effective rates of tax on the gains of life companies and individuals.

Another point is that policyholders who pay higher rate tax on their policy gains get a credit for the basic rate tax. It would be appropriate to reduce that credit if the rate of tax on life company gains were reduced. However, new clause 1 would not do that. Therefore, it would not achieve quite the effect described by the right hon. Gentleman.

I grant the right hon. Gentleman that there are arguments both ways. If the changes that he seeks were to be made, it would have to be as part of a larger package than he is proposing. Although I am not persuaded that such a package would necessarily be right, we shall continue to bear in mind the possibility for future Finance Bills. What is clear is that new clause 1 does not present such a package. Therefore, should the hon. Gentleman press the new clause today, I shall urge the House to reject it. Nevertheless, I concede that, in his proposal, he has achieved seven of 10.

Mr. Jack: It was most generous of the Economic Secretary to agree with my own self-marking. I drew some comfort from her last few words, having tried to grapple with the complexities of life assurance taxation—not always with great success, although I got a general idea of what it was about. If the hon. Lady was indicating that there may be a possibility of further dialogue with the life assurance industry when she said that my proposal would have to be wrapped around by other measures as part of a wider package, is she willing to commit the Treasury and the Revenue to further dialogue with the life assurance industry on this and other points? The industry and I would certainly draw comfort from the fact that the door was not closed on this seven-out-of-10 proposal.

Understandably, the hon. Lady drew attention to the taxation regime for life assurance companies and pointed out that certain tax advantages to companies negated the need for my proposal, but, tellingly, she did not mention that the treatment of capital gains within life assurance policies includes no equivalent to the personal allowance on capital gains. In other words, in respect of the composite rate for capital gains, the clock starts ticking from the first £1, whereas if the same asset were held outside the policy there would be an individual allowance before the capital gains clock started ticking. It is the view of the industry—certainly from my consultation—that that would counterbalance some of the hon. Lady's arguments in respect of the position of a company as opposed to that of an individual.

It comes down to equity. If we make a change to benefit the individual outside the policy in respect of capital gains tax, is it equitable not to benefit the individual who holds their savings in the form of a policy? I am very conscious that on the wider front the savings ratio in the United Kingdom has fallen and that people with life assurance policies have faced particular difficulties. Many events in terms of an individual's future financial outgoings are predicated on good returns being achieved, and the new clause is a small and modest proposal that would help to improve the returns on life policies at a difficult time for that particular savings product. I would very much appreciate a response from the Economic Secretary on that point.

Mr. Burnett: Is the right hon. Gentleman seeking to ensure that only one exemption is available per annum per individual, so that if the exemption is used outside the life policy no further exemption is available within it?

Mr. Jack: Very few individuals actually pay capital gains tax—I think that there are only a couple of hundred thousand. Putting that to one side, my proposal would deal on a continuing basis with a small change in the composite rate in respect of the way in which the formula to which the Economic Secretary referred—I plus G minus E—operates. That is the purpose of the new clause. It would become intolerably complex to try to relate an

individual's capital gains tax position in respect of assets held outside the policy to those within it. That is certainly not part of my proposal.

I conclude by asking the Economic Secretary to be kind enough to respond to my point about the proposal being part of a package and the possibility of opening dialogue with the industry so that, if necessary, the subject may continue to be discussed in the round.

Miss Melanie Johnson: First, let me return to a point that I should have answered earlier, which was mentioned by the right hon. Member for Fylde (Mr. Jack) in his opening remarks. He referred to the answers he received to parliamentary questions. He formulated questions requiring breakdowns of figures that were not available; he did not ask the question that my hon. Friend the Financial Secretary then answered. My hon. Friend explained the costs of reducing the rate of corporation tax on policyholders' chargeable gains from 23 to 22 per cent., but the right hon. Gentleman had not asked that question. Therefore, the mystery that he attached to the fact that the answer was available is not a mystery at all.

Also, in response to the right hon. Gentleman's argument about the exempt amount for life companies, I have already said that there is no exempt amount, but there are several factors pointing the other way. I have gone through the list and I am prepared to go through it again. It is a matter of balance.

The right hon. Gentleman referred to equity. I think that he did not use the right word in this context and that his argument was more about parity. There are a number of factors which cut both ways. As I hope I have explained, the matter is more complicated than the issue that he is raising in new clause 1.

I am not making a specific commitment to dialogue at this point; however, we will keep the matter in mind. Obviously, there will be future Budget rounds and discussions. As I am sure the right hon. Gentleman is aware, I regularly meet representatives of the insurance industry and the Association of British Insurers. I am sure that there will be opportunities for discussion, but I am making no commitment to introduce any future package. As I said, such a package would probably be the right way to achieve the right hon. Gentleman's objective, and I accept that there may be some arguments in favour of that objective. I hope that I have persuaded him to withdraw the new clause.

Mr. Jack: I accept what the Economic Secretary said about the word "parity" as that would achieve the same purpose. She has set a challenge to the insurance industry to use the opportunities of discussion with the Treasury and the Revenue to develop a package in which my proposal might find a place. However, I would not expect her to commit herself at this stage.

As for my parliamentary questions, I think that those who draft the answers to questions were pretty clued up as to why I was asking them, so it was disappointing that rather than the negative answers that I received there was not a little more imaginative drafting. However, given the assurances about future dialogue and the fact that no doubt the industry will want to rise to the challenge, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 2

RATES OF DUTY, ETC.: REFERENCE TO RETAIL PRICE INDEX

'In setting rates of duty, taxes, tax allowances, or tax credits by reference to a change in the Retail Price Index, there shall be used the actual change in the 12 months to the month preceding the announcement of the change.'—*[Mr. Heathcoat-Amory.]*

Brought up, and read the First time.

Mr. David Heathcoat-Amory (Wells): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss new clause 7—*Timing of announcement of pensioner income tax allowances*—

'In section 257C(3) Taxes Act 1988 add at the end "The order shall be made by 31st December following the preceding September referred to in subsection (1).".'.

Mr. Heathcoat-Amory: An important part of the budgetary process is the uprating of tax rates and associated matters and, at other times of the year, the uprating of benefits and pensions. New clause 2 seeks to bring some honesty and transparency into the process and into Government finances more generally. It would require the Government to do what the previous Government did, and base the uprating of taxes, allowances and tax credits, and, by implication, benefits and pensions, on a single backward-looking or historical basis—in other words, to treat all upratings in the same way. Not only is that right in principle but it gives additional certainty and precision, because people can see that the increased rates are based on an arithmetical index that is generally published and available.

6 pm

The Financial Secretary to the Treasury (Mr. Stephen Timms): The right hon. Gentleman suggests that the Government should follow the practices of the previous Government. On a number of occasions, the previous Government froze the allowances altogether. Will he acknowledge that when he advocates that we follow their practices?

Mr. Heathcoat-Amory: Not only did we freeze some of the upratings but we reduced certain duties. In our last two Budgets, we froze the duty on alcohol and reduced it on spirits. We did that for sound reasons, and it is regrettable that the incoming Labour Government failed to follow that practice and uprated alcohol duties again. Now we hear that a main cause of disorder in all our streets is abuse of alcohol, some of it bought from illegal outlets and undoubtedly smuggled across the channel. The Government should have tackled the cause of that crime rather than trying to tackle its symptoms; they should have tackled the severe smuggling problem. So the answer to the Minister is that on occasions we froze some tax increases. I commend the practice to him.

The new clause ensures that where the Government increase taxes and benefits by reference to a prices index, they use a single historical one. I contrast that with what the Government are doing now. They pick and choose whether they use an historical or a projected index, purely for their own convenience. The most obvious example is the treatment of fuel duties. The basis of that treatment was changed in 1997 from an historical to a projected

[Mr. Heathcoat-Amory]

inflation assumption. That was a clear break with what had happened previously, probably caused by the fact that the Government sought to introduce an extra uprating. The Government introduced four upratings in three years before they finally came off the fuel duty escalator.

Mr. John Bercow (Buckingham): Given that 29.5 per cent. of the price of a pint of beer, 50.5 per cent. of the price of a bottle of wine and 61.3 per cent. of the price of a bottle of whisky goes directly to Treasury coffers, can my right hon. Friend offer the House a guesstimate of how much lower those proportions would be in the happy event that new clause 2 had been passed at the beginning of this Parliament?

Mr. Heathcoat-Amory: My hon. Friend makes a good point, and most usefully broadens the debate. We are not discussing the increase in road fuel duty alone. As he has rightly spotted, the same system has been used to uprate tobacco and alcohol taxes in the Budget by far more than was justified. The figures are revealing. Fuel and alcohol duties increased by 3.4 per cent. immediately on Budget day. That was the anticipated inflation rate for the rest of the year. Curiously, that inflation rate does not appear anywhere in the Red Book, but that was undoubtedly the Government's estimate. By contrast, income tax allowances and tax credits, such as the tax credit for the disabled, all increased not by 3.4 per cent. but by between 1 and 1.5 per cent. That is all laid out on pages 138 and 139 of the Red Book.

So the Government took a high inflation figure when it suited them for revenue purposes, but when they gave away some money to working families or disabled people, or simply uprated personal allowances, they used a far lower figure. The net benefit to the Treasury was simply colossal. The Government notoriously used exactly the same methodology to uprate pensions by only 1.1 per cent., leading to the 75p per week insult to pensioners with which the country is so familiar.

Needless to say, there was not a word about the change in treatment of fuel duties in the Budget speech. The increases were all described as simply increases by the rate of inflation. Worse than that, when challenged, the Government denied it. I am glad that the Paymaster General is attending the debate. She will recall that this very issue was raised by my hon. Friend the Member for Arundel and South Downs (Mr. Flight), who is in his place now. On 6 April, he challenged her and pointed out that petrol duty had been raised by an inflation index of 3.4 per cent., whereas allowances had been raised by only 1.2 per cent.

The Paymaster General replied with a mixture of patronising my hon. Friend and being wrong. She said:

> I think that I am right in saying that the hon. Gentleman has never been in government, so I suppose he can be forgiven for not knowing how the tax system works.

That was the patronising bit. The false and wrong statement was as follows:

> The methodology used for this year's increase is exactly the same as that which has been used in previous years. It is the same methodology that the Conservative Government used.—[*Official Report*, 6 April 2000; Vol. 347, c. 1145.]

That was flatly untrue. I have already described how in 1997 the incoming Labour Government changed the methodology from one based on an historical index to one based on a projected index. I should be grateful if the Minister would apologise for misleading the House.

Such examples show why people have lost faith in the Government and why the Government's assertions about taxes and benefits are simply not believed any more. Indeed, the contents of the memo leaked from No. 10, in which the Prime Minister whinges that no one believes him any more and he has lost touch with the instincts of the British people, are at least in part attributable to the fact that people have not been told the truth. When challenged, the Government flatly deny what is in fact the case. The practice of using two indexation procedures, simply for their convenience, has grown under this Government. I believe that that is not just wrong but probably illegal.

Some of us served on the 1998 Finance Bill. I have done more Finance Bills than I care to remember, and I certainly attended all the debates on that one. Under what became section 155 of the Act, the Treasury is committed by law to certain key principles in the formulation and implementation of fiscal policy. One of those key principles is transparency. I do not know what happens if the Government break one of their own laws—who gets arrested, or who is responsible for ensuring that an Act of Parliament is obeyed. That we can leave for another time, but the Government are building up a good deal of case law of instances in which they are in breach of section 155 of the Finance Act 1998.

The example of indexation subterfuges that are carried out and then denied comes in addition to other stealth taxes, and the House is familiar with many of them. The Select Committee on the Treasury, with its distinguished Labour Chairman and a Labour majority, drew attention in its report on the Budget this year to no fewer than five examples of a lack of transparency in the presentation of the national accounts. It pointed out that the Government used the term "tax burden" without making it clear that they were only talking about the direct tax burden. That conveniently omitted all the indirect taxes, which were increasing. The Select Committee asked that that be put right.

The Committee also drew attention to the rather propagandist little document that the Government published at Budget time, again at taxpayers' expense. It asked that in future such a document should be independently audited.

Mr. Bercow: Will my right hon. Friend confirm that the Select Committee's request was not spectacularly radical? It was merely asking the Chancellor to revert to the proper practice that was operated by Conservative Governments for 15 successive years, from 1981 to 1996.

Mr. Heathcoat-Amory: My hon. Friend is right. We are not asking for the impossible or the unusual. We are merely asking the Government to revert to previous practice.

I can give my hon. Friend another example. The Select Committee pointed out that the Government had dropped the previous practice of reporting on the effects of indirect taxes on households of various sorts. That was the subject of one of its recommendations. We all remember that in

previous years that information was routinely published by Conservative Governments. However, it was dropped immediately and without explanation, because the results would be embarrassing. That is wrong, and conflicts with the Finance Act 1998.

My final example is the working families tax credit, which is now being treated as a deduction from taxation, although it is part of the sum of social security expenditure. That fact is confirmed half way down page 220 of the Red Book, admittedly in small print:

> income tax credits . . . score as public expenditure under national accounting conventions.

Despite that, in every other reference to working families tax credit in all other documents, and elsewhere in the Red Book, it is wrongly, confusingly—and, in my view, deceitfully—described as a deduction from income tax.

I have provided some examples, and the new clause is designed to prevent the situation from becoming worse. It would require the Government, by law, to have one policy for uprating the various taxes and duties, and to stick with it. This is not simply a question of honesty in the presentation of the national accounts, important though that is. It is also about protecting the country from further damage. If the clause had been implemented last year, the Government could not have raised fuel duties or other indirect duties by 3.4 per cent. I will not say that they got away with it, because what they had done was discovered, but the 3.4 per cent. increase has made petrol and diesel in the UK the most expensive in Europe.

If by some lucky chance the new clause is accepted this evening, the Government could find a way of paying back at least the windfall element in the money that they have netted since the Budget. Revenue from road fuel comes from hydrocarbon duty and value added tax. The Government's latest excuse for the rise in petrol prices is that the world price of oil has risen. However, that, too, nets the Government a great deal of extra revenue. It is calculated that VAT on the higher oil price since Budget day is netting the Government an extra £150 million a year.

6.15 pm

That is bad for taxpayers, particularly for those who have to have cars. It is also bad for the haulage industry and for manufacturing. However, it is good for some. We are told that it is very good for the racketeers and paramilitary organisations in Northern Ireland. I have often asked the Treasury whether it has any estimates of the smuggling that takes place across the land border between Northern Ireland and the Republic—another EU member state. It always replies that it has no such estimates. That shows an extraordinary degree of complacency.

Some other people have been doing some work. The Petrol Retailers Association has noticed that official deliveries of petrol in Northern Ireland have fallen from more than 160,000 tonnes in the last quarter of last year to less than 110,000 in the first quarter of this year. More than that, it has counted that more than 70 petrol stations in Northern Ireland have closed as a result of the smuggling. It believes that this is providing funds for racketeering and paramilitaries of various sorts.

It is extremely disturbing that that should have been worked out by an outside organisation and not by the Government. I ask the Government and the Treasury, in all sincerity, to consider again the damage caused by the escalation in petrol prices. The Chancellor said this afternoon that he had come off the fuel duty escalator, but I have described a situation where he has done anything but that. There is no justification for the past increases and the extra budget that he has had in the past three years, which means that the cumulative effect will be even more damaging. In addition, he increased duty by 3.4 per cent. this year, which made a bad situation worse.

The new clause, which I commend to the House, is designed to put some honesty and transparency back into the method of calculating duty rates. It would be good for the country if it helped to unwind the entirely unjustified duty increase on 21 March.

Mr. Malcolm Chisholm (Edinburgh, North and Leith): I shall make only two points given the pressure of business. The right hon. Member for Wells (Mr. Heathcoat-Amory) cannot get away with taking the high moral ground on such a spurious basis. First, we heard the nonsense about fuel duty. We have been hearing about it also in recent weeks from the Scottish National party in Scotland, and in a few minutes we may hear about it again from the SNP. There was a change because of the general election and a Budget soon afterwards.

As the right hon. Member for Wells knows, the last Conservative Budget in November 1996 used the September 1996 uprating. Therefore, in July 1997, the Labour Government had to use September 1997 in accordance with the fuel duty escalator.

Mr. Heathcoat-Amory: Why did they not use the prices index up to June 1997?

Mr. Chisholm: What they used was similar to that. September is the point that is always used for these indexes. It was natural to use September for the first Budget.

Secondly, the right hon. Gentleman has praised previous practice. He knows that there were two different upratings under the Conservative Government. There was one for the headline rate of inflation for pensions and similar benefits, whereas income-related benefits have always been the subject of the Rossi index, as he knows. It would have been far better if he had acknowledged that fact. Perhaps he has forgotten because there is complete confusion in the new clause, in which he asks for tax credits to be governed by the retail prices index, when income-related benefits have always been governed, even by Conservative Governments, by a different index.

Mr. Edward Davey (Kingston and Surbiton): New clause 7 relates to the timing of the announcement of the increase in income tax allowances. It is a modest new clause, but it would provide real benefits to pensioners who pay income tax. At the moment, because of the problems that there have been with the announcement in the past two years, pensioners are effectively paying an interest-free loan to the Chancellor between April and May. The new clause would reduce the Inland Revenue's administration costs when it sends out the various codings. Perhaps the most important benefit that it would bring would be to end the confusion and anxiety felt by many pensioners when they receive their changed tax coding later in the year.

[Mr. Edward Davey]

When the Budget was in March, the longstanding practice was for tax codings to be sent out to all income tax payers in January and February, based on the income tax allowance for that year. Then, after the March Budget, when the new income tax allowances had been announced, a new coding would be sent out to all taxpayers. That was the usual practice with which everyone became familiar, and it did not create a problem because it was done in time for the forthcoming financial year. But there has been a change which has gone unnoticed by many. When the Chancellor rightly aligned class 1 national insurance contributions with income tax, he decided that he would announce the following year's allowances in the November when he announced the changes to the national insurance system. The changes to the allowance for the following year for employed people—the non-pensioner income tax-paying community—were announced in November. The correct PAYE codes could be sent out in January and February, so there was no problem for them.

However, because pensioners do not pay national insurance contributions, the Chancellor has not announced in the pre-Budget report of the previous two years the increases in the pensioner allowances. Therefore, the tax codings for pensioners have gone out in January based on that year's level of allowances, and when the Chancellor has announced the increases in the pensioner income tax allowances in the following March Budget, another tax coding has had to be sent out, in the main just to pensioners. That has meant that pensioners, for the months of April and May, have paid too much income tax, and the extra bureaucracy from the Inland Revenue has caused them concern and anxiety. They have had to ask their tax advisers what on earth it is all about, and when it has been explained to them, they have been flabbergasted. They wonder why on earth the Government are behaving in such a way, why all that bureaucracy is being created and why, they, the pensioners, have to have too much tax deducted from them during the month of April.

New clause 7 would resolve that problem once and for all. It amends the famous section 257C of the Income and Corporation Taxes Act 1988, which was introduced by the Rooker-Wise amendment. The new clause would ensure that the announcement of the upratings for the income tax allowances was made by the latest by 31 December of the year before the tax year to which those upratings apply.

I raised the matter in the House in an Adjournment debate on 9 June 2000. The Paymaster General was kind in replying to that point and to others. She admitted that the Government recognised that this was an issue. She said:

> It is something that I should like to address.

She went on:

> The hon. Gentleman made a point on coding notices. We are aware of that matter and are examining it. We have not yet found a solution to it, but we are still looking for one.—[*Official Report*, 9 June 2000; Vol. 351, c. 617-18.]

I was grateful for that positive reply from the Paymaster General.

New clause 7 is the solution to which the Government should be looking. The Minister may say that it would tie the Chancellor's hands, but it would not because the Chancellor would still be free in the March Budget and the future Finance Bill to announce changes over and above what was announced in December to the future uprating of income tax allowances, either up or down. The clause would not tie the hands of the Chancellor or restrict Parliament; it would simply make for good administrative practice. It would mean that low-income pensioners did not make interest-free loans to the Chancellor, which cannot be right.

I hope that the Minister will consider this minor administrative matter, which is important to tens of thousands of pensioners and possibly more. I tried recently to elicit how many by various parliamentary questions, but I was unable to obtain exact figures. However, many are affected by this. It cannot be right that we and other taxpayers are spending money on bureaucracy for something that is completely unnecessary and further disadvantages some of the most disadvantaged people in our society.

If the Government do not accept new clause 7 tonight, I hope that they will go away and make sure that the problem is addressed in the way in which the Chancellor makes future uprating statements for income tax allowances for the employed and for pensioners, and that they will provide statutory protection to prevent such a mistake from happening again.

Liberal Democrats have nothing against new clause 2. It is one way of changing the uprating of the allowances and duties. The Conservative Government had more than one way of doing that, and this Government have more than one way. There is nothing sacrosanct about any particular process for uprating allowances and duties, so Liberal Democrats have no problem in supporting the new clause. There is a genuine case for it in the sense that the uprating would be based on a reality—a figure which could be proved, analysed and agreed upon, rather than a forecast figure, which might not be the eventual inflation figure for that period. One need not waste a huge amount of time on it. It is a relatively simple measure concerning a technocratic issue.

The right hon. Member for Wells (Mr. Heathcoat-Amory) made a few political points, some of which were well made. There is no doubt that the two upratings in the Government's first year were rather stealthy. There is no doubt that pensioners think it rather odd that their pensions have gone up by 1.1 per cent. while fuel duty has gone up by 3.4 per cent. and council tax often by far more than that. People on incomes that are increasing only modestly are concerned. New clause 2 may be one mechanism by which to address that unfairness and ensure that people do not perceive that this Government or other Governments are treating them unfairly.

However, new clause 2 is only a tiny measure to get rid of that unfairness. What we really need are higher basic state pensions for the ordinary pensioner. Unfortunately, we did not see that in today's statement or last April, and that is a shame. It is about time that the Government addressed that issue, which is a matter of a great deal more substance than new clause 2. However, as I said, Liberal Democrats have no problem with it.

6.30 pm

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): I would like to speak briefly to new clause 2, specifically in relation to fuel duties. I am glad that you called me,

Mr. Deputy Speaker, because I would have hated to disappoint the hon. Member for Edinburgh, North and Leith (Mr. Chisholm), who would not otherwise have had a chance to listen to the "usual nonsense", as he called it, from the SNP.

It is a serious matter that fuel duties have been put up by more than the real rate of inflation, particularly for my constituency, which has the third lowest level of income of all the Scottish constituencies, but about the third highest level of car ownership. That is not because the people in my constituency, being of average lower income, are perversely buying cars and luxury items. It is because the ownership of a car, or often two cars in a family, is essential to earning a livelihood.

Therefore, to increase one of the principal costs of car ownership by more than the real rate of inflation is insupportable. Because the tax, certainly in Galloway and in many other rural areas, is paid by those on lower incomes, regardless of what those incomes are, effectively it is a regressive tax which is being increased by more than the rate of inflation.

That would be bad enough if tax were the only influence on the price of petrol, but it is not. The right hon. Member for Glasgow, Anniesland (Mr. Dewar), then Secretary of State for Scotland, said in the Scottish Grand Committee last year:

> The oil price is likely to stay at about $10 to $12 a barrel—at least in the foreseeable future—[*Official Report, Scottish Grand Committee*, 1 February 1999; c. 8.]

This June, the oil price touched $31 a barrel. The right hon. Gentleman does not seem to have displayed great foresight. Perhaps it is as well that he is not in charge of Treasury forecasts.

In the light of that, perhaps the Government thought that they could get away with such increases and their mechanism for them when oil prices were very low, and they thought that they were likely to remain low. That is no longer the case. Petrol has gone up for other reasons; it has gone up because the price of oil has gone up. That is a very good reason why the Government should revisit the mechanism for taxing petrol. There are, therefore, three reasons why.

First, as I have said, the price of petrol is going up anyway. Secondly, as the right hon. Member for Wells (Mr. Heathcoat-Amory) said, as a result Government revenues elsewhere are going up. They are going up from VAT on oil; they are going up increasingly from the petroleum revenue tax. I think it is estimated that £20 billion over the next four years will be gained from the PRT. Lastly, as the right hon. Gentleman also said, the Government are suffering a severe loss of revenue because of above-inflation increases in the price of diesel fuel and petrol here while there is cheaper fuel elsewhere.

In my constituency, the nearest to Northern Ireland, we are very conscious that cross-channel hauliers—I am speaking about the north channel between Galloway and Northern Ireland—very often do not fill up in Galloway or in Northern Ireland, but fill up in the Republic, in places such as Dundalk. That means money lost to the Exchequer, because basically we are trying to be too greedy. The mark-up on what would be the retail price of petrol without the duty is, I believe, 333 per cent., which is fairly good by anybody's standards.

It is not just ordinary people who are paying the tax. It is also heaped on to the police, the fire service, the ambulance service and school buses. Every time we increase the tax by more than the real rate of inflation, the costs of all those essential services go up at the same time. That is insupportable.

The Chancellor has made much of the fact that he has done away with the automatic fuel escalator. I do not see that there is any point in doing away with an automatic escalator if what we get instead is a manual escalator. We need a much more sensible approach to the issue. I urge the Government to think again before it is too late for many businesses in the rural economy, and perhaps before it is too late for their majority at the next election.

Mr. Jack: I support my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory), who made a telling case for standardising indexation changes based on a retrospective look at the retail prices index. One feature that has not come out in the debate so far is the accuracy of the inflation forecast. If by chance inflation does not move ahead at the same rate as the forecast increase used for the various tax purposes that my right hon. Friend outlined, the Government have a windfall gain, but they do not give themselves an obligation to pay back to the taxpayer any of the extra money obtained through fortuitously lower inflation than forecast.

As has been said in the debate, the windfall gain in VAT receipts as a result of the rise in oil prices, with its knock-on effect on petrol prices, bears witness to the fact that the present Government enjoy using every opportunity to take the people's money and put it into the Treasury's coffers to do with it as they think fit. Therefore, in terms of safety and equity, my right hon. Friend is correct.

I should like to conclude by expressing a provocative thought. The whole question of uprating the Government's income is perhaps a disincentive to their making certain that they always make every pound of taxpayers' money work as hard as possible. The Government can simply say that they can guarantee that a certain amount of money will come in through uprating, but a company cannot assume that it will receive automatic price increases. A company will try extremely hard to make every penny work as hard as possible, because it cannot guarantee receipt of that extra income.

We have got ourselves into the way of thinking that the Government's position must always be protected. From the individual's point of view, I can well appreciate why indexation should continue to be a regular feature, because he or she has less room for manoeuvre; in the real world an individual may well not receive a pay increase, but he still has his taxes to pay. Therefore, some form of price index-insulated indexation is important to him if he is not to be worse off year on year in real terms. But the Government's automatic assumption that they will receive money through indexation perhaps makes them a bit sloppy around the edges when it comes to spending the public's money. That may be a feature that the House will return to when it debates today's statement by the Chancellor.

Mr. Timms: We have been over the ground covered by new clause 2 on a number of occasions. This is probably the third time that we have heard the speech of the right hon. Member for Wells (Mr. Heathcoat-Amory). I had hoped that he might have something different to say on this occasion, but I was disappointed. He made his points in the usual way.

[Mr. Timms]

I should like to set out the position again. It is standard practice for inflation increases in excise duties to be based on a forecast of September retail prices index figures, and for income tax allowances and pensions to be based on the previous September's out-turn figure for the retail prices index.

Mr. Jack: The Financial Secretary used the expression "standard practice". Why must it be the standard practice? Why could the hon. Gentleman not change the standard practice to a more equitable practice if he wished?

Mr. Timms: Of course, the practice could be changed, but I want to explain what the practice is. September is the date that has been used on both sides, in excise and in allowances, with a forecast in the case of excise duties and a look back at the previous year's figures in the case of allowances.

Mr. Alasdair Morgan: If that practice is followed, and if—heaven forbid—Treasury forecasters are always pessimistic, we shall continue to have an increase each year that turns out to be higher than inflation, and gradually the average prices index and the duty levels will diverge.

Mr. Timms: I am glad to be able to reassure the hon. Gentleman on that point. The duty increases since the election have been less than they would have been if inflation had been used. The duties being paid by the hon. Gentleman's constituents are less than they would be if we were to take up his suggestion.

The Opposition have got excited about this matter on a number of occasions and have drawn attention to the fact that, this year, inflation increases for duties have been greater than for allowances and pensions. It is a matter of swings and roundabouts. Last year, the reverse was the case, and allowances and pensions went up by 3.2 per cent. while duties went up by 1.3 per cent. We heard nothing about stealth handouts in the debate at that time. In a era of stable inflation—the result of the extremely successful management of the economy that we have enjoyed over the past three years—things even out over time. As I have been able to point out, duties have increased by less than inflation over that period. All this fuss has been entirely misplaced.

Announcement of the personal allowance in November means that the latest practical reference point for income tax allowance indexation is September—the month preceding November would not work. It would be impractical—this is a suggestion in new clause 2—for the Budget to be early in the month. If the Budget were in early March, the new clause would require the duty increase to be the change in the RPI in the year to February, which would not even have been published by that time. It is an unworkable proposal.

Another difficulty with the proposal is that different indexation figures would be used for different allowances. Basic personal allowances would rise by the increase in RPI in the year to October, while the other allowances and the rate bands would rise in line with the RPI increase to February. That is just within the allowances. There is no sense in that.

I should remind Conservative Members that it was their Government who introduced the Income and Corporation Taxes Act 1988, which requires the use of the September RPI for income tax as opposed to the much more arbitrary and less satisfactory proposition that they are advancing today.

I noticed that, in response to my intervention, the right hon. Member for Wells was understandably shy when it came to talking about what the previous Government did with income tax allowances. The previous Government froze income tax allowances for 1993 and 1994; they did not uprate them at all. They also froze the basic rate limit, not just for those two years, but for 1990 and 1992 as well. As a result, they raised taxes by over £2 billion. The measures to freeze allowances and the basic rate threshold with effect for April 1993 and April 1994 brought in about £1.75 billion. The Chief Secretary responsible for that was the current shadow Chancellor. The Opposition are a great deal more vulnerable on this than the Government. The proposal is unworkable.

The right hon. Member for Wells or it may have been his hon. Friends in Committee—said that the Red Book does not mention the figure of 3.4 per cent. It does. It appears several times in table A.9 on page 146 and the figure 3.41 per cent. appears in table A.12 on page 148. It is always worth reading the Red Book. It is a practice that I commend to Opposition Members.

I was rather surprised by the fact that the right hon. Gentleman said that he had been unable to establish the figure for revenue lost through cross-border shopping and smuggling of oil in Northern Ireland. We have said on a number of occasions that we estimate that to be £100 million in 1998. That has been published in parliamentary answers and it was stated in Committee. We have published that figure on a number of occasions, and I am sorry that the right hon. Gentleman missed it.

6.45 pm

The hon. Member for Galloway and Upper Nithsdale (Mr. Morgan) raised concerns, specifically about fuel duty. I hope that he will be reassured by what I have said about the impact of the method used for inflation uprating of duties. He expressed particular concern, for reasons that I well understand, about the position of low-income constituents in areas such as his. They will benefit particularly from the changes that we have announced to vehicle excise duty. We have extended the threshold for the lower rate from 1100 cc to 1200 cc vehicles. His constituents will also benefit from the new arrangements being introduced from next year for lower rates of vehicle excise duty on fuel efficient cars. Those measures will be particularly welcome to the hon. Gentleman and his constituents.

Mr. Morgan: Will the Minister accept that those measures are much more likely to benefit those who can afford to buy new cars? People on low incomes tend to buy second-hand cars, often without a low engine size because such cars tend to be cheaper on the second-hand market.

Mr. Timms: The concession for vehicles of less than 1200 cc applies equally to new and old cars. I anticipate that the hon. Gentleman's constituents who are on a limited income and driving an inexpensive car will welcome those measures.

Mr. David Heath (Somerton and Frome): I wonder whether the hon. Gentleman can help me with a query

from a constituent who points out that the differential between unleaded petrol and leaded petrol was introduced as a perfectly proper environmental measure. Why is that differential maintained between unleaded petrol and lead replacement petrol? That affects people who own older cars, which may not be able to run on unleaded fuel.

Mr. Timms: The differential with lead replacement petrol is a reflection of the different costs in the production process. I should be happy to drop the hon. Gentleman a line setting out the details of that arrangement.

I am grateful to the hon. Member for Kingston and Surbiton (Mr. Davey) for his explanation of the new clause. I know that he takes a keen interest in the way that the tax system affects pensioners. As he said, my hon. Friend the Paymaster General had an opportunity to debate a wide range of issues of concern to pensioners with him in the Adjournment debate on 9 June and, in particular, to consider the proposals made by the low income tax reform group.

For reasons that he spelled out, the hon. Gentleman would prefer the Revenue to reflect in the PAYE codes on occupational pensions, which are issued in January and applied in April, the increased amount of state pension and the increased amount of allowances resulting from indexation. His proposal is that the Revenue would be able to do that if the Treasury order setting out index values of allowances were published by the end of December rather than on Budget day the following March. Publishing that order earlier would not have that effect because it is always possible for Parliament to override indexation, as it did in 1999 when pensioner allowances rose by up to £200 more than the indexation required.

Mr. Edward Davey: I understand that point, but surely in most years and in most circumstances there would not need to be a second tax coding because Parliament would usually go by the normal Rooker-Wise index.

Mr. Timms: I know that the hon. Gentleman feels strongly about this. My hon. Friend the Paymaster General gave him an assurance during the debate on 9 June that she would look into this matter. I know that she is doing so with great care and I hope that the hon. Gentleman will feel that he can accept that assurance and not press this issue.

Mr. Heathcoat-Amory: The Minister started by saying that we had debated these matters before, but we have raised them again because we still have not got any answers. I will make a deal with him—I shall stop raising the subject if he starts giving some answers. The debate that we have just had illustrates my point because, for example, the Minister did not apologise on behalf of the Paymaster General for the flat untruth of her assertion that the previous Government had indulged in the same subterfuge.

The fact is—I note that the Minister did not disagree—that we had an historical system for uprating all the allowances and duties. It was the incoming Labour Government who changed the rules to uprate according to a forward-looking estimate of inflation. That is why fuel duty and other indirect taxes went up by 3.4 per cent. this year, instead of increasing by the pension increase index of 1.1 per cent. I ask the Minister to correct that example of a Treasury Minister misleading the House. That is a serious enough point to draw the Minister into a late intervention, and I will give way to him if he will now agree that that was an example of a Minister giving an incorrect reply. The fact that he will not do so only confirms our allegation that no one believes what this Government say about taxes any more. It is no good the Prime Minister saying that he now wants a lot of eye-catching initiatives instead of policies, when he has already lost the trust of the House and of the wider public. The Government cannot even admit it when they have made a mistake.

The Minister then boasted that there was no problem because the Government had achieved what he called low and stable inflation. If that is the case, why are they putting up alcohol and road fuel duties by nearly 3.5 per cent., when they have an inflation target of 2.5 per cent.? I do not call that either low or stable.

The Minister also said that the figure of 3.4 per cent. appears in the Red Book so it is not a secret. I never said that it was. We spotted quickly the divergence and that the Government were putting up allowances by only 1.1 per cent. and all other duties by nearly 3.5 per cent. My point, which I repeat, is that the issue of inflation and the inflation index is discussed in no fewer than three places in the Red Book but at no point in those discussions does the figure of 3.4 per cent. appear. The Minister cannot contradict that point.

Mr. Nicholas Soames (Mid-Sussex): Does my right hon. Friend agree that, with that eagle-eyed clarity and persistence that led him to seek out that figure, he has also drawn other inconsistencies in the Red Book to the attention of the House?

Mr. Heathcoat-Amory: That was a typically sagacious intervention by my hon. Friend, who is clearly on form at an early point in our proceedings. We have said enough to demonstrate beyond doubt that on this issue we are right—and I include my hon. Friend in that observation. We are on the side of right and truth and it is the Government who have made a mistake. We shall divide the House on the issue.

Question put, That the clause be read a Second time:—

The House divided: Ayes 168, Noes 319.

Division No. 275] **[6.54 pm**

AYES

Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*

Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Evans, Nigel
Ewing, Mrs Margaret
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Green, Damian
Greenway, John
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith,
Rt Hon Sir Geoffrey
Keetch, Paul
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Morgan, Alasdair *(Galloway)*
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paice, James
Paterson, Owen
Portillo, Rt Hon Michael
Prior, David
Randall, John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Webb, Steve
Whitney, Sir Raymond
Whittingdale, John
Wigley, Rt Hon Dafydd
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Peter Atkinson and
Mr. Stephen Day.

NOES

Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack
(Copeland)
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry
(B'ham Hodge H)
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally

Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mudie, George
Murphy, Rt Hon Paul *(Torfaen)*
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Reid, Rt Hon Dr John *(Hamilton N)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Mike Hall and
Mr. Robert Ainsworth.

Question accordingly negatived.

New Clause 6

MARRIED COUPLES ALLOWANCES

'The Chancellor of the Exchequer may by order introduce regulations to provide for increases in personal tax allowances to recognise married couples. Orders made under this section may only be made if a draft of the instrument containing the order has been laid and approved by resolution of the House of Commons.'.—*[Mr. Ottaway.]*

Brought up, and read the First time.

Mr. Richard Ottaway (Croydon, South): I beg to move, That the clause be read a Second time.

The new clause, which has been tabled by my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory), my hon. Friend the Member for Arundel and South Downs (Mr. Flight) and myself, refers to marriage. I do not know whether you have received the married couples allowance, Mr. Deputy Speaker. If so, like millions of people in the country, you will have been sent a document in the past few weeks which consists of explanatory notes and a form that must be filled in if one is to claim children's tax credit. It states:

> The Children's Tax Credit is replacing the Married Couple's Allowance and the Additional Person Allowance.
>
> Are you likely to have a child under 16 living with you during the tax year starting on 6 April 2001? If yes, you may be able to claim Children's Tax Credit.

I suspect that you are a normal citizen, Mr. Deputy Speaker. I do not know whether you have a child under 16, but the important point is that there are a heck of a lot of people in this country who do not have a child under 16. To say that the children's tax credit is replacing the married couples allowance is untrue, inaccurate and a distortion of what the Government intend. I am not sure whether it is spin or underspin but, whatever it is, that statement is wrong.

Mr. John Gummer (Suffolk, Coastal): Has my hon. Friend noticed that the form, which is a document about marriage, insists on referring to one's "partner"? May I put it to him that many married women do not wish to be referred to as partners because they are married and have taken on the responsibility of a lifelong union to look after the children for whom the allowance is supposed to be paid? Is it not about time that people had enough respect for married women to refer to them as married, not partners, which can involve all kinds of arrangement, many of which are not the sort that my wife and many other wives wish to enter into?

Mr. Ottaway: I am grateful to my right hon. Friend. The form goes far too far in political correctness. We have

[Mr. Ottaway]

seen too much of that sort of stuff. As I happen to know my right hon. Friend's wife, I know that she would be offended by being described as a partner.

Mr. Gummer: Did my hon. Friend notice the grins on the faces of Labour Members, especially those on the Front Bench, when he mentioned that many women do not share their loose attitudes towards marriage?

Mr. Ottaway *rose—*

The Paymaster General (Dawn Primarolo) *rose—*

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Member for Croydon, South (Mr. Ottaway) must deal with one intervention before he takes the next, if he wants to do so.

Mr. Ottaway: I will give way, but I will first answer the point raised by my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer). I have some respect for the Paymaster General and the Economic Secretary, who are sitting on the Front Bench; whether they wish to be described as a partner is entirely a matter for them.

Dawn Primarolo: My objection is to being called a loose women. I am married and I consider my husband to be my partner—my partner in life. The suggestion made by the right hon. Member for Suffolk, Coastal (Mr. Gummer) was out of order. I am sure that he would like to correct the impression that he gave to women of his attitude towards them.

Mr. Ottaway: I do not want to get caught in the crossfire. If the House does not mind, I shall move on.

The deception of replacing the married couples allowance with the children's tax credit will hit millions of families very hard. Until April, every married couple was in receipt of £197 a year. That money is lost. Indeed, there is a gap between the two provisions because the children's tax credit does not come into effect until next year.

Mr. David Taylor (North-West Leicestershire): If the former married couples allowance was such a great idea—it was of course available to people who were not married but had children and lived together—why did the hon. Gentleman's Government reduce it in two stages to 20 per cent. and then 15 per cent? Are not this Government continuing that process? Does he not endorse the approach that his Government took?

Mr. Ottaway: Whatever level the allowance got to, the important point is that the principle of marriage was recognised in the tax and benefits system. We undertake to maintain that, unlike the hon. Gentleman's party, which has, effectively, undermined the concept of marriage.

Until April, one earner on a salary of £34,000 a year would have paid income tax last year at 23 per cent. and this year at 22 per cent., but the abolition of the married couples allowance has taken that person into the higher tax band. The House may not be aware that if one is in the higher tax band, one does not qualify for children's tax credit. We estimate that more than 1 million people in the higher rate tax band will not be entitled to the children's tax credit even if they have children under the age of 16. So, people will not qualify because they are paying too much tax and are being moved into different tax bands.

The replacement system is an utterly inadequate form of compensation. That is why, when the Conservatives win the next election, we will reintroduce recognition of marriage in the system by reintroducing the married couples allowance. We shall do so for two reasons. First, we think that there are benefits to society from marriage. Families are where society starts and ends. Family breakdown weakens a free and ordered society. Parents do their best for their children in a wide range of circumstances, but, in general, children from two-parent families do better at school, have better chances in life and are less likely to end up ensnared in crime. Two-parent families are better units if the parents are married.

The Government should not discriminate against the one institution that has been shown to help families stick together and help the process of raising children: marriage. The Government have attacked marriage; they have abolished the married couples allowance and discriminated against couples in the structure of the working families tax credit. That is why we are pledged to recognise the benefits of marriage in the tax system.

Mr. Geraint Davies (Croydon, Central): Will the hon. Gentleman give way?

7.15 pm

Mr. Ottaway: I will not give way to the hon. Gentleman.

Secondly, we make the pledge to reintroduce the married couples allowance because of the defects in the children's tax credit. Two earners who live together and both earn £30,000 a year, with a household income of £60,000 a year, will qualify for the children's tax credit. Yet, one earner on £40,000 a year will not do so. What logic is there to that?

The second anomaly in the children's tax credit is its ineffectiveness as a benefit. The Financial Secretary said in Committee:

> We have increased substantially support for families with children through the working families tax credit, through the increase in the children's premium income support and through child benefit.—[*Official Report, Standing Committee H*, 23 May 2000; c. 333.]

The Minister failed to say that the payment of £8 a week in children's tax credit is substantially reduced by the impact of the working families tax credit and housing and council tax benefits.

I am obliged to Mr. Roger Cockfield, reader in taxation at De Montfort university, Leicester, who has sent me copies of the model that he has compiled. He has demonstrated that a lone parent with two young children earning £180 a week—someone working for 12 hours at, say, £15 an hour is not an unusual example—faces a loss of £5.33 in housing benefit and £1.70 in council tax benefit when he or she receives £8.50 of children's tax credit. He or she is only £1.27 better off—not the £8.50 claimed.

The children's tax credit is no substitute. It is available to the better off but not to the poorer people in our society. I was always under the impression that a Labour

Government were there to protect the poorer people rather than to give tax breaks to the better off. If anything illustrates why they are losing support in their heartlands, it is much trumpeted measures such as the children's tax credit, which goes not to the poorer people but to the better off.

The form sent in the past few weeks to families who used to receive married couples allowance also contains the following sentence:

If you are likely to have a child under 16 living with you during the tax year—

it goes on to describe the tax year—

you may be able to claim the Children's Tax Credit. If not, please throw this form away and accept our apologies for troubling you. Do not return blank forms to us.

I do not know how many blank forms might have been sent back, but I conclude by reading a letter that was sent to the Chancellor of the Exchequer, No. 11 Downing street from a gentleman in Merseyside. It reads:

Dear Sir,

Please find enclosed my claim form for Children's tax credit returned as my wife and I do not meet the criteria required. Like millions of similar couples, i.e. children grown up and gone, and not 65 before 5th April 2000, we feel that you have, dare I say, stealthily, removed the acknowledgement by the Government of the merits of being married.

How you have the audacity to claim that that Children's Tax credit replaces the married couple's allowance and Additional Personal Allowance amazes me. I will be 65 in December this year, and as a result of your 1999 Budget changes, I, since April of this year, now pay approx. £20 per month tax on my modest company pension, and when I reach 65 I will be further taxed on my old age pension, unlike my elder brother, who is one of the privileged pensioners that you have created, i.e. 65 before 5th April 2000 who still retains the Married Couple's allowance.

Hon. Members might think that that letter came from a Conservative party supporter—Labour Members are nodding their heads. They think they know what the letter says because it was sent to No. 11. However, it concludes:

I find that as a lifelong socialist, an ex Labour party member, with a son who is a Labour councillor, that your new Tax changes are totally unacceptable, and unless some revision to these Fagin-like measures is made in this year's Budget, then my vote will go elsewhere.

I can think of nothing else that better shows why the Government are losing support. They sit there like rabbits stuck in the headlights, watching the on-coming change in the political direction of this country which such proposed measures will cause. The Conservative party's tax system will provide benefits for rich and poor, because we are the party of one-nation conservatism. We shall stand up for the Mr. Speakmans of this world. We will not say that a tax credit is worth £8.50, when it is in fact worth £1.27.

Mr. Chisholm: I was tempted to speak because, during an earlier debate, those on the Conservative Front Bench referred to previous practice, as discussed when we first raised the issue when considering the 1994 Finance Bill. During the Division, I was able to read an interesting speech that the current shadow Chancellor made then, in which he justified taking more than £1 billion out of the married couples allowance. I invite Conservative Members to read that speech, as well as the previous one that I made, in which I said:

Everyone knows that families have suffered most in tax terms over the lifetime of the Conservative Government.—[*Official Report, Standing Committee A*, 22 February 1994; c. 345.]

I was particularly referring to families with children. It is precisely their problems that the current Government have been reversing during the past three years.

It is a simple fact that no additional costs are associated with marriage, but that many additional costs are associated with having children. That is why the children's tax credit, the working families tax credit and the record rise in child benefit have been introduced. People outside the House are more interested in targeting support on children, which is the Government's priority, rather than trying to make spurious party political capital out of the small sums that were involved in the married couples allowance.

Mr. Edward Davey: The new clause is interesting not because it would introduce a married couples allowance, but because it would change the procedures of the House. We normally scrutinise tax provisions through primary legislation, such as the Finance Bill. However, under the new clause, we are asked to give the Treasury the power to vary or change income tax allowances by regulation, rather than by primary legislation. That is an interesting idea, but I am surprised that the Conservatives have proposed it. They usually want to avoid secondary legislation and prevent Governments from trying to hide stealthy tax changes in statutory instruments.

Mr. David Ruffley (Bury St. Edmunds): Has the hon. Gentleman voted for or against any such measures since becoming a Member of Parliament?

Mr. Davey: I do not think that since I have been a Member the House has considered any such new clause, in which it is suggested that the Chancellor should be given the power to increase personal tax allowances. It is a very unusual new clause and I therefore began to wonder whether it represents a way to change the financial procedures of the House. Many right hon. and hon. Members will know that I take a particular interest in such matters because I believe that the House does not do its job properly. The Finance Bill procedure and the estimates and supply procedures are very inadequate.

There are arguments for changing procedures in the way proposed in the new clause. Many hon. Members have already said that this Finance Bill is one of the longest in history and that that does not help the way in which the House scrutinises detailed financial legislation. Today and tomorrow, the House will debate many Government amendments and new clauses but they will not be given the scrutiny that they deserve, given that they involve significant changes. The House has become too used to dealing with detailed tax legislation on the hoof, very quickly and not properly.

It is time that we changed that process, and perhaps the new clause represents a way of doing so. It would certainly reduce the content of future Finance Bills—perhaps Delegated Legislation Committees should deal with more tax legislation. Perhaps there would be proper scrutiny if individual Committees considered each change to tax legislation. That would certainly push the remainder of the Government's tax proposals into other legislation. I hope that such legislation could be debated in draft form, and perhaps Select Committees could take evidence on it.

Such measures could be dealt with in a more leisurely way than the Finance Bill must be proceeded with because of the need to provide the Inland Revenue with statutory

[Mr. Davey]

cover for taxes. We should separate that requirement—the need to provide statutory cover for the way the Inland Revenue and Customs and Excise go about their business—from the technical changes that we see in so many different forms in this and many other Finance Bills. There is a need for such reform, but I do not necessarily think that the new clause provides the best way to do it.

I have suggested in previous debates that a small Finance Bill, which would cover the statutory requirements for collecting tax, should follow the Budget and that a tax technicalities Bill, which the House could take several months to pass, could also be introduced and, perhaps, considered by the other place, changing the current process. Such a Bill could be given proper scrutiny. That would be my preferred way to reform our financial procedures, but perhaps the new clause represents another way to do so. Having expressed surprise that the Conservatives tabled the new clause, I do not think it represents a bad route to follow and perhaps we should experiment with it.

Whether the Liberal Democrats would use the power suggested in the new clause would depend on the regulations that were proposed. We might do so if the allowance that the Conservatives, or the then Chancellor of whichever party, proposed under that legislation took proper care of children. As the hon. Member for Edinburgh, North and Leith (Mr. Chisholm) said, the prime need is to ensure that children living in families receive the necessary support. Perhaps the proposal would be as wide as the former married couples allowance package, which recognised that some people who were not married still needed support. As the Chancellor said—indeed, the shadow Chancellor mentioned it too when in government—many people who were not married received the former married couples allowance. Perhaps the Conservative proposal would mimic many of the characteristics of the old system. The Conservatives might want to propose a tax allowance that was paid not only to married couples. However, they have not proposed such a measure so we cannot decide whether we would support it.

Having listened to the hon. Member for Croydon, South (Mr. Ottaway), I am concerned about the motives behind the proposal. A good motive would be to focus on those elderly people on the cusp, who did not retire on whatever the date was, and therefore cannot continue to receive the married couples allowance. If the intention was to focus on their needs and the fact that they had been disadvantaged, that would be a good motive. The Conservatives sometimes suggest that theirs is the only party that supports marriage, but that is not a particularly helpful or mature approach. We should be less partisan and, frankly, less immature when discussing the welfare of families.

If we want to support marriage, there are many things that we could do, such as investing in services like Relate, which try to support and save marriages that may be breaking down. We should think about other ways to support families, perhaps considering how we recognise the role of Churches and other religious institutions in supporting families and marriage. Ideas like those would make a positive contribution to the debate.

7.30 pm

I do not believe that many people marry for tax reasons. Should we suggest that people marry for money? Is that the key message that the House wants to send? People should marry for love, not money. Perhaps the Conservatives are sending the wrong message.

Dawn Primarolo: You old softie.

Mr. Davey: As I am unmarried, my girl friend may not agree with the Paymaster General on that, but I am interested in hearing details of the Conservative proposals. I feel strongly about this matter. I lost my father when I was four. My mother was widowed, and cared for me and my two older brothers. Are the Conservatives saying that my widowed mother should not have benefited from an extra tax allowance? She was not married, and the new clause is not clear. Before the Conservatives get on their high horses about marriage, they need to flesh out their proposals with rather more detail. Would they penalise single parents, such as my widowed mother, rather than ensuring that she could benefit from extra tax allowances? I cannot believe that they would want that, but it sometimes sounds like it.

The new clause might serve some purpose in promoting reforms of our financial procedures. To that extent, the Liberal Democrats have no problem with it; it is time those matters were addressed. In supporting the new clause this evening, however, we will not be saying that we support the Conservative position, because it has not been properly spelled out.

Mr. Geraint Davies: I am pleased to speak briefly about the married couples allowance, partly because my good neighbour, the hon. Member for Croydon, South (Mr. Ottaway), would not allow me to intervene on him.

The new clause is completely incoherent. The hon. Gentleman suggested that the motivation for restoring the married couples allowance was not so much marriage as support for children in stable family relationships. Of course, the married couples allowance is not available to stable couples with children. It is available to married couples, often without children, or to single parents who are unmarried. That is completely inconsistent.

Mr. Ruffley: Will the hon. Gentleman give way?

Mr. Davies: In a moment.

The idea behind the allowance was support of children in marriage because, when it was introduced, the majority of those who had children were married. Relationships have changed, and many children are born out of wedlock. We must be even-handed about fiscal management, although I accept that, as the hon. Member for Kingston and Surbiton (Mr. Davey) said, we ought to think of ways to encourage stable relationships and marriage.

Mr. Ruffley *rose—*

Mr. Davies: I will give way in a moment.

The most important way to do that would be to provide the economic well-being and independence that would keep couples together. Break-ups are often motivated by economic despair. The Government have brought 1

million children out of poverty and away from the legacy of despair and family destruction inherited from the rag bag opposite—talking of which, I will now take the hon. Gentleman's intervention.

Mr. Ruffley: I thank the hon. Gentleman for giving way in his typically graceless way. He said earlier that stable couples who were not married but had children received the married couples allowance. Would he like to correct himself? He should know that the additional personal allowance is what non-married stable couples with children receive.

Mr. Davies: The hon. Gentleman's hearing seems to have failed him. He may check *Hansard* to find that I said that people in stable relationships with children are not eligible for the married couples allowance. That was one reason why we got rid of it. To be fair, however, I should make it clear that it was being gradually phased out by the Tories—which merely exposes their opportunist cynicism tonight. They are offering an off-the-cuff, uncosted proposal that does not mention the corollary of the abolition of the children's tax allowance. The policy is entirely un-thought-out and intended merely to provide an electoral opportunity, as the hon. Member for Croydon, South revealed at the end of his speech.

Mr. Oliver Letwin (West Dorset): Will the hon. Gentleman give way?

Mr. Davies: Not for a moment.

We appear to be talking about electoral bribery. That is extremely unfortunate. The Tory measure would cost £1.4 billion in 2000–01 and £1.85 billion the next year, and the cost would continue to rise. It is another example of the kind of expenditure cuts that we would face under a Conservative Administration. We have had a wider debate this afternoon, and the £2 billion or £3 billion that they propose to spend over two years would be taken away from the health service, the education system or other vital services for people in need. The money would be taken away from children to pay for tax cuts for the most well off—couples without children in which both partners earn. That would be quite wrong.

The married couples allowance was being phased out by the previous Administration, but the Tories have suggested that we should reintroduce it. Those who hear our debate will realise that the Labour Administration have lifted 1 million children out of poverty, have put 1 million more people in work and have provided a record increase in child benefit. I urge all hon. Members to resist this stupid new clause.

Mr. Nicholas Winterton (Macclesfield): I am pleased to follow the hon. Member for Croydon, Central (Mr. Davies) who put his case very fairly, even if on odd occasions he indulged in rather vicious comments about what my hon. Friend the Member for Croydon, South (Mr. Ottaway) seeks to do for the Opposition.

I endorse what my hon. Friend said in his excellent presentation. His case would have been stronger, however, if he had apologised to the House and to the people of this country for the fact that the Conservative party began this process when we were in government. At the time, a number of us criticised reduction of the married couples allowance. Like my hon. Friend, I have no doubt that the marriage of a man and a woman committed to each other in a ceremony that all people take seriously can create the most stable environment for children to grow up in. Problems for society arising from such a registered union are likely to be less than those arising from the situation of single parents.

The hon. Member for Kingston and Surbiton (Mr. Davey) also made a thoughtful speech, but I was surprised to hear him suggest that these matters should be debated and decided in the House of Lords. I should have thought that all matters relating to the amount of taxation levied on an individual or family—I still think that allowances have something to do with taxation—should be decided by the elected Chamber.

Like the hon. Member for Kingston and Surbiton, I am not sure whether the proposal of my hon. Friend the Member for Croydon, South should be decided by statutory instrument—secondary legislation. It is too important for that; it is a matter of serious philosophy. Should we encourage the formal presence of marriage, and because of the benefits that it brings society, should marriage be recognised through the allowance and tax system? I believe so.

I am saddened that the previous Government started the reduction in the married couples allowance. With respect, my hon. Friend's case would have been stronger if he had apologised for that and said that in the light of experience, we realised that we made a mistake. I believe that the people out there whom we represent in this House are prepared to forgive a party when it shows that it realises that it has made a mistake.

I accept the advice of the hon. Member for Kingston and Surbiton about children—their interests are absolutely vital. That does not mean, however, that this is an either/or situation. I believe that we could have both options. We could, where necessary, provide additional assistance for families and single parents with financial difficulties, while also recognising the estate of marriage as making a valuable contribution to the environment in which children grow up. The cost to the state when children do wrong and appear before the courts is likely to be less when children are brought up in a stable marriage.

I share the views of my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer), who believes that marriage is very precious. I do not believe that marriage is often entered into lightly. The benefits to a civilised, stable society that emanate from marriage are very great indeed.

Mr. David Taylor: I am sure that many people in the House would agree with the hon. Gentleman—not least the hon. Member for Congleton (Mrs. Winterton). However, some £190 a year is not a strong incentive for an unmarried couple to troop along to the nearest church or registry office. Does the hon. Gentleman really think that many hundreds of thousands of people will change their status because of that tax incentive? I fear not.

Mr. Winterton: My views differ from those of the hon. Gentleman. I believe that the country benefits from children being brought up within a stable married relationship, and that the cost to Government and society is likely to be much less when that is the case. I regret that the previous Government started the reduction in the

[Mr. Winterton]

married couples allowance. I would have preferred the allowance to have been much higher than it was. However, I accept that there might be a contrary view.

7.45 pm

As the hon. Gentleman said, I am married to my hon. Friend the Member for Congleton (Mrs. Winterton). She carries my name, so our outlook on these matters is very traditional, and there is nothing wrong in that. She shares my view that in a married family relationship, whether the husband and wife are married in a registry office or in a church—although I prefer the church service, as it is more solemn—the saving to society is greater than the total cost to the Exchequer of the married couples allowance, even at its original level before the previous Conservative and Unionist Government reduced it.

I regret that the present Government have gone the whole hog and abolished the allowance. What they have replaced it with is less beneficial, although I appreciate that they have sought to target assistance on those whom they perceive as having the greatest need. However, I think that the principle spelled out by my hon. Friend the Member for Croydon, South is sound. I am delighted that we have learned from our mistakes in our previous period in office. The allowance means a great deal to people, and has a significance far greater than its cost to the Exchequer. Therefore, I strongly support the new clause.

Mr. Ruffley: I am delighted to support the new clause. I do so for one simple reason—I believe that the family is an important part of the fabric of civil society, and needs to be supported and recognised in the British tax system.

I was interested to hear the contributions from Labour Members. The one word that they did not use was "extremist". This is obviously an example of a U-turn, because on 16 April the Chief Secretary to the Treasury described Conservative proposals for recognising marriage in the tax system as "extremist". What folly that turned out to be.

It was no accident, in my view, that in the leaked memorandum this week, of which we have heard so much, the Prime Minister described his policy on the family as weak. He was worried that the Government were looking weak on the family, and were hopeless at developing sensible policies to support the family.

The new clause would go some way towards helping the Prime Minister out. Were the Government to adopt it, the Prime Minister would be able to demonstrate beyond peradventure that he believes that the family is worth supporting. He would be able to use the simple and direct mechanism described in the new clause.

Mr. Christopher Leslie (Shipley): Does the hon. Gentleman agree with the hon. Member for Macclesfield (Mr. Winterton), who has a high regard for parliamentary and legislative procedures, that it would be incorrect to introduce these measures through statutory instruments and orders? Can he justify why, under new clause 6, such changes would be made by order rather than in primary legislation?

Mr. Ruffley: The answer to the hon. Gentleman's question should be clear to him; I am rather surprised that he bothered to ask it. He should scrutinise the proceedings of some of the Standing Committees on which I have had the pleasure, and sometimes the misfortune, to serve. Treasury orders of this kind are often to be found; our proposal is not especially unusual. I was rather surprised by the perplexity of the hon. Member for Kingston and Surbiton (Mr. Davey) about that. It is a device that those on the Treasury Bench have used on many occasions.

To return to my original point, the Prime Minister has said that his Government's policy is weak on the family, and unconvincing and unappealing to the people of this country. He is quite right there. The new clause would remedy the defect in current Government policy.

Before Labour Members get to their feet in a desperate attempt to win brownie points with the Treasury Whip, let me tackle head on the point made by my hon. Friend the Member for Macclesfield (Mr. Winterton) about the reductions in the value of the married couples allowance under the previous Government. I remember it well. In the March 1993 Budget, the Chancellor, Norman Lamont—Lord Lamont as he is now—set in train a two-tranche reduction in the married couples allowance from the basic rate of 25 per cent. to 15 per cent. That is a matter of record. However, the then Conservative Government did not go on to abolish the allowance, as this Government have.

Why was the reduction in the MCA so necessary? It was an important part of deficit reduction. *[Laughter.]* The guffaws from the glove puppets on the Government Benches would lead one to think that they considered deficit reduction a bad thing—but it is a good thing. The Chancellor celebrated it today, and he is the proud heir and inheritor of the previous Government's sensible fiscal policies.

What was the attitude of today's Ministers to the sensible but limited deficit-reducing measures in 1993, which stopped at 15 per cent? The present Government have gone for the next 15 per cent. What was the record of the Paymaster General on the 1993 Finance Bill? I hope that she will tell us when she winds up.

I remind the House of the importance of the new clause in terms of the tax policy of the Conservative party. My right hon. Friend the Leader of the Opposition made it clear this week that the next Conservative Government will reintroduce recognition of marriage in the tax system. The Government have abolished it, and so have no claim to be the defenders of married couples and families.

One issue has angered pensioners in my constituency. My mailbag is full of letters from them—I should be surprised if Labour Members had not received similar letters—about a decision in the March 1999 Budget. The Chancellor gave the distinct impression that pensioners would continue to receive the married couples allowance. However, we had to find in the small print one thing that he did not spell out—that pensioners reaching the age of 65 after April 2000 would not get any married couples allowance. That meant that those individuals found themselves some £500 worse off when that 1999 Budget tax change took effect.

The Conservatives were not alone in being intelligent enough to read the small print. Help the Aged was on

to the matter fairly rapidly. Mr. Mervyn Kohler of that organisation described the pernicious effect of the change on pensioners who reach the age of 65 this fiscal year:

> 600,000 people reach retirement age in a typical year . . . only a third of them exceed their personal allowances . . . There will be quite a lot of rather cross people about when they realise they are affected, having planned on receiving the existing allowances.
>
> Whereas the Chancellor has been saying that he has lifted many older people out of paying taxes in previous Budgets, this could have the effect of putting many of them back into paying tax. This is very unfair because it is so arbitrary and it will squeeze the older generation. They are going to take a bit of a hammering.

Many of my pensioner constituents who were 63 or 64 before the 1999 Budget change now realise that they will not get the £500 that they had counted on getting when they turned 65 this fiscal year. I have had many letters to that effect.

Mr. Geraint Davies: Will the hon. Gentleman give way?

Mr. Ruffley: No, I will not give way to the hon. Gentleman. I may reconsider if he has something sensible to say. He rarely has.

Mr. Mervyn Kohler said that pensioners would take a hammering, and many of my pensioner constituents felt that they had been hammered by the Government, especially by the abolition of the married couples allowance. They had no warning or notice of the change, as Lady Greengross, the director general of Age Concern, said when she described how pensioners in their early 60s would have woken one morning to find out what was in the 1999 Budget.

Lady Greengross did say:

> We welcome the fact that those already 65 will not lose the allowance . . . ,

but it was a rather limited welcome, as she went on to make it clear that she wanted the measure to be phased in for people who will not get the allowance when they reach 65 this year. The argument for some transitional relief for people turning 60 was rather callously ignored by the Chancellor. He has not rethought things, and as a result many pensioners in many constituencies are very aggrieved.

Mr. Nicholas Winterton: One of my great concerns about what happened to people in the situation described by my hon. Friend is that the change, which they had not anticipated, occurred too late to allow them to make alternative financial arrangements to ensure that the quality and standard of their lives were not adversely affected. That is why I support my hon. Friend in his contention about transitional arrangements.

Mr. Ruffley: My hon. Friend has made my day. I am supported by Help the Aged, by Age Concern, and now by him. I could want for nothing more.

Labour Members have made no attempt to answer those important points in the debate. Age Concern and Help the Aged say that the change is a problem, and Labour Members who read their mail agree. It ill behoves them to smirk and grin and ignore the point. The Paymaster General owes the House an answer when she winds up.

Mr. Geraint Davies: Will the hon. Gentleman accept that any change in the tax system will be unplanned, in the sense that before the Chancellor stands at the Dispatch Box, no one knows what he will say? People plan for the world to go on as before. Does not the hon. Gentleman therefore agree that his is a rather silly argument?

Mr. Ruffley: I am sure that the hon. Gentleman will be applauded in his constituency by Age Concern and Help the Aged when he refers to their arguments as silly, misplaced or misguided. Old people are vulnerable. They do not have large incomes, and we believe that they are a special case, as do Help the Aged and Age Concern.

Mr. David Taylor: Will the hon. Gentleman cast his mind back to 1980, when he might still have been in primary school? Then, the Administration of the lady now known as Lady Thatcher perpetrated one of the meanest acts of their 18 years in office. They broke the link between pensions and pay in the economy. Does the hon. Gentleman think that that showed due regard to a vulnerable group?

Mr. Ruffley: This Labour Government have never said that they would reintroduce that link. There is a good reason for that. Baroness Hollis, the Under-Secretary of State for Social Security in the House of Lords, has said that if the link were restored now it would cost £25 billion by 2025. Not even this profligate Chancellor would be able to find that sort of money, which is why the Government have not decided to restore the link. The hon. Gentleman should know his party policy before he intervenes in that way.

Non-pensioners have also lost their married couples allowance to the value of some £200 a year plus. Added to the other stealth taxes—the petrol tax, the personal pension tax, and increases in council tax—the net result is that the average hard-working family is £670 worse off. That is the tax bill they face. The abolition of the married couples allowance is part of that £670. It is for that reason, and the other reasons that I have adduced, that I strongly support new clause 6, and I urge hon. Members to support it.

8 pm

Mr. Desmond Swayne (New Forest, West): I shall not detain the House long, because the matter has been well aired by my hon. Friends and by Labour Members. Strangely enough, I share the view of the hon. Member for North-West Leicestershire (Mr. Taylor) that changes in the married couples allowance such as that made in the last Budget are unlikely to have any measurable effect on the incentive to marry. Indeed, it would pose profound questions about the nature of marriage if they were an incentive.

Nevertheless, I share the view expressed by my hon. Friend the Member for Macclesfield (Mr. Winterton). This matter has a symbolic importance that rises well above the issue of how much the allowance may be worth.

The attraction of the new clause is the speedy remedy that it provides. Previously, married people enjoyed a tax allowance that they no longer enjoy. In other words, there is now a tax on marriage.

Mr. David Taylor: Will the hon. Gentleman give way?

Mr. Swayne: No, I will not give way. The matter is fairly straightforward.

Mr. Taylor: On that very point.

Mr. Swayne: No, not on that point. I will not give way.

Mr. Taylor: *rose—*

Mr. Deputy Speaker: Order. The hon. Gentleman has said that he is not giving way.

Mr. Swayne: I want to draw my remarks to a conclusion. For those of us who disapprove of the new penalty on marriage, the clause would provide a speedy remedy. It is obvious that the Government will shortly be sent packing, and my right hon. and hon. Friends on the Front Bench will take their place. They will readily use this new clause to remedy the matter.

Dawn Primarolo: Those who watch and listen to the debates in the House will be greatly saddened by some of the contributions that have been made this evening. Value judgments have been made on those who choose to marry, whether in a civil ceremony or a church service, and on those couples who make a lifelong commitment to each other as partners, but who do not choose to marry. The debate is not about whether we are in favour of marriage or a commitment of individuals to each other: it is about a tax relief, and it needs to be set in that context.

I applaud the honesty of the hon. Member for Macclesfield (Mr. Winterton) in saying that he opposed everything that the Conservative Government did when they were in power—*[Interruption.]* The hon. Gentleman is too keen; I was not going to make a sweeping claim on his behalf. He opposed the Conservative Government when they reduced the married couples allowance. In all honesty, I cannot remember how he voted on that issue. When the Conservative Government were in power, the number of children living in families in poverty rose to 3 million; that is what his party presided over. It now tells us that it is committed to marriage and to stable relationships, whether in a legal or a church ceremony.

Mr. Nicholas Winterton: I want to clarify my position. I am sure that the Paymaster General will accept that during my short speech, I said that additional steps could be taken if it were necessary to help children in families in difficult financial circumstances. I wanted both the married couples allowance and, if necessary, additional help for children from families in difficult financial circumstances.

Dawn Primarolo: I noted the hon. Gentleman's bid for more money, and I shall come back to that. He is quite right; he acknowledged that point.

I want to put it clearly on the record that in my opinion, a commitment to a stable relationship or a marriage is reward in its own right, as the hon. Member for Kingston and Surbiton (Mr. Davey) said. The idea that a financial incentive in the tax system would encourage people to marry and would provide a good, sound basis for a stable relationship shows little respect for the institution of marriage, because it does not fully recognise the commitment that is made.

Mr. Burnett: Will the hon. Lady give way?

Dawn Primarolo: I shall give way, but if the hon. Gentleman will allow me, I shall then explain why this allowance has never been about marriage: it is about taxable capacity.

Mr. Burnett: I sincerely hope that the Paymaster General will assure the House that this measure is not a precursor to the abolition of inter-spouse exemption for inheritance tax purposes, which was established by the Labour party when it introduced capital transfer tax in the Finance (No. 2) Act 1975.

Dawn Primarolo: The hon. Gentleman is ever vigilant about the Government's possible future plans. I shall not stray beyond the new clause before us.

We need to be reminded that the origin of the married couples allowance was the married man's allowance, which was meant to recognise a reduced taxable capacity when a man acquired a wife to support. Marriage is no longer the point at which taxable capacity is reduced; many couples continue to work. Taxable capacity is now reduced when children arrive and one partner reduces or gives up work, or the marriage or partnership faces the challenge of funding child care. It is right that the Government should shift support to the point at which that occurs, and should concentrate on the existence of children in that family unit. That is what the children's tax credit does. It is right to support the family with a child whatever their circumstances. It is important to invest in children, and to improve their life chances.

We need to provide equivalent relief to one-parent families for many reasons. The parent may be bereaved or may have been deserted by the partner. A child needs to be fed whatever the circumstances of his or her conception. The old married couples allowance recognised that, as did the additional personal allowance. The children's tax credit recognises unmarried couples, as did the additional personal allowance introduced by the Conservative party. This is not about political correctness: it is a practical matter of preventing unmarried couples from getting more generous treatment than married couples. That can be avoided by using tapers and by preventing them from having two credits.

The rules for additional personal allowance introduced by the Conservatives in 1988 covered exactly the same point as is now covered by the children's tax credit. The argument that this proposal is a departure in our tax rules from recognising only married couples to recognising unmarried couples is spurious.

Mr. Ottaway: The Minister annunciated the benefits of the children's tax credit. Will she acknowledge that, in calculating that credit, housing benefit and council tax benefit are deducted?

Dawn Primarolo: The children's tax credit is a tax relief and it is paid within the tax system. The hon. Gentleman is confusing it with working families tax credit.

Mr. Ottaway: I am not confused in the least. It is a fact that a lone parent working for 12 hours at £15 an

hour, which is a perfectly normal situation, faces a loss of £5.33 in housing benefit and £1.70 in council tax benefit when he or she receives £8.50 of children's tax credit. In other words, that person is only £1.27 a week better off, not £8.50, as the Minister claims.

Dawn Primarolo: I think that the hon. Gentleman is referring to the position when the couple have an increased income because the amount of tax has gone down and there is a taper on any housing or council tax benefit. If they are on those benefits, they will have an income that is low enough to qualify them for working families tax credit, so the changes in the premiums in that credit will address those points.

Conservative Members who were in the previous Government have selective amnesia about how much they reduced the value of the married couples allowance. For instance, in 1994–95, they reduced it by £83.25; in 1995–96, by £83.75; and in 1996–97, by £85.25. They removed it from the position in which it affected whether reliefs were given.

Under the previous Administration, the married couples allowance was cut first to 20 per cent. and then to 15 per cent. Some taxpayers began to pay an extra £8 a week as a result of those changes. The right hon. Member for Kensington and Chelsea (Mr. Portillo), who was then Chief Secretary, said that the married couples allowance was the "most anomalous of allowances" with "no on-going justification".

We agree with the right hon. Gentleman, although he apparently no longer agrees with himself. We have abolished the married couples allowance for under-65s from 6 April 2000, not because we do not support marriage, but because the allowance was not supporting marriage. When a couple can get twice the tax relief for splitting up that they could get for staying together, Opposition Members must explain how that is support for marriage.

We have a better approach. We are investing in our future by providing more financial support for all families with children. Families face their greatest financial pressure when they have children. We have made record increases in child benefit—35 per cent.—which the Conservative party froze. We have introduced the working families tax credit to support hard-working families. We have increased the credits by another £4.35 a week from last month. We have increased income support for the poorest families. The working families tax credit will give families more money, and over the lifetime of this Parliament, about 1.2 million children will be lifted out of poverty.

The hon. Member for Croydon, South (Mr. Ottaway) spoke about the claim form. The form is clear and expressed in neutral terms to cover both married and unmarried couples. The children's tax credit covers both, to ensure that married couples do not get less relief. It was the Conservative party that introduced, in the additional personal allowance, the rules to cover unmarried couples.

8.15 pm

The hon. Gentleman went on to say that the form is overkill. The Inland Revenue does not hold details of children in families, so we needed to send the forms out to get to the people who had received married couples allowance and the additional personal allowance and who might be eligible. We wanted to ensure that they understood their entitlement and were alerted that they should claim it.

The hon. Gentleman said that the children's tax credit was unfair to single-earner families. That is the effect of independent taxation. Single-earner couples will tend to pay more than two-earner couples on the same family income, because one uses one set of allowances and rate bands. We are trying to address that anomaly, which the Conservative party helped to create, in the integrated child credit.

Now Conservative Members say that the taper is unfair, but we think that it is right that we should get the maximum benefit to those on the lowest incomes. They then say that 100,000 people will pay higher rate tax as a result of the changes. That is simply not true. Nobody will be brought into a higher rate of tax as a result of the abolition of the married couples allowance—unlike the 200,000 people who became higher rate taxpayers when the Conservative party cut the value of the married couples allowance to 20 per cent. in 1994-95.

The hon. Member for Croydon, South says that the benefits of the children's tax credit do not get through to the families that really need them, such as those on working families tax credit. Again, he is wrong. It is not true. He ignores the fact that the child rate in the working families tax credit was raised in October 1999 to take account of the interaction between that credit and the children's tax credit, and the child credit for under-16s was raised again, by £4.35, from June 2000, on top of the indexation from April 2000. It is simply wrong to create the illusion that the money is not going to those who really need it.

The new clause asks for rather odd things. It asks for powers to make regulations. Why does the Chancellor need powers to make regulations about tax allowances when he has at least an annual opportunity, in the Finance Bill, to make any changes that he wants, with the proper scrutiny of the House? In any case, what is to stop the Chancellor introducing another Finance Bill in a year? The Chancellor already has the power to make regulations.

Conservative Members have revealed how out of touch and confused they are about how people organise their lives and bring up their children. I urge my hon. Friends to reject the new clause and ensure that the Government's sound policies for tackling child poverty, directing resources to the families who need it most, can continue.

Mr. Ottaway: We tabled the new clause not for those reasons, but because of the deception being practised on the people of this country when the Government say that the children's tax credit replaces the married couples allowance. It does not replace that allowance, and millions of people will not receive it. Many will suffer financial loss as a result of the Government's proposals.

For the Minister to say that the poorest people in our society are getting the entire benefit of the children's tax credit is plain misleading. Housing and council tax benefit have to be taken into account. The poorest people in our society will not get the funding that she says they will get. That is why we want to divide the House.

Question put, That the clause be read a Second time:—

The House divided: Ayes 157, Noes 289.

Division No. 276] **[8.19 pm**

AYES

Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Bottomley, Rt Hon Mrs Virginia
Brake, Tom
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Evans, Nigel
Ewing, Mrs Margaret
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fraser, Christopher
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Morgan, Alasdair *(Galloway)*
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Paice, James
Paterson, Owen
Prior, David
Randall, John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Webb, Steve
Whitney, Sir Raymond
Whittingdale, John
Wigley, Rt Hon Dafydd
Wilkinson, John
Willetts, David
Willis, Phil
Wiltshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Stephen Day and
Mr. Keith Simpson.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blackman, Liz
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Doran, Frank
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Home Robertson, John
Hood, Jimmy
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*

Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones. Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones. Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Sir John *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Rt Hon Paul *(Torfaen)*
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Reid, Rt Hon Dr John *(Hamilton N)*
Rooker, Rt Hon Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Todd, Mark
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Don Touhig and
Mr. Jim Dowd.

Question accordingly negatived.

New Clause 8

PAYE ADMINISTRATION OF RETIREMENT ANNUITY INCOME

'In section 648A Taxes Act 1988, paragraph (1) after the words "approved personal pension scheme", add "or an approved retirement annuity contract within the meaning of section 620 Taxes Act 1988".'.—*[Mr. Edward Davey.]*

Brought up, and read the First time.

8.30 pm

Mr. Edward Davey: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Government amendments Nos. 83 and 84.

Amendment No. 145, in schedule 13, page 294, leave out lines 15 and 16.

Amendment No. 146, in page 294, line 18, at end add—

'(3) Subsection (1) shall not prevent the approval of the scheme which contains no requirement to purchase an annuity by a certain age.'.

Government amendments Nos. 85 and 86.

Mr. Davey: This group contains some significant amendments. Government amendments Nos. 83 to 86, which cover pension contributions to pension plans running concurrently, are incredibly important. I believe that the hon. Member for Arundel and South Downs (Mr. Flight) raised the matter in Committee. Amendments Nos. 145 and 146 cover the annuity issue. I do not intend to cover those two important issues. I shall leave them to my hon. Friend the Member for Northavon (Mr. Webb), who is far more eminently qualified than I am to cover them in detail.

I wish to speak to new clause 8, which is more modest. Again, it takes up the issue of unnecessary bureaucracy and the way in which that hits low-income pensioners. It makes a practice that is permitted by the Inland Revenue into a statutory requirement to help pensioners.

In specific detail, new clause 8 deals with the way in which retirement annuity income is administered. At the moment, tax on retirement annuity income is deducted at source at the basic rate, with a non-taxpayer option for gross payment on submission of form R89. That is different from the way in which other sources of pension income are administered for income tax.

I do not know how familiar right hon. and hon. Members are with the amazing number of different ways in which different forms of pensioner income are administered for income tax purposes. I am grateful to the

[Mr. Davey]

low incomes tax reform group of the Chartered Institute of Taxation for the way in which it has set that out in its paper entitled, "Older people on low incomes. The case for a friendlier tax system." It bears reference to because it shows how complex the administration of income tax has become for pensioners, who often rely on a wide variety of often very small income sources.

Some sources of pensioner income are tax exempt: premium bonds, national savings certificates and, for National Savings bank ordinary accounts, the first £70 of interest. There are sources of pensioner income that are taxable, but paid without tax deducted at source. Those include National Savings bank ordinary accounts where the interest is more than £70, investment accounts, income bonds, capital bonds and pensioners bonds. There is a source of pensioner income that is taxable, but paid with tax deducted at source at 20 per cent: first option bonds.

When we go into the wider general investment market, we see another set of tax administrative arrangements related to pensioner incomes. Personal pensions and occupational pensions are taxable and paid with tax deducted by the pay-as-you-earn code number. Retirement annuities—the subject of the new clause—are taxable and paid with tax deducted at the basic rate of tax, with the non-taxpayer options that I have described. The income element of the return from purchased life annuities is taxed in yet another way: tax is paid and deducted at 20 per cent. The non-taxpayer has the option to ensure that the income is paid gross upon submission of yet another form: R89.

Building society and bank interest is taxable. The tax is paid at 20 per cent. at source. The non-taxpayer can apply to have it paid gross, but he has another form to fill in to do that: R85. United Kingdom company dividends are taxable and paid with a repayable credit of 20 per cent. The taxation on many overseas pensions and interest from overseas deposits is administered in yet another way. They are taxable, but received without tax deduction at source, because it is from an overseas source. I have not even begun to mention PEPs, TESSAs and ISAs, which we know are not taxable. We see from that long litany of examples what a complicated tax administrative system faces the ordinary pensioner.

The result of all that is that pensioners often pay too much tax, because they are faced with forms that they do not understand, so they do not apply to have the income and interest paid gross, and with a system that is so complex and such a minefield that they are made anxious by it. That complexity does not serve the Inland Revenue. It increases its administration costs, so the Government do not win by that minefield.

Let us look at different financial products for pensioners, be they ordinary pensions or other types. The administrative arrangements are so different, with some tax taken at source, some not, some taken at different rates and some with non-taxpayer options for payment gross. That complexity reduces transparency in comparing the returns from different financial products. Each marketing of each different product must try to explain the different tax arrangements to pensioners.

There is absolutely no reason for the system that we have. It has just grown. It has been given to us by history. It is time that it was reformed. New clause 8 is a small step in reforming that over-complex system. It relates just to the tax on retirement annuity income. It seeks to enshrine in statute law and to make mandatory something that the Inland Revenue already permits. It ensures that retirement annuity income can be paid through the PAYE system, so that the correct amount is taken and so that pensioners who do not owe any income tax on that retirement annuity income do not have to fill in forms. It ensures that they do not have to pay tax that is not due to the Exchequer. It is simple.

I am delighted that the Government were relatively positive when I raised the matter. In response, the Paymaster General said that the Government were

> in discussions with the industry on how to simplify the system and make it much more responsive to pensioners.—[*Official Report*, 9 June 2000; Vol. 351, c. 618.]

I was grateful for that reply. I hope that those discussions with the industry have taken place, or are soon to take place, and that soon we can get a bit more logic in the system, so that poor pensioners—we are talking about non-income tax paying pensioners; some of the poorest pensioners—do not pay tax when they are not supposed to.

I hope that the Government can make that relatively simple administrative change as a first step to reforming completely that bizarre aspect of the income tax system. If they do, pensioners throughout the country will applaud them.

Mr. Flight: I believe that the debate on this group is one of the more important this evening. It covers several territories related to pension arrangements.

I entirely support new clause 8, which addresses a practical issue. I cannot see why there should be any objections to it. I greatly welcome Government amendments Nos. 83, 84, 85 and 86, which, as kindly acknowledged, broadly address the issue of concurrent membership, which we discussed in Committee. I think that there will be some practical problems in establishing the demarcation level at £30,000. Although that figure will cause some injustices, at least it is a practical solution to the problem. It will be interesting to see how it works out, especially in relation to concurrent membership of final-salary occupational pension schemes and stakeholder schemes—which had previously been deemed not to be practical.

I shall, however, use my time to speak to amendments Nos. 145 and 146. Amendment No. 145 deals with a straightforward issue. I confess that, when first trying to get my brain round schedule 13, I had not taken in the fact that paragraph 9 will remove section 633(2), so that a pension scheme cannot provide insurance covering contributions that have not been made because of a member's illness or temporary redundancy. There will, however, be a grandfather provision for those who already have such arrangements.

I do not think that a case has ever been made why such a provision should not be part of the new tax rules covering stakeholder and other personal pensions. The removal of such a provision seems to be a bad idea. Surely it is thoroughly desirable that people have insurance to ensure that they are able to accumulate an adequate pension. I therefore ask the Minister at the very least to explain the logic behind removing the provision. Amendment No. 145 deletes that change.

The major chestnut to crack is the issue of ending the obligation to buy an annuity by the age of 75. The Government seem to be burying their head in the sand. The official Opposition's policy on the issue has been clear for the past two years—to abolish the obligation subject to individuals having in place pension arrangements that will deliver a pension ensuring that they will not qualify for the pension guarantee. Therefore, we suggest—as the report commissioned by the Association of Unit Trusts and Investment Funds suggested—that the obligation should be abolished, subject to lesser annuities being taken out, when required, to deliver a pension up to a set level.

Ministers must be aware that millions of people are concerned about the issue, and that we are living in an age in which there is an explosion in demand for money purchase pensions. Additionally, the Government's stakeholder measures will have a major impact in increasing the number of companies that end final-salary schemes and create money purchase schemes.

In many ways, schedule 13 is extremely useful in providing a tax framework that encompasses both group personal pensions and occupational money purchase pensions. Many companies and their consultants have been waiting to see what the final stakeholder arrangements and obligations would be before taking the decision.

Mr. Steve Webb (Northavon): The hon. Gentleman said that this is an issue of importance to millions of people. However, one of the issues that I have wrestled with in our debates on this matter is whether that is so. Does the issue matter only to those who have whopping great pension pots? If there is a floor below which people will not be allowed to draw-down, and if stakeholder pensions will be targeted at those who are on modest earnings, will many people ever be affected by those income levels?

Mr. Flight: I thank the hon. Gentleman for his question, which I shall deal with in detail in a few moments. However, the quick answer is that the issue has to do not only with a well-pensioned elite. As money purchase provisioning works its way through—it started only in the 1980s—the number of those who will be obliged to buy an annuity will run into the millions. Within the arrangements that I have discussed, they would not have to put all their pension money into an annuity. The issue affects not only a narrow body of people. However, I shall revert to that in a moment.

8.45 pm

The key point is that the next few years will see a huge explosion in the number of people with money purchase pensions. Final-salary schemes operate essentially with a revolving pot of money—with accumulated pension assets usually invested predominantly in equities, although the equity-bond mix depends on the maturity of the scheme—out of which the pension is paid. Therefore, the capital that provides the final-salary pension should be prudently invested with scope to increase in capital value, and should not be locked into an exposure to bonds.

The key investment problems with an obligation to buy an annuity is that an overwhelming number of people will be buying a guaranteed annuity; that most of the assets funding the annuity will be invested in bonds; and that, even at 75, one or other spouse will live for another 20 years. The Government's legislation forces annuity managers to invest all the capital available for pension provisioning in fixed-interest securities. As I have said in the House before, if a financial adviser had put all someone's capital into fixed-interest assets for 20 years, he or she would be hauled up by the Financial Services Authority for negligence and mis-advice. Investment only in gilts is simply inappropriate for the length of time that that pension capital has to provide an income.

As the House will be aware, the combination of a Budget surplus, the subsequent repayment of national debt, increasing demand for money purchase pensions and—following the passage of the Pensions Act 1995—increasing demand for fixed-interest products by mature pension schemes have all created essentially a false market in long-dated gilts. In the past 12 years, not only has the nominal interest rate decreased with lower inflation, but the real interest rate has almost halved. The real interest rate has been close to 4 per cent. for quite a long time, but, now, it is down to 2 per cent. and a bit. So what is happening elsewhere is creating a false market and, as the law stands, people are being forced to buy investment pension products based on that false market. If and when that changes, irrespective of any change in inflation, such individuals will be seen to have been grossly unfairly—and I would argue negligently—treated by the law.

I am pleased that many annuity providers have produced new products but, as the Minister will be aware, there are tax inflexibility problems associated with equity-linked annuities. In short, if an equity-linked annuity consistently performs well, the beneficiary is unable to take the full return. If the product performs poorly, investors face considerable problems if they wish to change their fund manager.

Canada and Ireland have addressed the problem—Canada did so 10 years ago and Ireland has done so in the past two years—along the lines of the recent report by the Association of Unit Trusts and Investment Funds Committee which broadly envisages the creation of a pension account into which the capital goes. Everything that comes out of the account is taxed as income. Within that pension account, the beneficiary can determine the investment policy within sensible parameters analogous to those laid down for ISAs.

Mr. Barry Gardiner (Brent, North): I have been listening carefully to the hon. Gentleman. Does he accept that, just as tax relief is initially given on a pension fund in order to provide certainty and security in old age, an investor may wish to diversify the application of their fund at an early stage into other ways of financial management that do not attract the same tax relief, but are not subject to the same limitations? While the hon. Gentleman is considering that point, will he also say how he sees investors who are in the fortunate position of being able to consider their financial future and think of diversifying their fund in that way in light of the remarks of the hon. Member for Northavon (Mr. Webb) about the number of people involved?

Mr. Flight: I thank the hon. Gentleman for his intervention, but I am not sure what point he is making. Could he please sharpen it up a little?

Mr. Gardiner: I do not want to make a speech on the subject. As the hon. Gentleman is aware, quite simply, tax relief is given to help provide security and certainty of provision from the point of retirement until death. I accept the problem that the hon. Gentleman has outlined as it affects many people approaching retirement. Somebody seeking to achieve better returns than they were likely to get from an annuity could have made alternative provision that did not attract the same level of tax relief.

Mr. Flight: With respect, the hon. Gentleman's intervention reflects completely wrong thinking. Tax relief is provided to help build up the maximum assets to create adequate provision for retirement. As the hon. Gentleman will be aware, a final salary pension scheme will have an appropriately balanced portfolio of equities and possibly some fixed interest investments, depending on the maturity of the scheme. That is an entirely sensible arrangement that maximises both the pension accumulation and, in due course, the tax take. Even with money purchase pensions, there is clearly an argument that the tax take would ultimately be greater to the Revenue if the assets were invested on a basis that would create better returns because everything that is drawn out is taxable as income.

Under the present rules, if there is anything left when both spouses are dead, it suffers a 30 per cent. rate of tax and then becomes subject to inheritance tax as well. The rules can be changed if the Revenue wishes, but if the hon. Member is arguing that the correct moral price for the tax benefit must be that all the money should be invested in gilts for the last 20 years of someone's life, I do not see any logic here either in terms of maximising revenue to the Treasury, or in terms of doing the best for pensions in people's old age.

I now turn to some of the issues that have been raised this evening and some of the alleged reservations by the Revenue and Treasury in respect of adopting the proposals from the AUTIF committee. It has been suggested that the AUTIF report reflects the vested interests of the investment management industry—I should declare an interest here as a member thereof—but that is a completely outdated view as the life offices that provide annuities are also substantially part of the fund management industry. Indeed, most of them would welcome the proposed changes as they provide ISAs, unit trusts and so on. There is no longer an investment management industry and a separate insurance industry. That is not how the industry is structured.

The argument has been made about the interaction between the supply of gilts and the growing volume of pension funding that will eventually have to buy annuities. The arrangements that we propose would ease that problem because people would be free to buy guaranteed annuities if they wanted to, but everyone would not be forced down that route. Therefore, it should lead to real interest rates which are more normal and not the result of a false market, as they are at present.

Some people have made the point that this territory largely involves only the better off. The average annuity purchase from each life office is between £25,000 and £30,000. The average has fallen largely because more people are using draw-down to postpone annuity purchase. I am afraid that the statistics are not particularly reliable. I might add that the Government's statistics go back to 1995. However, personal pensions have been in existence only since 1988 and most of those now retiring may not have held a personal pension for all of that time. So the numbers of people with reasonable amounts in personal pension schemes will rise.

A survey recently conducted for the AUTIF study group found that more than 70 per cent. of annuitants had an income in excess of the proposed minimum. In other words, more than 70 per cent. of people with money purchase pensions would have capital with which they would not need to buy an annuity to take them up to a minimum pension income level. So the subject affects not just a narrow group of people but the overwhelming majority.

Mr. Webb: I broadly agree with the hon. Gentleman on this point, so I hope that he does not think that I am being critical. Which minimum is he referring to—the minimum income guarantee or the minimum in the McDonald proposals, which as I recall is roughly double the minimum income guarantee?

Mr. Flight: I was referring, as I think I mentioned, to the minimum in the AUTIF report led by Dr. Oonagh McDonald. That is where the 70 per cent. figure bites. The hon. Gentleman will find that in the report.

Of equal importance is the point that the percentage will change over time as people build up more in money purchase pensions. The proposals are aimed not at the wealthy but at all those who will be able to purchase the minimum income and will have some capital to invest thereafter. Such individuals would greatly appreciate the freedom so to do.

A good case can be made for abolishing the obligation to buy annuities, at least for stage 1 because the Government's pension guarantee virtually requires abolition to be along the lines of the AUTIF report.

The argument has also been levelled that the proposals would be a threat to defined benefit final salary schemes. My response is that they are already under threat as a result of the rising costs of final salary schemes, of companies trying to save money and, indeed, the attractions of the simple stakeholder schedule 13 legislation. In 10 years, I estimate that at least half of the existing final salary schemes will be closed. The shift to money purchase will be far greater than many realise. The Towers-Perrin survey of money purchase pension arrangements in the United Kingdom suggests that at least half the direct contribution money purchase schemes are associated with the closure of final salary schemes. That is a telling statistic.

There has been some false concern within the Revenue, if not the Treasury, that the proposals in the AUTIF report would lead to people wanting to transfer in their last year or so from a final salary scheme into some form of money purchase pot, and that employees of the Government, in particular, would want to do that because their pensions are often not funded. It is argued that the proposals would create a funding problem. The answer is that it would be extraordinary if public sector pension schemes have rules to permit that. Most do not. If others do, the rules should be changed. This option is not the norm within a final salary pension scheme in the private sector. Revenue concerns that a wide range of civil servants would want to, and be able to, switch to a money pot are wrong. They would be much better off staying in their final salary

schemes and receiving generous inflation-linked pensions. In terms of the rules of the scheme and the motivation, there is a false concern. Often, pension arrangements for spouses are considerably better within public sector schemes.

9 pm

We are dealing with a major issue that has been under debate for two years. A great deal of work has been done. The Government said that they would respond to the AUTIF report, and there has been no response. Yet about two thirds of the electorate are 46 or older and are either focusing on their pension arrangements as they are about to draw them, or are already drawing them. The Government would be most unwise in their own interests to underestimate what has become a major issue. People are aware that standard guaranteed annuities are now extremely poor value. They do not want to be locked in whether the amounts involved are large or small, and there is no logical reason why they should. There need be no loss of revenue as a result of the changes and the revenue could be greater.

There are also two small points that I would like to add to what is really the final debate on schedule 13. First, I referred earlier to the Myners report. As the Minister said, the final report is not out, but the consultative paper is. The Minister will be aware that this is all about encouraging investment in venture capital by pension schemes. Under the rules of all forms of personal pension schemes and the provisions in schedule 13, such schemes cannot invest in unquoted shares. If the Government wish to encourage greater venture capital investment by pension funds, this is an issue to be dealt with potentially within the terms of schedule 13.

Since we discussed schedule 13 in Committee, the individual pension accounts announcement has been made by the Government, I think outside the House. We welcome that announcement, but I do not understand the logic of why an IPA has to be purchased via some form of money purchase pension scheme. There is more than adequate protection within financial regulation and potential investment rules to cut out the unnecessary costs of the pension scheme umbrella and to permit IPAs to operate on an entirely analogous basis to ISAs. We would then have specific rules about who could buy an IPA and how, and who could not. Why have the Government concluded that the IPA is simply to be a method of managing money for a form of money purchase pension scheme and not a pension packet in its own right, as it easily could be?

I have strayed because, although those matters relate to the key schedule 13, they are not the key points raised by our amendments. I encourage the Government to bite the bullet and to follow Canada and Ireland, broadly to follow the AUTIF report, and to get a move on. There are hundreds of thousands of people, if not millions, who are now coming up to 75. They are extremely concerned about being forced to buy a bad annuity product. All of us receive letters from these people. The Department of Social Security is well aware of the issue, but it is ultimately a Treasury matter when it comes to reform. I fail to understand why the Government have not yet bitten the bullet.

Mr. John Butterfill (Bournemouth, West): I should like to support the principle behind new clause 8, which is a well conceived proposal, but, in particular, to speak on amendments Nos. 145 and 146, to which my hon. Friend the Member for Arundel and South Downs (Mr. Flight) has just referred.

If there is any justification at all for requiring those who are retiring to use their pension pot to buy an annuity, it can only be that tax relief has been given on the accumulation that provides that pot, so it is argued that it is not unreasonable for the Revenue to require such people to buy an annuity to make sure that they are no longer a burden on the state. The compact with the state is that the purchase will guarantee, or, hopefully, will go some way to guaranteeing, that such people will not be a future burden.

But annuities are the only type of investment for the future, or virtually the only one that anyone would seriously contemplate, that carries that burden. The Government have introduced individual savings accounts, which have all the tax advantages that a pension product has, but without the disadvantages—without the requirement to buy an annuity at the end of it; without the requirement to lose one's capital at the end of the day. For the more sophisticated investors, to whom the hon. Member for Kingston and Surbiton (Mr. Davey) referred—those with large pots of money—there is the enterprise investment scheme or the venture capital trusts—much more sophisticated, perhaps more risky—in which they can invest and have even greater tax advantages.

One is puzzled to know why successive Governments have continued to lay this particular burden on those who have prudently saved for their old age, who are doing a service to society by so doing, and yet are forced into purchasing an end product, the annuity, which, as my hon. Friend the Member for Arundel and South Downs said, is probably the worst investment that people could make for their on-going retirement future. People are living much longer now than they were.

Something on the lines of the AUTIF report is not desirable but essential. The competition for the purchase of gilt-edged investments is becoming greater every year—in fact, every month. In a previous speech in the House I explained how the operation of the minimum funding requirement is creating a black hole. As gilt yields go down, so the minimum funding requirement requires institutions to purchase more gilts. By purchasing more gilts, they drive the yields down further, and so on. We have a downward spiral of gilt yields, which is becoming unstoppable.

There is a way to remedy that, at least partially, and I know that the Government are considering the minimum funding requirement to see how it can be amended. There is a suggestion that, in addition to gilts, some corporate bonds might be added as appropriate investments. I still do not think that that will solve the problem because fewer gilts are still being produced and a limited amount of money can be issued through corporate bonds, yet, as I have explained, the demand is insatiable.

What we should be doing in terms of the minimum funding requirement is what almost every other sensible fund does, which is to have a balanced portfolio where—prudently, of course—one makes sure that the appropriate ratios are maintained and looks at the total return on

[Mr. John Butterfill]

investment and not simply at what can be obtained from gilts. The people who are really suffering are those who are forced to purchase gilts at the time of retirement in a market that is going further and further against them, month by month, year by year.

If we follow the suggestion in the AUTIF report, we can release people from at least part of that problem. If they are required to purchase a minimum income that will ensure that they are no longer liable to be a burden on the state—it will have to be on an indexed basis—we fully justify the tax relief; if indeed it needs justifying, because in the other forms of investment it is not required to be justified. They can then invest their money in any way they think prudent.

At present we have a ludicrous situation, shown at its most perverse by a self-administered scheme. This applies usually, though not exclusively, to people with a larger pot. There are people who have bought property into a self-administered scheme and now at the end of the day have to sell the property, which gives them a secure and reliable income, and convert it into gilts. If anyone were advised to do that it would be blatant mis-selling, far worse than any scandal we have seen in any other area. Yet we in this House and successive Governments require people to behave in that way. At some time somebody will say "Let's sue the Government for making us do something so perverse and foolish". They might have a point, although I do not think it is possible to do it. Perhaps it should be.

The best thing we can do this evening is to say that we have got it wrong, that we need to change the basis on which pensions are dealt with when they come to maturity. I hope that the Government will accept the amendment.

Mr. Frank Field (Birkenhead): I also wish to speak to amendments Nos. 145 and 146. It was in the last Parliament that the first letters came from my constituents asking why they were forced into a financial arrangement that they thought was not the most beneficial that they could undertake to protect their retirement and possibly, as the hon. Member for Bournemouth, West (Mr. Butterfill) said, hand on wealth when they died. Although there has been a very important change since then—the election of our Government—I do not find it easier to answer that question when it comes from my constituents.

Therefore, I make a plea to the Economic Secretary to address specifically, in replying to the debate, what is the defence of the status quo and to what extent the Government are thinking and moving and in what direction.

The simple point that my constituents put to me, which I happen to agree with, and on which I have not been able to obtain a more sensible view from either the previous Government or the present one, is as follows. They accept that they have built up pension arrangements which have been supported by fellow taxpayers, and that therefore some restraints can be put on the way in which they spend the income, so that they do not receive a second injection of public funds to underpin their livelihood. In other words, they do not believe that they should be able to blow their capital and become dependent on welfare. But what they ask is this: if they make sure that they are in no way a responsibility on the state, why should the state lay down how they should behave with the capital that they have built up?

In a sense my constituents' questions preceded the questions posed in the report that a previous Member of the House, Dr. Oonagh McDonald, recently successfully steered to publication. I am anxious to learn from the Government what their defence of the status quo is. All of us, on both sides of the House, can see that people should not be paid twice for doing the same thing, but if they are careful enough, or enter into specific arrangements, to ensure that some of their capital is put aside so that they in no sense become dependent on welfare, why should they not be able to spend the remainder, which probably, as the decades pass, will become a larger and larger proportion, in a way that suits them?

My constituents' final point is that they have built up their capital, have been pleased to do so and believe that it is their duty to do so. They believe that they were advantaged in being able to do that. They are not being cocky and understand that other people have not been as advantaged and may not have been able to do so. They also believe that, if at all possible, it is a good idea to hand on capital to children and grandchildren. I must ask the Government whether that is the view that we hold. Do we believe that wealth is not something to be gobbled up by companies or Governments but, as far as possible, should be spread as widely as possible, through the entire community? If that is so, should we not be thinking—this has been debated by those on both sides of the House—along the lines of reforming the strict rules that govern the purchase of annuities?

9.15 pm

The hon. Member for Bournemouth, West gave us a macro-debate on what is happening in the gilts market. He explained why it is a bad buy to purchase annuities now. Many of my constituents understand that argument. They are distressed by it and are fully aware of what is going on in the money markets in that respect. They believe that the debate involves a question of fairness in that they have done everything required of them as good citizens and wonder why the Government stop them from being even better citizens by not letting them become dependent on welfare. They want the freedom to choose how they spend their capital and, if possible, they want to pass it on to members of their extended family.

After hearing my hon. Friend the Economic Secretary's reply, I hope that I will be able to write letters to my constituents that are different from those I have had to write since they began writing to me on this topic about five or six years ago.

Mr. Webb: Had I been asked a few years ago how I wanted to spend the evening of my 35th birthday, discussing the finer points of annuities might not have been at the top of the list. However, it is a privilege to contribute to the debate.

I want to touch on Government amendment No. 83 and the associated amendments and amendment No. 146. On the concurrency amendment, like the Conservative party, the Liberal Democrats welcome the concessions that the Government have made. It would be churlish to describe

this as a victory for the Department of Social Security over the Treasury—I am sure that it was a partnership—but as such victories are rare, one could describe it as such anyway.

I have some questions about the detail of what is proposed in Government amendment No. 83, specifically the £30,000 threshold. It may be that I have missed it, but I wonder whether there has been a specific explanation for why £30,000 was chosen. Will the Economic Secretary clarify why that was chosen. Is it because it is something akin to the higher-rate threshold and that, therefore, higher-rate taxpayers are more likely to try to abuse concurrent membership of two pension schemes, or was the figure plucked from the air?

I notice that the £30,000 figure is in the primary legislation. Does that imply that it will be capped? There is no suggestion that it is to be prescribed in regulations and then to be indexed. What is the thinking behind that? Given that earnings are rising each year, is there an attempt to clamp down? It is not clear why that figure has been chosen.

My abiding impression of the concurrency issue is the recollection that, when I pressed the Financial Secretary at Social Security questions, in his halcyon days as the Minister responsible for pensions, as to whether he regarded simplicity in pensions as a virtue, he answered with a confident yes. Now that he is at the Treasury, I do not know whether he still holds that view.

It is clear that we have a dog's breakfast, and concurrency with thresholds is just another aspect of that dog's breakfast. We have completely different tax regimes for personal pensions, occupational pensions and stakeholder pensions and we have different regimes for additional contributions. Far from getting simpler under the present Government, the options have got wider and the complications have increased. I fear that people will continue making the wrong choices. Concurrent membership certainly helps to prevent one wrong choice, and to that extent we welcome the amendment.

I wonder sometimes whether the Government have lost the big picture. They probably came into office believing in simplicity, and it may be that the realities of office mean that simplicity will never be delivered. I hope to find that out for myself at some point, but in the interim I would be interested to learn whether the Economic Secretary still holds to the goal of simplicity. I wonder whether, with hand on heart, she can say that the strategy that the Government have adopted has created a simpler pension regime for the investor who, in the world envisaged by the Government, will receive less advice, not more. The stakeholder pension purchaser will probably have to get by, at best, with a decision tree, but often it is suggested that the person seek advice. Government amendment No. 83 moves in the right direction of clearing up a mess that the Government have created, but I wonder whether the big picture has been lost.

On amendment No. 146, the hon. Member for Arundel and South Downs (Mr. Flight) has become associated with this issue in this Parliament and I praise his efforts and persistence in keeping it before the House. The Liberal Democrats broadly sympathise with his concerns, but I had an informative conversation this morning with Evergreen Retirement Assurance, a company which has written to several hon. Members and met some of them. It raised some significant issues that are germane to amendment No. 146.

The first is the issue of the compulsory purchase of annuity, but the question is whose annuity is purchased. Is it the annuity provided by the company with which a person has saved or is it the best annuity on the market? The point that the company, and others, make is that choosing the wrong annuity can cost one 10 per cent. of one's income for the rest of one's life. That could be hundreds, if not thousands, of pounds a year and potentially tens of thousands of pounds over a lifetime. However, the issue appears to have received almost no attention.

I asked the company what was needed to resolve the problem, because it appears that too many people, out of inertia, condemn themselves to too low an income for the rest of their lives and, potentially, cost the taxpayer money by ending up on the minimum income guarantee or housing benefit. The answer I was given was that the problem could be addressed if the Financial Services Authority were to say that the letter to those who had accumulated a pension pot and were about to purchase an annuity had to include the statement in great big bold capitals, "You have a choice and it may be that your provider does not provide the best product," before any mention of the product of the company that had provided the pension. Or perhaps companies could be obliged to include a freephone number for an Inland Revenue helpline that would provide the telephone numbers of five annuity bureaus. That could make a big difference to the incomes in retirement of many people.

I asked why those solutions had not been tried and the answer was that the FSA would be keen to do so, but it has not been pushed by the Treasury. I hope that that is wrong and the Economic Secretary will tell us that she has taken a stick to the FSA and it will act. If that is not the case, I hope that she will assure us in her response to the debate that those people who have taken out annuities are getting better value for them. One of the legitimate concerns expressed by the hon. Member for Arundel and South Downs was that the annuities are bad enough value as it is for many people and if they buy one that is not the best available, it is a double whammy.

I do not wish to go too deeply into the question of how important the issue is and to how many people, but I wonder whether its importance to the general public is overstated.

Mr. Field: It may be an issue that will grow in importance.

Mr. Webb: I agree, for some of the reasons given by the hon. Member for Arundel and South Downs, but I wonder how quickly it will grow and for how many people. The hon. Member for Arundel and South Downs said that 70 per cent. of those with money purchase pensions who are now retiring are living on incomes above the threshold recommended in the AUTIF report. However, that is not the test of whether draw-down would be attractive to someone. If one had a combined income just above the guaranteed threshold and had £1,000 left in the pot, one would not gain very much by drawing down £1,000, which one might just as well convert, given the costs of fiddling around with that sum. Seventy per cent.

[Mr. Webb]

of people with money purchase pensions may be above that threshold, but I would have thought that the number who are sufficiently above it to want to start fiddling around with draw-down is still quite limited.

I know that stakeholder pensions have not yet started, but I would have thought that those who will get such pensions and for whom this will be a serious issue will not be affected by it for a long time, as the target market is people who will struggle to get clear of the first guarantee, let alone the second. Clearly, there is a drift to money purchase schemes, which are affected by the issue, which will grow in importance. I believe that I have had three letters about the matter which, multiplied by the number of Members, is about 2,000. Perhaps I do not attract letters about annuities—I am sure that the hon. Member for Arundel and South Downs does—but I wonder whether the scale of the problem has been overstated.

The problem is, however, significant, and we support the general stance of the hon. Member for Arundel and South Downs. This morning, a worry was expressed to me, and I am concerned about risking another mis-selling. We talked about mis-selling and forcing people to invest in gilts for the last 20 or 30 years of their life, which is not an optimal strategy. However, will people end up with draw-down policies that are not right for them? Again, Evergreen Retirement Assurance tells me that it has surveyed the investment strategy of those draw-down policies. It turns out that a good chunk of the investment strategy of a draw-down policy—about a third, Evergreen told me—is in gilts. Therefore, if people try to get hefty returns from the remaining 70 per cent, a good chunk having had to be left in the fund to cover the double guarantee level, one starts to wonder how they will make the sort of returns that are being talked about.

A point made to me that has some force is that it is wrong to look at the issue of annuities in isolation and say that it is just about an age limit of 75. I am sure that the hon. Member for Arundel and South Downs does not do that. However, it was pointed out to me that the matter involves an age limit of 75, the open-market operation and long-term care. Why cannot one buy an annuity which, if one has to go into nursing care, can be converted into a much higher annuity to cover the fees? At present, that is not allowed. There is a danger that, if we pick at bits of the matter in amendments, we shall miss the big picture, which takes me back to my starting point of simplicity.

We welcome the amendment on concurrency as far as it goes, as it is a step in the right direction. However, it is a symptom of a messy system, which is messier than it was three years ago. We generally sympathise with the point on annuities, but we want the matter to be responded to in the round, as more issues are involved than just compulsion at 75. I am grateful for the chance to put my concerns on the record and I hope that the Minister will respond specifically to the point about the open-market option and put a rocket under the FSA.

Miss Melanie Johnson: I should like to thank right hon. and hon. Members on both sides of the House for their thoughtful contributions to our debate and the knowledgeable points that they have all made.

May I start by responding to new clause 8 before turning to the amendments? I shall do my best to cover the points that Members have made in the course of our debate. I thank the hon. Member for Kingston and Surbiton (Mr. Davey) for his clear exposition of the reasoning behind new clause 8. I have recently corresponded on this very issue with his colleague the hon. Member for Northavon (Mr. Webb). However, for the reasons that I shall outline, I hope that it is a probing proposal that will be withdrawn.

The problem is of long standing and has been reviewed on several occasions by the Government in office. On the last occasion, in 1995, the Institute of Chartered Accountants in Scotland put forward a proposal that was very similar to the new clause, but it withdrew it after talking to various Scottish annuity providers, who suggested that switching to schedule E would be an onerous administrative task for insurers. As drafted, the new clause would impose the requirement to tax annuities arising from retirement annuity contracts under schedule E from the date of the Bill's Royal Assent. That is—hopefully—only days away.

So, there is no provision for agreeing later implementation dates with the Inland Revenue, as was allowed when the schedule E requirement was placed on providers of personal pension annuities. The new clause would therefore place a considerable burden on financial institutions, which would be particularly difficult for them at the present time and within the time scales about which I have spoken.

9.30 pm

In the past, the insurance industry was against operating tax codes for annuities from retirement annuity contracts because some companies had paper-based systems that were not up to the task. That is not a reason for never making changes. As computerised systems are increasingly replacing older systems, the matter could usefully be looked at again. I hope that the hon. Member for Kingston and Surbiton will accept my assurance of interest in the topic and of the value of the points that he has raised.

I am asking officials to discuss the matter further with the Association of British Insurers and to report back to me. I am grateful to the hon. Gentleman for raising the issue. I appreciate his comments about on-going discussions, but they will be given a further ministerial boost. For the reasons that I have given, I hope that he will feel able to withdraw the motion.

Government amendments Nos. 83 to 86 are all connected with the issue of concurrency. I acknowledge that they are the result of the very helpful and constructive series of discussions with representatives of employers, employees and the pension industry. In particular, my thanks go to the ABI, the National Association of Pension Funds, the Trades Union Congress, the Confederation of British Industry, AUTIF and the Pensions Management Institute for their contributions.

There was very much a partnership between the Treasury and the Department of Social Security in trying to find a way forward on concurrency with the industry and interested groups. I hope that hon. Members accept that that is a fine demonstration of effective cross-departmental work in government in partnership with the private sector.

At the moment, a member of an employer's pension scheme cannot normally contribute to a personal scheme. The amendments will change that. They will allow

someone who is not a controlling director and who does not earn more than £30,000 a year to pay up to £3,600 into a stakeholder or personal pension in any one of the subsequent five years assessed.

Perhaps I should at this point reply on the issue of the £30,000 limit; it is easiest to address that question at this moment. We picked the figure of £30,000, after some considerable thought, to try to strike the right balance between cost, ease of administration and coverage. A lower figure would increase complexity by excluding more individuals, whereas a higher figure would reduce complexity but increase Exchequer costs. We decided that £30,000 struck the right balance. It will reach nearly 90 per cent. of those in occupational schemes, which seems good coverage, and will cost £150-odd million by 2010.

I should like to make several responses on the issue of simplicity, but perhaps that would take too long. I should like to tax the remarks of the hon. Member for Northavon on simplicity by saying that I believe strongly that we have simplified several matters, not least tax arrangements for stakeholders. Indeed, the concurrency arrangements themselves make matters much easier. It is true that the £30,000 limit is in the Bill, as the hon. Gentleman said, but that is not say that it will not be reviewed from time to time. Indeed, we have no intention of lowering the figure.

We have not index-linked the figure partly because it gives people a degree of simplicity in their arrangements. Once a person has earned under the £30,000 limit in one year, they know that they will for five years be able to pay in on a concurrency arrangement. Therefore, the provision has the built-in simplicity that the hon. Gentleman was demanding and that we have succeeded in delivering in a number of changes since we came to government.

Stakeholder pensions have been extended to about 8 million more people, 90 per cent. of whom are in occupational pensions. Many of those employees do not expect to receive a large pension, but they are currently putting off making further provision because they consider existing AVCs and FSAVCs to be complicated and inflexible. They also worry about those products because of past pension mis-selling. We are offering those employees the opportunity to use a new, good value stakeholder pension to increase their retirement savings. It is worthwhile remembering that 40 per cent. of those who have AVCs are currently below the £30,000 income level. It is not the case that those with incomes of less than £30,000 do not already pay into AVCs.

Some have argued that we should allow concurrency for everyone, but such an approach would not be focused and would not represent good value for money. We therefore worked with the pensions industry earlier this year to produce the more focused approach set out in the amendments. We have followed the points made to us during those discussions. The proposal will help more individuals to save more money for their retirement, but it will also remove some of the practical problems that might otherwise have arisen when people change jobs. Again, simplicity is important.

The proposal should help pension providers to offer lower-cost pensions by increasing the benefits of scale. That will help to open up the pensions market, and it will offer consumers more choice and better value products. It has had an excellent reception, and therefore we are confident that we are right to believe that there is merit in the open approach that we have adopted and in the details of the changes that we propose to make.

I turn next to some of the issues raised under amendment No. 145. It is worthwhile saying that that amendment deals with points made in Standing Committee under what was then amendment No. 181, which Opposition Members tabled but then withdrew. They are returning to the matter under cover of a technically deficient amendment. I hope that I shall persuade them not to press it to a Division for two reasons. Up to 25 per cent. of pension contributions can be used to insure future contributions against sickness and incapacity. That reduces the amount of contributions going into pension funds.

The changes that we have included in the Bill will directly boost money entering peoples' pension funds, rather than subsidising insurance contributions. That is achieved by stopping tax relief up front, but giving it when the payment arising from a claim under the insurance policy is paid into the pension fund. In effect, that involves recycling.

Like all other contributions, tax at the basic rate will be added to the payment into the pension fund. In turn, that means that a lower sum can be assured. The change in the tax treatment of waiver insurance will not increase what is paid overall for the insurance cover, and some companies have suggested that it might reduce the premiums. Similarly, because tax relief is given on the use of the proceeds of the insurance, there is no need for restrictions on what can or cannot be insured. So providers can extend the insurance to cover situations that they could not cover before, such as unemployment and not just ill-health. I hope that I have fully explained the attractiveness of those arrangements. Many people accept that they represent a more flexible, better deal.

Overall, the changes that we have introduced will improve the existing arrangements. We know from questions addressed to the Revenue that companies are already engaged in imaginative product design based on our proposals. We cannot therefore support amendment No. 145, under which the existing arrangements would be re-introduced.

Under amendment No. 146, the requirement for the holder of a tax approved pension plan to purchase an annuity with the proceeds of the plan not later than age 75 would be removed. I assume that the intention is to permit income draw-down arrangements to continue indefinitely. Amendment No. 146 is flawed, but I do not place much weight on that, because it would not amend the section in the existing legislation that requires income draw-down to cease by age 75. The result would be that the holder of a personal pension could not continue income draw-down, but would be compelled to buy an annuity so that benefits could cease altogether. I am sure that that is not what is intended.

Many people have raised general concerns about whether annuities are good value. That was discussed in the Budget debate, and I recall hearing the hon. Member for Bournemouth, West (Mr. Butterfill) discuss the minimum funding requirement and I know of his connections with the topic. We have also discussed these matters in the Standing Committee. I shall explain why the amendment would not provide a solution, although I accept that many interesting issues relating to points raised in debate remain to be explored fully.

[Miss Melanie Johnson]

The main purpose of a pension scheme is to provide secure income for scheme members for the whole of their retirement. It is worth highlighting that point because the hon. Member for Bournemouth, West suggested that the principal purpose might be recouping tax relief. A key feature of annuities is that they provide income for the remainder of a pensioner's life. Variations on the basic product, such as with-profits annuities, already exist, but they all have that essential core characteristic.

Tax rules therefore require personal pensions and other money purchase pension schemes to buy out their benefits as annuities to guarantee a continuing income, no matter how long the scheme members may live. To give flexibility, the tax rules allow members of money purchase pension schemes to take an income from their pension funds from 50 and to defer the annuity until they are 75. People are familiar with the detail of those arrangements.

Income draw-down is theoretically available to all members of money purchase pension schemes. However, the perceived wisdom is that it is suitable only for those with larger funds—at least £100,000—who can afford to bear associated risks. Depending on the investment returns achieved, someone who chooses to take maximum income from his or her fund might see a substantial reduction in income at age 75 in comparison with what he or she might have been able to secure by buying an annuity at, say, 60. The age limit of 75 strikes a balance between flexibility in the timing of the annuity purchase and the increasing danger of the fund being exhausted as the person continues to draw on it as he or she grows older.

Particular issues have been raised and I shall try to address the main ones. First, my right hon. Friend the Member for Birkenhead (Mr. Field) commented on inheritance and the defence of the status quo. It is not clear that the underlying value of annuities has in fact fallen once all other factors are taken into consideration. We could have a lengthy debate about that, but other factors should be taken into consideration. *[Interruption.]* Notwithstanding the mutterings of the Treasury Whip about my ideas of a lengthy debate, we accept that those factors exist.

We have sustained low inflation, which looks set to continue, and that is one factor in enabling annuities to retain their real purchasing power far better than did higher headline annuity rates paid in a higher inflation environment. We all know that life expectancy is increasing, and, as it is the hon. Member for Northavon's birthday, we can hope that that will affect him. People can expect to draw an annuity income for longer in their retirement. The value of a guaranteed income for life should not be underestimated. Many pensioners will still enjoy secure income as they grow older. The Oonagh McDonald report accepts that annuity arrangements work well for many people.

9.45 pm

My right hon. Friend the Member for Birkenhead said that pensioners should be able to pass on their remaining funds, at death, to their dependants. Generous tax reliefs were provided to support that. Annuities are not supposed to be tax-advantaged inheritance vehicles, however—they are insurance products. One way in which they work—a point that sometimes gets lost in this debate—is as a pooling of pension funds, enabling those who live longer than the average life expectancy to go on receiving the guaranteed income because, sadly, some people do not live that long. That is an important point about the way in which annuities are structured.

Increased longevity means that annuities are paid out for longer. A number of right hon. and hon. Members have remarked on the need to purchase more gilts to maintain the same income stream to back an annuity and on the availability of long-dated gilts. The MFR review has not yet reported; we will want to consider it when it reports, which I believe is not a long way off. As the hon. Member for Arundel and South Downs (Mr. Flight) said, the outcome of the Myners review will provide another aspect to all the matters being considered.

The hon. Gentleman and others have commented on the new products that are being produced. We are very interested in those new products and in new ideas for tackling the issues that the topic raises. We are looking at the Oonagh McDonald report and also at the more recent report of the Social Market Foundation. There are a number of issues surrounding the purchase of annuities and the supply of gilts, so there are many matters to be considered. When we have got all the information together and given it due consideration, if we think that there is a new way forward, we will consult people about those arrangements. I can give no undertakings to do so, but I hope that right hon. and hon. Members will have gathered from the tone of my responses that we believe the issue to be worthy of full consideration.

We have been asked why we made the changes to waiver insurance. I believe that I have already covered this point, but let me say again that our approach is better because it is better focused by boosting income going into the pension. Rather than tax subsidising insurance arrangements, it provides better cover against eventualities, and is better value and cheaper overall.

The hon. Gentleman expressed the view that annuities lock people into bonds and that equity-linked annuities cause problems. A number of innovative non-bond-based annuities are coming on to the market. These will benefit the majority with small to medium pension pots. Removing the requirement to purchase an annuity could stifle that development. As I said, Oonagh McDonald's report recognises that an annuity will remain the best option for many people. The Inland Revenue is working with financial institutions to aid the development of equity-based annuities. We are giving all these matters our full consideration.

Mr. Webb: Perhaps I have pre-empted the Minister regarding the open market option. Can she reassure us that she will push those who send out the letters to make sure that people are more aware of their choices than they are at present?

Miss Johnson: I am happy to give the hon. Gentleman the assurance that I will look at that issue. I cannot go further than that at this point, but I will in due course study in *Hansard* the points that have been made in the debate by right hon. and hon. Members.

I hope that none of the Opposition amendments is pressed to a vote, and that the House will support the Government amendments.

Mr. Edward Davey: The debate has been interesting and useful. The Minister has put on record the Government's thinking on some of these matters. I am sure that hon. Members and people outside the House will want to consider her words with care. She has helped explain the direction of Government policy in this area, and I am grateful for that.

The Minister made some welcome comments about new clause 8. I hope that she will urge her officials to produce genuine solutions to the problem of how the income from retirement annuities is administered for tax, and to the related problem that pensioners face extra complexity in their tax arrangements. However, I do not want to detain the House so I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Schedule 2

AMUSEMENT MACHINE LICENCE DUTY

Amendments made: No. 7, in page 122, line 45, leave out from "any" to end of line 48 and insert—

'gaming machine which is a small-prize machine or five-penny machine.'.

No. 8, in page 123, line 4, at end insert—

'(aa) a five-penny machine,'.

No. 9, in page 124, line 44, leave out from beginning to end of line 5 on page 125 and insert—

'3.—(1) In any case where—

(a) the Commissioners give a default notice,

(b) the due date specified in the notice passes, and

(c) it appears to the Commissioners that at some time during the alleged default period specified in the notice one or more amusement machines were provided for play on the relevant premises so specified without an amusement machine licence being in force in relation to the machines,

the Commissioners may grant, in accordance with this paragraph, one or more licences in relation to each of the machines.

(2) In this Schedule—

"default licence" means a licence granted by the Commissioners under sub-paragraph (1) above;

"unlicensed machine" means a machine in relation to which a default licence is granted by the Commissioners.'.—*[Mr. Timms.]*

Clause 20

VEHICLE EXCISE DUTY

Amendments made: No. 94, in page 16, line 2, leave out from second "of" to end of line 24 and insert "licences—

(a) issued in the period beginning with 1st March 2000 and ending with 28th February 2001, and

(b) not surrendered before the end of that period,

where the amount of vehicle excise duty chargeable on the licence would have been less if the amendment in subsection (1) had applied.

(3) The amount of the refund is—

(a) £55 for a 12 month licence, and

(b) £27.50 for a 6 month licence.

(4) The person entitled to the refund is—

(a) in the case of a licence in force on 28th February 2001, the keeper of the vehicle on that date;

(b) in the case of a licence that has ceased to be in force before that date, the keeper of the vehicle when the licence expired.

(5) For the purposes of subsection (4) the keeper of the vehicle shall be taken to be—

(a) the person registered as keeper of the vehicle on the date in question, or

(b) if the Secretary of State has received notification of a change of ownership of the vehicle as a result of which another person is on that date entitled to be registered as the new keeper of the vehicle, that person.'.

No. 95, in page 16, line 33, leave out from "section" to end of line 39 and insert—

'in respect of a licence does not affect the validity of the licence.

(8A) For the purposes of section 19 of the Vehicle Excise and Registration Act 1994 (surrender of licences) as it applies to the surrender on or after 1st March 2001 of a licence in respect of which a refund under this section has been made, or applied for, the annual rate of duty chargeable on the licence shall be taken to be that which would have been chargeable if the amendment in subsection (1) above had applied.'.

No. 96, in page 16, line 43, at end insert—

'(10) In the application of this section to Northern Ireland, references to registration as the keeper of a vehicle shall be read as references to registration as the owner of the vehicle.'.—*[Mr. Timms.]*

Clause 30

CLIMATE CHANGE LEVY

Mr. Letwin: I beg to move amendment No. 98, in page 20, line 4, leave out from "until" to end of line 6 and insert—

'one year after the expiry of a twelve month period during which UK emissions of CO_2 show an increase on the previous year'.

I do not want to detain the House, not least because my voice is failing. The arguments on the climate change levy are well rehearsed, but we could not let pass this opportunity to explain to the House why the Opposition consider that the implementation of this dreadful new tax should be delayed. A much better solution would be its withdrawal. Given the mood of co-operation in the House, perhaps the Financial Secretary will have a Damascene conversion and withdraw this dreadful tax before the evening is out.

Page 108 of the Red Book contains chart 6.2, which shows the root of the conceptual problem with the climate change levy. The number of millions of tonnes of carbon released through greenhouse gas emissions has been falling steadily since 1990 and remains on a declining trend. The new levy is being introduced at a time when there is no need for it.

What is worse, it will be entirely ineffective, not least because all the industries most able to respond to it, through the elasticity of price in relation to production, will be exempt, for one reason or another. The levy is a classic example of a new tax that is misnamed and misdesigned. With the exception of the companies whose behaviour it might affect, it applies to all companies of all sizes. It will be widely regarded as a supreme example of a stealth tax. I doubt whether the Financial Secretary

[Mr. Letwin]

will, even now, be able to mention any small business in Britain that is yet aware of what is about to hit it—but hit it this tax will.

The tax is not neutral, particularly because the offsetting national insurance contributions reduction, even if that were real, would not be coincident with the effect of the tax. Firms will be either gainers or losers. As the Financial Secretary is well aware, we are by no means persuaded that the offsetting NIC reduction will remain as an effect of the introduction of this levy. In any event, the offsetting NIC changes could have been introduced without the levy.

The levy is a tax. It is not a neutral tax. It is not neutral either in its particular or in its general effects. Its effect will be to raise the Government's tax income.

The levy is complicated. We became aware, as we went through it in Committee, that it is probably the most complicated tax that the Government have ever introduced—and that is saying something. If I remember correctly, its provisions extended to 55 pages. The situation has been made worse rather than better by Government amendments, which have made the tax significantly more complicated.

This tax hits our competitiveness. As we explained repeatedly in Committee, it is not levied outside the European Union, and many EU states have exemptions from comparable taxes. It is unnecessary, and it is the more unnecessary because other more effective means, such as voluntary agreements and emissions trading, could have been used to achieve our Kyoto targets of further reductions in greenhouse gas emissions.

Most important, and most directly germane to the amendment, is the fact that the policy represents work in progress—actually, I am doing the Government undue justice in saying that, because it is actually a mess in progress. It may be making gradual progress towards coherence, but it certainly has not got there yet. No one knows how combined heat and power schemes will be affected, and no one understands how the rebate mechanisms will work. No one knows whether the EU clearances on state aid will work. In that connection, I draw the Financial Secretary's attention to a letter, which he may also have received, from the Chemical Industries Association. It states

> the real "showstopper" for industries such as chemicals

is that the Government may be

> unable to get its existing package of Levy concessions . . . past the European Commission.

The tax is hugely complicated, not neutral, and does not achieve anything that needs achieving. Even if it were necessary to achieve something, the levy cannot achieve it as well as other measures could. It is also undeveloped both structurally and legally. All we seek with this modest little amendment is to delay this dreadful measure until there is evidence that it is required, that it has been sorted out and is legally feasible, and that it will work. Until that has been done, I do not see the slightest shred of justification for the application of the tax.

I hope that the Financial Secretary will have seen as much light as his colleagues have seen on double tax relief. By changing their minds, they have mercifully spared British industry from one of the worst disasters that could have befallen it. I hope that he will tell us that he will accept this amendment—this life-saving device that we have thrown him—with the open arms with which it would behove him to accept it.

Mr. Andrew Stunell (Hazel Grove): As the hon. Member for West Dorset (Mr. Letwin) has said, the climate change levy was extensively debated in Committee. The Conservatives and the Liberal Democrats tabled amendments. The Liberal Democrats sought to improve and develop the tax. It is right to call it a tax—I certainly agree with the hon. Gentleman on that point. The Conservatives were consistently ambiguous in their intentions and in the amendments that they tabled.

Mr. Jack: Does the hon. Gentleman accept that my amendment on a 100 per cent. exemption from the climate change levy for the horticulture industry was clear and utterly unambiguous?

10 pm

Mr. Stunell: The right hon. Gentleman is absolutely right, and he will recall that I supported that amendment.

Mr. Letwin: I hope that the hon. Gentleman will recognise that any ambiguity in our remarks in Committee was entirely due to our ineptitude as orators, because in fact our position is wholly unambiguous. We regard the climate change levy as an aberration that should never have been brought before Parliament.

Mr. Stunell: There we have it. That, in a nutshell, encapsulates why we cannot support the amendment.

Whatever the defects of the climate change levy—I shall mention one or two in a moment—the fact is that it is just about the Government's only visible policy for fulfilling our Kyoto obligations. Hundreds of consultation papers have been issued and many sensible proposals have been mooted, but nothing has been done. The levy, with all its defects, should in general terms be supported and developed rather than opposed and defeated.

We supported the principle on the Floor of the House and in Committee, but we voted against the schedule because of the manifest difficulties in its operation. The Conservative case against the tax is unclear. It is founded on an assertion about what is best for business, but entirely leaves out what might be best for the environment, and therefore for business too.

Substantial opportunities exist for United Kingdom businesses in the vigorous pursuit of climate change policy. There is the opportunity to be a world leader, and for jobs and investment to flow from a positive response to the Kyoto protocol. In all honesty, the climate change levy is only a small brick in the wall of such a policy, and it is by no means perfect—but the Conservatives owe it to themselves to say clearly whether they think there is a problem with climate change or whether they now repudiate the stance taken by the right hon. Member for Suffolk, Coastal (Mr. Gummer) when he first set the United Kingdom Government on the track of responding to this fundamental issue. If they do, they should say so, and if not, they should say what policies they think should be in place.

Mr. Letwin: We accept that there may be a serious problem in the long run, although we are currently

meeting the Kyoto standards, but the hon. Gentleman should accept that we have specifically mentioned emissions trading and voluntary agreements as serious ways forward. We do not accept that the corner shop, which cannot turn off its lights and reduce its electricity use, or do anything else to achieve the Kyoto targets, should be subject to a levy with no environmental purpose whatever, designed solely to increase the amount of money in the Chancellor's coffers—although I admit that after this afternoon, that will be very necessary.

Mr. Stunell: This afternoon I had the benefit of meeting representatives of Sainsbury's—not exactly a corner shop, I concede, as it has about 800 premises in this country—and they made the point that some of the ways in which the levy is coming into force could have been improved, in particular by accepting some of the amendments tabled by Liberal Democrat Members in Committee.

I am thinking in particular of the need for the tax to be introduced at a low level, along with a clear long-term signal that the intention is to raise it. I know how businesses respond when they know the direction in which Government policy is going—when they see that it is starting at a level that is not punitive and will not damage competitiveness, but signals to them that they must make investment decisions that will take them in the right direction.

Every shop in the country can save energy, whether its current activity involves refrigeration, lighting, insulation or simply controlling the flow of heat from its premises through open doors in winter. There is a tremendous gap between good practice and bad practice. Most professional experts say that between 20 and 35 per cent. of the energy currently used could be saved, so we know that there is scope for savings. The first question is, "Is that necessary?" The hon. Gentleman has said he accepts that it is. The next question is, "If it is necessary, and if it is possible, is the climate change levy a useful vehicle?" The answer is that it is a vehicle with some use, but that it does not give the complete picture, and is certainly not perfect.

Liberal Democrats have criticisms of the climate change levy. We have pointed out, for instance, that it is not a tax on carbon emissions, which are what it was designed to prevent. We have also pointed out that it is being introduced at too high a level, and, in that sense, too abruptly, and that it gives no clear signals for the future.

We established in Committee that the Treasury expected the tax to rise by the rate of inflation—in other words, to be inflation-linked. We do not think that that is the right approach. We think that we should have introduced the tax at, say, 50 per cent. of its current level, and that the Bill should have indicated clearly that a series of steps were involved. We believe that it should be clear to industry and commerce that in 10 years' time—by 2010, which is becoming a magic environmental date—they will need to take the levy into account, because it will constitute a significant impost on their fixed costs.

We also criticised the proposal for another reason. Not only does it not tax carbon, it does tax some renewables—in particular, large-scale hydro-electricity generation schemes involving more than 10 MW. In Committee that consideration was dismissed as not being particularly important, but such schemes provide about half the country's current renewable energy resources.

The Government do not seem to have recognised that in the new market—in the new electricity trading arrangements—those hydro schemes will be competing in a very different world from the world in which they were designed and built. At least some operators are concerned about their capacity to sell into that new market in a way that will enable them to remain viable. Because large-scale hydro schemes will be hit by the levy, there is a serious risk that they will be driven out of the market and replaced by the use of another fuel—inevitably, a fossil fuel. That would increase carbon emissions.

We have also criticised the tax because it is undoubtedly complicated. So far its provisions cover 83 pages, and I assume that subsequently, all the additional pages of Government amendments will be attached. I think that that will add up to 86 or 87 pages. Anyway, clearly this will be a phenomenally complex piece of legislation. It must also be said that we shall deal later with Government amendments responding to some of the criticisms made in connection with combined heat and power, and, to a limited extent, horticulture.

I find it surprising that, having decided to table just one amendment, the Conservatives should base that amendment on the assumption first that we do not need to start as soon as possible, because there is not enough evidence for us to know what we are supposed to be doing now, and secondly, apparently, that the longer we put off any action in the House, the better it will be for business and the environment.

The Liberal Democrats reject that completely. We do not accept an argument for delay—an argument that is founded on disbelief. We do not think that the House should accept an argument that is so disingenuous and self-serving. We shall vote against amendment No. 98 not because we think that the Government have come up with a perfect vehicle, but because the planet faces a situation in which any vehicle is better than no vehicle.

Mr. Alasdair Morgan: I should like to pick up on the points that were made by the hon. Member for Hazel Grove (Mr. Stunell) and to address—and to ask the Minister to respond to—the particular problems faced by Scottish and Southern Energy and those of its plants that formerly belonged to the North of Scotland Hydro-Electric Board. The board was set up to generate electricity from renewable resources, which in itself was unusual. It also had a specific social responsibility in the highlands of Scotland: to provide electricity to remote glens where electricity was not available.

The company has a significant number of small and medium hydro plants operating in the highlands; those are plants with between 10 and 25 MW capacity. It is my understanding—I have to take it on trust because, having read schedule 6, I am none the wiser about what it means—that plants under 10 MW will be exempted from the levy. From talking to Scottish and Southern Energy, I believe that it feels that plants of over 25 MW can compete commercially with the implications of the levy.

Most of the plants that we are talking about were built during the early 1950s; some were built in the late 1950s in the great spate of hydro building in the highlands of Scotland. Therefore, they are reaching the end of their useful life. It may come as a surprise to some tourists, but Scotland is not a particularly wet country. It certainly is not in terms of hydro generation; I was speaking to the

[Mr. Alasdair Morgan]

chairman of the Scottish tourist board at the end of last week, and he wished me to emphasise that point about the weather. Those plants operate at a load factor of about 30 per cent. If the climate change levy is imposed on them, the renewal of their equipment—which is due as we speak and which would extend their life for a further 30 years—would not, in the estimation of Scottish and Southern Energy, be economic in current market conditions.

It would be tragic for the highlands if that investment, much of which was the brainchild of the first post-war Labour Government, elected in 1945, was lost. We would lose that valuable resource to the highlands. It would be ironic if a levy that was designed to encourage renewable energy led to the scrapping of some of the most significant and successful renewable energy schemes ever in this country.

Therefore, I urge reconsideration, if for no other reason than to avoid disappointment for the Scottish Executive—the Scottish Labour-Liberal Executive—which as recently as 11 July, issued a press release on an agreement that was signed at Lubreoch power station in Killin, near where I was brought up. If I remember rightly, that is one of the power stations that I am talking about: it has a fairly small capacity and was built in the early 1950s. The press release says:

> SSE will provide 100 per cent. of the Executive's requirements from renewable resources.

Mrs. Margaret Ewing (Moray): On a point of order, Mr. Deputy Speaker. May I point out that no one on the Front Bench appears to be listening to the significant points being made by my hon. Friend the Member for Galloway and Upper Nithsdale (Mr. Morgan)?

Mr. Deputy Speaker (Mr. Michael J. Martin): So long as I am listening, that is the important thing.

Mr. Morgan: I thank you for your attention, Mr. Deputy Speaker.

I continue with the quote from the Scottish Executive, which I am sure everyone on the Front Bench listens to:

> This is a first for central government and it underlines our commitment to the promotion of renewable energy as outlined in our draft Scottish Climate Change Programme.
>
> We are moving in the right direction and I am delighted to note that SSE are able to provide the public sector with a supply that is 100 per cent. renewable.

I ask Ministers not only to spare the blushes of the Scottish Executive, but especially to encourage the renewal of existing renewable energy supplies by reconsidering their current approach to those particular power stations.

10.15 pm

Mr. Denis MacShane (Rotherham): I should like to make a few comments on behalf of the United Kingdom's electric arc furnace users. Electric arc furnaces consume recycled material—scrap metal—to produce steel, but those steel producers are concerned about the climate change levy. I pay tribute to my hon. Friend the Financial Secretary for receiving many deputations and representations from the steel industry. However, although the levy has been negotiated down to help the industry—which is going through very great difficulties—one anomaly remains. I had planned to table an amendment on the anomaly, but prefer to make a few comments about it. I hope that my hon. Friend will reply to them.

I ask the Minister to consider narrowly the very few companies that use electric arc furnaces, which consume scrap metal—which is recycled material. There is a fear that, as currently formulated, the climate change levy will force the sector to close those furnaces and to use iron ore. It would be perverse if the tax, instead of encouraging the use of recycled material, caused the sector to return to raw iron ore to produce the steel that our economy wants.

I ask my hon. Friend the Minister to consider whether—when fine-tuning the Bill, before it goes to another place and becomes law—he might receive a delegation of me and other hon. Members representing the steel communities where electric arc furnaces are being operated, to discuss whether the legislation might take on board those considerations.

Mr. Jack: May I remind the hon. Member for Hazel Grove (Mr. Stunell)—who chastised Conservative Members for having no alternative to the climate change levy—not only of my own remarks in Committee, but of the answer to a parliamentary question that elicited the fact that we would save 2 million tonnes of CO_2, which was the original target of the climate change levy, if the gas-fired power station moratorium were lifted and only one third of those power stations were built? If we achieved that saving, the Government would have no need for the bureaucracy that they are proposing. Conservative Members take entirely seriously the state of the planet. However, lifting the gas moratorium would deliver in a much more straightforward manner what the Government's great cumbersome tax is supposed to do.

In Committee, I also proposed a biomass alternative which, admittedly, needs more work. However, the conversion of 0.05 per cent. of the cultivable land area of the United Kingdom to short rotational coppice would, at a stroke, save more than 2 million tonnes of CO_2. Recently, I received a letter from Shell International in support of that proposition.

Therefore, Conservative Members need no lectures from Liberal Democrat Front Benchers that we do not take the subject seriously and that we have no alternatives. I shall not make a lengthy speech now about the virtues of nuclear power—fuel for which comes from my own constituency—but simply say that nuclear power is CO_2-free. However, the Government do not have a proper nuclear strategy.

I am speaking to this amendment to record once again, despite Government amendments, my deep disappointment that Ministers have done nothing to relieve the horticulture industry of a wholly unnecessary new tax. I am delighted to see my hon. Friend the Member for Broxbourne (Mrs. Roe) in the Chamber. On 15 June 2000, in an Adjournment debate, she reminded the House that the National Farmers Union had estimated that the climate change levy was effectively a tax of £3,750 per acre on glasshouses in this country.

The Government talk about competitiveness; I heard the Chancellor's speech today. If representatives of the glasshouse industry were in the same room as the

Chancellor, they would think that he was from another planet. The climate change levy has visited on the glasshouse industry a tax that is wholly unnecessary for an industry that consumes its own output of carbon dioxide and has the potential for saving more.

The levy really does not apply and it makes the industry uncompetitive. There is no levy in Spain, Belgium, Ireland or Portugal. In the Netherlands, negotiations are taking place with the industry to reduce emissions, but no tax is envisaged. Here, however, the Government are imposing a tax on our horticulture industry which will diminish its competitiveness. At the same time, they claim to have the interests of British industry and commerce at heart.

In areas where the horticulture industry is important in employment terms, the levy is disproportionately important. When the Financial Secretary argues the case for the levy, he will put yet another nail in the coffin of the British horticulture industry. We and the industry will know who is responsible.

In Standing Committee, I put on the record, enterprise by enterprise, a list of small-scale businesses. The Chancellor said this afternoon that small-scale businesses were the engine room of our economy. It seems to me that the Government are stripping out the oil and the pistons, and they will soon be getting rid of the operator because the engine-room companies in the horticulture industry will have to bear a substantial extra burden which, as I said in Standing Committee, they cannot and should not bear. Even at this late stage, I make this appeal on behalf of the British horticulture industry. Instead of providing little tiny bits of help which do not address the issue, the Minister should recognise that the horticulture industry is genuinely a special case and find some way of absenting it from more than the proposed 50 per cent. reduction.

Mr. Christopher Gill (Ludlow): I shall speak briefly in support of the amendment. I find the case for the climate change levy quite unsatisfactory. We keep hearing from Ministers that it will be revenue neutral. It may be revenue neutral as far as the Government are concerned, but it certainly will not be for individual businesses. Although it could be claimed to be revenue neutral in respect of companies that are eligible for the rebate and employ a large number of people, as my right hon. Friend the Member for Fylde (Mr. Jack) has just said, it will be far from revenue neutral for companies that employ very few staff.

The hon. Member for Kingston and Surbiton (Mr. Davey) said that the climate change levy would not affect competitiveness. That is absolute bunkum. Any tax affects competitiveness. Last Thursday at Question Time, the Minister for Energy and Competitiveness in Europe tried to maintain that the levy would not affect competitiveness. The Government are living in cloud cuckoo land if they think that they can impose a tax that will not affect British businesses.

In effect, the climate change levy will impose a poll tax on employment, and its effect will be to export production that is currently carried out in Britain, and the jobs associated with it, to other parts of the world where environmental considerations are ignored. My right hon. Friend the Member for Fylde rightly mentioned other European countries where there is no equivalent of the climate change levy, or if there is, it is not being imposed in such a dramatic way.

As was made clear on Second Reading, there are anomalies. For example, in several industries the prime producer is eligible for the 80 per cent. rebate, but processors in the same industry are not. That is totally unacceptable. The Liberal Democrat spokesman was good enough to admit that the tax was complicated. To my mind, that makes it a bad tax in any case, but the Government's assumption that companies and employers are not doing their level best to reduce the cost of energy is equally spurious. Everyone in business today realises that they have to keep bearing down on overheads. As energy is one of the most significant overheads, companies automatically bear down on energy costs without the incentive of the proposed tax.

This is a bad tax. It is a poll tax on jobs in this country, and I shall support the amendment.

Mr. Simon Thomas (Ceredigion): I say, with much regret, that Wales is plenty wet enough for hydro-electricity schemes. That is why, in my constituency, I have the largest hydro-electricity scheme in Wales and England.

I support the comments made by the hon. Members for Galloway and Upper Nithsdale (Mr. Morgan) and for Hazel Grove (Mr. Stunell). Hydro-electricity has been overlooked in the workings of the climate change levy, and I hope that the Government will review how the tax impacts on hydro-electricity schemes and the renewable energy that comes from it.

However, I hope that the Government will resist the amendment. I am sure that they need no encouragement from me to do that. The hon. Member for West Dorset (Mr. Letwin) correctly pointed out that the rate of carbon dioxide emissions was going down, but he did not go on to say that the emissions are expected to rise significantly again after 2005. That is not in the Red Book, but it is in the Government's predictions. That has been borne out by the royal commission on emissions, which issued its report last month.

Mr. Swayne: Part of that rise may be consequent on the strangling to death of British horticulture and the importation of the products that it previously produced by air, with a great use of aviation fuel, which is one of the most serious carbon dioxide pollutants.

Mr. Thomas: I accept the hon. Gentleman's latter point, but his former point was somewhat peripheral to the argument, although I support the point made by the right hon. Member for Fylde (Mr. Jack) about the horticulture industry. There is an obvious carbon-negative factor that should be taken into account in the workings of the tax.

The tax is complicated, and it is right to call it a tax, not a levy. However, none of the complicated difficulties with it persuade me to oppose it in principle. In fact, having heard the comments of the Opposition Front-Bench Treasury spokesman, I feel even more strongly that we should put the tax through as a marker of the changes that we need to see in this country. The amendment tabled by the Opposition is poorly drafted from a party that purports to want to form a Government at some stage in the countries of the United Kingdom. It shows a lack of understanding of what the Kyoto targets mean and of how we can move to achieve that international obligation.

[Mr. Thomas]

The time scale for the changes that we want to see in the environment and in carbon dioxide emissions is between 15 and 25 years. The magic year 2010 has been mentioned and 2020 is increasingly coming on the horizon in working out the targets. Legislation that pivots around some environmental blip from year to year would send out a tremendously bad signal to business, the public at large and our international partners.

The poor understanding within the Conservative party is reflected in the way in which it has approached the issue. It has not come up with an alternative scheme for meeting the Kyoto targets. Many of us who have serious doubts about the complexity of the climate change levy and what it leaves in and leaves out would have liked to hear alternative methods of achieving the Kyoto targets, but I regret to say that that has not come forward from the Opposition party.

Mr. Letwin: Is the hon. Gentleman seriously advancing the proposition that lifting the gas moratorium would not do more to achieve the targets than this tax?

Mr. Thomas: It would in the very short term, but we are talking about a 25-year period. As the hon. Gentleman knows, there would not be the natural gas to pump into stations in 25 years' time. We have to start planning now for the changes that we want to see in 20 or 25 years. That is why the right hon. Member for Fylde was correct in referring to biomass and short coppice rotation. Elephant grass, willow or whatever might be grown, but that is not an answer to the situation that we are in now. I spent three hours with a biomass group in my constituency on Monday morning discussing how we could get a biomass plant established in the area. The members of the group were arguing strongly that they need a lead-in of four to seven years for the coppice rotation to take effect before the plant can be efficient.

10.30 pm

I say to those on the Government Front Bench that I hope that Energy Ministers will be informed that there are still pieces missing in the Government's picture on renewables, especially in terms of renewable energy and the price that may be involved. I understand that the Department of Trade and Industry will be discussing next week how it might address the issue. It is part of meeting our climate change obligations that the left hand knows what the right hand is doing. The Government are pressing on with the levy without necessarily bringing in all the other benefits that need to come on stream. For that reason, they are giving the impression that they are introducing a tax without the benefits that should accompany it. It is incumbent upon them to work hard over the summer to produce for industry ideas about the use of renewable energy that will fit the jigsaw and produce a much more complete picture.

The Government's view is at least robust, if nothing else, and linked to environmental aims. I welcome the later amendments on combined heat and power. I hope that they will improve a deficiency in that area.

I hope that everyone in the House accepts that there is climate change and that it brings problems. Certainly the occupants of the Conservative Front Bench are starting to accept that, although they do not accept the levy. However, climate change demands vision and political bravery. It is regrettable that, on the whole, we politicians are short-termist. We do not like to plan ahead for 10 or 15 years, because on the whole we shall not then be around to reap the benefits. However, the Government have shown a little bravery in this context and I hope that they will resist the amendment, stick to their guns and review the workings of the climate change levy to ensure that some of the other points that have been raised are taken into account, particularly the future of renewable energy.

Mr. Timms: The hon. Member for West Dorset (Mr. Letwin) asked me to withdraw the tax. I wish I could withdraw the huge problem of climate change which faces the world and requires an effective response throughout the world. The hon. Gentleman said in an intervention on the hon. Member for Hazel Grove (Mr. Stunell) that it might be a problem. Well, it is a problem. That is the reality that we face, and we are taking effective action to respond to it.

The hon. Member for West Dorset seems to be labouring under some straightforward misapprehensions, and in a brief contribution I shall attempt to correct them. He said that the problem could be solved alternatively by lifting the restrictive consents policy. We have announced that that policy will be lifted, and that is reflected in chart 6.2 of section 6 of the Red Book about the projections for carbon dioxide emissions. The levy is needed in addition to that to meet our objectives.

Annual emissions are expected to be about 15 per cent. below 1990 levels this year, but it is forecast that they will start rising again as a result of continuing economic growth and because of factors such as the decommissioning of nuclear power stations. The projected increase in emissions takes into account the expected impact of the levy. That is why it is vital that the levy and all the other measures within the climate change programme are implemented in full to prevent any slippage.

The hon. Member for Ceredigion (Mr. Thomas) rightly said in an effective contribution that a wide range of measures is required, of which the levy is one.

Mr. Letwin: If the Minister believes—I am sure that he is right—that the decommissioning on a substantial scale of nuclear power stations will have a significant effect on emissions, why is it that the so-called climate change levy does not exempt power produced from nuclear stations?

Mr. Timms: I do not know whether it is the policy of the Conservative party to promote new nuclear development. We know what is happening to nuclear power over the next 10 or 15 years, and that is one of the factors that we should take into account in projecting the future of carbon dioxide emissions. It is not a matter, as the amendment suggests, of watching some statistics to check whether we might need to take action to deal with climate change. That is wilfully to ignore the seriousness of the problem of climate change when, in reality, urgent action is imperative.

The hon. Member for Galloway and Upper Nithsdale (Mr. Morgan) asked about hydro-electric plants with a capacity of more than 10 MW. He is right to say that

the exemption for renewables in the climate change levy applies to hydro schemes with a capacity of less than 10 MW. That is because we want to promote new renewable energy sources. There is a great deal of scope for new forms of renewable energy generation, and that is what the exemption is designed to promote. We want to incentivise new activities rather than subsidising existing activities that have competed successfully with other forms of generation for a long time.

I have had a number of discussions on the issue with the organisation that the hon. Gentleman mentioned and others, and no one has suggested to me, as the hon. Member for Hazel Grove did, that big hydro-electric operators will shut down when the levy comes into effect. It would be wrong to suggest that. I recognise that there is a concern about a band of hydro-electric schemes, perhaps in the 10 to 25 MW capacity range, that, at some point in the future, they may want to carry out refurbishment, and that may well be a point that needs to be considered at that stage. But we are right to focus the exemption for renewable generation on new forms of renewable energy so that we can substantially increase the extent of that.

Mr. Stunell: Will the Minister give way?

Mr. Timms: I shall not give way again as I need to make some progress.

My hon. Friend the Member for Rotherham (Mr. MacShane) raised some questions about electric arc furnaces for steel. I do not anticipate the problems that he fears because the 80 per cent reduction will be available. There will also be significant reductions in the price of electricity because of the new electricity trading arrangements. There is not an amendment on the subject before the House tonight, so the Bill represents the position that will prevail when the levy takes effect next April, but I shall be glad to meet my hon. Friend and others to discuss the concerns of the steel industry.

To the right hon. Member for Fylde (Mr. Jack), I would say that we have fully recognised the special case of horticulture. The 50 per cent. concession that we have announced is unique. No other industry will enjoy the benefit of that, and that is being extended through a later group of amendments tonight to include lighting and heating. Belgium is working up an energy tax, and I anticipate that most, if not all, of the EU states will, in due course, need to introduce such a measure to meet their Kyoto objective. That trend is clear.

As I have said, I welcome the support of the hon. Member for Ceredigion. He is right to recognise the importance of taking the step that is contained in the climate change levy. We are permanently improving energy efficiency across the business and private sectors, providing a continuing incentive to innovation aimed at improving energy use.

The burdens on business will be kept to a minimum. I repeat what I am sure I have already said many times to the hon. Member for West Dorset, that we are recycling all the revenues from the levy in full to business through equivalent cuts in employer national insurance contributions and schemes to promote energy efficiency, including additional support for renewable sources of energy. There is no net gain to the Exchequer from the levy package.

If the projection of an increase in carbon dioxide emissions after 2000 is correct, the amendment could delay the onset of a levy only until 2002, but we need the levy in our fight to reduce greenhouse gas emissions. Any delay in implementation of whatever duration would prove deeply damaging to our aims. The problem of climate change remains a great challenge and a challenge that the Government are prepared to face up to. I am pleased that, on this occasion at least, the hon. Member for Hazel Grove can support us in taking the levy forward.

I have one last point. The hon. Member for West Dorset talked about emissions trading as an alternative to the levy. It is not an alternative; it is a complement. We are taking forward an emissions trading scheme.

The amendment is inconsistent with our key long-term goal of reducing greenhouse gas emissions and improving energy efficiency in business. I urge the House to reject it.

Mr. Letwin: We have tried to save the Government from themselves. Alas, we have failed. Although this is sad for the country, it is marvellous politically. We look forward with glee to the moment when literally hundreds of thousands of businesses up and down the country discover that they will be subject to this ghastly tax, and we look forward to the Financial Secretary's doing little else for months than dealing with them.

Question put, That the amendment be made:—

The House divided: Ayes 127, Noes 345.

Division No. 277] **[10.40 pm**

AYES

Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David

McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paice, James
Paterson, Owen
Prior, David
Randall, John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Stephen Day and
Mr. Peter Atkinson.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atkins, Charlotte
Austin, John
Ballard, Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Begg, Miss Anne
Beith, Rt Hon A J
Benn, Hilary *(Leeds C)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brand, Dr Peter
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Burden, Richard
Burgon, Colin
Burnett, John
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Ms Roseanna *(Perth)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Ewing, Mrs Margaret
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Andrew *(St Ives)*
Gerrard, Neil
Gibson, Dr Ian
Gidley, Sandra
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hood, Jimmy
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'd Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug

O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Gerry Sutcliffe and
Mr. Kevin Hughes.

Question accordingly negatived.

Schedule 6

CLIMATE CHANGE LEVY

Amendments made: No. 16, in page 138, line 27, leave out sub-paragraph (2).

No. 17, in page 138, line 37, leave out sub-paragraph (5).

No. 18, in page 142, line 10, leave out sub-paragraph (2).

No. 19, in page 142, line 36, at end insert—

'except where he is acting otherwise than for purposes connected with the carrying on of activities authorised by the exemption.

( ) Sub-paragraph (5) applies subject to—

(a) any direction under paragraph 148A(1), and

(b) any regulations under paragraph 148A(2).'.

No. 20, in page 142, line 36, at end insert—

'*Exemption: supplies (other than self-supplies) to combined heat and power stations*

14A.—(1) A supply of a taxable commodity to a person is exempt from the levy if—

(a) the commodity is to be used by that person in—

(i) a fully exempt combined heat and power station, or

(ii) a partly exempt combined heat and power station,

in producing any outputs of the station, and

(b) the supply is not a supply of electricity that is deemed to be made under paragraph 22(3).

For this purpose "outputs" has the meaning given by paragraph 147(7).

(2) Where—

(a) a supply of a taxable commodity to a person would (apart from this sub-paragraph) be exempted in full by sub-paragraph (1), and

(b) at the time the supply is made, the efficiency percentage for the combined heat and power station in which the commodity is to be used by that person is less than the threshold efficiency percentage for the station,

sub-paragraph (1) only exempts the relevant fraction of the supply.

(3) For the purposes of sub-paragraph (2), the "relevant fraction" of a supply of a taxable commodity that is to be used in a combined heat and power station is the fraction—

(a) whose numerator is the efficiency percentage for the station at the time the supply is made, and

(b) whose denominator is the threshold efficiency percentage for the station at that time.

(4) For the purposes of this paragraph—

(a) the "threshold efficiency percentage" for a combined heat and power station is the percentage set as the threshold efficiency percentage for the station by regulations made by the Treasury;

(b) the "efficiency percentage" for a combined heat and power station is the percentage stated as the efficiency percentage for the station in a certificate in force in respect of the station under paragraph 147 (certificate given by Secretary of State that station is fully or partly exempt).

(5) Paragraph 147A confers power to make provision by regulations for determining the efficiency percentage to be stated in a certificate under paragraph 147.'.

No. 21, in page 150, line 13, leave out from "5(2)" to end of line 14 and insert—

'(partly exempt combined heat and power stations).'.

No. 22, in page 156, line 47, after "it," insert—

'( ) in the lighting, for the growth of horticultural produce primarily with a view to the production of horticultural produce for sale, of any building or structure,'.

No. 23, in page 159, line 34, leave out paragraph (d) and insert—

'(d) to which a representative of each facility to which it applies is a party,'.

No. 24, in page 159, line 43, at end insert—

'( ) In this paragraph and paragraph 47 "representative", in relation to a facility to which an agreement applies, means—

(a) the person who is the operator of the facility at—

(i) the time the agreement is entered into, or

(ii) if later, the time the facility last became a facility to which the agreement applies,

or

(b) a person authorised by that operator to agree to the facility being a facility to which the agreement applies.'.

No. 25, in page 160, line 17, leave out paragraph (d) and insert—

'(d) to which a representative of each facility to which it applies is a party.'.

No. 26, in page 160, line 30, leave out paragraph (e) and insert—

'(e) to which a representative of each facility to which it applies is a party.'.

No. 27, in page 160, line 44, at end insert—

'(1A) Where a climate change agreement (the "new agreement") applies to a facility to which another climate change agreement previously applied, the first certification period specified by the new agreement for the facility shall be—

(a) a period beginning as provided by sub-paragraph (1), or

(b) a period that—

(i) begins earlier than that, and

(ii) is a period that was a certification period specified for the facility by any climate change agreement that previously applied to the facility.

A period such as is mentioned in paragraph (b) includes a period beginning, or beginning and ending, before the date on which the new agreement, so far as relating to the facility, is expressed to take effect.'.

No. 28, in page 161, line 3, leave out—

'by the agreement for the facility'

and insert—

'for the facility by the agreement or by a climate change agreement that previously applied to the facility'.

No. 29, in page 161, line 5, after "agreement" insert "in question".

No. 30, in page 161, line 10, at end insert—

'( ) For the purposes of sub-paragraphs (1A) and (2), the circumstances in which a facility to which a climate change agreement applies is one to which another such agreement previously applied include those where the facility is—

(a) a part, or a combination of parts, of a facility to which another such agreement previously applied,

(b) a combination of two or more such facilities,

(c) any combination of parts of such facilities, or

(d) any combination of such facilities and parts of such facilities.'.

No. 31, in page 162, line 4, leave out from first "of" to end of line 5 and insert—

'taxable commodities, and of any other commodities specified in the regulations, subject to each of those intentions are such that any conditions specified in the regulations are satisfied.'.

No. 32, in page 162, line 15, leave out from first "of" to end of line 16 and insert—

'taxable commodities, and of any other commodities specified in the regulations, subject to each of those intentions are such that any conditions specified in the regulations are satisfied.'.

No. 33, in page 162, line 18, leave out "taxable".

No. 34, in page 163, line 4, leave out "output" and insert "input".

No. 35, in page 163, line 7, leave out "output" and insert "input".

No. 36, in page 191, line 8, leave out "and 17" and insert ", 17 and 20".

No. 37, in page 202, line 39, at end insert—

'( ) the giving, withdrawal or variation of a utility direction under paragraph 148A(1);'.

No. 38, in page 213, line 12, leave out from beginning to "for" in line 13 and insert—

'Where the principal is a person falling within any of paragraphs (a) to (c) of sub-paragraph (1), the principal shall notify the Commissioners in writing of the name of any person designated by the principal'.

No. 39, in page 216, line 12, leave out from "instrument" to "under" in line 15 and insert "that—

(a) contains regulations made under this Schedule, and

(b) is not subject to a requirement that a draft of the instrument be laid before Parliament and approved by a resolution of the House of Commons,

shall be subject to annulment in pursuance of a resolution of the House of Commons.

(3) A statutory instrument that contains (whether alone or with other provisions) regulations'.

No. 40, in page 216, line 15, leave out "6(2),".

No. 41, in page 216, line 15, after "14(3)," insert "14A(4)(a),".

No. 42, in page 216, line 16, leave out "or 147" and insert ", 147(3A) or 147A".

No. 43, in page 216, line 16, after "147" insert "or 148A(2)".

No. 44, in page 216, line 16, leave out "unless a draft of" and insert—

'shall not be made unless a draft of the statutory instrument containing'.

No. 45, in page 217, line 10, after "148(2)" insert "(but see paragraph 148(4))".

No. 46, in page 217, line 13, after "148(3)" insert "(but see paragraph 148(4))".

No. 47, in page 217, line 22, leave out "6(2),".

No. 48, in page 217, line 22, leave out "147" and insert "147(3A)".

No. 49, in page 218, line 8, leave out from "in" to end of line 9 and insert—

'respect of which there is in force a certificate (a "full-exemption certificate")—

(a) given by the Secretary of State,

(b) stating that the station is a fully exempt combined heat and power station for the purposes of the levy, and

(c) complying with sub-paragraph (3C) and (so far as applicable) any provision made by regulations under sub-paragraph (8).'.

No. 50, in page 218, line 11, leave out from "station" to end of line 16 and insert—

'in respect of which there is in force a certificate (a "part-exemption certificate")—

(a) given by the Secretary of State,

(b) stating that the station is a partly exempt combined heat and power station for the purposes of the levy, and

(c) complying with sub-paragraph (3C) and (so far as applicable) any provision made by regulations under sub-paragraph (8).

(3A) The Secretary of State shall give a full–exemption certificate in respect of a combined heat and power station where—

(a) an application is made for a certificate under this paragraph in respect of the station, and

(b) it appears to him that such conditions as may be prescribed are satisfied in relation to the station.

For this purpose "prescribed" means prescribed by regulations made by the Treasury.

(3B) The Secretary of State shall give a part–exemption certificate in respect of a combined heat and power station where—

(a) an application is made for a certificate under this paragraph in respect of the station, and

(b) his decision on the application is to refuse to give a full–exemption certificate.

(3C) A full–exemption or part–exemption certificate given in respect of a combined heat and power station shall state the percentage that, for the purposes of paragraph 14A, is the efficiency percentage for the station determined in accordance with any regulations under paragraph 147A.'.

No. 51, in page 218, line 17, leave out "(2)" and insert "(3A)".

No. 52, in page 218, line 22, leave out from beginning to end of line 23 and insert—

'A condition prescribed under sub–paragraph (3A) may, in particular, relate to any of the following—'.

No. 53, in page 218, line 32, at end insert—

'(8) The Secretary of State may by regulations make provision for or about—

(a) certificates under this paragraph;

(b) applications for such certificates;

(c) the information that is to accompany such applications.

(9) The provision that may be made by virtue of sub–paragraph (8)(a) includes in particular—

(a) provision in respect of the periods for which certificates under this paragraph are to be in force;

(b) provision for the (non–retrospective) variation or revocation of such certificates.

Determination of efficiency percentages for combined heat and power stations

147A.—(1) The Treasury may by regulations make provision for determining the percentage that is to be stated in a certificate under paragraph 147 as the efficiency percentage for a combined heat and power station.

(2) Regulations under this paragraph may, in particular, include—

(a) provision in respect of methods of calculating efficiency percentages;

(b) provision in respect of the measurements and data to be used in calculating such percentages;

(c) provision in respect of the procedures for determining such percentages;

(d) provision in respect of verifying—

(i) calculations by which such percentages are produced, and

(ii) measurements and data used in such calculations;

(e) provision that, so far as framed by reference to any document, is framed by reference to that document as from time to time in force.

(3) In making provision under this paragraph, the Treasury must have regard to the object of securing that the efficiency percentage for a combined heat and power station is (save for any appropriate adjustments) a percentage that reflects a fair assessment of the efficiency with which commodities are transformed in the station into electricity or motive power.'.

No. 54, in page 218, line 49, at end insert—

'(4) Sub–paragraphs (1) to (3) have effect subject to—

(a) any direction under paragraph 148A(1), and

(b) any regulations under paragraph 148A(2).

Person treated as, or as not being, a utility

148A.—(1) The Commissioners may by direction (a "utility direction") make, in respect of a person (or persons) specified in the direction, provision authorised by sub–paragraph (3).

(2) The Treasury may by regulations ("utility regulations") make, in respect of any person of a description specified in the regulations, provision authorised by sub–paragraph (3).

(3) The provision authorised by this sub–paragraph is provision for—

(a) a person who is an unregulated electricity supplier to be treated for levy purposes as being an electricity utility;

(b) a person who is an unregulated gas supplier to be treated for levy purposes as being a gas utility;

(c) a person who is an electricity utility to be treated for levy purposes as not being an electricity utility;

(d) a person who is a gas utility to be treated for levy purposes as not being a gas utility.

(4) References in sub–paragraph (3) to provision for a person to be treated in a particular way for "levy purposes" are to provision for him to be treated in that way for—

(a) the purposes of this Schedule, or

(b) such of those purposes as are specified in the direction or regulations by which the provision is made.

(5) The power to make any provision by a utility direction or utility regulations may be exercised so that the provision applies in relation to a person only to an extent specified in, or determined under, the direction or regulations.

(6) A utility direction cannot take effect until it has been—

(a) given by the Commissioners to each person in respect of whom it makes provision, and

(b) published by the Commissioners.

(7) Paragraph 145(7)(b) and (c) applies to the power to make provision by a utility direction as to a power to make provision by regulations.

(8) In this paragraph—

"unregulated electricity supplier" means a person who—

(a) makes supplies of electricity, and

(b) is not an electricity utility;

"unregulated gas supplier" means a person who—

(a) makes supplies of gas that is in a gaseous state and is of a kind supplied by a gas utility, and

(b) is not a gas utility.'.

No. 55, in page 219, line 44, leave out—

'in part to the Authority and in part to the Gas and Electricity Consumer Council)'

and insert—

'to the Authority) or abolished'.

No. 56, in page 220, line 2, leave out—

'in part to the Authority and in part to the Gas and Electricity Consumer Council)'

and insert—

'to the Authority) or abolished'.—*[Mr. Timms.]*

Clause 39

GIFT AID PAYMENTS BY INDIVIDUALS

Mr. Burnett: I beg to move amendment No. 101, in page 25, line 39, leave out—

'donor shall be assessable and'

and insert—

'charity receiving the gift shall be'.

Mr. Deputy Speaker (Mr. Michael Lord): With this it will be convenient to discuss amendment No. 102, in page 25, line 41, at end insert—

'as if it were being assessed as the donor.'.

Mr. Burnett: We have also discussed these amendments at length with the Chartered Institute of Taxation's low incomes tax reform group.

We warmly welcome the new rules for relief for charitable giving, but in one major respect they do not go far enough. The only people whose gifts will not qualify for relief will be those who do not pay tax—if they do not pay tax, they should not give a gift aid declaration. However, that presupposes that during the tax year everyone will know whether, at the end of it, it will turn out that they are liable to pay tax. All sorts of thing can happen. Individuals may fall ill, lose a job—part-time or otherwise—or start a baby and go on maternity leave. They will not know how their income relates to the personal allowances appropriate to their status.

Everyone in the House knows how complex the tax rules are, but they are even more complex in this area than we had thought. It transpires that, even though an individual is no longer able to claim payment of the tax credit attached to a dividend that he or she receives, a charity is not able to do so either. Nevertheless, a charity will be able to receive payment of the tax credit attached to a dividend received by an individual who gives it as a donation.

The purpose of the amendment is to provide that if an individual who turns out to be a non-taxpayer makes a gift that is subject to gift aid declaration to a charity and the charity claims the tax, the liability to repay that tax will fall on the charity and not on the donor.

11 pm

We do not believe that that is as burdensome as it may sound. The Inland Revenue has made it clear that it would look first to the charity to repay the tax and that it would look to the donor only in the unlikely event that the charity refused. The amendment would give effect in law to what the Revenue has said would happen in practice. It is surely better that practice should be the servant of the law and the law should put matters right.

Mr. Flight: I agree with the amendment, which is designed to address important matters that we raised in Committee. Individuals giving to charity but not paying tax could find themselves being pursued for tax that a charity had reclaimed accidentally. That would clearly be undesirable and unjust. The remedies that we suggested were, we felt, the best means of dealing with the problem, but this remedy at least addresses the problem.

Mr. Gardiner: The relief proposed by the Chancellor could be both extended and maximised. At present, shares that can be given and qualify for relief are limited to those listed or dealt in on a recognised stock exchange. That leaves out a significant category of potential donors—namely, the entrepreneur who has built up a business to the point at which he is about to sell a significant part of it but at which the company is technically still unquoted.

I recognise that the Inland Revenue would not want to become involved in the administrative burden of valuing small parcels of shares—indeed, charities would not want to receive them—but the relief could be improved if it were to include other categories of donor. I would ask my right hon. Friend the Chancellor to extend the kind of shares or securities that would qualify for relief to include those effectively able to be traded or realised. An existing definition is used for the purpose of pay-as-you-earn.

Mr. Roger Casale (Wimbledon): I am following my hon. Friend's argument with care and it contains much of merit. I wonder, however, whether it might not be more appropriate to make these points under amendments Nos. 132 and 133, which appear later on the amendment paper.

Mr. Gardiner: My hon. Friend has made an extremely good point, for which I am very grateful.

Miss Melanie Johnson: The intention of the amendments is to save people on low incomes from having to face a tax bill because they have mistakenly used gift aid when they had paid insufficient tax to allow the charity to reclaim the tax on their donation. In those circumstances, the donor would be liable to be assessed on any shortfall. I agree that that is not a position in which we wish people on low incomes to find themselves, but I do not believe that the amendment is the best way in which to deal with the problem.

The gift aid scheme works by allowing charities to reclaim basic rate income tax paid by donors on payments made to the charity. That means that, under the changes that we have introduced this year, a donor must have paid basic rate tax on income equal to the amount of his gift to the charity under either a deed of covenant or gift aid. We have extended gift aid so that a donor need pay only an amount of income tax or capital gains tax at any rate equal to the amount reclaimed by the charity.

The changes allow more people to use gift aid, but it is still not suitable for non-taxpayers, or, except for modest gifts, for those who pay very little tax. For those people, prevention is better than cure.

We will be publishing information for donors that will make it clear that gift aid is not appropriate for those who pay little or no tax. The declaration must contain a suitable explanation of the requirement to pay sufficient tax, as we discussed in Committee. The charities need to give the same message when recruiting donors. The scheme is not designed to trap the unwary into a tax charge. People for whom the gift aid scheme is not appropriate can still give to charity outside the scheme.

Let me deal with why the amendments are not a suitable way in which to tackle the perceived problem. The gift aid scheme is very straightforward. The donor simply gives a gift aid declaration which must contain the health warning about having paid sufficient tax to cover the tax that the charity will reclaim. The donor needs to disclose nothing further about his or her tax affairs.

The charity can then, with certainty, proceed to recover tax on the gift. I hope that, as a matter of practice, charities will remind the donor from time to time of the need to meet the tax to cover the requirement. The onus to comply with that requirement is on the taxpayer.

If the charities were made liable for any shortfall, they would need to know more about the donor's tax position as well as any other gift aid payments to other charities in the year in question so that they could satisfy themselves that everything was correct. That would be a most unwelcome burden for charities and an unacceptable intrusion for donors.

We believe that it is more important for people to be made aware by Inland Revenue leaflets and in the charities' own literature about the requirements of the scheme. The amendments would add complexity to the gift aid scheme, which we have endeavoured to make as simple and straightforward as possible. I believe that they would be most unwelcome to charities and donors alike. For those reasons, I hope that the hon. Member for Torridge and West Devon (Mr. Burnett) will withdraw the amendment.

Mr. Burnett: This matter was discussed in Committee, and I think that all right hon. and hon. Members are aware of how gift aid works. We do not claim that the amendment is perfect. However, my point is that the circumstances of individuals can change dramatically during a tax year. I was hoping that there would be rather more sympathy for individuals who had suffered a dramatic change in their circumstances.

The Minister says that the Inland Revenue will be publishing information to donors making the pitfalls clear should they cease to be taxpayers during a year of assessment and if they enter into a gift aid scheme. Given that that information will be available, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 43

GIFTS OF SHARES AND SECURITIES TO CHARITIES ETC

Amendments made: No. 87, in page 30, line 1, leave out "83A" and insert "587A".

No. 88, in page 30, line 3, leave out "83B" and insert "587B".—*[Dawn Primarolo.]*

Mr. Flight: I beg to move amendment No. 132, in page 31, leave out lines 31 and 32.

Mr. Deputy Speaker: With this it will be convenient to discuss amendment No. 133, in page 31, line 46, leave out from beginning to end of line 4 on page 32 and insert—

'"qualifying investment" shall mean all forms of property constituting an asset for the purposes of the 1992 Act;'.

Mr. Flight: The amendments are designed to give the same relief to all forms of security, property and art treasures gifted to charity as the Bill proposes for quoted equities. In Committee, the Government resisted the proposed extension of the new relief for gifts of quoted shares to charities to include unquoted shares on three grounds. The first was that charities should not be encouraged to hold unquoted shares as they were not easily realisable. The second was that unquoted shares were difficult to value, making the relief more complicated to administer for both donor and donee. The third was that the relief provided was already generous enough.

The first point does not stand up to scrutiny. Charities have always held all sorts of assets, some of them more easily realised than others. The Trustee Bill will give most charities subject to proper standards of prudence the power to invest in any property capable of producing an income or capital return. The Government cannot, on the one hand, promote a measure that will allow charities to invest in almost any type of property and in broader categories of property, and, on the other, argue in the other direction in connection with this Bill.

The second objection is also unconvincing. The Inland Revenue has no difficulty valuing all sorts of assets gifted to charities for inheritance tax purposes. The Government are clearly not willing to commit the resources to facilitate evaluations for widespread giving to charity. An independent valuation can be obtained easily by a donor and donee for any type of property. The problem is the Government's unwillingness to commit resources to enable the Revenue to scrutinise the valuation.

The third objective was repeated consistently by the Government in Committee. They believe that they have been more than generous already with the reliefs that they have offered, and that those reliefs will serve as adequate compensation for the withdrawal from charities of the recovery of dividend tax credits and irrecoverable value added tax.

That conviction relies on two broad assumptions—that all charities are fundraisers, and that measures in the Bill will make a real difference to the amount given to charity. The first of those assumptions is not correct, and the second is debatable: the Government's estimate of the value of the changes to giving is less than the collective losses sustained by charities of some £500 million a year when advance corporation tax recovery phases out.

Since the Bill was considered in Committee, I have been approached by several entrepreneurs involved in key universities in this country. They told me that they had already purchased property that they had intended to give to the various universities but which they will not give if it does not enjoy the same tax position as listed shares.

The entrepreneurs also said that the argument against unquoted shares—that the right time to give them is when they are listed and their value fructifies—does not apply to many of the new high-tech industries. Those shares get bought for cash or loan stock by other businesses, and so would never qualify for gift aid reliefs.

The debate is especially relevant to gifts made to institutes of higher education. In the United States, giving amounts to some 2 per cent. of gross national product, but only to some 0.6 per cent. in this country. Do we want our universities to get really large gift aid from successful alumni? If so, it must be logical to extend to unquoted securities and all other forms of property the relief now being offered to quoted securities.

I do not believe that any good argument exists for not accepting the amendments.

Mr. Gardiner: The parliamentary day begins with the prayer "Prevent us, O Lord", and I have learned this

[Mr. Gardiner]

evening the appropriateness of that sentiment. I prevented the hon. Member for Arundel and South Downs (Mr. Flight) from speaking to this amendment earlier, but I was prevented from continuing in my error by my hon. Friend the Member for Wimbledon (Mr. Casale). However, my comments on the amendments and on the extension and maximisation of the relief proposed by my right hon. Friend the Chancellor are now apposite.

At present, shares that can be given and which qualify for relief are limited to shares traded on a recognised stock exchange. That leaves out a significant category of potential donor—the entrepreneur who has built a business, such as a dot.com company, up to the point at which he is about to sell a significant part of it. Technically, such a company would remain unquoted on an exchange.

11.15 pm

Although I recognise that the Inland Revenue would not want to get involved in the administrative burden of valuing small parcels of shares, and indeed charities would not want to receive them, I believe that the relief could be improved if it were to include this category of donor. I ask my hon. Friend the Economic Secretary to consider extending the definition of the shares or securities that can qualify for relief to include those that are able to be traded or realised. An existing definition is used for the purposes of pay-as-you-earn.

In practical terms, donors are most likely to consider using the relief when they know what their income tax bill is, as that represents the limit of the gift for which they can obtain the tax deduction. That happens at the self-assessment deadline of 31 January each year in respect of the income to the previous 5 April. I believe that donors would increase their gifts if they were able to obtain relief against their income of the previous tax year. Under the present rules, a donor who wants to make a gift has to anticipate his income for the current tax year to 5 April. That inevitably prompts individuals, or most certainly their advisers, to adopt a cautious estimate in order not to give more than is available for relief. A carry-back facility would encourage larger gifts.

A number of individuals realise significant capital gains in a particular year, and again entrepreneurs spring to mind. For such individuals, the amount they may be willing to give to a charity could be a proportion of their capital gains rather than of their somewhat smaller income. Again, by allowing the relief to be given where necessary as a deduction against capital gains in addition to income, it would encourage certain donors to give considerably more when they feel able to afford it.

Experience passed on from America, where there is a similar tax relief, is that a large proportion of the funds going to charities comes from a small number of donors who give significant amounts. Any measure that encourages those individuals to raise the level of their generosity is likely to help the new relief that the Chancellor has introduced succeed even more. I commend it for my hon. Friend's consideration.

Miss Melanie Johnson: I am grateful to my hon. Friend the Member for Brent, North (Mr. Gardiner) for his remarks and suggestions, and I shall give them due consideration. It is probably best that I do so at not such a late hour, when my mind is clearer. I assure him that I will then be able to give him the benefit of total clarity.

I shall address the general point that has been raised in the debate on these two amendments. The point that we have made in Committee and that I reiterate now is that we designed the relief to ensure that it is applied to investments that are readily realisable and easy to value. I have made that point many times, and I know that it will be familiar to the hon. Member for Arundel and South Downs (Mr. Flight). That will allow a charity to make an unfettered decision on whether to add the gift to its investment portfolio, or to realise the gift immediately and use the proceeds for charitable purposes.

Amendment No. 133 would extend the range of qualifying investments that a donor can give to charity and get relief on to include all assets as defined in the Taxation of Chargeable Gains Act 1992, to which amendment No. 132 makes a consequential change.

I do not think that the amendment achieves the hon. Gentleman's intention. It would mean that certain investments, such as gilts, which qualify for relief under the provision as drafted, would no longer do so as they are not chargeable to capital gains tax. He may not be aware of that.

In addition, certain other assets, such as cars, would not qualify for relief, as they are not defined as assets for the purposes of capital gains tax. Many assets would come within that wider definition that would not be as easy to value or as readily realisable. There are no markets for some assets, so charities would be constrained in realising the value of the assets and using them for charitable purposes. That goes back to the basic principles that I mentioned earlier.

Clause 43 will introduce an exciting new relief for charities and their donors. We would like to see how that works in practice. There is already a very generous relief for works of art. There are additional significant reliefs from capital gains tax, inheritance tax and stamp duty for gifts of assets to charity. There are also already extremely generous reliefs from capital gains tax and inheritance tax for gifts and sales of pre-eminent works of art and heritage assets to museums and galleries. We have a tax relief for businesses that make donations to charities of trading stock and items of equipment that are used in business.

The assets that qualify for the new relief were carefully chosen to fulfil the criteria that I have already set out, so I hope that the hon. Gentleman will allow the full effect of the new changes to be seen in practice and will withdraw the amendment.

Mr. Flight: I will not press the amendment to a vote at this time of night, but I exhort the Government to step back and take the point that property in particular is an absolute natural for donation to higher education institutions. On the whole issue of unquoted investments, here we are in an age in which the Government want to encourage venture capital—the age of the internet and so forth—and if the issue is not addressed quickly, charities will lose out on a particular economic phase. It is by no means certain that venture capital investments will turn into licit investments suitable for relief. If the Government

are not willing to address the issue right now, which clearly they are not, I will put strong pressure on them to ensure that it is addressed next year, if they are still in power. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 89, in page 32, line 19, leave out "83B(2)(b)" and insert "587B(2)(a)(ii)".—*[Dawn Primarolo.]*

Further consideration adjourned.—*[Mr. Allen.]*

Bill, not amended in the Committee and as amended in the Standing Committee, to be further considered tomorrow.

PETITION

Medical Students

11.23 pm

Dr. Evan Harris (Oxford, West and Abingdon): I am pleased to present this petition on behalf of no fewer than 3,779 medical students from medical schools up and down the country. The petition states:

The ineligibility of medical students who started at medical school prior to 1998 to receive full student loans in the final year of study is inequitable. Final year medical students are unable to work to support themselves during their course as academic years can be up to 50 weeks long and they incur far greater expenditure than students in other disciplines. Medical students maintain that the Government's continued refusal to recognise this is unjustifiable.

The petitioners therefore request that the House of Commons calls upon the Government to ensure that all final year medical students are eligible to apply for the full financial support that they so urgently need.

To lie upon the Table.

Compulsory Purchase Orders

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Allen.]*

11.24 pm

Mr. Tony Lloyd (Manchester, Central): This debate is essentially about fairness and about whether, in an area in which tens of millions of pounds are being invested, and in which we hope that many people will have their quality of life greatly improved, we can avoid a situation whereby the 45 or 50 households left in the Lower Beswick compulsory purchase order area will lose out very badly, and whether we can allow them to be cushioned against the worst excesses of the decline in the area.

Let me say a little about east Manchester. It was badly hit by unemployment from the early 1980s onwards; the destruction of the traditional heavy engineering industries, for instance, caused massive damage, while in the background were all the usual patterns of rising crime.

The community to which I refer is traditionally tight-knit; historically, people have been proud to say that they come from it. Sadly, however, we saw the breakdown of that community spirit, and an increase in vandalism and anti-social behaviour that people had not experienced before.

I first became closely involved at the time of the boundary changes, when the boundaries of my constituency were changed. I was shocked by the state of the whole east Manchester area. The Government recognised its plight, and awarded it one of the earliest new deal for the community programmes. Tens of millions of pounds will go to east Manchester, which is good for the area as a whole. The problem for the area that I am talking about is that it was among the hardest hit of the east Manchester sub-communities. It contains, perhaps, only 250 houses, but people living there probably suffered all the problems that hit east Manchester generally, with a vengeance.

Lower Beswick certainly experienced all the problems of property surplus. Houses there began to be left empty, and to be boarded up. It also experienced an increase in the number of unscrupulous speculative landlords—landlords who moved in and tried to purchase property at low prices in the hope of making a quick return from cheap and easy lets, or landlords who saw a rather longer-term opportunity for speculative capital gain.

One housing association, Northern Counties, behaved atrociously. Irresponsibly, it bought numerous properties, and when it could not let them, mothballed the area rather than trying to market them, allowing the blight of empty properties to affect the immediate area in a way that almost guaranteed the long-term destruction of Lower Beswick.

Neither the housing association nor the private landlords were prepared to do anything about the quality of the tenants whom they took in. There was no control by either social or private landlords. There were many anti-social tenants who, although they often stayed for only a short time, in that short time managed to wreak enormous damage. The short-term damage caused massive cumulative long-term damage. I well remember the slum clearances that took place in Manchester in the early 1960s, but I have never seen anything like what we saw in Lower Beswick.

[Mr. Tony Lloyd]

People in that small community do not tend to moan. They tend to get on with life, and have put up with a great deal over many years. In this case, however, I have no doubt that the stress of simply living in the area was enormous. Those who are left suffer from ill health, much of it directly caused by intolerable living conditions. Those who could leave—perhaps they had short-term tenancies—simply got up and went, which in itself exacerbated the problem. The good people—those who had invested in the area, who wanted to make a life for themselves, to be part of the community and to build that community—are, sadly, those who have been stranded by the changes that have taken place in Lower Beswick, and it is they who now bear that heavy load. As I have said, of the 250 houses in the area perhaps no more than 40 or 50 are still occupied.

The announcement of the new deal was a cause for great rejoicing. I was delighted that the Government had recognised the needs of east Manchester, and also felt that I had achieved a lot: I had had my own role to play in the new deal, although many others had contributed. However, the problem is that once the new deal was declared, the existing problems of Lower Beswick became intolerable. It was obvious at that point that Lower Beswick would have to be taken out, to allow the regeneration of the greater area. The greater good of the many was pitted against the immediate and longer-term needs of a limited number of people.

It was a prerequisite for the improvement of the new deal area that Lower Beswick had to come down. I think that the people in Lower Beswick themselves accepted that demolition was almost inevitable by the time the new deal was declared, but that had an immediate impact on property prices. They had already suffered a loss from the high mark of the early to mid-1990s. At that time, in about 1993-94, small two-bedroom terraced houses in the area were being sold for £28,000 or £30,000.

I accept that that is not a lot compared with the elevated prices in London, but the people of that area are not on the elevated incomes of London, so those property prices fitted the income and needs of the people of that community. However, once the CPO was declared, property prices—in so far as property could even be sold—dropped to literally a few thousand pounds each. In some cases, property could not be sold.

The choices that people then faced in Lower Beswick were invidious. They could walk away. They could leave the key in the door and walk out—but in doing so, they left behind not only their own way of life and home, but in many cases, debt to building societies or banks. For those who were lucky enough to have paid off their mortgages, it was impossible to raise another mortgage when they had walked away from a property that had become valueless.

The building societies and banks deserve no credit in the story. With one or two exceptions, they have taken an extremely hard line. They have simply told my constituents that where building society debt exists, it is up to the individual to redeem that, and that before he could be even considered for any further loan, he would have to pay off existing and outstanding debt—even though that debt is not the fault of those who find themselves in that position. Of course, for many people remortgage is impossible. If they are elderly or retired, building societies will not look at the possibility of a remortgage.

The compensation scheme available under CPOs is inadequate. The Government recognised that some months ago in the Department's White Paper. There was a reference to the need to look again at the compensation scheme. I think that there is to be a consultation specifically on the question of compensation under such CPOs, but change in the future will not help my constituents, who face the problem here and now. However, compensation is certainly inadequate, as the Government recognise.

The money distributed under CPOs is trivial. It is designed to allow people to refit carpets or whatever; the amounts are modest for people who are losing tens of thousands of pounds. The relocation grant suffers from two major disadvantages. One is the whole concept of what market value means for a relocation grant. The second is that the grants are means-tested. For those who are desperately poor, it is possible to have compensation that may not be adequate, but at least goes some way towards adequacy. For those on very low incomes, the taper and cut-off under the means test is so sharp that they are told that they qualify for virtually nothing.

Again, we can well imagine the plight of the elderly and of those on low incomes who face walking away from their homes with debt, or with no possibility of repurchase. As things stand, some will carry that debt for many years. The stress and ill health that I have talked about have been made massively worse by that situation.

Today, one of my constituents was telling me that since the whole saga began, her long-term condition has been made worse and that she has had to give up work. Ironically, under the compensation scheme, she is better off having given up work. There is something wrong with a scheme in which my constituents become better off by suffering stress and ill health.

There are ways in which the Government and public agencies could help. Two of my colleagues—local councillors Neil Swanwick and John Smith—have worked hard with local residents to determine whether they can relocate somewhere within the broad east Manchester area, in the hope that with the modest compensation they will be given, they will be able to buy into an area with depressed property prices and benefit as that area is regenerated and property prices increase. That is a hope and an aspiration, and it requires an act of faith by local people. Nevertheless, many people are considering taking that step. I applaud the work being done by those two councillors.

As I said, there is also a problem with lenders. I ask my hon. Friend very seriously to examine the lenders' role and to determine what pressure the Government can bring to bear in addressing the negative equity issue. Building societies that have been prepared to lend on the basis of absolute security, although they know better than would-be purchasers that an area is dicey or may be declining, are not operating within the spirit of honesty and probity.

I think that those building societies need to be brought up very sharply and asked to account for their actions. They should also be asked to put together an adequate rescue programme that would allow people to move out,

even with some of their current debt, by enabling them to remortgage in a manner that does not cripple them financially for the rest of their lives.

As I have also said, there is a real problem with determining market value. Current market values in the area are based on the depressed values of an area that was being run down, potentially to demolition. However, the market value of properties only streets away is a very different story. Today I was quoted some property values in areas adjoining the CPO area. Although the quotations may not mean much to the House, they will mean a lot to my constituents. Viaduct street adjoins the CPO area and is separated from it only by a railway line. However, I am told that properties there are being valued at £35,000. In Blackrock street—which is only two or three streets away from the CPO area and has almost identical houses—houses are being valued at between £19,000 and £27,000. Market value, therefore, is a subjective matter. I believe that there is an onus on the public sector at least to consider charitably the meaning of market value.

A friend of mine is a surveyor who has dealt with CPOs—I shall not name him; I shall not advertise. He has pointed out to me that

> under the Disturbance Rule (Rule 6 Section 5 of the Land Compensation Act 1961) the law specifically says that Councils are not bound by Rule 2 which is the one which refers to market value; precedent says that the Council should pay as part of a Disturbance Claim all losses that reasonably flow from the enforced removal.

My friend's point is that negative equity reasonably flows from an enforced removal. Were it not for the CPO, owners would stick with their property—either hoping that its value would increase in a rising market, or letting it out and benefiting from rental income. His point is that in a CPO, negative equity is created artificially. He also said that there was a possibility—I ask my hon. Friend to consider whether it is a practical proposition—of a test case before the Lands Tribunal, backed by the Government, which could resolve the issue once and for all.

We should try to ensure that any compensation package misses out speculative landlords—those who became part of the problem by buying in the hope of making a quick buck. They really do not deserve any consideration in extraordinary compensation schemes. It would go down badly if compensation were wasted on those who have not done anything to prop up the area, but have done much to undermine it. I hope that my hon. Friend will take that point on board.

If the area is cleared, as I am told it will be, it will cost in the region of £1 million to £2 million to buy everyone out and make the area fit for redevelopment. According to quite modest estimates, there will be an immediate capital gain and the land will be worth between £5 million and £10 million. If that is true, the rest of us stand to gain a great deal on that desirable capital increase.

It is not beyond our wit to devise a scheme whereby a limited number of people—those who stuck with the area and tried to keep it decent when others simply left—should be able to tap into the capital increase in the value of the land that has resulted from their removal. I hope that my hon. Friend the Minister will take that idea on board.

Finally, this is a debate about justice; it is about whether a limited number of people will have to pay an enormous price to make things better for everyone else in the area. Frankly, it would not cost much to put right. I know that it is a difficult matter because there are precedents in other parts of the country that are in decline, but I honestly believe that the compensation scheme is now so outdated that we have to look at the situation imaginatively. I hope that my hon. Friend will say something that will be of comfort to my constituents.

11.44 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Beverley Hughes): I congratulate my hon. Friend the Member for Manchester, Central (Mr. Lloyd) and thank him for raising with the Government the difficult circumstances faced by some of his constituents in Lower Beswick as a result of a compulsory purchase order. My ministerial colleagues and I are aware of the specific problems as my hon. Friend and some of his constituents have written to us about them.

The general issue of the compensation payable to owners of low value housing subject to a compulsory purchase order has also been considered in the context of the compulsory purchase policy review to which I shall return later in my speech.

On the surface, this is a valuation dispute between an acquiring authority and some claimants. I understand that in this case the acquiring authority is offering about £7,000 for the properties, but the claimants want some £28,000. They point out, as my hon. Friend has done on their behalf tonight, that their houses are well maintained and have been for many years, so it is wrong for them to be offered the same compensation as that for empty or rundown properties. Their valuations are based on those for similar houses in adjacent districts.

My hon. Friend will know that the compensation regime is based on the principle of equivalence—the system is supposed to ensure that a claimant

> shall be paid neither less nor more than his or her loss.

In normal circumstances—and this is the problem—the open market value for the interest in the property, disregarding the effects of the scheme, taken with the rest of the compensation package will achieve that. However, difficulties arise where there is no proper market and no evidence of recent transactions.

Valuers make valuations based on the age, character and location of a property. These are in effect the elements of demand for a property and the weight given to each element will vary from case to case. In areas of low demand, valuers may give a great deal of weight to location which would lead them to give similar values to properties of different character. However, like doctors and lawyers, valuers may disagree with each other.

In terms of the immediate action open to my hon. Friend's constituents—although it is not a guaranteed remedy—I advise them, if they have not done so, to engage experienced valuers who can negotiate with the council on their behalf. If they cannot reach agreement, it is open to them to apply to the Lands Tribunal for a determination of the compensation payable. These cases may be suitable for the new simplified procedure available at the tribunal which is much quicker and cheaper than a full hearing. I urge them to consider that course of action, certainly as a first step, if they have not done so.

There are problems with compulsory purchase in these circumstances, and I have no difficulty acknowledging that to my hon. Friend. The problem of compulsory

[Ms Beverley Hughes]

purchase of low value properties, which he has so clearly described, is not unique to Lower Beswick. It was brought to the attention of the compulsory purchase policy review advisory group, which I think is the body to which my hon. Friend referred, which has been looking closely at how to make recommendations on making the compulsory purchase and compensation system more efficient, effective and, above all, fairer to all parties. That was the remit given to them by my right hon. Friend the Member for Sheffield, Central (Mr. Caborn), when he was the Minister for the Regions, Regeneration and Planning.

Although people may be living in an area where there is no effective market, which may mean that they have negative equity, that may not matter very much if they do not intend to move, and have the means to pay the mortgage. Obviously, the problems arise only when an authority comes along with a scheme, possibly for very good reasons, and compulsorily purchases their properties. That crystallises their loss and if a low valuation is upheld, it can catapult people, as my hon. Friend anticipates, from proud owner-occupation to understandably resentful council tenancy in some circumstances, without making much of a dent in their debt. No one ever thinks, and certainly I do not, that that is a satisfactory situation, especially as it has been precipitated by an outside agency and is no fault of the resident. However, the current compensation code does not make provision for overcoming it.

The compulsory purchase policy review advisory group has produced its report for us, and we will publish it very shortly. While I cannot anticipate any announcement that my hon. Friend the Minister for Housing and Planning will make, the options that it has considered have included giving compensation on a like-for-like basis. That would allow claimants sufficient compensation to purchase an equivalent property elsewhere—an option mentioned by my hon. Friend—even if the open market value of the property taken was insufficient to do so. The Government's policy paper, which we hope to publish in the autumn, will contain proposals to overcome such problems.

Clearly, in order to change the system, we need primary legislation. Framing legislation to overhaul the compulsory purchase and compensation system will be a not inconsiderable job. It is something for the medium term when parliamentary time permits.

I would not like my hon. Friend to think that there is nothing that can be done to help his constituents in the short term. He may know that I visited the area not too long ago. The city council told me about a scheme devised to solve an aspect of the problem that he has described, which enabled a group of owner-occupiers to retain their status and move into newly refurbished premises. Without going into great detail, the scheme involved a registered social landlord buying a prop. hat required refurbishment, Manchester city council using its discretion to give an improvement grant and the registered social landlord granting a new mortgage to the claimant, the previous one having been paid off by the compensation package.

Variations on the scheme were made to take account of differing circumstances. The council has emphasised that the mechanism was successful for a small scheme. There may be difficulty applying it to a large number of claimants, although I do not think that a large number is involved in my hon. Friend's case. The scheme shows that solutions can be found with sufficient good will and imagination by the acquiring authority, other housing agencies and mortgage lenders, working with the claimants rather than against them.

My hon. Friend also mentioned relocation grants. That was a new power that we gave to local authorities in 1997 to help people affected by clearance to buy other houses nearby. The grants are additional to the compensation that people receive through the compulsory purchase process, and are designed to bridge the gap between the value of the property cleared and the cost of a similar home nearby. They are often particularly useful in areas such as Lower Beswick, where market values have dropped sharply in relation to neighbouring areas.

I am pleased that Manchester city council is making use of its powers to give relocation grants in Lower Beswick. Although I know that the grants have worked well in some instances, I understand that some of my hon. Friend's constituents are unhappy with the amount that they are entitled to receive because they have found that the grants do not close the funding gap

I have a great deal of sympathy with the difficulties faced by my hon. Friend's constituents, and with those of other households that have become trapped in low value housing. As he has said, because of the criteria wrapped round relocation grants, they help those in greatest need—those on the lowest incomes—but do not offer so much help to those who are not wealthy but are earning a bit of money. The system is not perfect, and we have acknowledged those shortcomings in the current system. For that reason, we proposed in the housing Green Paper in April to give local authorities wider powers to tackle the problems of low demand housing. In particular, we want to allow greater discretion over where and how to give relocation grants. Consultation on the Green Paper is still open, and we are seeking views.

My hon. Friend raised three specific points this evening, which he has taken up with me in correspondence. I shall reply shortly. However, I shall make a couple of points on some of the issues to which he referred in the debate.

My hon. Friend referred to negative equity. The compulsory purchase review advisory group has considered the problem, and has acknowledged that it can result in people receiving insignificant and insufficient compensation to acquire an equivalent replacement property. As part of our response to the report, we shall consider carefully ways in which we can achieve what my hon. Friend seeks. We hope that mortgage lenders more generally will be able to adopt the sympathetic approach that one or two have offered in the past, to enable people to overcome the problem of negative equity at that point in the process.

My hon. Friend referred to the disturbance payment and asked whether the Government could finance a test case. I have considered the matter carefully and I am advised that it is not an easy option for the Government to make a test case. However, it would be open to the local authority to do so, and that is something that we shall discuss with it.

On rule 6 and the advice that my hon. Friend has received from a professional with knowledge in the field, those are matters that I shall look into and write to him about. Finally, my hon. Friend asked whether existing

owners could benefit from the increased value of their own proportion of a compulsorily purchased site. That is anticipating, perhaps hypothetically, increased value of the whole site as a result of redevelopment. It is an interesting question and I think that my hon. Friend acknowledged that it raised some important issues of principle. Currently it would involve an unprecedented use of public funds to apply new deal for the community money to bridge the gap. However, we are prepared to consider the matter.

Such a scheme would favour only those properties that lie within new deal communities. It would not necessarily represent an option for other areas that did not have new deal for the community funding or some similar central Government funding initiative. I am prepared to explore the matter further.

My hon. Friend has raised with great clarity the problems for people in Lower Beswick as a result of current deficiencies in the CPO system and the relocation grant system. I regret that I cannot offer him, short of the innovatory schemes that Manchester city council has already explored and I hope will continue to explore for his constituents, an immediate remedy. I can assure my hon. Friend that we are well aware of the serious issues that he has raised. We want to find a remedy as soon as we can to help his constituents and other people in similar situations.

Question put and agreed to.

Adjourned accordingly at six minutes to Twelve midnight.

House of Commons

Wednesday 19 July 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF LONDON (WARD ELECTIONS) BILL *(BY ORDER)*

Order for further consideration, as amended, read.

To be further considered on Wednesday 26 July.

Oral Answers to Questions

NORTHERN IRELAND

The Secretary of State was asked—

Peace Process

1. **Mr. David Winnick** (Walsall, North): If he will make a statement on developments in the peace process. [129859]

5. **Mr. Jeremy Corbyn** (Islington, North): If he will make a statement on the peace process in Northern Ireland. [129864]

7. **Mrs. Ann Winterton** (Congleton): If he will make a statement on the current state of the peace process. [129866]

The Secretary of State for Northern Ireland (Mr. Peter Mandelson): Considerable progress has been made in recent weeks. Devolution has been restored, the IRA confidence-building measure is in place, and good progress is being made to implement the Good Friday agreement in full.

I am not complacent: dissident republicans still pose a threat, and decommissioning remains a high priority. Nevertheless, the vision contained in the agreement is now becoming the reality—a better future for Northern Ireland, based on democratic ideals and guided by the principles of non-violence, parity of esteem and consent.

Mr. Winnick: If today's security alert in central London turns out to have been caused by breakaway IRA groups, should not they learn that we did not give in during 25 years of sustained terror and that we are hardly likely to do so now? Does not my right hon. Friend agree that dissident IRA elements and the loyalist factions that have caused so much trouble with hooliganism and violence recently have something in common? They loathe each other and want to commit murder, but is not what they have in common a desire to destroy the Good Friday agreement?

Mr. Mandelson: I strongly echo my hon. Friend's sentiments, and I deeply regret the inconvenience to rail and underground travellers today. The main paramilitary groups are maintaining their ceasefires. However, a threat remains from dissident paramilitaries opposed to the Good Friday agreement. I utterly condemn that threat, and the disruption caused by the incidents today.

The Government's policy of resolute action against terrorism, combined with the search for a just and enduring settlement has led to a marked reduction in terrorist activity in the past few years. The threat remains, however, and as long as it does the police will continue to combat it with whatever resources they need to do their job effectively.

Mr. Corbyn: In the context of the process of peace and reconciliation, will my right hon. Friend comment on the death of Robert Hamill in Portadown? Is he prepared to authorise or instruct a judicial inquiry, under section 44 of the Police (Northern Ireland) Act 1998, into the circumstances surrounding his murder?

Mr. Mandelson: I do not rule out such an inquiry, or one of a similar kind. However, while investigations into that tragic and brutal killing are continuing, I shall maintain the option without giving any further commitment to undertaking such an inquiry.

Mrs. Winterton: The Secretary of State is a master of the oleaginous reply. Will he break the habit of a lifetime and answer this question directly: what is the estimate of the percentage of IRA weapons that have been inspected by Mr. Ahtisaari and Mr. Ramaphosa? Will he give an indication when decommissioning, the key feature of the Belfast agreement, will be complete?

Mr. Mandelson: A substantial quantity of armaments in a number of dumps was inspected by the two international inspectors. That included weapons, explosives and detonators. I am sure that the hon. Lady will join me in welcoming the fulfilment of that commitment by the Provisional IRA—assuming that further inspections by the two international inspectors can take place in due course.

Mr. David Trimble (Upper Bann): The Secretary of State will know that today's incidents in London are being attributed to dissident republicans. Does the right hon. Gentleman recall that dissident republicans were responsible for the Omagh atrocity, and that the House was recalled to enact emergency legislation that we were told would be used against those elements? In the two years since, that legislation has not been used at all. Will it be used? Will the Secretary of State press the Irish Government to use the equivalent legislation on their side of the border?

Over the past two years, the Irish Prime Minister has given assurance after assurance that the law in the Republic will be used against dissident republicans. When will that happen? Has the right hon. Gentleman pressed the Irish Government to fulfil those promises?

Mr. Mandelson: The legislation to which the right hon. Gentleman refers remains on the statute book. Where the police and the prosecuting authorities believe that it is possible and desirable to invoke it, they will do so without hesitation.

The right hon. Gentleman is right that combating dissident republicans depends on close co-operation between the Government and the Irish Government. That co-operation is proceeding, and I can tell the House that I will be holding a telephone conversation with the Irish Minister of Justice at 5 pm, in order to discuss with him what further action both Governments can take.

Mr. Stephen Pound (Ealing, North): Following the point raised by the right hon. Member for Upper Bann (Mr. Trimble), I can tell my right hon. Friend that normal life came to a halt in my part of west London this morning because of what we are now told was a "viable" explosive device in Ealing. A coded warning was given from what we assume to be a dissident republican group. Will my right hon. Friend join me in paying public tribute to the emergency services, and to the operators of the overground trains and of the London underground, who kept disruption and misery to a minimum?

Will my right hon. Friend also accept assurances from me, my constituents and all decent people in the kingdom that his work becomes ever more vital? We are talking not about some faraway country, but about life and death for us, on our own doorsteps.

Mr. Mandelson: I am sure that the whole House will want to join my hon. Friend in expressing gratitude to the emergency services, who reacted so promptly and efficiently today in response to the coded warnings that were received, and in coping with the disruption that ensued. The device that has been exploded at Ealing was an improvised explosive device. Further details are awaited, but the code word used in connection with the incident was the same as that used for the attack on the railway line at Newry and in other incidents and hoaxes on the mainland. The device at Ealing may have been of a size similar to that of the Hammersmith bomb. It certainly appears that this attack was carried out by dissidents, but we shall pursue the matter and pin down exactly who was responsible.

Mr. Lembit Öpik (Montgomeryshire): I want to return to matters in the Province. Will the Secretary of State say what we must do to prevent a recurrence, in the run-up to 12 July 2001, of the recent civil unrest, which involved illegal roadblocks?

Mr. Mandelson: It is slightly pessimistic to assume already that there will be continued deadlock at Drumcree next year. The determination by the Parades Commission has set out a clear, thoughtful and considered route map to enable all sides in the dispute to reach a local agreement. That will ensure that what took place in the past couple of weeks will not happen again next year.

The Parades Commission's proposals deserve careful consideration. I urge Portadown Orangemen to engage in the process. If that happens, I hope that local residents will make a reciprocal gesture and commitment.

Mr. Eddie McGrady (South Down): I am sure that the Secretary of State is aware that, as we in Northern Ireland move painfully and slowly towards peace and normality, there has been an enormous increase in drugs trafficking, which has penetrated our communities and led to beatings, petrol bombings and shootings. Will he urgently examine that new cancer in our society, which is often promoted by erstwhile or so-called erstwhile paramilitaries, review the resources that he and the police have at their disposal, enhance those resources, and start an all-out war on those parasites on our society, who are destroying our young people?

Mr. Mandelson: It is true that the spread of drugs, their supply, their use and their sale, behind which stand many members of paramilitary organisations, is now at the heart of the programme of activities undertaken by the RUC. Wherever I go in Northern Ireland, the story is the same: the cancer is spreading into every community. I assure the House that the RUC will utilise every resource it has at its disposal to combat that illegal and unacceptable activity, and that the RUC will have the Government's full support in doing so.

Mr. Andrew MacKay (Bracknell): Will the Secretary of State confirm that on or before 28 July, he will release all the remaining terrorist prisoners who committed crimes before the signing of the Belfast agreement? Will he confirm that one of the most notorious terrorists, Michael Stone, will be released this Friday? Will he also confirm that there has, as yet, been no decommissioning of illegally held arms and explosives—not one gun, nor one ounce of Semtex?

Mr. Mandelson: The right hon. Gentleman is right about the forthcoming prisoner releases, but I should emphasise that they depend on the maintenance by the organisations to which the prisoners belong of the ceasefires to which they are committed. Evidence of the involvement or engagement of any paramilitary group now on ceasefire in violent or terrorist activity would, of course, have a direct impact on my assessment of their ceasefire and potentially on further prisoner releases. I should point out that all the prisoners due to be released will be released on licence, which provides a mechanism to return them to prison, if necessary—an important point that both the House and the prisoners should bear in mind.

Mr. MacKay: The Secretary of State will recall that the Prime Minister, rightly, referred to a parallel process when he was persuading the people of Northern Ireland to vote yes in the referendum. However, the process is not parallel when terrorist prisoners are given early release but no decommissioning takes place. At this late hour, I plead with the right hon. Gentleman, on behalf of the great majority of people in Northern Ireland and on the mainland, not to release the remaining terrorist prisoners until, at the very least, all the paramilitary groups that signed up to the Belfast agreement have opened their arms dumps to international inspection and decommissioning starts to proceed.

Mr. Mandelson: I shall not introduce that fresh condition at this stage, as I do not think that it would be a constructive step in the peace process. However, I remind the right hon. Gentleman that the Provisional IRA has undertaken its confidence-building measure, which is the first step in a process that the IRA itself says will end in the complete and verifiable putting beyond use of its weapons; in addition, contact has been resumed between the IRA and the decommissioning body. Those are welcome and important confidence-building moves. I should like to see other measures undertaken on the same basis by loyalist paramilitary organisations, and I take this opportunity to urge them to do so.

Mr. Kevin McNamara (Hull, North): My right hon. Friend will recall that among the confidence-building measures was the Patten report and the new Police (Northern Ireland) Bill. In his speech at Coleraine yesterday, he said that he had introduced 66 changes into the Bill at the behest of the nationalists. At best, those changes only partially restore the Patten provisions, and in only one or two instances do they fulfil the provisions of Patten. Will he give an undertaking that, when the Lords consider the Bill, Patten will be restored to the Bill in full, and that there will be no more withdrawing or alteration of Government amendments at the behest of the Unionists?

Mr. Mandelson: I strongly contend that the original Bill reflected entirely and faithfully the Patten commission recommendations. In addition, the improvements and changes that have since been made to the Bill have strengthened it. I did not make a speech in Coleraine yesterday—*[Interruption.]* I did not leak a memo either; however, I did make the point that we need to make a distinction between those parts of the Bill that can and have been, quite legitimately, improved and those claims made by a minority who deliberately misrepresent the Bill's contents. I shall continue to refute those false claims about the Bill, just as I shall continue to consider constructively amendments proposed to improve the Bill's contents.

Weapons

2. **Mr. William Ross** (East Londonderry): How many weapons believed to be held by terrorist organisations have been recovered by the RUC and the Army in Northern Ireland this year. [129860]

The Secretary of State for Northern Ireland (Mr. Peter Mandelson): During the period 1 January to 30 June this year, the RUC and the Army recovered 64 firearms, 6,085 rounds of ammunition, 247.1 kg of explosives, 34 detonators and four launchers. It is not possible to attribute those finds to individual terrorist groupings.

Mr. Ross: Does the right hon. Gentleman appreciate that we on these Benches—*[Interruption.]*

Madam Speaker: Order. I cannot hear Mr. Ross and I have the impression that the Secretary of State cannot either, because conversations in the Chamber are very noisy.

Mr. Ross: Does the Secretary of State appreciate that we on these Benches agree entirely with the remarks by the right hon. Member for Bracknell (Mr. MacKay)? Does he also appreciate that not a single round of ammunition or weapon that he has just detailed was given up voluntarily, but that they all had to be recovered from the terrorists, who were unwilling to give them up? Has the Secretary of State yet been able to determine whether the recent murders of Mr. Cairns and Mr. McCoy and the bomb set off in Stewartstown were carried out by dissident or mainstream terrorist organisations? If mainstream, would that not constitute a breaking of the ceasefire, or does that apply only to murders of members of the security forces?

Mr. Mandelson: If that is the case, the hon. Gentleman is right. Let me take the opportunity to make it absolutely clear that if I receive any assessment based on evidence collected by the RUC that any individual has been involved in perpetrating such offences, I shall expect swift action to be taken against that individual. If that has implications, through that individual's membership of a paramilitary organisation, for the maintenance of that organisation's ceasefire, I shall take them into account when considering further prisoner releases.

Mr. John McFall (Dumbarton): My right hon. Friend will be aware of yesterday's hugely successful reception held in the Palace by the RUC, which was attended by Sir Ronnie Flanagan himself. In the light of the passage of the Police (Northern Ireland) Bill, will he ensure that Catholic recruits are taken into the RUC and that we have representation at all senior levels in future? Will he state what discussions he is holding and what measures he is implementing to ensure that that becomes a reality?

Mr. Mandelson: The whole House will join my hon. Friend in applauding the performance of the RUC in the past couple of weeks. More generally, I believe that the police response to events surrounding Drumcree was measured and proportionate, but no less firm for all that, and that they acted entirely professionally. If we were not serious about creating a fresh start for policing, we would not be introducing a 50:50 selection procedure to achieve an intake to the new police service that is balanced between Protestants and Catholics. We shall operate that system not only for three years or 10 years, but for however long it takes to achieve the properly representative police service that Northern Ireland needs if its police service is to be even more effective in future.

Mr. Robert McCartney (North Down): With reference to the important issue raised by the hon. Member for South Down (Mr. McGrady) on the extension of mafia-like activities in drugs, extortion and other criminal acts, the Secretary of State has confirmed the widespread involvement of paramilitaries on both sides. Can he confirm that the paramilitaries involved are largely the good terrorists who support the peace process, not the wicked, dissident terrorists who are allegedly disrupting London?

Mr. Mandelson: Unlike the hon. and learned Gentleman, I do not distinguish between good terrorists and bad terrorists. To me, all terrorists are bad and equally unacceptable. If there is any evidence that will bring them, individually or collectively, to book, it will be acted on decisively.

Mr. John M. Taylor (Solihull): In that spirit, while it is true that the IRA has opened some arms dumps to the

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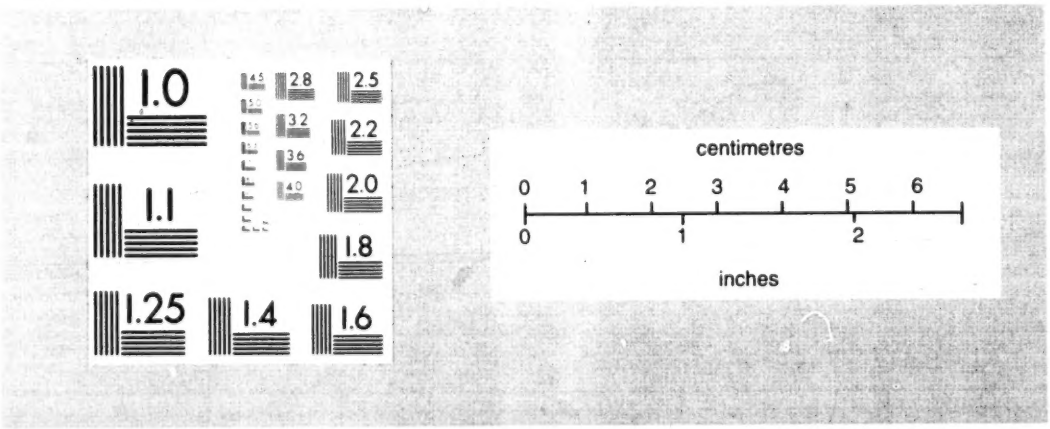

international inspectors, is it not regrettable that other paramilitaries have made no such progress? What pressure is the Secretary of State exerting on that point?

Mr. Mandelson: It is highly regrettable that the loyalist paramilitaries, who, in a sense, got off to a good start—better than that of the Provisional IRA—have now fallen behind on the efforts required to bring about a complete decommissioning of all weapons held by all paramilitary organisations in Northern Ireland. Their own side of the community—the people for whom they purport to speak and represent—stand to gain just as much as anyone else from a peaceful, demilitarised society in which violence and terrorism have been put behind then once and for all. I hope that those organisations will begin to make their contribution to the complete decommissioning that the people of Northern Ireland expect and demand.

Crime Statistics

3. **Mrs. Eleanor Laing** (Epping Forest): If he will make a statement on the current levels of recorded crime in Northern Ireland. [129862]

The Secretary of State for Northern Ireland (Mr. Peter Mandelson): I apologise for the absence of my junior Minister, who is caught on a train somewhere in south London.

The number of recorded crimes for the period April 1999 to March 2000 has increased by 9.2 per cent. against the same period in 1998–99. More than 60 per cent. of the overall rise was accounted for by increases in two crime classes—offences against the person, which went up 16.2 per cent., and criminal damage offences, which rose 12.8 per cent. The number of offences cleared by the police in 1999–2000 was 13.8 per cent. higher than in 1998–99. There was also a rise in the overall clearance rate from 29 per cent. to 30.2 per cent.

Mrs. Laing: While those figures are in some ways worrying, they are also relatively good in comparison with those for some other parts of the United Kingdom. That is a great credit to the RUC, and the Secretary of State was right to praise the force a few moments ago. Does he agree, however, that a worrying fact is concealed behind the statistics in that a great many punishment beatings and mutilations are not recorded crimes because their victims are too afraid to report them?

Mr. Mandelson: The hon. Lady makes a good point. While comparisons are not straightforward, it is clear that the overall crime rate in Northern Ireland is lower than that in other parts of the UK with comparable population sizes. Paramilitary attacks are entirely the opposite of what the Good Friday agreement was all about. I call on all those who have information to co-operate with the police in order to stop those attacks in future. I call on those with influence over paramilitary groups to call a complete and immediate cessation to those barbaric acts.

Dr. Nick Palmer (Broxtowe): As a member of the Select Committee on Northern Ireland Affairs, I visited Drumcree and spoke with the police who held the line. Will my right hon. Friend join me in congratulating the police on keeping the situation within acceptable boundaries this year and on their record in combating disorder and crime in Northern Ireland? Does he agree that once the Police (Northern Ireland) Bill has been enacted, the time will have come to stop looking backwards and quibbling over every detail so that we can work together to ensure that the police have a chance to beat terrorism and crime in Northern Ireland?

Mr. Mandelson: The whole House will agree with my hon. Friend's sentiments. Everyone should look to the future and towards creating the fresh start in policing for which a consensus exists. The events in Drumcree showed that bullies do not get their way in Northern Ireland and that physical force confrontation—by loyalism or republicanism—does not succeed any more in mobilising the mass of people in Northern Ireland. That is a tribute to the peace process and to the strength and durability of the Good Friday agreement.

Rev. Martin Smyth (Belfast, South): I join those who have congratulated the RUC on its work. Is the Secretary of State aware that the force is under tremendous pressure, not only in dealing with terrorist activity but because of the shortage of funds that leaves many stations not properly manned? Is failure to report republican parades a recorded crime? That is happening, and people are concerned that the law is not being applied impartially.

Mr. Mandelson: The RUC is fairly and even-handedly applying the law to all groups in both traditions in Northern Ireland. It has the resources and manning to do so, and, under the present Government, I can assure the hon. Gentleman that it will continue to have all the resources, skills and training that it needs to do its job effectively in Northern Ireland in whatever circumstance and in the face of whatever challenge to law and order from whatever source it comes.

Madam Speaker: Order. Time is up, and I appeal to the House to settle down. There is a lot of noise and loud conversation. Ministers are finding it difficult to make themselves heard.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [129889] **Mr. Simon Hughes** (Southwark, North and Bermondsey): If he will list his official engagements for Wednesday 19 July.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Hughes: Is it not now completely true that the Labour Government are out of touch with gut British instincts? They were elected on a promise to make sure that pensioners

share fairly in the increasing prosperity of the nation

but they have announced a public expenditure package of £43 billion in which pensioners do not receive a single penny.

The Prime Minister: Let me remind the hon. Gentleman that the Liberal Democrats' commitment was to raise pensions in line with prices, not earnings. Secondly, they asked us to help the poorest pensioners first, and the minimum income guarantee has raised the pension for the poorest—

Mr. Hughes *indicated assent.*

The Prime Minister: The hon. Gentleman says that that is right, but he has just been telling me it was all wrong. We have raised the pension for the poorest people by between £15 and £20 a week, and £6.5 billion has been spent in total. The extra money that we are putting into schools and hospitals is vastly in excess of anything that the Liberal Democrats ever asked for.

Mr. Ian Cawsey (Brigg and Goole): Last Friday's announcement that Corus would make 600 steelworkers redundant at its Scunthorpe works will bring the number of workers there below 4,000. In 1979, there were more than 20,000 steelworkers there. Will my right hon. Friend assure us that his Government will give every aid and assistance to the local taskforce that has been formed to ensure that there are new jobs and opportunities for the area? Is he aware that last night my local newspaper, the *Scunthorpe Evening Telegraph*—*[Interruption.]* Wait for it. Last night, the paper stated that the biggest hypocrite on job losses was the Leader of the Opposition, for trying to make political capital out of job losses in an industry largely destroyed by the Tories.

The Prime Minister: We will of course work closely with my hon. Friend's constituents to do all we can to protect them following that announcement. We will work hard to see that there are additional jobs, but people should know not only that the Conservative party decimated the industry but that it is now pledged to public spending cuts of £16 billion, which would devastate my hon. Friend's constituency and those of hon. Members throughout the House.

Mr. William Hague (Richmond, Yorks): Two years ago, the Government announced spending of £21 billion, which they said would transform the national health service. Since then, the waiting list for the waiting list has grown by 150,000 and we have learned that there were fewer heart bypass operations last year than for 25 years. Is it not a disgrace that the Prime Minister is commissioning memos ludicrously entitled "Getting the Right Place In History"—even Napoleon did not commission a memo on that subject—when many people are struggling to get the right place in hospital, thanks to the incompetence of his Administration? Was not the adviser who wrote

> TB has not delivered. He said he would improve the NHS . . . but instead things have got worse

absolutely spot on?

The Prime Minister: I thought that the right hon. Gentleman might want to talk about the memo rather than yesterday's spending review. Let me tell him what the first comprehensive spending review delivered for the health service—38 new hospital developments are under way, more than 6,000 more qualified nurses, 5,000 more doctors and every accident and emergency department modernised. Now let him tell us what £16 billion of spending cuts would deliver.

Mr. Hague: Does the Prime Minister not understand that he has talked about tens of billions of pounds for years, but things have got worse? As the same adviser told him:

> We have not proved strong enough . . . to get enough done.

[Interruption.] There is no point in people not wanting to listen to that advice, as the Prime Minister paid out thousands of pounds of the Labour party's money to get it. Some of us read it for 30p in *The Sun*.

We shall set out our own plans on public spending, which will include—*[Interruption.]* They do not want to hear.

Madam Speaker: Order. There are a lot of noisy people.

Mr. Hague: We shall set out our own plans on public spending—to spend what the nation can afford. They will include the reform of the welfare state, from which the Prime Minister ran away so pitifully. If he thinks that he is going to spend £16 billion more than a Conservative Government would, he had better work out which £16 billion of additional tax rises he will levy on the people of this country.

The Prime Minister said that he would be tough on crime, and promised 5,000 additional police officers. Police numbers have now fallen, thousands of criminals have been released early, and violent crime is up 16 per cent. Was it not the Prime Minister's trusted adviser who said—*[Interruption.]* We can read more of it. Was not the trusted adviser who said that "TB" and his Government were "soft on crime" absolutely spot on?

The Prime Minister: The right hon. Gentleman said that he would publish his plan for spending cuts, but I can tell him that the Conservative research department has already published it this morning. The document says that the revenue gap will be £16 billion, and helpfully sets out where the cuts will fall, region by region. For the north-west, there will be cuts of £1.7 billion; for Yorkshire and Humberside, £1.2 billion; for the midlands, £2 billion; for London, £1.8 billion. We know where the right hon. Gentleman's spending cuts will fall, and every Conservative Member of Parliament will have to answer for that.

The right hon. Gentleman said that surely the Government's spending plans would mean that taxes would have to go up. Conservative Members are all nodding, so I shall read out what the shadow Chancellor said the day after the Budget:

> the Red Book which is the document that accompanies the Budget . . . shows that the Government expects the tax burden to fall during the next parliament, which is exactly what we expect.

Because we have run the economy well, and have got debt and unemployment down, we can afford that spending. Let us have some more details of that £16 billion of cuts.

Mr. Hague: The Prime Minister is the man who said that he had no plans to increase tax at all. Since he said that, people have paid more tax on their petrol, pensions, marriages and mortgages. When the Prime Minister came into office, the poorest fifth of households paid 37 per cent. of their income in tax. Will he give the latest figure from the Office for National Statistics for the poorest fifth of households?

The Prime Minister: I can tell the right hon. Gentleman about the tax burden, as it is set out very clearly. The tax burden is actually falling this year, and is due to fall next year. However, it is correct to say that for the first two years, we took the measures necessary to get rid of the deficit. As a result, we have the lowest inflation in Europe, and interest rates at 6 per cent, not 10 per cent. as they were under the right hon. Gentleman's Government.

As for petrol, it is no use the right hon. Gentleman going round promising that he will cut people's petrol duty. Let me quote his shadow Chancellor again, from Frost on Sunday:

Frost: Would you reduce the tax on petrol definitely, would you give a guarantee on that?

Portillo: Well . . . I . . . I'm not getting into the business of guarantees.

Hon. Members: More, more.

Mr. Hague: There is a lot more. They are welcome to a lot more. I was asking the Prime Minister about the poorest fifth of households in this country and how much they pay in tax. The answer is that their tax has gone up from 37 per cent. of their income to 40 per cent., because under this Prime Minister, tax rises are for the many and not the few. He is the Prime Minister who said that there would be no tax increases at all. Does he accept the truth when the adviser who wrote to him—who has written to him a lot in recent weeks—tells him that he has been

undermined by a combination of spin, lack of conviction and . . . lack of integrity?

When it comes to tax, is that not absolutely spot on?

The Prime Minister: I wonder what the right hon. Gentleman's adviser is saying to him about his tax guarantee. To return to what he was saying about spending and tax—as a result of the commitments that we have given, the tax burden is falling, as I have said. I accept that we have made a choice to put investment into schools, transport, the police and the health service because we believe that that is the right priority for the country. The dividing line at the election is now clear: it is between a party willing to invest in our public services, and £16 billion of cuts under the right hon. Gentleman.

Mr. Hague: Madam Speaker,

The level of public spending is no longer the best measure of the effectiveness of government

Those are the words of the Labour party manifesto, and this Government have now produced higher crime, larger class sizes and longer waiting lists in the national health service. Is not the truth that they have no plans to deliver, only new initiatives to spin?

Can anyone think of anything more pathetic than a Prime Minister so short of ideas after three failed years in office that he sends a memo round Whitehall asking for "eye-catching initiatives"? He begs for "something tough" that

I, personally, should be associated with.

People who got their place in history did not send round memos asking for eye-catching initiatives. Winston Churchill did not ask for blood, sweat and eye-catching initiatives. Was not the person who wrote

all these things add up to a sense that the Government . . . are . . . out of touch with . . . British instincts

absolutely spot on?

The Prime Minister: Apart from the points that the right hon. Gentleman made on the health service, education and crime, he says that he wants waiting lists to go down even further. Well of course, but that requires investment. He said that he wanted police numbers to start rising again. I agree, and that is exactly what we will bring about, but it needs investment. He said that there should be a reduction not only in class sizes for five, six and seven-year-olds, which we have reduced, but in other class sizes. We agree, but that requires investment. The right hon. Gentleman does not seem to realise that we are putting in the investment, and he has pledged to cut it.

The right hon. Gentleman talks about how he will run a more prudent economic policy, but I point out to him—this is another item of policy, so he will not be aware of it—that his shadow Chancellor has not merely given a commitment to £16 billion of cuts; he has made spending commitments. Here they are: £1 billion on private medical insurance—[Hon. Members: "Ah!"]—the reintroduction of the assisted places scheme—[Hon. Members: "Ah!"]—more money for the Territorial Army—[Hon. Members: "Ah!"]—detaining all asylum seekers; giving them back their benefits; more money for farmers; more money for tobacco tax; more money on prisons; and Finance Bill amendments that total—[Hon. Members: "They are all saying yes."]—Well, it is such a large sum of money. Their amendments to the Finance Bill total £4.5 billion. Not only can the Leader of the Opposition not tell us where his spending cuts will fall, he cannot even finance the spending commitments he has made.

Mr. Hague: No one any longer believes the Prime Minister's fiction about the Government's figures, let alone his fiction about the Opposition's figures. He need not be concerned about whether he is personally associated with eye-catching initiatives. As crime rises, he is personally associated with it. As the national health service deteriorates, he is personally associated with it. As taxes have risen, he is personally associated with that. As the Government drift, he is personally associated with that. Does he not realise that he does not need to write memos about getting his place in history, because we, and the British people, will make him part of our history far sooner than he ever expected?

The Prime Minister: The right hon. Gentleman said that we were making up the figures about his spending

cuts pledge. He said that those figures were made up, but they are not. The Conservative research department has shown spending cuts of £16 billion.

The right hon. Gentleman is right. Of course I am personally associated with all the spending in the review: the extra money on schools, the extra money on hospitals, the extra money on transport, the extra money on defence, the extra money on all those services we need to provide a stable, prosperous future for our country. What is the right hon. Gentleman personally associated with? [HON. MEMBERS: "Cuts."] The Leader of the Opposition is personally associated with what his shadow Chancellor has done—it is the nearest to political hara-kiri that I have ever seen in an Opposition leader. His shadow Chancellor has committed the right hon. Gentleman and his party to £16 billion of cuts. From now until election day they will pay the price, and then they will pay it finally.

Mr. John Home Robertson (East Lothian): Following the Chancellor's announcement yesterday, and in view of the fact that unemployment in Scottish constituencies such as mine has been almost halved since the general election—in accordance with our promises—does my right hon. Friend agree that the hon. Member for Banff and Buchan (Mr. Salmond) was wise to decide to throw in the towel as the leader of the Scottish National party?

The Prime Minister: I do not think that I should comment on the decision of the hon. Member for Banff and Buchan to stand down. My hon. Friend will be aware, however, that the Conservative party wants cuts of £1.4 billion for Scotland. I am sure that will be of enormous assistance to my hon. Friend and his colleagues when they fight the next election.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): Will the Prime Minister confirm that yesterday's statement by the Chancellor finally brings to an end 21 years of Conservative spending? As the Labour Government stuck to the Tory spending limits during the first three years of this Parliament, will he give us the official figures for the number of operations cancelled, the number of police positions lost, and the number of pensioners who dipped into comparative poverty, during that period?

The Prime Minister: It is correct that we had two tough years on public spending. Let me explain why. We faced a situation in which national debt had doubled; there was a borrowing requirement of £28 billion, and we were paying out more in interest payments on the debt than we were spending on the school system. The right hon. Gentleman will remember that 18 months ago, many people were predicting recession.

It was important for us to stabilise the economy first. We have done that; we have cleared the deficit and got public finances under control. Secondly, we had to make sure that we got people off benefit and into work—there are almost a million fewer benefit claimants now. Thirdly, we have to make that investment. We made it only when we had got the public finances sorted out, because, in all honesty to people, that is the only way that is sustainable.

Mr. Kennedy: Would it not be fair of the Prime Minister—these are the official House figures—to confirm that the price paid over that period has been 179,000 operations cancelled, 1,700 fewer police officers and 400,000 pensioners who have dipped into poverty? When he puts those figures in that context, will the Prime Minister tell the House and the people who voted for him last time that this has been, to coin a phrase, a price well worth paying?

The Prime Minister: No. May I correct the right hon. Gentleman on the subject of pensioners, which I think that he or one of his colleagues raised last week? Those figures refer to the period before the minimum income guarantee, which will make a big difference to pensioner poverty, came into effect. Even in the straitened economic circumstances of the first two years, we put more money into schools and hospitals than the Liberal Democrats promised in their election manifesto.

We had to decide what the key priorities of the country were. It was no use spending money unless we had sorted out the public finances and the economy on a sustainable basis. As a result we have a healthy economy, we have strong public finances and we have large numbers of people off benefit and into work—something that the new deal has helped enormously, incidentally, and the Liberal Democrats opposed the windfall levy that paid for it.

Now what is important is to make the investment in education, skills, technology, science and transport that will increase the productive capacity of the economy, and then increase investment in law and order and health care, which increase people's security. Those are the right priorities for the country.

Ms Bridget Prentice (Lewisham, East): Which does my right hon. Friend think will be of more interest to my constituents—a two-month-old leaked memo, or the £60,000 for each of the secondary schools in my constituency?

The Prime Minister: Of course we know why the Conservatives want to talk about that. However, what we should talk about is the clear strategic decisions that have been taken by both political parties over the past two weeks—for us, to put investment in our future first; for the Conservatives, to put boom and bust, and spending cuts guaranteed, before our essential services.

Q2. [129890] **Sir Archie Hamilton** (Epsom and Ewell): The television documentary on Saturday night showed that Alastair Campbell is at the heart of the spin machine for the Labour party. Can it be right that he goes on getting a £96,000 salary, paid for by the taxpayer? When I last asked the Prime Minister about Mr. Alastair Campbell's salary, he answered a totally different question about spin doctors. Will he this time answer the question that he has been asked, not one that he has not been asked?

The Prime Minister: I am entirely satisfied with the job that my chief press spokesman is doing—*[Interruption.]* Once again, the Conservatives are delighted to ask about anything other than the comprehensive spending review. Let me remind the right hon. Gentleman of what he said before the election, in April 1997. He said that by

embracing the minimum wage and the social chapter, the Labour party would increase unemployment and cut child benefit. *[Interruption.]*

Madam Speaker: Order. Mr. Townend, you are bursting a blood vessel.

The Prime Minister: We will see how many of the Conservative questions are about the spending review. What the right hon. Gentleman will have to explain at the next election is where he will find £24 million of spending cuts.

Q3. [129891] **Mr. Jim Cunningham** (Coventry, South): Does my right hon. Friend agree that now that the new deal has been made permanent, it will benefit the unemployed and, more importantly, it will benefit young people? Will he congratulate the 434 young people in my constituency who have benefited from the new deal? Does he also agree that if Conservative Members ever got back into power, they would wreck the new deal?

The Prime Minister: Of course Conservative Members are committed to scrapping the new deal. The new deal has been of fundamental importance, not just in getting people off benefit and into work, but because it has resulted in some of the £3.5 billion savings on benefits. My hon. Friend is absolutely right—the Conservative party would scrap the new deal, and many of the cuts that it would then impose on the schools, transport and health budgets as a result of its spending cuts guarantee would also have a deeply adverse effect on my hon. Friend's constituents.

Mr. Laurence Robertson (Tewkesbury): I shall ask a question about the comprehensive spending review. Will the Prime Minister tell my constituents not how much extra money will go into health and education, but how it will address the postcode lottery and bring about a fairer funding formula for education—both areas in which my constituents in Tewkesbury are disadvantaged?

The Prime Minister: I am delighted to tell the hon. Gentleman that as a result of the extra money going into the health service, and in accordance with the advice tendered to us by the National Institute for Clinical Excellence, we are able to fund drugs better in the health service. It is our desire to use that money to get rid of the postcode lottery.

I shall of course tell the hon. Gentleman exactly what the rest of the spending will do in his constituency: it will help to get more doctors and nurses, and it will help to do other things, such as rebuild the accident and emergency departments if they need refurbishing. It will help to bring new information technology into the national health service. It will also help to get waiting lists and waiting times down, but I am afraid that at the next general election, he will have to explain to his constituents why there should be £24 million of cuts. I understand that he wants more money for his constituency, but the tragedy for him is that we shall provide it, whereas his party would cut it.

Q4. [129892] **Mr. Andrew Dismore** (Hendon): In Barnet the police are very overstretched because of the sheer size of the geographical area that they have to cover—33 square miles, with 20 shopping centres. That is not unusual for outer London. Will my right hon. Friend confirm that as the result of the very welcome announcement yesterday, the resources will be devoted to the police service in outer London to enable it to tackle the real problems of violent crime and vandalism, which cause such fear in our communities?

The Prime Minister: As a result of the announcement that was made yesterday, of course there will be more money for front-line policing, and my right hon. Friend the Home Secretary will make an announcement about that shortly. That is very important. I understand that there are two prospective Conservative candidates in my hon. Friend's constituency, because one was too extreme to be allowed to stand by Conservative central office, so my hon. Friend will be in the happy position of being able to ask one or both of them where they will find the £24 million of cuts.

Miss Anne McIntosh (Vale of York): Is the Prime Minister aware that in Vale of York the price of unleaded petrol has reached 96.9 pence a litre, which is more than £4 a gallon? Is he proud of the fact that he has increased petrol prices by 3.3 per cent. in line with inflation, but pensions by only 1.1 per cent.? Does he want pensioners to receive the message that petrol prices will go up, and they will have less money to pay for it?

The Prime Minister: In answer to the Leader of the Opposition, I have said that in fact, the system that we use to calculate pensioners' increases is precisely the one that has been used for many years. In respect of petrol prices, as I have said at the Dispatch Box in the last year, the bulk of the increase has been due to the rise in the oil price—but I accept that in the first two years, we took the necessary action through the fuel duty escalator, which was introduced by the previous Government, to cut the deficit. A moment ago I read out what the shadow Chancellor said. The hon. Lady can sympathise with her constituents, but the fact is that she is not pledged to cut a single penny of the duty on petrol. It is important to recognise that there are choices, and we believe that it is sensible to have a stable economy and to invest in public services.

Q5. [129893] **Mr. Russell Brown** (Dumfries): In April I raised the issue of the long-term care of the elderly with my right hon. Friend. According to the Chancellor, we are likely to hear good news next week about additional finances for that. Can my right hon. Friend assure me that those additional finances will be sustained over a good number of years, thereby alleviating the hardship that many elderly people feel when receiving care in their own homes, or in residential or nursing care?

The Prime Minister: We will, of course, ensure that that is sustainable, if we have the authority to do so as the elected Government over the next few years. I do not want to prejudge the announcement that will be made next week, but it is important that we ensure that the issues of long-term care that were raised by the royal commission, which we set up, are properly dealt with. Again, we know that the Conservative party would cut the very money that we shall put into that.

Mr. John Hayes (South Holland and The Deepings): Will the Prime Minister give a straightforward, concise

and reasonably cogent answer—*[Laughter.]* Yes, I know that that last requirement will not be easy—to the question posed by my right hon. Friend the Member for Epsom and Ewell (Sir A. Hamilton)? Let me repeat that question, because clearly he did not hear it the first time: as Mr. Alastair Campbell will clearly play a central part in Labour's election strategy—*[Interruption.]*

Madam Speaker: Order. Government Members should listen to the question. *[Interruption.]* Order. Listen to the question, and listen to the answer.

Mr. Hayes: As a recent television documentary revealed that Mr. Alastair Campbell is to play a central role in the Labour party's election strategy, should he receive a salary of almost £100,000 funded by the taxpayer?

The Prime Minister: As I have just said to the right hon. Member for Epsom and Ewell (Sir A. Hamilton), I am entirely satisfied with the work that Alastair Campbell is doing and with the fact that it is entirely proper, and entirely within the rules that are set out, that he does that work. Again, although the hon. Gentleman may think that the big issue in his constituency at the next election will be Alastair Campbell, I can tell him that it will be £24 million of cuts.

SPEAKER'S STATEMENT

Madam Speaker: I have to tell the House that yesterday, together with other right hon. Members, I attended upon Her Majesty Queen Elizabeth the Queen Mother to deliver the House's message of congratulation on her 100th birthday. Her Majesty made the following reply:

I was deeply touched by your message of congratulation and by the sentiments you expressed on the occasion of my 100th birthday.

I feel fortunate that during the last century I have been given the opportunity to serve our country in times of war and peace, and I have always been helped and uplifted by the love of my family, by the fortitude and courage of our people, and by my faith in almighty God.

I pray that future generations will live in peace and prosperity, and I send to you all my heartfelt thanks for your kind message on my birthday.

Police and Criminal Justice Spending Review

3.32 pm

The Secretary of State for the Home Department (Mr. Jack Straw): With permission, Madam Speaker, I should like to make a statement about increased spending for the police and the criminal justice system for 2001–04, following the statement by my right hon. Friend the Chancellor of the Exchequer yesterday.

The Government's strategy for fighting crime is comprehensive and long term. The current programme for that was spelt out in a document laid before the House last November. Our strategy seeks to prevent criminal behaviour, as well as to raise the performance of the criminal justice system, better to detect, to catch and to punish those responsible for crime and disorder. The spending review will reinforce that strategy.

First, the police. The police are at the sharp end of the fight against crime and disorder, but, like others in public service, they have operated under tight financial constraints in the first years of this Government. For the first two years in office, we kept to the spending plans set for the police by the previous Administration. Following the comprehensive spending review published two years ago, I announced in December 1998 a small real-terms increase for 1999-2002 of about 2 per cent. in total. None the less, pressures on police budgets have continued, not least from the cost of pensions, which is now estimated to take 14.5 per cent. of total budgets compared with just half that—7.2 per cent.—10 years ago.

Despite those pressures, I am glad to tell the House that the police service has embraced reform over the past three years, with a commitment to a clear performance culture. Major strides have been made in cutting unnecessary bureaucracy to meet 2 per cent. efficiency targets; in reducing unacceptably high sickness and early retirement rates; in setting challenging performance targets; and in publishing detailed information about crime trends at basic command unit and crime and disorder partnership level so that the service and the public can better compare police performance in their areas.

As we know from the experience of the 1980s, without reforms of that kind, increased police funding is no guarantee of improved performance. However, increased resources properly targeted and managed can unquestionably help to secure significant improvements in the fight against crime. I am therefore pleased to announce today major investment in policing in England and Wales.

For the police, spending in cash terms will rise by more than 20 per cent. between this year and 2003–04. The settlement will see an increase of over 10 per cent. in cash for next year alone against the current provision for 2000–01, which itself has been raised by £90 million over the original 1998 comprehensive spending review plan. The allocation will therefore rise from £7.7 billion for this year to £8.5 billion next year; £9 billion in 2002–03; and £9.3 billion in the final year of the settlement.

Much of that increase will be allocated direct to police forces through the police grant and SSA for them to spend as best fits their local needs. I am, however, targeting investment on two key areas to boost front-line policing, by raising police numbers and by enhancing police equipment and new technology.

As the House knows, the downward trend in police officer numbers, which began in 1992-93, has regrettably continued under the present Administration. I have today answered a parliamentary question from the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) showing that officer numbers in the last year have fallen by 1,678, to a total of 124,418 for the 43 forces in England and Wales. Civilian numbers in the last year have shown a small rise to 53,227.

To reverse that trend of falling police numbers from 1992-93, I announced last September that there would be new money for this financial year from the crimefighting fund to provide 5,000 additional recruits over and above forces' existing plans. The Chancellor of the Exchequer's Budget in March ensured that that recruitment could be accelerated from three years to two, starting this April. Today, I am able to announce funding for a further 4,000 recruits over and above those already planned, taking the total to an additional 9,000 recruits by 2003-04.

Following changes made in the law by the previous Administration in 1994, the Home Office since then has had no direct legal control over police numbers, so predicting future numbers is very difficult, but the investment that I have announced today, alongside the investment announced earlier in this and the last financial year by the Chancellor, provides the funding to enable chief constables to raise officer numbers to record levels by the end of the settlement period. That significant boost for police recruitment will also help the service to achieve the targets that I have set the police forces to improve the recruitment and retention of more black and Asian officers.

As I have already told the House, in the Metropolitan and City police areas, which have both suffered particular recruitment problems, a £3,329 increase in the London allowance for new recruits and for those who joined after 1994 was brought into force on 1 July this year. However, if we are to get the best from our police officers, as well as funding more police officers, we must ensure that they are properly equipped with the most up-to-date technology.

A key part of that drive is to provide the police with more reliable, better-quality radio and data communications. The new public safety radio communications system—PSRCS—given the go-ahead by me in December, will give officers in rural and urban areas alike fast secure digital communications and access to local and national databases, saving them time and improving their safety. As a national system, it will also provide effective communications between individual forces.

Funding for the new system for this financial year from the capital modernisation fund was announced last September, but I accept that the service needs reassurance about the medium-term funding for that system as well. I am therefore glad to tell the House that the Government are making provision to meet the costs of the new PSRCS. That will amount to around £500 million over the three years of the settlement.

In addition to meeting the core costs of the system, which will be paid centrally by the Home Office, this funding will provide for expenditure by police forces on local service requirements, known as menu costs, and installation and equipment costs. I know that the service will accept that, as a result of this investment in the police, the public will expect improved outputs.

Research evidence and our own common sense tell us that increasing the likelihood of bringing criminals to justice is key to reducing offending and reoffending. However, in the 1980s and early 1990s the number of offenders convicted fell by a third, while crime doubled.

We are determined to improve detection, especially of serious and of persistent offenders. An important new target for the whole of the criminal justice system, set out in yesterday's White Paper, is therefore to increase the number and proportion of recorded crimes for which an offender is brought to justice. To help achieve this, we are making additional investment in the DNA database, in the number of scenes of crime officers, and in information technology systems, better to link up parts of the criminal justice system.

Our plans also include a substantial investment allowing the Crown Prosecution Service to integrate with its criminal justice system partners and play its full part in improving the performance of the criminal justice system as a whole. Cross-criminal justice system working will be helped by the 2.5 per cent. annual real-terms increases for the courts.

The settlement will also enable us to do more to help victims. It introduces for the first time a joint criminal justice system reserve of £100 million for 2001–02; £200 million for 2002–03; and £225 million for 2003–04. The Lord Chancellor, the Attorney-General and I will together manage this fund. The reserve will provide us with much greater flexibility and will mean that we will be able to respond effectively to new pressures on the system as they arise.

Let me come on to wider issues. A key part of the Crime and Disorder Act 1998 was to establish crime reduction partnerships in every district of England and Wales, to ensure that local authorities and other local agencies worked better to support the police in the fight against crime and disorder. A total of 376 partnerships are now established.

To reinforce the partnerships' work we have, since the 1998 comprehensive spending review, invested significant resources under the Government's crime reduction programme. This includes £150 million on the biggest-ever expansion in closed circuit television; £60 million on securing two million homes in 400 high crime areas to prevent domestic burglary; and £35 million on targeted policing initiatives, including the Cardiff scheme to reduce alcohol-related violence.

This targeted approach has already paid dividends, with domestic burglary across England and Wales down by 24 per cent. since April 1997 to its lowest level for a decade, and a 17 per cent. reduction in vehicle crime over the same period.

Over the coming three years, we will be investing £300 million a year on dedicated programmes to reduce crime, targeting, among other things, vehicle crime, domestic burglary, robbery, and violent crime more generally. This £300 million will also be used to tackle drug abuse and drug-related offending, and to improve the way in which we deal with young offenders.

The youth justice system in place when we took office in May 1997 scarcely deserved that name. It was a shambles, and we are significantly reforming it. We are also delivering on our pledge to halve the time that it takes to deal with persistent young offenders, from the wholly unacceptable 142 days—20 weeks—that we inherited.

[Mr. Jack Straw]

The latest figures show that by March this year, the average time was already down more than seven weeks to 94 days.

As the House is well aware, the approach of other public services has an important influence on levels of crime and disorder. Truancy from schools, substance abuse and poor housing design all affect the environment in which crime breeds. Violent crime imposes great costs on the national health service. All relevant Departments therefore now have crime reduction targets. Extra resources are being provided to support crime reduction initiatives in the main programmes of other Government Departments, especially Health, Education and Employment, and the Environment, Transport and the Regions. However, behind much local crime and disorder is more organised crime—highly sophisticated or high-volume crime being run by a relatively small number of criminals.

In June, I announced the Government's plans to confiscate the assets of such criminals. My right hon. Friend the Chancellor's settlement yesterday provides for the funding of a dedicated national confiscation agency, and £15 million, £18 million and £21 million over the settlement period to pay for that agency.

I turn to prisons and probation. The effective punishment of offenders is a key part of our strategy to reduce crime. We have already implemented minimum sentences for drug dealers, burglars and serious sexual and violent offenders; we have brought in other tough provisions against sex offenders; and, with the Bill currently before Parliament, we are strengthening community punishments.

The settlement of my right hon. Friend the Chancellor yesterday provides for an additional £240 million, £380 million and £470 million for prisons and probation. This will increase capacity, boost the "what works" programme to reduce offending, and support the modernisation of the probation service. A new building programme for the Prison Service and other arrangements will provide 2,660 additional places on top of the 1,400 new prison places that will be brought into place next year.

As the House is aware, the statistics for the latest recorded crime levels for England and Wales showed a 3.8 per cent. increase in the period March last year to March this year. I am the first to accept that more needs to be done to tackle the problems which can undermine our communities and wreck people's lives.

We have put in place a comprehensive strategy to bring sustained, long-term benefits in crime reduction, and to buck the long-term trend in crime.

Overall recorded crime is still 6 per cent. lower today than it was when we came to office. Where the police and others have targeted those crimes which affect people most, we have seen important successes. Our programme announced today lays out arrangements to build on that success.

The major investment that I have outlined will ensure that the police are better funded and better equipped than they have ever been before, and that all sections of the community and all other public services give the police proper support in the fight against crime. I commend the plans to the House.

Miss Ann Widdecombe (Maidstone and The Weald): I think that the reaction of most people listening to that announcement will be that they have heard it all before. Last year, announcing rises in police spending, the Home Secretary said:

> This is a fair settlement which will ensure that the police have the resources they need to fight crime and disorder across England and Wales.

Result? A 4 per cent. increase in crime.

At the Labour party conference, the right hon. Gentleman, amidst a fanfare of trumpets, announced an additional 5,000 police recruits and boasted how he had secured the funding. Result: A drop of 1,600 police over the last year.

The right hon. Gentleman has announced money to help local councils to fund the asylum system. Result? An Audit Commission report painting the picture of an asylum system that is out of control. He has announced money for more immigration officers. Result? Double the backlog. Here we are again today with major announcements. I shall press the right hon. Gentleman for the story behind the latest figures.

The increases for the police, which the right hon. Gentleman has presented rather selectively, are in cash terms. In real terms, will he confirm that they represent 3.8 per cent. over three years? Will he confirm also that that is exactly what the Conservative Government spent on average year on year between 1987 and 1996? Is he not just announcing a return to normal?

How much of the rise that the Home Secretary has announced will be taken up by pensions? He passed over that subject by acknowledging the problem, but he did not say how much of the money will be dedicated to pensions. How much of the money will he spend on salary rises? When he has taken from the money the half a billion that he has just announced for the public safety radio communications project, the extra money needed for pensions and the extra money needed for salary rises, how much will be left over the three years as extra money dedicated to fighting crime?

How much of the planned increased expenditure on asylum is earmarked for planned detention centres in Kent, Bedfordshire, Doncaster and possibly elsewhere? What level of asylum applications is the Home Secretary assuming in his figures? Is he assuming more asylum seekers, the same number of asylum seekers or fewer asylum seekers?

We are well used in this Government to the Chancellor of the Exchequer disagreeing with the Prime Minister and to the Prime Minister disagreeing with the Foreign Secretary, but let me ask the Home Secretary whether he agrees with himself when he said:

> The amount of money you put into the police doesn't necessarily change outputs.

How right he was.

Has the Home Secretary not brought about the present position through a series of measures that have been designed to encourage the criminal rather than the crimefighter? *[Interruption.]* When Labour Members start bellowing, we know that they do not want to hear what is being said.

Is it not the case that the Home Secretary inherited a situation in which the number of constables on the beat was rising, and that he has let their number decline? Has he not decided and put into law a provision to let criminals, including violent criminals and criminals

convicted of homicides, out even before the halfway point of their sentences? Is not the message that he has sent the criminal, "There are fewer people out looking for you. But, even if you're caught, don't worry. You will never have got out so early in your lives"? Is that not the sort of message that militates against every penny that the right hon. Gentleman puts into policing? Is it not true that money is not a substitute for a common-sense approach?

As the Home Secretary announces a real increase that does not differ from the spending that took place for a vast amount of the time that we were in office, is he not embarrassed by the fact that, in his memorandum, the Prime Minister homed in on the failures of the Home Office as a reason for the public holding the Government in contempt? There has been a 26 per cent. rise in robberies, but the Home Secretary told us in his spending announcement last year that the police have enough money to fight crime effectively. There has been a 16 per cent. rise in violent crime, but he told us last year that his new recruits would make a difference. There has been a 4.5 per cent rise in sex crimes, but he lets criminals out early before the end of their sentences.

There are one or two measures in the announcement that we can welcome—if they happen. If it happens, we welcome the investment in the DNA database.

May I press the Home Secretary on his announcement of money for prisons in which he said that some of it—he was not explicit how much—would be devoted towards "what works", that is to say towards constructive prison regimes and the treatment of offenders? Will he accept that much of that money will have to make up for the huge decline that there has been in the purposeful activity that has taken place in prisons under his stewardship? It has fallen from a peak of 26 hours in our last Parliament to 22 hours now, under his stewardship. Overcrowding is rising, suicides are increasing and conditions in our prisons are such that if they had prevailed under us, the Home Secretary would never have stopped talking about them. We have not heard much talk since he came to office.

Will the Home Secretary admit that he is now taking the people's money to clear up the mess created by Labour politicians? Once again, he stands up, announces money and tells us that everything will be all right tomorrow. His promises on crime have as much credibility as Billy Bunter's postal order.

Mr. Straw: First, the shadow Home Secretary tries to trade statistics and compare our record on crime with that of the Conservative Administration of whom she was a member. Frankly, that is one of many unwise escapades on which she is embarked. The simple and indelible truth is that crime under the Conservatives doubled while the number of people convicted fell by a third.

If the right hon. Lady wants to consider the different Administrations under Mrs. Thatcher and the right hon. Member for Huntingdon (Mr. Major), the contrast is even more acute. In the first three years of the Thatcher Administration, crime rose by 21 per cent; in the first three years of the Major Administration, it increased by 42 per cent; in the first three years of this Labour Administration, it has fallen by 6 per cent. [HON. MEMBERS: "Read the memo!"] Hon. Members say that I should read the memo; what I should like to see are the memos that pass between the shadow Home Secretary and the right hon. Member for Kensington and Chelsea (Mr. Portillo), the shadow Chancellor, who has now fled the Chamber.

What the right hon. Member for Maidstone and The Weald (Miss Widdecombe) was forced to say today is completely the reverse of what she said only six weeks ago, when, in answer to a question from Mr. John Humphrys on "On the Record", she said that Conservatives were promising more money on health and education and,

> we are promising more money on law and order.

What is she promising now?

Miss Widdecombe: Finish the quote.

Mr. Straw: If the right hon. Lady wants me to finish the quote, I shall. She said:

> we are promising more money on law and order, but our promises on health and on education and the other things are to honour existing promises on spending, so it's not that much extra.

Is she promising more or not? Earlier in the same interview, the right hon. Lady simply said:

> We will spend more money on law and order.

She then moved on to the next question. Today, she says that money is no substitute for a common-sense approach. Is she now saying that thin air, waffle and what she describes as Conservative common sense are expected to pay for the 9,000 additional officers, the £500 million on the police radio and everything else that we are investing in a 21 per cent. increase in spending on the police in the next three years?

Miss Widdecombe: Where are the recruits?

Mr. Straw: We have always made it absolutely clear that the money that I announced last September would be available to spend this financial year. We expected police numbers to fall in the previous year. That is why we have provided additional funds, and not only allocated but increased the money for the next three years.

The right hon. Lady said that she welcomed some of our spending. She mentioned only two items: the spending on the DNA database and some of the spending on prisons.

We did not hear whether she welcomed the significant 20 per cent. cash increase in spending on the police and whether she and her right hon. Friend the shadow Chancellor intend to match that spending in the very unlikely event of their gaining office. Will they match that spending?

The simple truth—as we learned yesterday from the shadow Chancellor—is that given the Conservatives' commitment to cut £16 billion from my right hon. Friend the Chancellor's promises and given that the shadow Home Secretary has already pledged to increase spending on asylum by £3 billion on detention places and £500 million on the restoration of cash benefits for asylum seekers, there is no way in the world that she could match that spending.

I hope that this will be the last we shall ever hear of the right hon. Lady, or any Opposition Member, complaining about a reduction in police numbers and a lack of investment in the police. What the British public know now—and will remember at the next election—is the appalling record of the Conservatives on crime and

[Mr. Straw]

disorder. During their time in office, crime doubled, while the numbers convicted fell by a third. Our programmes, announced today, will significantly increase spending so as to secure long-term reductions in crime and disorder.

Mr. Alun Michael (Cardiff, South and Penarth): May I welcome the resources announced by my right hon. Friend and his emphasis on the need to target those resources on the real problems? He referred to the Cardiff scheme, which has brought about a cut in violent crime. Does he recognise that that initiative started with a surgeon in an accident and emergency unit and that the key to it was the enthusiasm with which the police, local authorities, people involved in victim support and nurses and doctors worked together to target the problems of violent crime in the area? Will my right hon. Friend encourage others to follow that example? Does he recognise that almost all the increased crime revealed by the figures yesterday is accounted for by three police areas—West Midlands, Thames Valley and the Metropolitan police? Will he work with the heads of those forces to see that the crimes that are responsible for those increases are targeted, particularly in view of the fine record of the current Commissioner of the Metropolitan police on crime reduction?

Mr. Straw: I greatly commend the initiative in Cardiff under the leadership of Professor John Shephard. I am happy to say that, under the crime reduction programme that my right hon. Friend the Member for Cardiff, South and Penarth (Mr. Michael) introduced, we are helping to fund that important new initiative to get violent crime in the Cardiff area down. It is an important example to the rest of the country.

My right hon. Friend referred to the significant variations in performance of otherwise similar police force areas. He is right to say that the increase in crime in the Metropolitan police area, Thames Valley, West Midlands and one other area is more than equivalent to the total increase in recorded crimes during 1999–2000. If one looks at the overall figures, it is striking to notice that, in some of the 18 police force areas—including the police force area of Kent, represented by the shadow Home Secretary—there have been small reductions in crime in the last few years. In Kent, there has been a 24 per cent. reduction in crime, despite that force having a similar level of resources to others.

I recognise the importance of increasing spending, provided it is spent properly. However, I wish to underline to the House the great importance of ensuring that every police district achieves the best and follows the example of the best. I draw the attention of the House to the comparisons that we included at the back of the crime statistics, which assemble the police districts into what are called statistical families so that each hon. Member, and members of the public, can compare police districts. The striking differences between police performance, given similar resources, makes interesting reading.

Mr. Simon Hughes (Southwark, North and Bermondsey): Of course the additional resources will be welcomed by the Liberal Democrats, as they will be by people outside the House. Given the Home Secretary has said that we have lost 1,700 police officers over the past year, and 2,700 since the election, and given that that is 400 below his estimate of the current numbers that we should have had, can he give us the missing figures between now and 2004, when he expects numbers to be at a record level? What are the Government's estimates for the numbers in March 2001, 2002 and 2003?

Secondly, why will the real-terms increase in the police budget over three years be 3.8 per cent., while the average increase in the Home Office budget as a whole is 6.4 per cent? Why will the police receive less than the rest of the Home Office, in relative terms?

Thirdly, let me return to a question that has already been asked. If we take out the cost of the pensions budget and other administration and salary costs, what is the net increase in provision for front-line policing? That is the phrase that the Home Secretary used, and he said that it was a priority.

Fourthly, let me ask a question about prisons. If we take out the additional cost of places and the security required to keep people in them, what additional money will be spent on constructive work programmes or on helping to prevent reoffending by prisoners, either when they are inside or when they have been released?

Fifthly—if the right hon. Gentleman cannot give a full list now, perhaps he will do so later—what changes have been made in targets? The target that he mentioned—to

> increase the number and proportion of recorded crimes

for which offenders are brought to justice—is laudable, but no figure has been set. As the right hon. Gentleman will know, the current figure is only 3 per cent., which is extraordinarily low.

Finally, let me ask about victims, whom the right hon. Gentleman rightly mentioned. He has allocated a sum to the Lord Chancellor. Can he tell us how that money will be spent, and whether it will include more resources for legal aid? Would it be reasonable to conclude that from now on the right hon. Gentleman and his Department will spend less time on soundbites and suggestive gimmicks in dealing with the Government's requirement to be tough on crime, and more time dealing with the underlying causes of crime and developing the long-term strategies which, as the right hon. Gentleman knows, are what the country really needs?

Mr. Straw: The hon. Gentleman has spoilt a series of intelligent questions—more intelligent than what was said from across the Gangway.

Miss Widdecombe: I asked exactly the same questions.

Mr. Straw: The right hon. Lady is twittering that she asked the same questions, but she did not. The one thing she did do was avoid saying whether the Conservatives would match our spending.

There is no point in the hon. Member for Surrey Heath (Mr. Hawkins) shaking his head. The key question between now and 10 pm on election day is "Will the Tories match our spending on the police—and, if so, what other spending will be cut?" *[Interruption.]*

Let me return to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), and answer his questions while I have the necessary information to hand. He asked

me about accredited educational and vocational qualifications. The plan is to provide for 23,400 in 2001–02, rising to 36,200 in 2003–04. That will include an increase in the number of level 2 basic skills awards from 18,000 to 21,000.

The hon. Gentleman asked what the additional funds were likely to provide for victims. They will allow the victim support magistrates courts witness service to be completed in all 430 magistrates courts, and an improvement in specialised support services for both victims and, for example, vulnerable or intimidated witnesses. They will also enable work to take place with victims participating in restorative justice measures, and will provide for recording of pre-trial cross-examination of child witnesses on video and the use of intermediaries to assist children to give evidence in court.

That last point is very important if we are to secure more convictions of sex offenders and paedophiles. One of our main difficulties at present is that of providing a safe and secure environment in which children can give evidence, and ensuring that it is proper evidence for the use of the court.

The hon. Gentleman asked a number of other questions. He asked about police targets, and wanted to know what my announcement today about the number of police in March 2000—it is about 400 below the original projection, which was published late last year—meant for the other projections under the crimefighting fund. It means, broadly, that there will be 400 fewer officers at each point in time. I shall provide additional information on that as soon as we have it.

We have reasonably reliable information for this financial year and for next financial year. However, the hon. Gentleman will understand that, for future years, we are dealing very much with projections, particularly because the police service does not know funding levels for 2003-04. Soon, we shall be consulting with the police service on the method of allocating the crimefighting fund recruits for that year. I shall ensure that the House is made aware of how that money is made available.

The highest previous recorded level of police officers—which was reached, I think, in 1993—was about 128,200. As I explained, we anticipate that, in 2003-04, as a result of the announced substantial additional funding, police officer numbers will increase above that level to the highest ever levels.

The hon. Member for Southwark, North and Bermondsey talked about the real-terms increase in funding—which, as was made clear yesterday, represents an average annual increase of about 3.8 per cent. over the next three years. That is supplemented by the significant increases in the crime reduction programme—which is not directly part of the police budget—and by money that we are allocating to deal with drugs, which is also very important. The 3.8 per cent. increase also has to be seen against a baseline that we have already increased by £19 million, or more than 1 per cent, in the current financial year.

The hon. Gentleman asked about pensions. As for his general point, I am satisfied that the increases of 20 per cent. in cash, with a very substantial boost of 10 per cent. for next year alone, are sufficient to take account of what I call prior charges on police budgets—typically, pensions, pay rises and the police radio system. Those increases will also pay for additional police numbers. The great restraint on those numbers is simply the capacity of the training estate.

Mr. Robin Corbett (Birmingham, Erdington): May I tell my right hon. Friend that people in communities in my constituency are deeply unimpressed by slanging matches on crime between those on the respective Front Benches? They are much more confident about what the Government have done in the Kingstanding area of my constituency, for example, to reduce domestic burglary by about one quarter in the past three years—although none of us takes any satisfaction from the contribution to the overall increase in crime made by villains in the west midlands.

Given that the Home Secretary said that crime rates have fallen in 18 of 43 police areas, what work is being done by either the Home Office or the police service itself to learn lessons from those areas and to identify best practice that can be applied elsewhere? Although it is a little early, can he also say what conclusions he draws from the first year of operation of the community safety partnerships and the good work that they are doing in their areas to respond to community demands on how local police should behave?

Mr. Straw: As to how we use best practice of one force area to raise performance in other areas, huge work is being done—partly in the context of best value, and partly, in the wider context, led by the inspectorate of constabulary—to draw forces' attention to best practice and to get them to apply it.

We shall shortly be publishing the very important report of the inspectorate of constabulary on the performance of basic command units. That report shows that similar basic command units, in similar areas and with similar resources, perform very differently. It is at that level—just as it is at the school or hospital level, where the health and education services are improving performance—that real improvements can be made.

The community safety partnerships, which have been operating for just over one year now, are working well. In those areas where they are working particularly well, district councils, police and other agencies, including the health and education services, are making a major contribution to the reduction in levels of crime and disorder. That is shown, for example, in the increasing use of anti-social behaviour orders. Major reforms in the youth justice system are also helping to drive down offending and re-offending by young offenders.

Mr. Michael Howard (Folkestone and Hythe): Will the Home Secretary acknowledge that in the last four years of the previous Government crime fell by nearly 20 per cent. and the number of police constables increased in every single year? Two months ago, the chairman of the Police Federation told the Home Secretary,

> I have never known greater uncertainty, greater dissatisfaction and a greater sense of despair than exists here and now.

Does the Home Secretary absolve himself from responsibility for that sense of despair?

Mr. Straw: If the right hon. and learned Gentleman looks back at what representatives of the Police Federation say each year, he will see that they said much worse things of his stewardship.

Mr. Howard *indicated dissent.*

Mr. Straw: Oh yes, they did, especially around the time that he implemented the ill-advised Sheehy report, which has been the main cause of the recruitment and retention crisis, especially in the metropolitan areas, and which it has taken me to readjust. If the right hon. and learned Gentleman wants to trade police numbers, the simple truth is that when he came into office as Home Secretary in spring 1993 police numbers stood at 128,300. By the time he left office, under the budget that he established—which, he should remember, he promised would lead to an increase of 5,000 extra officers—the number of officers had fallen by 1,400. The current settlement represents the best increase in the funding of the police service to achieve record numbers of police officers that this country has ever seen.

Mr. Gerald Kaufman (Manchester, Gorton): When my right hon. Friend comes to my constituency to discuss law and order, as he has kindly promised to do, will he explain to my constituents why the Liberal Democrats ask him to be tough on the causes of crime but voted against the financing of the new deal, which has reduced youth unemployment in my constituency by 61 per cent.? While my constituents welcome the projected increase in police numbers in Greater Manchester, and also the reduction in burglary in the C division by 34 per cent., will my right hon. Friend accept that they are still deeply worried by disruptive behaviour and would like to see the greater invocation of anti-social behaviour orders and curfews and an increase in the age of curfew applications to teenagers? Will my right hon. Friend consider how he can augment the triggering of those welcome actions that were included in the Crime and Disorder Act 1998?

Mr. Straw: When I come to my right hon. Friend's constituency on Saturday, I will discuss with him and, as importantly, his constituents what has been done in the area to bring burglary down and what still needs to be done to get on top of the long-term trend in crime. He is right to tease the Liberal Democrats who, as always, want things both ways. They want us to be tough on the causes of crime, but they do not want to be tough in the methods by which we bear down on those causes. I remember my right hon. Friend the Chancellor of the Exchequer saying that the welfare-to-work programme was as much an anti-crime programme as it was an economic policy. Putting 1 million people back into work and bearing down on the scourge of long-term unemployment, especially among the young, is profoundly important in securing a decent civic society and binding people into a common set of values. It is without that common set of values, including a sense of responsibility, that an environment develops in which crime breeds.

I can tell my right hon. Friend that we want to see local districts and the police service making better use of the powers that we gave to local authorities and the police, as they requested—although we did not direct them to use the powers—where they feel appropriate. There is not the least doubt that in those areas where the authorities are using those powers, especially anti-social behaviour orders, big differences have been recorded in levels of crime and disorder. I hope that a good debate will develop in Greater Manchester that compares levels of performance in the local districts with comparable districts elsewhere, so that where burglary, vehicle and other crime rates appear to be significantly higher, the police and local authority can discuss and determine what actions they will take to reduce those levels.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. May I appeal to hon. Members to up the tempo? Short questions and short answers enable me to call more hon. Members than would otherwise be the case.

Mr. Douglas Hogg (Sleaford and North Hykeham): Is the Home Secretary aware that on 1 May 1997 the Lincolnshire police force had 1,221 officers, and only 1,145 on 1 May this year? That reduction, of 76 officers or just over 6 per cent., is the second largest in England and Wales. When can the Lincolnshire force reasonably expect to have the same number of officers that it had when the right hon. Gentleman came to office? Will the Home Secretary guarantee that the next settlement will incorporate the sparsity factor recommended by his own external consultants?

Mr. Straw: On the right hon. and learned Gentleman's final point, we are announcing tomorrow the allocation of the £15 million for rural police force areas that is additional to the current standard spending assessment. That will help rural areas. Longer-term reform of the SSA will be announced in due course, but the Government fully accept that rural areas have special needs. We have taken them into account in the settlement.

The figures in the crimefighting fund provide for increases for Lincolnshire this year, next year and the year after. However, between 1998-99 and 1999-2000, the Lincolnshire force has enjoyed budget increases that are among the largest—of 4.5 per cent., compared with an average across the country of 3.1 per cent. Ultimately, the allocation of cash to officers, equipment and other expenditure is, by law, a matter for the chief constable and not the Home Office.

Mr. Gerry Steinberg (City of Durham): I also welcome my right hon. Friend announcements, but the biggest complaint at my surgeries in the villages around my constituency has to do with youngsters' disorderly and unruly behaviour. At a recent meeting, the divisional commander for my area put that problem down to a lack of policemen and to the huge amount of paperwork needed to bring those responsible to court. He was very complimentary about the fast-track system that the Government have introduced for young criminals, and said that youths were now being brought to court very quickly. However, he said that the big problem was that there was nowhere to send the ones who were found guilty, with the result that they were soon back on the streets.

Do my right hon. Friend's announcements today mean that the problems that I have described will be solved, in my constituency and elsewhere?

Mr. Straw: I must advise my hon. Friend not to take at face value suggestions by the officers of any public

authority that the only reason for their failure to perform at a certain level is the lack of resources. He ought to compare the relative performance of his police district with that of other, similar, forces. The detailed statistics show that otherwise similar areas perform very differently. I do not think that Durham's police problems are worse than those in my own constituency of Blackburn. However, excellent policing in my constituency—where resources are lower than in most areas—and good partnership work with the Blackburn and Darwen district council has meant that virtually every category of crime has fallen. The force in my area makes full use of the powers available.

On youth justice, the Government are now giving the Youth Justice Board an annual budget of £230 million, including £190 million for the juvenile secure estate. The previous Administration did not properly organise the juvenile secure estate and did not implement powers to allow magistrates to remand into secure custody the so-called bail bandits—people who are arrested one day, charged the next, taken into court the next and then let out on bail. This Government have given the courts clear powers to remand young criminals directly into secure custody. Since June, the Youth Justice Board has had the power, duty and money to ensure that those places are available—in Durham as elsewhere.

Mr. Gerald Howarth (Aldershot): The Home Secretary has made much-vaunted claims about increased expenditure leading to improved performance, but he has completely failed to deliver. We have fewer police and rising crime, and less purposeful activity among prisoners. Why should we believe that the latest increase will make any difference?

Will the right hon. Gentleman share with the House further thoughts on recruitment? He claims that he will have the funds for 9,000 extra recruits; we presume that that has been cleared with the Economic Secretary to the Treasury, unlike the announcement last September. Why should we believe his claims about extra recruits when the numbers for Hendon are plummeting, and there is a real problem with retention in my county of Hampshire because the allowance provided for London officers is not provided for Hampshire officers, and Hampshire officers cannot afford to make their contributions to their pensions?

Mr. Straw: I understand the funding problems that the police have faced and I made it clear in the settlement that I laid before the House in December 1998 that the spending increase for the three years from 1999–2000 was, at 2 per cent., small—that was the word I used. However, the last people in the world able to complain about police funding are Conservative Members of Parliament. It is no good the hon. Gentleman waving his hands. The straightforward truth is that his right hon. Friends promised to increase the number of police—constables and every other rank—when they were in government. On 27 January 1997, the right hon. Member for Maidstone and The Weald promised 5,000 extra officers over three years. However, no money was provided to meet that target. The difference between us and the Conservatives who preceded us is that we have spent more than they pledged to do. The hon. Gentleman faces the problem faced by every Conservative Member of Parliament: how, on the one hand, to call for more spending than I propose and infinitely more than the right hon. Lady recommends and how, on the other, to support the shadow Chancellor, who does not want spending to be increased in any of those areas, but instead wants to cut it by £16 billion.

Dr. George Turner (North-West Norfolk): My right hon. Friend will be aware of my interest in rural policing and that, as well as general issues, the case of my constituent, Tony Martin, raised specific issues relating to the difficulty of policing in the fenland, where three police authorities have to co-ordinate their activities. I raised that matter in an Adjournment debate some months ago, when the Minister of State, Home Office, my hon. Friend the Member for Norwich, South (Mr. Clarke), assured me, as he has done every week since, that active consideration is being given to the Norfolk police bid for extra help to address that specific problem. The community safety partnership meets tomorrow; can I give them any good news after the Chancellor's announcement of extra finance for the police?

Mr. Straw: My hon. Friend can take his community two pieces of good news. First, my announcement today will have a direct impact on the Norfolk constabulary by ensuring that it can put in place a good police radio system, that it is better able to detect and prevent serious crime, and that officers numbers increase. In addition, I am pleased to tell him that, today, we have agreed to allocate £600,000 to a targeted policing bid jointly submitted by the Cambridgeshire, Lincolnshire and Norfolk constabularies. That programme, which is not part of the spending review, focuses on problems of crime in rural fenlands and is an excellent example of collaborative work between the three police forces in the area. I hope that my hon. Friend finds that news welcome.

Sir Peter Lloyd (Fareham): Would not the money that the Home Secretary has earmarked for new prison places be better spent on providing suitable accommodation for the large number of mentally disordered offenders who are currently in prison but ought not to be held there?

Mr. Straw: I accept that there are people in prison who ought to be in the mental health system. We transfer a significant number of such people every year into the hospital system and I work closely with my right hon. Friend the Secretary of State for Health to ensure that prisoners who are inappropriately held in prison are transferred to where they should be. However, if we are to bear down on criminal activity—not only by serious criminals, but by persistent criminals for whom probation and other community punishments plainly have not worked to prevent their reoffending—there has to be an increase in the number of prison places. That is why we have put in place funding for the 2,600 places that I have announced today, in addition to the 1,400 places that are currently being built and will be open next year.

Mr. Geraint Davies (Croydon, Central): Is my right hon. Friend aware of partnership initiatives in Croydon, and will he consider the initiative to use domestic camcorders, issued by the council or the police, so that members of the public may survey areas that have

[Mr. Geraint Davies]

habitual graffiti problems? That would allow citizens to gather evidence and deter criminals and help to bring them to justice.

Mr. Straw: Yes, I welcome the initiative taken by the police and the partnership in Croydon to use domestic camcorders and involve willing members of the public in detecting terrible crimes and lower level disorder.

Mr. Simon Thomas (Ceredigion): I welcome in general today's announcement, particularly the reiteration of the need to take account of the sparsity factor affecting rural police forces in Wales. Does the prison programme that the Home Secretary mentioned include the proposed new prison for north Wales, and will that prison be built under the private finance initiative?

Mr. Straw: No, the programme does not specifically include that prison, but I shall be happy for my right hon. Friend the prisons Minister to discuss that matter with the hon. Gentleman.

Mr. Dale Campbell-Savours (Workington): I have a short question. Now that my right hon. Friend has the money to do it, may we have a project to evaluate the benefits that would arise from the introduction of national identity cards?

Mr. Straw: I do not have the money for that.

Points of Order

4.32 pm

Miss Ann Widdecombe (Maidstone and The Weald): On a point of order, Mr. Deputy Speaker. I am aware that you are not responsible for the nature of ministerial replies, or for their veracity or accuracy. May I ask, however, whether it is not a contempt of the processes of Parliament for a Minister's reply—as in the answers to detailed questions put by me and by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard)—to be not even remotely relevant to the question?

Mr. Deputy Speaker (Sir Alan Haselhurst): The right hon. Lady knows that the Chair has absolutely no responsibility for questions or answers.

Mr. Douglas Hogg (Sleaford and North Hykeham): On a point of order, Mr. Deputy Speaker. I know from what you said during the statement that the slow process of business concerns you. It took 42 minutes to complete the initial statement and the responses to two questions today. That is appallingly slow. What can the Chair do to ensure more expeditious process of business? Perhaps, if need be, you could call participants to order.

Mr. Deputy Speaker: Madam Speaker has asked Ministers to try to limit the length of statements so that everything that follows can be dovetailed with the length of the statement. Clearly, if a statement is long and complex, the first response from the Opposition Front Bench will also take some time. Over the years, it seems that statements have become longer, and questions have certainly become longer. Members have fallen into the habit of asking multi-part questions that require multi-part answers. The whole process could be speeded up with good will on both sides of the House, and the Chair is dedicated to that end.

Dr. Evan Harris (Oxford, West and Abingdon): On a point of order, Mr. Deputy Speaker. On 6 July, I drew your attention to the fact that the Government appeared to have announced £1 billion-worth of public spending in science without making a statement to the House or supplying a written answer. You reminded us that Madam Speaker had deprecated such practice. Have you had any reply from the Government on that point, and how do you view the Government's boast in a press release yesterday that they were proud to have made their announcement at the United Kingdom-United States conference on 5 July?

In addition, is it not significant that there have been other occasions on which the Government have boasted about public spending announcements made to the media rather than the House? It is usual for press releases on Government spending to include significant detail in the paperwork attached to them so that hon. Members may receive it at the same time as the media. However, the Department for Education and Employment press release on the spending review's £100 million for higher education was not made available to Members yesterday although it was available to the media.

Mr. Deputy Speaker: I am sure that those on the Government Front Bench will have heard the point about

the availability of detailed information which comes out in the form of press releases. No doubt I am merely echoing what Madam Speaker has said on more than one occasion, but it is important that that information should be available to hon. Members at the same time as the press releases come out. There is nothing particularly unusual in a head announcement being made about a general direction of policy in a Budget or expenditure review, and for the detail to be followed up within hours by another Secretary of State or by a later announcement in the House.

Mr. John Bercow (Buckingham): On a point of order, Mr. Deputy Speaker. In the light of detailed newspaper reports at the weekend, have you received any requests from the Secretary of State for Education and Employment asking to come to the House to make a statement about his curious failure to declare in the Register of Members' Interests his receipt of rental income?

Mr. Deputy Speaker: No. There is a proper procedure for dealing with complaints of that kind.

Fire Safety (Houses in Multiple Occupation)

4.36 pm

Ms Karen Buck (Regent's Park and Kensington, North): I beg to move,

That leave be given to bring in a Bill to require the installation of smoke detectors in houses in multiple occupation.

On Friday evening, I attended the 30th anniversary celebrations of the North Kensington law centre to congratulate it on three decades of effective campaigning in the interests of some of the most deprived people in Britain. At that event, there was a screening of a Granada television documentary about the needs that gave rise to the establishment of the law centre. In watching it, I could not help but be struck by similarities and differences between the events of 1970 and those of today.

One striking feature was the fact that, in 1970, everybody in the video appeared to be dressed as an extra from "Hair". More significantly, the documentary revealed the drama of prevailing housing conditions in our cities at that time, and showed that we were dealing with the legacy of slum landlords such as Rachman and Hoogstraten, who made Notting Hill and Paddington notorious. That sector has now shrivelled away and social landlords have largely filled the gap.

In 1970, people dealt with the drama of appalling fires that ripped through multi-storey rooming houses. They were rabbit warrens of rooms in interconnecting houses, through which fires moved with terrifying speed and ferocity. Fire brigades were handicapped in their dealings with the situation by knowing nothing of the floor plans. Clanricade gardens in north Kensington and Clifton villas in Paddington are dreadful examples of what could happen to under-regulated properties of that kind.

Thirty years later, the position is less visibly dramatic, but the underlying situation is just as bad and, in some cases, worse. Too many dwellings in multiple occupation are still appalling and are high risk for too many people. The number of people dying in, or injured by, domestic fires remains unacceptably high across the board, but fires in houses in multiple occupation occur out of all proportion to the size of the sector. In 1998, the last year for which figures are available, there were 10,463 fires which involved casualties, up from 9,008 five years previously. In 1998, 506 people lost their lives in domestic fires, up from 488 five years before.

Especially worrying is the fact that the proportion of fires involving HMOs rose from an already alarming 43 per cent. to 45 per cent. in 1998. Almost half of all domestic fires occur in HMOs. It is estimated that there are 550,000 houses in multiple occupation in this country, out of an estimated total of 20 million domestic buildings. The disproportionate occurrence of fires in HMOs should, therefore, be a matter of deep concern.

According to the research of the Department of the Environment, Transport and the Regions, the risk of death by fire in a house converted to bedsits is six times higher than in a single-occupancy property. For homes of three or more storeys converted to bedsits, the risk is a staggering 16 times higher. If we allow for the fact that the Department estimates that only about one in six domestic fires is reported to the fire brigade, we get a very disturbing picture.

[Ms Karen Buck]

Safety should be a major consideration whoever occupies the household, yet as a society we accept a particular responsibility for the vulnerable. HMOs are likely to be occupied by students, young people trying out their first home independent of their parents, and people with mental or physical disabilities seeking life outside a residential situation. In my street, until only a year or two ago, there were three-storey houses converted into 12 or more rooms, occupied by Irish pensioners who had come to this country 40 years ago to work in the construction industry, and who had never had a bathroom or kitchen in their own home. Even now, in cities and seaside towns it is not uncommon to find houses with 12 or more names taped next to the doorbell.

Those properties are more likely than average to represent a fire risk, as the casualty figures show, because of a combination of the built environment and the behaviour of tenants—not because HMO residents are intrinsically more likely to indulge in risky behaviour, but because of the impact of numbers. A two-storey HMO occupied by two people in converted flats is less risky than the same property occupied by eight people. Buildings of four or five storeys, buildings converted into bedsits and those occupied by vulnerable tenants are most at risk.

My Bill would require a comprehensive licensing scheme for HMOs, wherein one of the conditions for licensing is the fitting of smoke or heat detectors, mains powered and, where necessary, linked to each other and including the common parts. Local authorities already have a number of powers available to them by virtue of building control and other environmental regulations, but the casualty figures show that they are not sufficiently effective. In addition, the relatively fluid nature of the HMO sector makes it unnecessarily hard for tenants and councils to enforce standards.

Local authorities have been running local registration schemes in the past few years to achieve the same end as licensing, but so far only 81 areas covering 10,000 HMOs are included. The process is hard going for local authorities. Officers whom I spoke to in one council told me of the problems that they faced. Of the HMOs that they had surveyed, only one in three was fully compliant with all the safety requirements, and only half of the registrable properties were fully fire safe. Penalties were too low to be an effective deterrent to bad landlords.

A recent survey conducted by the Brent private tenants group found that only two thirds of the group surveyed had smoke alarms fitted in their properties and less than half had such alarms in the common parts. Most tenants did not know whether the alarms were working or whether they were regularly tested.

We now know what needs to be done to reduce risk, especially in relation to fire hazards, and we have a good idea of the scale of the problem. I commend to the House Shelter's superb fire safety guide, which spells out the current requirements, best practice and options for improvement. Shelter's campaign for bedsit rights has been at the forefront of action on this matter for decades and has already brought about many changes. Now we need a clear, comprehensive, national scheme with sufficient resources for enforcement and tough penalties for breaches.

The introduction of a licensing scheme for HMOs was a manifesto commitment for the Government, and the Department has already consulted on principles that could underpin such a scheme. I welcome that, and I hope that we will succeed in getting a housing Bill in the Queen's Speech so that we can proceed with those plans. However, I am concerned that the Government's thinking may be too restrictive to meet the challenge. I believe that they envisage only about one fifth of HMOs being subject to mandatory licensing, which would certainly include many high-risk properties, but would exclude others, such as the two-storey HMOs that the Department's own research indicates account for 48 per cent. of all HMO fire deaths.

Two single tenants who rented a second-floor converted flat in north-west London had a narrow escape from fire recently only thanks to a smoke alarm fitted with great reluctance by their landlord, after months of letters and phone calls. Ten days after the alarm had been fitted, it activated at 3 am. One of the upstairs tenants said:

> We couldn't find the fire, but we could smell burning and discovered that our bathroom floor was hot, so we guessed it must be coming from the flat below.

The tenants were able to wake the people in the burning flat who had no alarm system, so fortunately everyone escaped injury. The fire service said that if the tenants below had slept for another 15 minutes, they would have been dead. That property would not be mandatorily licensed as the proposal now stands.

My Bill would require all HMOs to be subject to a new national, mandatory licensing scheme with fire detection and safety at its heart. The licensing requirement would also help to cut accidents and injuries from other causes related to unfit property. I am mindful of the need to keep regulation to a reasonable minimum and to maximise effectiveness by targeting. However, I am ultimately persuaded of the need for a simple, clear and comprehensive scheme; the 4,274 casualties in HMO fires are worth it.

Question put and agreed to.

Bill ordered to be brought in by Ms Karen Buck, Mr. Iain Coleman, Mr. Hilary Benn, Mr. Adrian Sanders, Ms Margaret Moran, Mr. Jim Fitzpatrick, Mr. Andrew Love, Mr. Andrew Dismore, Angela Smith and Mr. Gordon Marsden.

FIRE SAFETY (HOUSES IN MULTIPLE OCCUPATION)

Ms Karen Buck accordingly presented a Bill to require the installation of smoke detectors in houses in multiple occupation: And the same was read the First time; and ordered to be read a Second time on Friday 21 July, and to be printed [Bill 165].

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Alan Haselhurst): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

EXPORT AND INVESTMENT GUARANTEES

That the draft Export and Investment Guarantees (Limit on Foreign Currency Commitments) Order 2000, which was laid before this House on 27th June, be approved.

PUBLIC HEALTH

That the draft Vaccine Damage Payments Act 1979 Statutory Sum Order 2000, which was laid before this House on 5th July, be approved.—*[Mr. McNulty.]*

Question agreed to.

ADJOURNMENT (SUMMER)

Motion made, and Question put forthwith, pursuant to Standing Order No. 25 (Periodic adjournments),

That this House, at its rising on Friday 28th July, do adjourn till Monday 23rd October.—*[Mr. McNulty.]*

Question agreed to.

FINANCE BILL

Ordered,

That, notwithstanding the practice of the House as to the intervals between stages of Bills brought in upon Ways and Means Resolutions, more than one stage of the Finance Bill may be taken at any sitting of the House.—*[Mr. McNulty.]*

Orders of the Day

Finance Bill

Not amended in the Committee and as amended in the Standing Committee, further considered.

Schedule 8

EMPLOYEE SHARE OWNERSHIP PLANS

4.47 pm

The Financial Secretary to the Treasury (Mr. Stephen Timms): I beg to move amendment No. 57, in page 240, line 12, leave out from "must" to end of line 13 and insert—

'form part of the ordinary share capital of—'.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss the following: Government amendments Nos. 10 and 11.

Amendment No. 135, in page 248, line 28, at end insert—

'Where an employer pays on behalf of an employee any Class 1 national insurance contributions which would have been due from the employee but for the deduction of partnership share money then that payment shall not be an emolument or benefit chargeable to tax under Schedule E.'.

Government amendments Nos. 12 and 13.

Mr. Timms: The amendments deal with the new employee share ownership plan whose rules are set out in schedule 8. Paragraph 60 provides a rule for the type of share that must be used in the plan. As it stands, the paragraph restricts that to the share capital of a single company.

The legislation for the new plan inadvertently changes the position for consortium companies. Currently, it would not be possible for shares in more than one consortium company to be used at the same time for the purposes of the new plan. It was not our intention to change the position for such companies; we want the new plan to be open to as many companies and employees as possible. Amendment No. 57 ensures that, in the new plan, shares in consortium companies can be used in exactly the same way as under the existing Inland Revenue-approved schemes. I hope the House will welcome that change.

I deal now with amendments Nos. 10 to 13. The new plan is designed to give employees a genuine stake in the company for which they work. Under Inland Revenue-approved share schemes, redeemable shares do not normally count as qualifying shares because they do not entail a full-blown stake in the company—employees can get their money back whenever they want to do so.

Members of retail co-operatives hold redeemable shares, as do those in workers' co-ops. Shares in retail co-ops are bought at their face value. They carry a small amount of interest, providing a dividend based on the company's profit that varies according to the amount of purchases made by the member—often known as a divvy. The shares are also normally redeemable by the company at the same value.

Retail co-ops want to improve their employees' participation in their business. They want to use the redeemable shares that they issue to other members in an

[Mr. Timms]

all-employee share plan. Without an amendment to the legislation, such shares would not qualify for the new plan. The amendments extend the current exception whereby workers' co-ops may use redeemable share capital in a new plan to all co-ops that are registered industrial and provident societies.

The Co-operative Union estimates that at present very few employees are members in this way—perhaps as few as 2 per cent. of the 40,000 employees in the 37 United Kingdom consumer co-ops. These changes will enable retail co-ops to encourage their employees to take a stake in the business, using the same redeemable share capital available to other members. Many more employees working in co-ops will be able to benefit from the tax reliefs in the plan. That will help us to achieve our goal of doubling the number of companies that offer shares to all their employees, and it will extend to co-operatives the substantial advantages that the new scheme offers.

Several right hon. and hon. Members have advocated an amendment along these lines. It has been welcomed as a real boost by the chair of the Co-operative Union, and I am delighted to commend it to the House. If I may, Mr. Deputy Speaker, I will seek in a few moments to catch your eye to respond to what is said by Conservative Members on their amendment.

Mr. Howard Flight (Arundel and South Downs): We agree with the amendments as outlined by the Minister. I do not know whether this is the right time to mention this, but the issue of consortiums and different shareholdings of companies that are not owned by one single company owning more than 51 per cent. also came up in Committee in relation to investment management incentives. We had a letter of undertaking that the Government would be tabling a relevant amendment. I am not clear whether amendment No. 57 is intended to relate to enterprise management incentives as well as to the employee share ownership plans. However, perhaps we can deal with that point later.

Amendment No. 135 raises, in a slightly different way, a point that we sought to have addressed in Committee. It would cure an anomaly. Under the employee share ownership plan, lower-paid employees could, by having partnership share money paid before tax, have lower earnings in terms of their national insurance contribution liabilities, and thus pay lower personal NIC contributions, in turn receiving lower reduced earnings-related state benefits. That cannot be the Government's intention, given that the employee share ownership scheme is designed to benefit relatively lower-paid employees in particular. This amendment to cure the anomaly is slightly different from our previous proposal.

Mr. Andrew Love (Edmonton): I welcome the amendments to extend the all-employee share plan to co-operative organisations. Before I say a little about that, I should make a declaration. I am a Labour and Co-operative Member of the House, with a long-term interest in and involvement with the co-operative movement.

In the foreword to the Government's initial consultation document on employee share ownership plans, the Chancellor of the Exchequer stated:

> Share ownership offers employees a real stake in their company with shareholders, managers and employees working towards common goals.

I agree with that statement. Research shows that employee share ownership plans, when linked with other means of employee participation, can do a number of things. They have a positive effect on productivity; they link the owners with the workers in the objectives of the successful company; and they make employees more aware of the overall performance of the company.

Today's co-operative movement is interested in reform of its structures which are, in effect, stakeholder models of co-operation. The amendment will assist in achieving that reform by achieving real partnerships between the members who are the owners and their employees. It will enable the employees to participate in the activities of the co-operative by voting at meetings, becoming members of the boards of directors and sharing in the profits of the organisation.

I welcome the Government's move in this respect. It will create a level playing field in the industries in which co-operatives are involved. Why should it be that other retailers can have such plans, but the co-operative movement cannot? These amendments will extend such plans to the co-operative movement and give the work force a more inclusive role. The press release issued by the co-operative movement states:

> The Government's recognition that our workers deserve to be included is a real boost to those leading exciting reforms in the co-op movement.

I certainly welcome these amendments; they will help to achieve those reforms in the co-operative movement, and I commend them to the House.

Mr. Timms: I welcome what my hon. Friend the Member for Edmonton (Mr. Love) has said, and I commend his work in the House on behalf of the co-operative movement to promote the interests of co-ops.

The hon. Member for Arundel and South Downs (Mr. Flight) asked about amendment No. 57 and the impact on enterprise management incentives. There is no read-across from that amendment to such incentives. I am not sure to which amendment in Committee he was referring, although a later group of amendments deals with enterprise management incentives.

On amendment No. 135, I understand that the intention of Opposition Members is to ensure that, where the employer pays the employee's national insurance on the amount used to buy partnership shares, that amount would not be chargeable to income tax on the employee, but the underlying assumption is that the employer would be able voluntarily to pay the primary national insurance contributions on the employee's behalf. That is not the case.

Current legislation does not permit the employer to pay class 1 contributions that he is not liable to pay, so the employer would not be able to pay those contributions as is implied in amendment No. 135. Without changing the underlying law, which would be a task of significant

technical complexity, that amendment would have no effect so I hope that Opposition Members will not press it to a Division.

Amendment agreed to.

Amendments made: No. 10, in page 240, line 34, leave out "workers'".

No. 11, in page 240, line 35, at end insert—

'( ) In sub-paragraph (4) "co-operative" means a registered industrial and provident society which is a co-operative society.

For this purpose—

"registered industrial and provident society" means a society registered or deemed to be registered under the Industrial and Provident Societies Act 1965 or the Industrial and Provident Societies Act (Northern Ireland) 1969; and

"co-operative society" has the same meaning as in section 1 of the 1965 Act or, as the case may be, the 1969 Act.'.

No. 12, in page 264, line 36, leave out paragraph 128.

No. 13, in page 267, leave out line 23.—*[Mr. Timms.]*

Clause 49

PHASING OUT OF APPROVED PROFIT SHARING SCHEMES

Amendment made: No. 58, in page 34, line 42, leave out "6th April 2002" and insert "1st January 2003".—*[Mr. Timms.]*

Clause 50

PHASING OUT OF RELIEF FOR PAYMENTS TO TRUSTEES OF PROFIT SHARING SCHEMES

Amendments made: No. 59, in page 35, line 12, leave out "6th April 2002" and insert "1st January 2003".

No. 60, in page 35, line 20, leave out "6th April 2002" and insert "1st January 2003".—*[Mr. Timms.]*

Clause 56

FURTHER PROVISIONS ABOUT SHARE OPTIONS

Mr. Richard Ottaway (Croydon, South): I beg to move amendment No. 131, in page 40, line 19, after "be", insert "multiplied by 2.5 and".

I make no apology for the fact that the amendment would largely negate the impact of imposing national insurance contributions on share option schemes.

I want to talk about entrepreneurial activity. We are well aware of what this Government measure will do. The problem has been rightly identified by all involved. A start-up company that has little capital or that makes little profit, and whose shares may be quoted or are at least tradable, may employ many staff on a contractual basis that includes large share options. On the exercise of those options, the national insurance contributions are levied not only on the employee, but on the employer. That imposes a large capital liability on the employer, which he may not have the funds to meet. The Government recognise the problem and have made a gesture, but in our eyes the proposal merely takes things from very bad to bad.

5 pm

I want to talk about entrepreneurial activity largely because that is what the measure will hit. After the election, the Government produced a competition White Paper that built on the efforts of my right hon. Friend the Member for Henley (Mr. Heseltine) when he was Deputy Prime Minister, and a document on the knowledge-driven economy, of which my right hon. Friend was the driving force until 1997. The Institute for Public Policy and Research produced a report entitled "The Entrepreneurial Society", the launch of which the Prime Minister attended. He supported the teaching of entrepreneurship in schools, which was one of the report's main themes, and I shall return to that point. The Government may talk the talk, but do they walk the walk? *[Interruption.]* Well, that is important and we want to know.

At first blush, the Government do not do too badly for entrepreneurs. There have been changes to capital gains tax, capital allowances for small and medium-sized enterprises are now 40 per cent. and, for the next three years, allowances for certain information technology equipment will be 100 per cent. for small companies, which will go a long way to help the sort of company that the measure will hit. However, medium-sized companies seem to have dropped out of that relief. Research and development reliefs were discussed upstairs in Committee, and a couple of weeks ago the Government announced a 55 per cent. increase in public expenditure on science.

Although I am prepared to give the Government the credit for that, I do not want to go too far or be too kind and generous. The point is that these measures are finely tuned and focused. They address a particular sector, but what of the colossal burden of corporate taxation and regulation that has been dumped on business overall? It will completely swamp everything that these measures will introduce.

Since 1997, business has had to absorb the cost of union recognition and the additional costs of maternity leave and paternity leave, which have been much publicised. It has also had to absorb the cost of rights to time off, rights for part-time workers, the national minimum wage and the working time directive, so it comes as no surprise that the Institute of Directors has said that the additional regulatory burden is costing business £5 billion a year. However, the Labour party election manifesto said:

We will provide stable economic growth with low inflation—

so far, so good—

and promote dynamic and competitive business and industry at home and abroad.

The Economic Secretary to the Treasury (Miss Melanie Johnson): And we have.

Mr. Ottaway: I disagree. For the reasons that I am setting out, the effort to promote dynamic and competitive business is being stifled by measures such as those we are debating. If the hon. Lady talks to industry and business, she will find that they agree.

There is extra taxation on business—the pension fund liabilities, for example. It is dawning on millions of people around the country that there has been a raid on their pensions that will cost them and their employers substantial sums. The Government have introduced the windfall tax on the utilities, corporation tax changes and the climate change levy, which we have discussed. The infamous IR35, which is having a colossal impact on the IT sector and the way it behaves, is not stimulating

[Mr. Ottaway]

business in the way that the Government claimed in their manifesto. Stamp duty, which was debated in the House yesterday and upstairs in Committee, hits business particularly hard. It took heavy pressure from the Opposition for the Government to amend their double taxation relief proposals. The proposals that they originally came up with were outrageous. Thanks to the Conservative party, which is business's friend, the Government have largely climbed down on the measure, but why they should dream of introducing it in the first place is beyond me.

We have had the additional fuel duty, which is having a big impact on industry that relies heavily on transport. We have the aggregates tax and also the national insurance contributions on share options. It comes as no surprise that Sir Clive Thompson, chairman of the Confederation of British Industry, drew attention to Labour's stealth taxes just before the March 2000 Budget. He said:

> The Government has introduced a series of well-camouflaged taxes which has put the tax burden firmly onto business. Changes by the Chancellor since 1997 will push up business taxation by almost £5 billion a year for the first five years of the Labour Government.

Given that sort of reaction, and if that volume of taxation is going on business, why on earth do the Government bring in such a measure, which will stifle entrepreneurial actively, not help it?

Ministers must get out there and talk to the people who are at the coal face, who have a wage bill to meet every week and who are up against the heavy burden of corporate taxation and regulation, and listen to them. They would then think twice about putting such a burden on Britain's entrepreneurs.

What sort of message does the proposal send to entrepreneurs in this country? There is no doubt that entrepreneurial activity has an impact on the economy. If we have more entrepreneurs, it tends to generate more economic activity and the economy grows. Whatever side of the political debate we are on, we all want the economy to grow.

In the United Kingdom, we are not doing badly with entrepreneurial activity—at least until we compare ourselves with other countries. Just 3.3 per cent. of the people of this country are trying to start a business, but in the United States it is twice that number—more than 6.5 per cent. of people are engaged in entrepreneurial activity. Only 16 per cent. of entrepreneurs in this country think that there are good opportunities that are worth having, whereas in the United States it is 57 per cent., so why do we have those big gaps? What is going on? What lessons can be learned about entrepreneurial activity?

Mr. John Bercow (Buckingham): Before we accept clause 56, which my hon. Friend wisely seeks to amend, would it not have been helpful if members of the Treasury Bench had spoken to the director general of the British Chambers of Commerce, Mr. Chris Humphries, who said as recently as 20 January this year that, despite their rhetoric, the reality is that the Government have dramatically increased the regulatory burdens that threaten small business competitiveness?

Mr. Ottaway: My hon. Friend makes his point very well. That is the thrust of the argument. That theme was taken up by the Institute of Directors, whose assessment was that regulatory burdens on business amounted to about £5 billion per annum.

I was talking about entrepreneurial activity in this country. When the Prime Minister attended the launch of the report published last year by the IPPR, he said that entrepreneurship should be taught in schools—no doubt the message went out to the relevant Ministers. It is worth looking at a written answer from the Secretary of State for Education and Employment. It spoke about the introduction of consumer and education entrepreneurial skills in the national curriculum and went on:

> At Key Stage 1, children will be taught that money comes from different sources and can be used for different purposes.
>
> At Key Stage 2, they will be taught to look after their money and realise that future wants and needs may be met through saving.
>
> At Key Stage 3, they will be taught what influences how we spend or save money, and how to become competent at managing personal money.—[*Official Report*, 24 January 2000; Vol. 343, c. 25W.]

At key stage 4, there will be more lessons in managing personal money.

That shows that the Government's vision of entrepreneurial lessons and teaching entrepreneurial activity in schools involves telling children how to handle their own money. That is off-beat, and it is not the answer. It will not promote entrepreneurial activity or change the culture. The Prime Minister and the Ministers concerned should revisit the report entitled "The Entrepreneurial Society" and address far more seriously the points that are raised.

To return to national insurance contributions on the exercise of share options, I am grateful for a memo from Mr. Stephen Allott of Micromuse, a software and hardware company in this country, with considerable experience in the United States. In his briefing paper this month he states:

> The vast majority of technology start-ups are done in the US rather than Europe for many reasons including customer proximity, supplier and labour base, the tax regime and culture.

He goes on:

> New Economy businesses are built on good people not assets. Building a new business from the UK or persuading a multinational to locate a major business unit in the UK means that top talent will have to be happy to locate in the UK.

Mr. Allott continues:

> For the UK to be an attractive base for a global technology business (such as Micromuse or the next Cisco) it has to offer something substantial to redress the balance over the United States. The go forward effective personal tax rate of 47 per cent. in the UK compares unfavourably with 26 per cent. in the US for ISO stock options and 46 per cent. for other stock options.

There we have an experienced business man contrasting the United States with the United Kingdom, and demonstrating how unattractive such a comparison is.

Mr. Timms: I am grateful to the hon. Gentleman. Will he confirm the last figure that he gave to the House? Did he say that there was an effective rate of taxation of 47 per cent. in the UK on unauthorised options and that in the United States it is 46 per cent?

Mr. Ottaway: I said that in the United States for ISO stock options, which are considered important, the rate is 26 per cent., and that for other stock options, it is 46 per cent.

Mr. Timms: We are, of course, speaking about unauthorised share options, so let us compare like with

like. The comparison is, as the hon. Gentleman rightly said, 47 per cent. in the UK and 46 per cent. in the US. The arrangements for authorised options are different in both countries.

Mr. Ottaway: The Minister is more familiar with the matter than I am. However, ISO stock options are considered important by companies such as the one that I mentioned, and they attract a tax rate of 26 per cent. That must be taken into account.

Mr. Edward Davey (Kingston and Surbiton): I am grateful to the hon. Gentleman for giving way. Although the Financial Secretary is right with respect to the measure under discussion, is the hon. Gentleman aware that the Financial Secretary admitted in the Standing Committee on 29 June:

> There is an alternative regime for approved options in the US, as there is in the UK

and that

> the terms of the approved scheme are more generous in the US than in the UK—[*Official Report, Standing Committee H*, 29 June 2000; c. 1033.]?

Mr. Ottaway: The hon. Gentleman makes a good point, and the Minister must take account of the weight of opinion. He may receive advice about ISOs before the debate is wound up, just as I may pin down the specific facts.

I quoted a business man who finds it far more attractive to build up his company in the United States than in the UK. A message must be sent from the Government to entrepreneurs.

5.15 pm

I shall conclude by referring to a report from the "Global Entrepreneurship Monitor" produced by the London business school, with which I suspect the Minister is familiar. It is sponsored by Apex Partners and Co., which I suspect has given advice to the Government on entrepreneurial activity. The report was produced in 1999, and includes a clear and specific recommendation in terms of assessing Government policies. It states:

> Rules on share option schemes need to be improved to give incentives to people to join young entrepreneurial businesses and go on to build large, world-class enterprises.

If someone is prepared to take a risk with his career and a risk in establishing a business, what message are the Government sending out? It is one that is hostile to entrepreneurs. The Prime Minister has made it clear that entrepreneurship should be encouraged. The Government's advisers have recommended change yet I suspect that the Government will persist in pressing on with activity that is hostile to entrepreneurship instead of encouragement.

Mr. Edward Davey: When, two years ago, the Government introduced measures to apply employers' national insurance contributions to share options and gains on those options, I do not think that they realised the mess into which they were getting themselves. In the Child Support, Pensions and Social Security Bill and in the Finance Bill in clause 56, they have tried to alleviate the problems that they have created. However, they have not gone far enough. The amendment would help to improve the relief but it would go significantly against the Government's intentions.

When we debated these matters in Committee, the Minister admitted that a real problem had been caused by the Government's previous legislation. He admitted that the problems would lead to some high-tech companies having to assess the unpredictable future liability of employees' national insurance contributions.

Mr. Michael Fabricant (Lichfield): Is the hon. Gentleman aware that many high-tech companies—some of the dot.com companies—are offering profit-share schemes that are related to profits rather than dividends? They are not providing shares for some of their employees even though they are offering bona fide profit options. Is the hon. Gentleman aware also that that is excluded in clause 56, which the amendment is designed to amend?

Mr. Davey: I was aware of that, but I am not sure whether it is germane to my argument or to the issues on which we should focus during the debate. I shall develop my argument, which I hope is germane to the issues.

A problem is created for high-tech companies when it comes to predicting liability and having to account for that. The Minister was up front and honest with the Committee in explaining that problem. High-tech companies often have to go to capital markets to secure extra funds to compete in a highly competitive and dynamic industry, and they have to convince investors that their balance sheets are at least moving in the right direction even when profit and loss does not look too good in the near future. Unpredictable liabilities on balance sheets create great problems in winning the confidence of investors. The Government admitted that that was the problem and they are seeking to deal with it in clause 56.

Have the Government dealt with the problem? In the Child Support, Pensions and Social Security Bill, they introduced an unusual technique in British tax law, which was that there could be an election and an agreement between the employer and employee to switch the liability for employers' national insurance contributions to the employee, thus getting round the accounting proposal. However that creates another difficulty, which is that of attracting labour.

The skilled employees in the industry are internationally mobile. If a UK or US company tried to attract them, they would consider the various stock options and salaries on offer and the tax regimes that applied to salaries and stock options.

In Committee, we focused on whether the provision made the tax regime for stock options for employees of high-tech companies in the United Kingdom worse than the regime in the United States. There was a huge debate about that, and it has been reflected in our proceedings today. I do not think that the Government have gone far enough to make sure that the UK remains attractive enough to internationally mobile labour. The provision will deter skilled employees from joining UK companies instead of those in the United States. That will inevitably encourage high-tech companies to set up in the United States and not in the UK

The Financial Secretary might say that the tax differential—between 46 and 47.3 per cent. for approved share option schemes—is rather small. It might seem a

[Mr. Davey]

small differential, but the key point is the change. Many companies have set up in the UK or are considering setting up in the UK because they previously viewed the tax regime here as beneficial. They could encourage skilled internationally mobile employees to work for them in the UK, because the tax regime was favourable for share options. However, in a stroke—by applying class 1 national insurance contributions to stock options—the Government have removed that advantage.

One could argue that there was a tax loophole that needed closing, but was it necessary to remove it altogether? Was it not necessary to give some competitive tax advantage to the UK's information technology industry to attract companies and internationally mobile labour here? By not recognising that important fact, the Government are doing down that sector and doing this country a disservice.

Mr. Bercow: I agree with the hon. Gentleman's observation that the fact of the change is significant. However, does he agree that the other significant fact is that a substantial proportion of the companies that will be affected are small companies? Given that 99.6 per cent. of Britain's firms employ fewer than 100 people and that they account for about 50 per cent. of the private sector work force and generate 40 per cent. of national output, that point is of the most dramatic significance.

Mr. Davey: As always, the hon. Gentleman comes to the House with a barrage of statistics, the veracity of which I cannot confirm at this time. However, I am more than happy to agree with the thrust of his point. Small firms are active in this sector.

When we debated this issue in Committee, I put some of these points to the Financial Secretary. He said that the Government had chosen to get the marginal rate of the relief in clause 56 down to 47.3 per cent. because they wanted to get it below 50 per cent. He said that it appeared from the negotiations that had been held with the companies affected that the figure of 50 per cent. was "psychologically significant". I am sure that it is "psychologically significant", but is that the test that we should apply? We want to ensure that this country is the most competitive—even vis-a-vis the United States—in the world. One could argue that we are talking about percentage points, but they are important in such decisions.

Mr. Timms: Can the hon. Gentleman confirm that, in addition to the liability for the employee, employers in the United States also have to pay a 1.5 per cent. Medicare charge? That works in exactly the same way as national insurance liability works in this country, but it is not an issue for companies here. In that respect—indeed, in many others—the UK is in a better competitive position than the United States.

Mr. Davey: I happily admit that. The Financial Secretary made that clear in Committee. However, he should consider the change. The United Kingdom was in a tax-competitive position, which may have approached becoming a loophole and a matter of concern to the Treasury. I accept that it needed to ensure that its finances were not undermined; I imagine that hon. Members from all parties would accept that. However, admitting that a tax loophole requires tackling is different from deciding to throw away all tax competitiveness and to pick a rate that happens to be the equivalent of a United States rate plus Medicare and so on.

We must ensure that this country is internationally competitive, especially in the IT sector, and that it can attract mobile capital and labour. We are debating a Bill that contains many provisions that will hit the UK economy through mobile labour and capital, for example, IR35, which the hon. Member for Croydon, South (Mr. Ottaway) mentioned in his speech. One or two other provisions have the same effect. The Minister must address the change. Why did not the Government keep some advantage in tax competition for the UK?

The Financial Secretary developed his thinking in Committee when he compared the US and the UK from the point of view of a French company, the director of which he had met at a recent conference. The Financial Secretary said that the French director had considered and rejected the rest of Europe because the UK was the best place in Europe to set up an IT company. The French entrepreneur then compared the UK with the US. According to the Financial Secretary, the overriding factor for the French director was that the US skilled labour market in IT was rather tight and that he believed that there was a greater supply of such people in the UK. The Financial Secretary was trying to say that there were other considerations about location.

That was an interesting argument, which I do not believe that anyone would dispute. However, people locate in one place rather than another for many reasons. We want to make sure that Britain is best for all those reasons, yet the Government have chosen to throw away our tax competition advantage. Perhaps the relief needs to be only slightly greater than that for which clause 56 provides, and perhaps amendment No. 131 would be too generous. However, if the Financial Secretary had granted only a slightly higher level of relief, he would have received plaudits from the industry and been able to defend his proposal more effectively today.

I hold the Financial Secretary in high regard, and I hope that he will take account of the points that I have made. Many people have been pleased with the way in which he has taken seriously the issue that we are considering, listened to the industry and tried to devise an elegant solution. I am not sure whether it is that elegant, and I hope that he will, in all humility, reconsider that solution to ascertain whether it could be rather more generous next year to ensure that this country remains the world centre for doing business.

Mr. Fabricant: The hon. Member for Kingston and Surbiton (Mr. Davey) rightly points out that businesses need to be competitive in the world market and that there should also be some certainty about investment for future expansion. My hon. Friend the Member for Croydon, South (Mr. Ottaway) has already pointed out that the Government have not helped the position of new companies—or, indeed, mature companies—that operate in the UK market. The Institute of Directors has acknowledged that union recognition, maternity and paternity leave and the working time directive have added an extra £5 billion in regulatory burdens on such companies. Furthermore, fuel duty has not helped.

I should like briefly to explore another area, which the Government have neglected, despite promises made before the last general election by the Secretary of State for Health when he was in the shadow Treasury team.

5.30 pm

Amendment No.131 has been designated by Madam Speaker, as is shown on the selection list, as dealing with "Employee share options: tax relief to employees". Employees benefit not just from share options but from profit-related pay to which the Government have not sought to restore tax relief. Dividend is not the only way by which the employee—

Mr. Deputy Speaker: Order. The matter that we are discussing relates to share options only; nothing else.

Mr. Fabricant: I am aware of that, and I know that the Clerk is aware of it, too. Clause 56 deals with tax relief to employees, as designated by Madam Speaker.

Both main Opposition parties have referred to new sunrise businesses; such as dot.com, high-tech companies. For all sorts of reasons, many of those companies are unable to offer share options at an early stage of their existence. Instead, they offer profit-related pay. Similarly, such companies as the John Lewis partnership—which employs 45,000 people—have a bona fide profit-related pay scheme. Before the election, the Prime Minister, having visited the John Lewis store in Oxford street, described John Lewis as an example of a stakeholding company. I simply want to ask the Minister this—

Mr. Deputy Speaker: Order. I am sure that the hon. Gentleman will accept some guidance. It is not a question of the selection of amendments; we are talking about clause 56, to which the amendment relates. The clause clearly deals with provisions for share options.

Mr. Fabricant: Thank you, Mr. Deputy Speaker.

I conclude by saying that I hope that, in future Finance Bills, the Government will decide to honour their promise, made before the election, to extend the provisions of clause 56 not only to share options, but to bona fide profit-related schemes, such as that operated by the John Lewis partnership and many sunrise companies.

Mr. Edward Davey: Is the hon. Gentleman aware that the previous Conservative Government did not propose tax advantages for share options that might apply to people working for John Lewis and, indeed, took away tax relief on profit-related pay?

Mr. Fabricant: I am aware of that. I am aware also that the present Secretary of State for Health said that this would be restored within the first year of a Labour Government. That was yet another Labour lie made before the last general election.

Mr. Timms: The hon. Member for Croydon, South (Mr. Ottaway) was misinformed about a number of his points. He asked whether we had fixed the technical problem. The answer is yes; we have entirely resolved the technical difficulty.

The hon. Gentleman was mistaken about other matters as well. There is a new spirit of enterprise abroad across the UK, fostered precisely by the measures that the Government are taking. Helpfully, he listed a number of them, to which I would add a number of other changes that we have made, such as the cut in capital gains tax. The hon. Member for Kingston and Surbiton (Mr. Davey), who is well informed on this matter, will know that the 10 per cent. rate of capital gains tax after four years is significantly less than the comparable rate in the US. On that front, we have made good progress—which the hon. Gentleman will welcome—in terms of competition in attracting investment relative to the United States.

Mr. John Burnett (Torridge and West Devon): Does the Minister regret that the Finance Act 1998 took away the complete exemption for the first £250,000 chargeable gains on retirement?

Mr. Timms: On retirement! We are now on rather different territory. The answer is no.

Let me draw attention to our reductions in corporation tax rates. We have cut both the main and the small business rates, and have introduced a 10p rate. We now have the lowest-ever small business corporation tax rates, and the lowest in the industrialised world. Since 1997, small companies have received an average corporation tax cut of nearly 25 per cent. That is why there are now 100,000 more small companies than there were at the time of the general election.

Those developments were created by the new spirit of enterprise fostered by all the Government's measures. That is why we are making such excellent progress, and that is why there are 1 million more new jobs than there were at the time of the election.

Mr. Fabricant: The Minister has told us how many new companies had been founded since the election, and the figure was impressive. Will he now tell us how many small companies have gone into receivership since the election?

Mr. Timms: There has been a net increase of 100,000 in the number of small enterprises. That is my point: there are significantly more, in total, than there were at the time of the election.

As we have heard, clause 56 gives relief to the employee in respect of the cost of bearing the secondary national insurance liability, either through an agreement allowing the employer to recover the contributions or by means of an election whereby the liability is transferred. The clause allows a deduction from the amount of the share-option gain that will be chargeable to income tax. In effect, it moves to the employee the corporation tax relief that would have been due to the company if it had borne the cost.

As the hon. Member for Kingston and Surbiton pointed out, that means that the total tax and national insurance charge will be, at the most, 47.32 per cent. As the hon. Member for Croydon, South said, 47.32 per cent. is very similar to the rate that would be paid by a United States employee exercising an option when the uncapped US Medicare contributions and state income taxes are included. It is also a lower top rate of tax than that

[Mr. Timms]

applying in many other European countries. France, Germany, the Netherlands, Spain and Sweden all have higher top income tax rates.

Mr. Ottaway: I can clarify what was said by the chief executive of Micromuse. He said that companies in the United States with ISO stock options attracted a 26 per cent. tax rate.

The Minister must recognise that there is a difference between the ways of approving schemes here and in the United States. Here, the Government decide whether a scheme can be approved; in the United States, the company decides. The schemes that we are discussing would attract a 20 per cent. rate in the United States.

Mr. Timms: Schemes approved in the United Kingdom will benefit from the lower rate of capital gains tax—10 per cent. after four years. That is significantly lower than the rate in the US.

The rules for approval of schemes in the US are well defined. They specify a limit of $100,000 worth of options that can be provided for under an approved scheme. The ISOs that the hon. Gentleman mentioned are not popular with many US companies, because they do not carry a company tax deduction. The figure in the UK is £30,000 over three years. As I said in Committee—the hon. Member for Kingston and Surbiton mentioned this—that is indeed less generous than the US limit, but it was the previous Government who reduced the UK limit from £100,000 to £30,000 in order to solve some of their "fat cat" problems. I do not think that we should take lessons from the Conservative party on that.

Mr. Flight: I think that the Minister is unintentionally slightly misleading the House in comparing United States and United Kingdom schemes and applying the word "unapproved" to both types of scheme, because the two are not entirely similar. As he rightly said, the United Kingdom-approved scheme has a £30,000 limit and, therefore, can be used only modestly. Many United States businesses use the ISO scheme. The meaning of "approved" and "unapproved" in United States schemes is different from that in United Kingdom schemes.

As the Minister will discover, the bottom line is that the great majority of options issued to management in the United States end up being taxed at 26 per cent., not 46 per cent. In the United Kingdom, the great majority of options will now be taxed at 47.3 per cent., which is 20 per cent. higher than the rate applicable on most options in the United States.

Mr. Timms: The principles are not that dissimilar between the United States and the United Kingdom. Approved schemes in the United States have to comply with USA tax law and USA regulations, just as United Kingdom schemes have to comply with our tax law and regulations. Many of the most successful dot.com start-up companies in the USA use not ISOs, but unapproved arrangements that have various advantages. That is how—depending on the state tax rate—the overall rate of 46 per cent. is arrived at. If the hon. Gentleman is suggesting that the arrangements being provided for in the Bill are significantly less competitive than those applying to many fast-growing United States firms, he is wrong.

We are proposing a package that is already helping to attract business and jobs to the United Kingdom and to help United Kingdom firms compete in the global market. It recognises the importance of share options for employers and employees, particularly in the new economy. It removes barriers to their use in recruiting and retaining employees, and it meets our aims of a fairer tax and national insurance system by ensuring that tax relief is given for the national insurance contributions on share options to whoever bears that cost.

Although I do not want to make too much of it, amendment No. 131 is deficient in various ways. Even if the defects could be resolved, the changes suggested in the amendment would considerably distort the use of share options compared with other forms of remuneration—such as cash bonuses—which would remain fully subject to national insurance, and they would provide an unwelcome opportunity for the re-emergence of widespread national insurance avoidance. It is estimated that, all together, the proposed provision could cost at least £1 billion annually in lost revenue. Therefore, bearing in mind that substantial cost, I urge Opposition Members to think long and hard before pressing the amendment to a vote.

Abolition of the upper earnings cap on employers' national insurance contributions was another step taken by the previous Government. That action led to companies seeking inventive ways of avoiding national insurance on big cash bonuses, particularly in the City. Share options were being used in that way. As I said in Committee, that is one of the reasons why the rules were changed for share options granted after 5 April 1999, to make national insurance payable on the gain made on the option when it was exercised. The change brought the tax and national insurance treatment into alignment and removed scope for such avoidance, which was an important and worthwhile step forward.

The net effect of the proposed change would be to leave the employee paying combined income tax and secondary national insurance at the employee's marginal tax rate on the share option gain. However, although it would do that for higher-rate taxpayers, as it results in a total tax and national insurance contribution charge of 40 per cent, it would not have the same effect on basic-rate taxpayers—who would be left paying income tax at 27.49 per cent, not the 22 per cent. that would apply to their ordinary salary. Therefore, the amendment also discriminates against the low paid.

5.45 pm

The clause is simple and fair. Employing companies will get a corporation tax deduction from their profits if they pay the secondary national insurance contributions as part of the cost of employment and, if the liability is transferred to the employee or if the money is recovered from the employee, there will be no corporation tax deduction. Instead, the employee who bears the cost will get the benefit of an income tax relief for that cost on the same basis as a deduction for the amount paid in calculating the profit chargeable to tax. I urge the House to reject this costly amendment.

Mr. Ottaway: If amendment No. 131 is extremely costly, and I do not believe that it is, the burden of taxation that the Government are taking out of Britain's

entrepreneurs' pockets is a darn sight more than we thought that it was. We will divide the House on the issue and the reasons for that are clear. The Government have to send a message to Britain's entrepreneurs. It is no good whacking on the taxes and just expecting those entrepreneurs to pay up, but at the same time hoping that more people will engage in entrepreneurial activity. All the research that the Government have shows that an entrepreneurial culture is lacking in this country. That comes as no surprise if the Government are intent on penalising Britain's entrepreneurs.

The Financial Secretary says that he has resolved the technical problems, but that means—as I said—that the solution has gone from very bad to bad. That is not a resolution of the problems. He says that he has cut taxes on business. Why then does the CBI talk of an extra £5 billion stealth tax on business? Why does the Institute of Directors say that there is an extra £5 billion a year in regulatory burden? Those are real issues that are hitting Britain's industry today.

The Financial Secretary said that he has now fostered a new spirit of entrepreneurial activity. If he has, it is despite these measures and not because of them. For those reasons, I urge the House to support our amendment.

Question put, That the amendment be made:—

The House divided: Ayes 164, Noes 315.

Division No. 278] **[5.47 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Body, Sir Richard
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Butterfill, John
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Ewing, Mrs Margaret
Faber, David
Fabricant, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkwood, Archy
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Alasdair *(Galloway)*
Moss, Malcolm
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Paice, James
Portillo, Rt Hon Michael
Prior, David
Randall, John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Russell, Bob *(Colchester)*
St Aubyn, Nick
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Townend, John
Trend, Michael
Trimble, Rt Hon David
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Webb, Steve
Welsh, Andrew
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Peter Atkinson and Mrs. Eleanor Laing.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Berry, Roger
Best, Harold
Blears, Ms Hazel
Blizzard, Bob
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry

Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corston, Jean
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Doran, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Reed, Andrew *(Loughborough)*
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Sheerman, Barry
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Mike Hall and
Mr. Clive Betts.

Question accordingly negatived.

Clause 58

EDUCATION AND TRAINING

Amendments made: No. 1, in page 42, line 14, leave out "an account-holding" and insert "a fundable".

No. 2, in page 42, line 44, leave out "97" and insert "108 or 109".

No. 3, in page 42, line 46, leave out from beginning to end of line 2 on page 43 and insert—

'(b) regulations under section 1 of the Education and Training (Scotland) Act 2000.'.

No. 4, in page 43, line 3, leave out "an account-holding" and insert "a fundable".

No. 5, in page 43, line 7, leave out "96" and insert "104".

No. 6, in page 43, line 8, at end insert—

'or he is a party to qualifying arrangements.

(6) In subsection (5) above "qualifying arrangements" means arrangements which qualify under—

(a) section 105 or 106 of the Learning and Skills Act 2000, or

(b) section 2 of the Education and Training (Scotland) Act 2000.'.—*[Mr. Timms.]*

Schedule 13

OCCUPATIONAL AND PERSONAL PENSION SCHEMES

Amendments made: No. 83, in page 293, line 28, after "section", insert—

', and the provisions of section 632B below,'.

No. 84, in page 294, line 10, at end insert—

'Eligibility to make contributions: concurrent membership

632B.—(1) A member who would not, apart from this section, be eligible to make contributions during a year of assessment shall be eligible to make contributions at any time during that year if—

(a) throughout the year he holds an office or employment to which section 645 applies;

(b) the condition in any of subsections (6) to (9) of section 632A is satisfied in his case as respects the year;

(c) he is not, and has not been, a controlling director of a company at any time in the year or in any of the five years of assessment preceding it;

(d) for at least one of the five years of assessment preceding the year, the aggregate of his grossed-up remuneration from each office and each employment held on 5th April in that preceding year does not exceed the remuneration limit for the relevant year; and

(e) the total relevant contributions made in the year do not exceed the earnings threshold for the year.

(2) For the purposes of paragraphs (c) and (d) of subsection (1) above, no account shall be taken of any year of assessment earlier than the year 2000–01.

(3) For the purposes of paragraph (c) of subsection (1) above, a person is a controlling director of a company at any time if at that time—

(a) he is a director, as defined by section 612(1); and

(b) he is within paragraph (b) of section 417(5) in relation to the company.

(4) For the purposes of paragraph (d) of subsection (1) above—

(a) "grossed up", in relation to a person's remuneration from an office or employment, means increased by being multiplied by a figure determined in accordance with an order made by the Treasury (or left unchanged, if that figure is unity);

(b) "remuneration" shall be construed in accordance with an order made by the Treasury;

(c) "the remuneration limit" for any year of assessment is £30,000;

(d) "the relevant year" means the year of assessment first mentioned in subsection (1) above.

The Treasury may by order amend the definition of "the remuneration limit" in paragraph (c) above for any year of assessment by varying the amount there specified.

(5) For the purposes of paragraph (e) of subsection (1) above and the following provisions of this section, "the total relevant contributions", in the case of a year of assessment, means the aggregate amount of the contributions made in the year—

(a) by the member in question, and

(b) by any employer of his,

under arrangements made by the member under the scheme in question, together with the aggregate amounts of such contributions under other approved personal pension arrangements made by that member.

(6) If—

(a) in the case of a member, the total relevant contributions in a year of assessment, apart from this subsection, exceed the earnings threshold for the year, and

(b) but for that, the member would be eligible to make contributions by virtue of subsection (1) above at any time in that year,

the repayment required by subsection (2) of section 632A is repayment of the relevant excess contributions only (so that the condition in subsection (1)(e) above becomes satisfied).

(7) In subsection (6) above "the relevant excess contributions" means—

(a) to the extent that a contribution is the first which caused the total relevant contributions in the year to exceed the earnings threshold for the year, that contribution; and

(b) all subsequent contributions in the year.

(8) The Treasury may by order make provision requiring any person who claims to be eligible to make contributions by virtue of this section to provide to—

(a) the Board,

(b) an officer of the Board, or

(c) the scheme administrator of the personal pension scheme concerned,

such declarations, certificates or other evidence in support of the claim as may be specified or described, or determined in accordance with, the order.

(9) A person shall only be eligible to make contributions by virtue of this section in a year of assessment if he complies with any requirements imposed by order under subsection (8) above.".'.

No. 85, in page 310, line 24, at end insert—

'except that, in a case falling within subsection (6) of section 632B of the Taxes Act 1988, the contributions required to be repaid shall be determined in accordance with that subsection (and their repayment shall have the like consequence).'.

No. 86, in page 310, line 47, leave out "section 632A" and insert "sections 632A and 632B".—*[Mr. Timms.]*

Schedule 14

ENTERPRISE MANAGEMENT INCENTIVES

Mr. Flight: I beg to move amendment No. 144, in page 313, line 34, at end add

'Where an option does not qualify by reason of an error in the scheme pursuant to which it has been granted, but would otherwise have been capable of being a qualifying option pursuant to paragraphs 9 to 17 inclusive of this Schedule, then that error may be corrected and be deemed to have been always corrected from the date of grant of the option.'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Amendment No. 143, in page 314, line 24, at end add—

'(4) In the event of the requirements of this Schedule being found not to be met in relation to an option, whether upon enquiry by the Inland Revenue or following an appeal, there shall be no right of action in tort or contract either in favour of or against the relevant company or any employer company.'.

Amendment No. 142, in page 316, line 2, leave out from beginning to end of line 3 and insert—

'At any one time there may not be qualifying options in respect of shares in the relevant company over shares with a total value of more than £1,500,000. For the purposes of this paragraph shares shall be valued according to their market value at the time that the option granted over them is granted.'.

Government amendment No. 61.

Amendment No. 141, in page 328, line 21, at end insert—

'(4) Where pursuant to any provision of this Schedule an individual becomes liable to income tax then notwithstanding any other provision of the Taxes Act 1988, the tax due shall be paid in five equal instalments as follows—

(a) the first shall be due and payable when, but for the operation of this sub-paragraph and ignoring the operation of Chapter V of Part V of the Taxes Act 1988 (PAYE), that tax would otherwise have been due and payable ("the first payment date");

(b) the second shall be due and payable on the first anniversary of the first payment date;

(c) the third shall be due and payable on the second anniversary of the first payment date;

(d) the fourth shall be due and payable on the third anniversary of the first payment date; and

(e) the fifth shall be due and payable on the fourth anniversary of the first payment date.'.

Government amendments Nos. 62 and 63.

6 pm

Mr. Flight: At first glance, the enterprise management incentives appear to be extremely generous and attractive schemes to encourage entrepreneurs and key leaders of business. Regrettably, however, as we pointed out in Committee, there are several problems, one of which is that a large number of business areas have been excluded, based on views founded in the past. A larger problem has been raised by several accounting and law firms specialising in the matter: that if the business in which people are granted EMI options succeeds—and therefore the options become worth something—it will almost certainly have disqualified itself by that stage; so, although individuals might enjoy EMI tax advantages for a year or two, they will quickly cease to do so.

Our amendments relate to the issues thus raised, which reveal the proposal as being more spin than reality—perhaps I should call it underspin. What is the estimated tax cost of the scheme? That would provide a reasonable measure of the extent to which the Government expect it to be effective. According to Government calculations, are EMI schemes a major means of fiscal incentivisation, or am I right to fear that they are merely a case of nice presentation with limited practical application? Before addressing our amendments, I should say, in passing, that the Opposition support the Government amendments, which, as the House will agree, are practical measures.

Our amendments are further practical measures that relate to the themes that I have identified. The first issue is the self-certification system, to which amendment No. 144 relates. Business wanted self-certification, which is a good idea, but it might engender some unnecessarily wrong outcomes. Currently, both employee and employer have to take a chance that the option scheme might not qualify; they have to wait to see whether the Revenue agrees with the employer's view that it does qualify. Therefore, the amendment embodies a reasonable suggestion whereby the correction of technical errors should be allowed where it is clear that the company and its arrangements should have been capable of qualifying. There is a difference between a scheme that is clearly outside the key parameters and rules, and one that contains, say, a drafting error that has resulted in the Revenue not granting its approval. Past comparable arrangements provide precedents whereby the Revenue is permitted retrospectively to correct what are described as remediable errors, as opposed to major errors of principle.

Amendment No. 143 relates to similar territory. Because it is not known at the time of grant whether a scheme will qualify, there is clear scope for legal action if an employee has been led to believe that it will qualify and then finds that it does not. The employer is asked to bear the risk, so we suggest that it should be permissible to give an indemnity against such actions, to avoid the process being impeded by legalese and caveats, which might discourage genuine cases of schemes that should have qualified.

I am referring to our amendments in reverse numerical order, as they appear on the selection list, which means that amendment No. 142 is next. It represents our attempt to create somewhat greater flexibility within the basic parameters whereby no more than £1.5 million can be awarded under EMI options. The amendment would introduce the principle whereby, instead of there being an inflexible maximum of 15 employees, there should be an aggregate limit constituting the total sum of all qualifying options. As Ministers will note, our amendment is worded so that one person will be prevented from awarding himself the whole lot. The current provisions might produce unnecessary anomalies, given the contrasting nature of different businesses. If a company needed to recruit 16 key people and a perfectly adequate market allocation was £50,000, it could not do so under the present rules; similarly, if the key number of people required was seven, but in the very competitive, new economy area, where £100,000 as an allocation was on the low side, it would not be permitted. Our amendment would provide a little flexibility within a limit of £1.5 million and would cater for the different needs of businesses.

Amendment No. 141 proposes arrangements that have been used quite successfully in this country in the past, which, in essence, stagger the payment of tax. It relates to the situation in which after an individual has enjoyed EMI terms for the first two years, the company grows and the individual ceases to enjoy the terms. When he or she exercises the options, there will be substantial income tax liability. The amendment would introduce the principle of instalment payments for the income tax that would fall due on the exercise of the EMI option, and it follows the provisions on payment of income tax on share options that prevailed before 6 April 1984, updated to reflect the introduction of self-assessment, which was not then in operation.

The amendment also removes the gain from the operation of pay-as-you-earn, providing for payment in five instalments. The first would be on the normal self-assessment date and the others on successive anniversaries of it. It is necessary to take account of the special nature of EMI companies. If the tax were collected via PAYE, the employer would have 30 days to raise it to avoid an additional tax charge under section 144A of the Taxes Act 1988, which states that if an employer receives benefits that are non-cash but PAYE-able, such is the gain made on the exercise of share options that a second tax charge on the amount of the PAYE due would be levied if the employee had not paid to his employer the amount of tax due within 30 days.

In practice, the amendment will force the employee to sell shares to raise the PAYE. PAYE applies where shares are readily convertible assets, which the Revenue defines and interprets widely, and which catches any listed company, and even unlisted companies in which it is considered likely that the employee might be able to realise cash from the shares, such as businesses that are about to be sold or in which flotation is pending.

Our proposal is designed to stop what would effectively be mandatory sales arising in situations in which a company has been successful and the EMI qualification has ceased. The Government will be advised by the professions that several problems arise in what is in principle an attractive scheme. Companies offering membership of a scheme to key staff will suffer uncertainty as to how long qualification will last, as to approval by the Revenue after the company's self-certification and as to the potential tax liability. Our amendments are designed to address those uncertainties and make the scheme more workable as regards its basic intent, which we support.

Miss Melanie Johnson: I do not intend to speak to the Government amendments as they are technical, correcting unintended double negatives and so forth.

The hon. Member for Arundel and South Downs (Mr. Flight) got a number of things quite wrong in his speech, and I hope to reassure him. He mentioned costs. The anticipated cost is given at page 154 of the Red Book—£45 million for a full year—and we anticipate that 2,500 companies will take up the incentive in the first three years, which involves about 18,000 employees. That is the basis on which our figures were constructed.

Amendment No. 144 demonstrates a misunderstanding of how enterprise management incentives work. An EMI option is granted as part of a share option scheme, but it is possible that a company may wish to grant EMI options to key employees under the rules of such a scheme. Nothing in the schedule requires that, however, and the schedule does not refer to a scheme as such. In addition to the reference to a scheme in the amendment, the hon. Gentleman spoke about schemes a few moments ago, but the schedule does not require the establishment of a share option scheme with rules to govern the granting and exercise of options.

6.15 pm

One requirement is that a company is carrying on a qualifying trade, but if it was not, it would not be possible to go back in time to suggest that it had been carrying on a qualifying trade at the date when the option was granted. That being so, we would not want to deem the option as having been a qualifying option from the outset, if the company decided that not carrying on a qualifying trade was an error and changed its trade to correct it. That would set an extreme and unwelcome precedent, and I cannot think that Conservative Members would think that sensible or desirable.

If, however, amendment No. 144 indicates concern that the company will be unfairly penalised if it has accidentally provided incorrect information when notifying the option to the Inland Revenue, I can allay that concern. The schedule already makes provision, at paragraph 3, for errors to be corrected in the notice to the Revenue. The provisions are equivalent to those provided under self-assessment for companies or individuals to correct any mistakes in their return.

The schedule also makes provision for the grant of an option over shares with a market value exceeding the individual limit of £100,000. Paragraph 10 allows any excess to fall outside the EMI provisions without disqualifying the whole of the option. Any error in the option agreement itself would be a matter between the grantor of the option and the employee. If they agreed to change the terms of the option, and the change related to something not required by the schedule, that would not in itself be a reason to disqualify the option, unless the effect were to increase the value of the shares under option. Amendment No. 144, with its reference to correcting errors in a scheme, in fact addresses an issue not relevant to the schedule. For those reasons, it is unwelcome and unnecessary.

Amendment No. 143 would have far-reaching consequences that the hon. Gentleman may not appreciate. It seeks to prohibit claims in tort or contract from being brought by or against any relevant company in the event that an option fails to meet the requirements of schedule 14. It is not clear why anyone would wish to protect companies against civil actions taken against them, or prevent them from bringing such actions, simply because the action was in connection with an option that failed to meet the criteria for EMI. I can see no reason why the employee—or employer—should lose his or her rights under civil law because he or she has become involved in the grant of an option intended to qualify under EMI.

If, for example, a company had deliberately misrepresented an option to an employee as qualifying for EMI, that employee might well feel that he or she had a legitimate right to challenge the actions of the company in court. That could lead to an anomalous situation. An employer may grant two identical options to two employees—one notified to the Revenue under EMI and the other not. It might be that neither would meet the EMI conditions, but once it was discovered that the first option did not meet the EMI criteria, the employee would have no redress against his employer for any failure to meet his contractual obligations, or any negligence or deceit involved in granting the option. The other employee—with exactly the same right to acquire shares—would retain his rights under civil law. The amendment would give too many powers away as well as raising questions under the European convention on human rights.

Amendment No. 142—it was dealt with as amendment No. 194 in Committee—would allow a company to grant options under the EMI provisions to as many employees as it wished, up to a limit of £1.5 million. The amendment goes against the whole aim of EMI, and against all the

[Miss Melanie Johnson]

recommendations made to us by business experts. As I have already explained in Committee, EMIs are a targeted measure for key employees—those who really make a difference to smaller, high-risk companies.

In Committee, I provided details of the reports backing EMI which appear at column 515 of Committee proceedings on 6 June. I could list them again, but I did list them all then. A report by the Bank of England on financing technology-based firms, a report by the Confederation of British Industry on technology stars, and the Government's own study group, chaired by Sir Peter Williams, chairman of Oxford Instruments plc, all found that the main barrier to growth experienced by smaller high-risk start-up businesses was a lack of highly qualified and motivated key employees. Those studies recommended targeted tax relief to help solve that specific problem, not general relief for employees to pay less tax.

EMI is the response to that and provides targeted tax relief. If companies want to, they can grant options to all their employees under not one, but two tax-advantaged share schemes: the company share option plan and the save-as-you-earn savings-related share scheme. A third such scheme is not necessary, as the matter is not about companies being to able to grant those options to all employees.

Amendment No. 142 would produce another unsatisfactory result. EMIs are simple and quick to operate, and do not require an approvals process. They have been designed that way because smaller companies have told us they want an incentive that is simple to operate and flexible, so that it can be designed to suit the individual needs of a particular business situation. If EMIs could be extended to all employees, having a company limit of £1.5 million rather than a limit of £100,000 per individual would require much more administration or red tape. I am sorry that the hon. Member for Buckingham (Mr. Bercow) is no longer in his place, as he was complaining earlier about red tape. The amendment would increase the amount of red tape and would involve keeping track of all option grants and exercises to ensure that the limit was not breached and all the employees' tax relief lost as a result.

The hon. Member for Arundel and South Downs asked about disqualification. He claimed that the options will almost certainly have disqualified themselves by the time that the company is successful. There is no disqualification if the company grows above the initial limit of £1.5 million of gross assets. The test applies only at the time that the options are being granted, so the issue foreseen by the hon. Gentleman does not arise. During our extensive consultation, everybody, including an advisory group of experts that helped the Inland Revenue to draw up the legislation, commented that smaller companies have only a limited number of key employees and welcomed the increases that we made to the number, initially from six to 10, and then from 10 to 15. There has also been a welcome for the great flexibility of this incentive.

Amendment No. 141 addresses issues which, again, are based on a misunderstanding. For the most part, no one will pay any tax as the result of being granted EMI options. Under normal circumstances, people will not pay tax when they exercise the option, if they were granted the option at market value. EMI is a very flexible instrument and allows companies to structure option agreements that could provide a gain to employees for reasons other than the intrinsic growth of the company. For example, companies can offer employees an option at a discount or at no cost at all, or can offer them an option that is immediately exercisable. Normally, there is no charge to tax under EMI on the exercise of a market value option. But when the option is granted at a discount, the normal taxing provisions apply to the part of the gain that relates to the discount. Only the discounted element will then be taxed. The charge arises under the normal charging provisions on share option gains, including section 135 of the Taxes Act 1988. EMI option holders are treated in exactly the same way as any other taxpayer in relation to the chargeable amount.

EMI has been deliberately designed to target the relief on gains arising from genuine growth in the value of the company. That rewards the employee's contribution to making the company grow, rather than any gains that he may make because he has been granted options at a discount on the market price. If a discountable amount is taxed, we would defend that as being not part of the incentivisation, as it has been granted as part of the arrangement, as opposed to growth. In all other regards, under normal conditions, people are unlikely to pay tax. Therefore the proposal envisaged in the amendment is not necessary.

I cannot see a case for providing for EMI option holders a special rule for paying tax over five years on taxable gains which do not fall within the schedule's targeted tax reliefs. In fact, we agree that the revived rules seem to fall in with the rules that the previous Conservative Administration looked at and which they acted against in the Finance Act 1984, when they restricted any payment in instalments to options granted before 6 April of that year. We agree with the previous Government's conclusions that the advantages available to companies under the approved schemes mean that there is no need for special rules for paying tax on other gains. Any taxable gains arising from EMI options are in exactly the same position as gains from other unapproved options, and should be taxed after allowing for EMI relief under the same rules.

The problems envisaged by the hon. Member for Arundel and South Downs will not normally arise and, when they do, that does not present a difficulty, but an arrangement that fits in with other arrangements that we would defend. I hope that I have reassured the hon. Gentleman on a number of counts. On those counts on which I am not reassuring, but arguing that his proposals are unnecessary, unhelpful or complex, I ask him not to press his amendments.

Mr. Flight: I thank the Minister for her full response to the matters that I have raised. I make the point upfront that the issues that I raised have been raised with me by Cisco, which is now called the Quoted Company Association, as well as several leading lawyers in the matter. For better or worse, they communicated to me that their key worry on EMI legislation as it stands is the lack of certainty. They will find what the Minister said helpful in addressing that worry.

Without misdescribing the matter as a scheme, however, when an individual gets his EMI qualifying options, there is an issue arising from self-certification. It is possible that the company may have made a minor

mistake, which the Revenue will pick up when it looks at it a year later and say, "Terribly sorry, there is something wrong." Consequently, the individual will not qualify. There is clearly an issue of materiality versus non-materiality. The Minister may be able to give me further comfort, as it is not entirely clear whether a relatively minor issue can be put right retrospectively.

Miss Johnson: I have already covered that point. As with self-assessment returns, there will be a period when the Inland Revenue or those on the other side can correct any matters. It is perfectly possible for genuine minor mistakes to be sorted out in that period.

Mr. Flight: I thank the Minister for her clear and extremely helpful explanation. I agree that, if that is the case, the risk of EMI agreements getting cluttered with all sorts of legalese to protect businesses against the risk of being sued is probably not a major one. Therefore, amendment No. 143, which sought to address that risk in a rather heavy-handed fashion, is not necessary.

As the Minister said, the tight rules about 16 people and a limit of £1.5 million were discussed in Committee. Our amendment certainly is not intended to undermine the scheme's objective. The simple point is that how many key executives one needs in a business varies enormously, depending on the nature of the business. If the business is very much a selling business, there will be more key people, especially in the flat structure of companies, who will be the makers of success in that business. If the business is a concentrated high-tech producer and the selling is subcontracted, there will be infinitely fewer key employees.

The tariff of key people in different areas and different businesses varies considerably. As we said in Committee, we think that it is sensible to permit flexibility. We are glad that the Government have raised the number to 15, but in some areas there may be eight key people and the tariff may be £200,000, and in other areas there may be 20 key people and the tariff will be much less. I understand why the Government want to stick with the simplicity of the rule—that has its logic—but in consultation with companies, as opposed to venture capital professionals, they would find that there is unhappiness about this issue.

6.30 pm

I shall repeat our point about instalment payments to get it on the record. When an individual gets his grant of EMI options and the company qualifies, can he be sure that he will retain EMI tax status as long as he holds those options, even though the company may subsequently cease to qualify because of significant growth or for another reason? If the EMI status can change relatively easily beyond the date of grant, and the individual who has EMI options is not certain of retaining his EMI tax advantages, my basic concerns stand.

Miss Johnson: I repeat my earlier point, which answered the hon. Gentleman's question. There is no disqualification if a company grows above the initial limit of £15 million of gross assets. The tax-exempt status applies only at the date on which the option is granted. Obviously, it has to apply at that point so that the options can be granted under the EMI incentive. Subsequent growth by the company will not invalidate the fact that the options were granted at that point.

Mr. Flight: I thank the Minister for that reply. The key issue is growth and success, but one could think of other factors that could invalidate the status. On the other hand, there is a question of principle: if there is qualification at the time of grant, does that make the EMI status valid for so long as the individual holds the options? If so, we do not take issue with the proposal. I shall give an example: the Minister, later in her career, will get her EMI options, but she cannot know whether anything will happen to her business or the way in which it conducts itself that will render her options non-EMI, and that will affect her perspective of their value when she receives them.

My understanding, and that of the lawyers to whom I have spoken, is that one's EMI tax status is not safe on all counts simply because the status applies at the time of grant. There are factors that could subsequently negate that status. The Minister kindly responded to my question about growth, but what about other issues?

Miss Johnson: I understand that change would not normally alter that status, but I am happy to write to the hon. Gentleman to cover any other eventualities. I cannot, at the moment, foresee any, but there may be some. Under normal circumstances, the individual who receives the tax advantage will continue to receive it through the EMI incentive. In the case of a disqualifying event other than company growth, the employee has 40 days to exercise and keep the relief; otherwise, the answer is yes: the individual will continue to receive the tax advantage through the EMI incentive.

Mr. Flight: We do not intend to press the amendment to a vote. There has been a useful airing of the issues. I look forward to further modest correspondence on the subject. It is clearly in the country's interests that the measures succeed in their objective. I merely say to the Minister that companies have expressed concerns to me and if the scheme is to work, they must be laid to rest. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 61, in page 321, line 8, leave out—

'at some time in the qualification period relating to the relevant shares'.

No. 62, in page 332, line 10, leave out "not".

No. 63, in page 332, line 36, at end insert—

'This is subject to sub-paragraph (3).

(3) Paragraphs 44 to 46 and sub-paragraph (2) of this paragraph do not apply if the amount chargeable under section 135 of the Taxes Act 1988 on the exercise of the option would, in the absence of those provisions, be less than the amount so chargeable by virtue of those provisions.'.—*[Miss Melanie Johnson.]*

Clause 66

TAPER RELIEF: TAPER FOR BUSINESS ASSETS

Mr. Flight: I beg to move amendment No. 136, in page 47, line 10, at end insert—

'(2A) Following subsection (7) add—

"(7A) Where any individual retires or dies or ceases employment due to ill health, injury or disability, and as a result an asset ceases

to be a business asset, then on a subsequent disposal of that asset taper relief shall be applied as if—

(a) there had been a disposal of a non-business asset which had been acquired for a consideration equal to the market value of the asset at the time it ceased to be a business asset, and which had been acquired two years prior to that time; and

(b) there had been a disposal of a business asset for a consideration equal to the market value of the asset on the date it ceased to be a business asset.".'.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this it will be convenient to discuss the following: Government amendment No. 97.

Amendment No. 137, in clause 67, page 49, line 10, leave out "2000" and insert "1998".

Amendment No. 138, in page 49, line 12, leave out—

'at a time before that date'

and insert—

'in respect of a disposal prior to 6th April 2000'.

Mr. Flight: Government amendment No. 97 concerns the issue to which I referred when we were discussing Government amendment No. 57, but I could not find my notes on Government amendment No. 97. We support the amendment, which addresses what we described as the GKN point. Older, larger companies, in particular, have joint ventures and shareholdings below 51 per cent., which would have disqualified many from the taper relief. The amendment resolves that, and I am sure that the Government will have had discussions with those who raised the issue. We are pleased to support the amendment.

The combination of taper relief, business asset definition and the need to find some method of apportionment will easily result in potential injustice. The unfortunate complications created by those three issues give rise to problems that may be insoluble, and we discussed them at length in Committee. We have considered many formulae, and we may settle on one formula, only to find that we create another injustice.

Amendment No. 136 is designed to deal with one injustice and to produce a slightly fairer result than that produced by the Bill. It tackles the anomaly in the new business taper relief for employees. As soon as they cease to be employees, their assets, which are principally shares, will cease to be business assets and will receive the less favourable taper based on time apportionment. If the employee retires or resigns of his own free will, that is fair enough, but if he is wrongfully dismissed, he should be able to recover damages from the company. That would be fair, although he would have to go through the legal hassle of doing that. I am well aware that the principle on which the Government rest is that in either case the employee has departed and is not contributing to the business.

There is, however, a middle set of no-fault departures, or what in business are now called "good leavers", and it would be unfair to cause those employees to be in a less favourable capital gains tax position because there is no voluntary departure or justifiable ground for divorcing them from the business. For those individuals, our amendment proposes an apportionment of gains on the basis of market value at the relevant time, with an acceleration of the non-business clock post-departure. If that produces a worse position than time apportionment, we would accept that it is fair because it means that value has increased more significantly after their departure than when they were present, but they were not contributing to that value. We accept that the negative aspect of the amendment is that it adds further complications, but the rough justice of the present arrangements is the worse of the two options.

Our amendments Nos. 137 and 138 address the larger problem. As the House is aware, there are new rules relating to assets acquired in the period between April 1998—when the taper started—and April 2000 when, under the present Finance Act, there was a change to business assets. As the new definition of business assets applies only from 6 April 2000, assets acquired prior to that date, and thus held longer than assets held after that date, are eligible for lower taper relief, if they did not qualify as business assets under the old rules.

We discussed that matter at some length in Committee. As the whole period of ownership is considered for the 10 years prior to disposal, and then divided into periods of business and non-business asset holding, each portion is taxed on different tapers. That seems to be contrary to the Chancellor's policy of encouraging long-term asset holding. As we illustrated in Committee, it produces extremely unfair anomalies in tax bills and would favour people who had acquired their business assets later.

We concluded that the only solution was to backdate the new rules to April 1998 when the taper started, but that confining them to disposals after April 2000—the intention of the measure—would achieve a fairer result. The Government's main opposition to that proposal was its cost. However, I am not sure whether the figures that Ministers quoted would have been confined—as we propose—to disposals made after 2000. I cannot help but comment that, given the splurge announced yesterday, the amount referred to by the Government as the cost was not hugely significant. Our proposal would sort out the extremely unfair and anomalous situations that could arise.

Mr. Burnett: As the hon. Member for Arundel and South Downs (Mr. Flight) has pointed out, we probed this matter extensively in Committee. However, it is worth revisiting.

I speak to amendments Nos. 137 and 138, because they are designed to correct a glaring anomaly that directly contradicts both the Government's principles and the philosophy that underlies their capital gains tax changes—that an individual should be rewarded according to the length of time that he has held an asset. The longer he holds the asset, the less tax he pays.

A simple example of the mischief to which the Bill would give rise is that if an individual, a Mr. Smith, had acquired shares before 6 April this year—now converted by the Bill into business assets, and we welcome that—he would have to wait until about 2010 to receive full CGT relief. However, if a Mrs. Brown acquires the same class of shares in the same company, she will receive full relief in 2004. The continuance of that anomaly is preposterous.

In Committee, I suggested that the problem could be remedied by a simple election by the taxpayer, who could then be deemed to have sold and reacquired the value for no gain, no loss as at 6 April 2000, thus allowing that

individual, on those shares converted into business assets, to have the time running from 6 April this year. That would have given that taxpayer no advantage whatever.

I am sure that the Economic Secretary understands that the intention is not to advantage the person who acquired his asset before 6 April 2000, but to put that person in exactly the same shoes as a person who acquired an asset after 6 April 2000. I do not have exact costs for the amendment, but I do not think that they would be significant. Does the hon. Lady have any information about the costs of those proposals to the Treasury?

The Economic Secretary was good enough to give the matter a fair airing in Committee. I hope that she will have had a chance to think again, and that she can avoid that dramatic anomaly and put all such shareholders in the same position, at little or no cost to the Treasury.

6.45 pm

Mr. Edward Davey: Notwithstanding the comments of my hon. Friend the Member for Torridge and West Devon (Mr. Burnett), I thank the Government for tabling amendment No. 97—especially on behalf of my right hon. Friend the Member for Yeovil (Paddy Ashdown).

We raised the matter in Committee—as did Conservative Members. It hits GKN and Westland especially because of the nature of the defence industry and the need for companies to enter joint ventures. I understand that the Government—through their officials—have held detailed discussions with GKN and Westland that, partly, resulted in the amendment. We are grateful to the Government for listening on that point.

Will the Minister confirm that it is the Government's understanding that, in such joint ventures, employees of GKN and of Westland will benefit from taper relief under the amendment? Clearly, that is the Government's intention; that is why they have worked so hard on the provisions. It would be helpful—especially if a Pepper *v.* Hart challenge were mounted—for the Government to make it clear that it is their intention that employees of GKN and Westland, and similar companies involved in joint ventures, should benefit from taper relief. I am advised that amendment No. 97 would provide for that, but—adopting a belt and braces approach—will the Economic Secretary confirm the point?

Mr. Geraint Davies (Croydon, Central): I speak briefly on amendments Nos. 136 and 137. There seems to be no indication of the cost impacts of the provisions. Furthermore, they might offer a slightly perverse tax incentive for premature retirement.

Mr. Burnett: That would not be the case. The provisions would operate on a straight line basis. The period during which a person has held an asset is the period for which he receives relief. If the asset was held for four years, full relief would be obtained if the person had acquired it after 6 April and it was a business asset.

Mr. Davies: I am not completely convinced by that point.

Under amendment No. 137, it would not be very beneficial to backdate the more generous taper for business assets, if the idea behind such a taper is that it would produce a positive effect on behaviour. By retrospectively backdating it, the asset holder would receive a windfall profit without any special benefit in respect of behaviour—because the event would already have taken place. There would thus be a windfall tax loss with no investment benefit.

Mr. Flight: Whether there was a windfall would obviously depend on what happened to the asset. The problem lies in another direction. Let us consider the case of two individuals who work for a company in which they hold shares: one is a loyal employee who first acquired his shares two years ago and the other has only just joined and obtained his shares. During the next eight years, the performance of the shares will be the same, but under the apportionment rules, the longer-serving employee, who bought his shares first, will end up paying more tax than the person who held them for a lesser period.

If the hon. Gentleman reads the debate we held in Committee, where that point was illustrated, he will appreciate the problem. We considered how to address it, and the only way is to backdate business asset relief to April 1998, when the taper started. We can argue whether there may be a windfall gain, but we must work from the point when taper relief started.

Mr. Davies: I accept that there is an issue about fairness in the way in which the provision applies. The difficulty arises once one starts going into retrospective benefits. As we cannot change previous behaviour, there is no benefit in terms of future investment and its duration and depth. It simply means a tax loss. Again, I do not know whether any costings have been done.

Mr. Burnett: In relation to amendments Nos. 137 and 138, if an individual acquired a class of shares in one company before 6 April this year and subsequently acquired shares in the same company of the same class, the recently acquired shares would get full relief in four years, whereas the previously acquired shares would get full relief in 2010. Does the hon. Gentleman not agree that that is glaring anomaly and that it should be corrected?

Mr. Davies: No, I do not agree. Over time, the tax system will change, and different tax regimes may apply. I do not think that the hon. Gentleman makes a compelling argument for the proposals. What is more, as soon as one opens the Pandora's box of retrospective taxation as a precedent, difficulties will arise. It would mean that if a portfolio of assets had been sold under a previous regime, the people affected would immediately want a tax reassessment. That would be a tax man or woman's nightmare and an accountant's dream.

I do not think that the benefits proposed are compelling. The costs have not been thought out and the administrative overheads would be ridiculous. I urge right hon. and hon. Members to resist the amendment.

Miss Melanie Johnson: I thank Conservative Members for their welcome for the change outlined in amendment No. 97. We said that we would bring forward such a measure when we discussed the matter in Committee. Officials have consulted GKN and the Chartered Institute of Taxation in drafting the amendment, and have consulted more widely among other companies.

My understanding is that everyone is content with the amendment. It would be rash for me to say definitely that GKN employees will benefit, but the company is well

[Miss Melanie Johnson]

aware of the amendment. There has been much communication, both formal and informal. I wrote some days ago to various notable members of the Standing Committee—including, I think, the hon. Member for Kingston and Surbiton (Mr. Davey)—and to right hon. and hon. Members with a local interest who had raised the matter with me. We believe that GKN is content with the amendment. That is as far as I can go in giving the hon. Member for Arundel and South Downs (Mr. Flight) an assurance, but I am sure that he will find it as satisfactory as is possible at this stage.

Of the three Opposition amendments, amendment No. 136 stands on its own, while amendments Nos. 137 and 138 stand together. Amendment No. 136 is unnecessary and unfair, because it would add unwelcome cost and complexity. It would make some people worse off, and is technically defective. I think that the hon. Member for Arundel and South Downs accepted that it would make some people worse off.

With regard to the amendment being unnecessary, where the employee's shares are in an unlisted trading company, or in a listed company in which the employee owns at least 5 per cent. of the voting rights, the assets will continue to be business assets after retirement. Where the assets change their status, as long as the retired employee disposes of them within 10 years of retirement, he or she will obtain some credit for the period for which those assets were business assets under the normal apportionment rules. So the amendment addresses only a small sub-set of cases.

The amendment would add complexity. If it was accepted, there would be two different systems of apportionment. They might apply to the same asset. Right hon. and hon. Members have indicated that one system of apportionment is already too complex. I cannot accept that, but I am nervous about expecting taxpayers to apply two different systems. Adding a bonus two years to the period in which the asset has been a non-business asset seems to be wrong in principle and to add further complexity. The bonus year added in 1998 for assets held at 17 March 1998 was added for quite different reasons.

The amendment would increase taxpayers' resource costs. Taxpayers would need to value the asset at the time of retirement. For listed shares, that is a hassle rather than a cost, but the amendment could also apply to some unlisted shares and securities, and to assets other than shares. Valuations would be needed, and taxpayers would have to bear the cost.

The amendment would make some people worse off. I quite understand that some would be made better off—broadly, those who keep their assets for a long time after retirement and those whose gains are unevenly distributed and arose predominantly when they were employed. However, there would be losers too—people whose gains arise mainly after retirement, people who acquire their shares shortly before they retire and people who sell their shares soon after they retire, for whatever reason.

Let us consider an employee who acquires shares 11 months before retirement and disposes of them one month after retiring. Under the amendment, that employee would receive no taper relief at all. Under the normal rules, he would pay tax on only 88 per cent. of the gain.

Let us consider—I will exaggerate to make the point—an employee whose shares do not increase in value at all in the four years that he or she is an employee, and then double in value in the four years after retirement. It is possible. Under the normal rules, he or she would pay tax on 47.5 per cent. of the gain; under the amendment, he or she would pay tax on 80 per cent. of the gain.

My point is not that the normal method of time apportionment always leads to winners. There are winners and losers under both systems of apportionment. However, it is fairer to have a single system that applies to all apportionment cases across the whole taper system.

The amendment is technically defective. What if the asset later becomes a business asset again? Perhaps the employee returns to work for the company or a listed company becomes unlisted. It is not clear that the amendment would allow a further period of business assets status to accrue.

The amendment does not define its terms. What are "ill health", "injury" and "disability", and who will decide? Is the amendment meant to cover all retirement or just retirement due to ill health, injury of disability?

The interaction of the amendment with the normal market value uplift on someone's death is less than clear. No capital gains tax is payable on that uplift at death. The personal representatives of the deceased pay tax only on gains after the death. Under the amendment, however, they might have to pay tax on gains pre-death as well.

The amendment is similar to one put forward in Committee. It is a better and more worthwhile version, but I still give it only seven out of 10 and do not feel moved to support it.

The purpose of amendments Nos. 137 and 138 is backdating, so that the period between 6 April 1998 and 5 April 2000 is counted as a period of business use. That would produce no increase in productivity or benefit to the economy, as my hon. Friend the Member for Croydon, Central (Mr. Davies) remarked a few moments ago. It would be expensive, which I shall come on to shortly. I will therefore ask the House to reject the amendments if they are pressed.

In clause 67 we are providing a real and positive encouragement to entrepreneurial investment and greater employee share ownership in the future. The amendments seek to reward past activity, where there is no scope for incentivisation.

7 pm

It has been suggested that there is something unfair about apportioning gains between the part that is attributable to a time when the conditions for the business asset treatment are satisfied and the part that is not. However, it is perfectly fair and reasonable that an asset that has not been a business asset throughout the relevant period of ownership should be treated less generously than one that has. That is the whole point of the more generous business asset taper. To compare the case of a person who acquired the asset when it was not a business asset, but was later converted to one, with a person who has held the asset throughout as a business asset is to compare apples and pears. We discussed that in Committee at considerable length.

Mr. Burnett: Does the Economic Secretary agree that the Government amendments that convert non-business

assets to business assets are thoroughly worth while and that, if that is so, they would have been worth while two or three years ago?

Miss Johnson: Of course I agree that those changes are worth while, but we cannot incentivise past activities by backdating the measure. That is the crux of the matter, and it is the reason why hon. Members are comparing apples and pears. The apportionment is right in principle because it treats both cases alike by enabling them to receive business asset taper for the time they held the shares as a qualifying business asset. Therefore, I do not agree that the clause is in any way unfair. It is perfectly fair to give business asset taper relief to those who qualify for such relief for the time that they so qualify and not for times that they do not. That is a benefit to all those who hold, and continue to hold, business assets.

It has been argued that the amendment would simplify assessments by ending the need for apportionment. That is true up to a point, but apportionment would still be necessary if assets changed their status for another reason. The complexity of apportionment has been much exaggerated. The Inland Revenue will set out clearly the series of simple steps that taxpayers should follow.

Moreover, such a backdating amendment would be very expensive. There would be a cost of more than £300 million in the next three years. That cost would be all deadweight; it would not act as an incentive and would have no impact on future behaviour. The amendments would direct money away from the new enterprise economy, rather than provide further incentives for growth. Therefore, if the amendment is not withdrawn, I shall urge hon. Members to vote against it.

Mr. Flight: It is not our intention to press the amendment to a Division. The Economic Secretary is aware of the fact that the arrangements contain unfair anomalies and that citizens who are treated unfairly will not be happy. The problem is extremely complicated and the alternative solutions would create other difficulties. We have given the issue an airing, and the Government would be well advised to consider it further, but I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 67

TAPER RELIEF: ASSETS QUALIFYING AS BUSINESS ASSETS

Amendment made: No. 97, in page 49, line 8, at end insert—

'( ) After paragraph 22 insert—

"*Qualifying shareholdings in joint venture companies*

23.—(1) This Schedule has effect subject to the following provisions where a company ('the investing company') has a qualifying shareholding in a joint venture company.

(2) For the purposes of this paragraph a company is a 'joint venture company' if, and only if—

(a) it is a trading company or the holding company of a trading group, and

(b) 75% or more of its ordinary share capital (in aggregate) is held by not more than five companies.

For the purposes of paragraph (b) above the shareholdings of members of a group of companies shall be treated as held by a single company.

(3) For the purposes of this paragraph a company has a 'qualifying shareholding' in a joint venture company if—

(a) it holds more than 30% of the ordinary share capital of the joint venture company, or

(b) it is a member of a group of companies, it holds ordinary share capital of the joint venture company and the members of the group between them hold more than 30% of that share capital.

(4) For the purpose of determining whether the investing company is a trading company—

(a) any holding by it of shares in the joint venture company shall be disregarded, and

(b) it shall be treated as carrying on an appropriate proportion—

(i) of the activities of the joint venture company, or

(ii) where the joint venture company is the holding company of a trading group, of the activities of that group.

This sub–paragraph does not apply if the investing company is a holding company.

(5) For the purpose of determining whether the investing company is a holding company—

(a) any holding by it of shares in the joint venture company shall be disregarded, and

(b) it shall be treated as carrying on an appropriate proportion of the activities—

(i) of the joint venture company, or

(ii) where the joint venture company is the holding company of a trading group, of that group

This sub–paragraph does not apply if the joint venture company is a 51 per cent subsidiary of the investing company.

(6) For the purpose of determining whether a group of companies is a trading group—

(a) every holding of shares in the joint venture company by a member of the group having a qualifying shareholding in that company shall be disregarded, and

(b) each member of the group having such a qualifying shareholding shall be treated as carrying on an appropriate proportion of the activities—

(i) of the joint venture company, or

(ii) where the joint venture company is the holding company of a trading group, of that group.

This sub-paragraph does not apply if the joint venture company is a member of the group.

(7) In sub-paragraphs (4)(b), (5)(b) and (6)(b) above 'an appropriate proportion' means a proportion corresponding to the percentage of the ordinary share capital of the joint venture company held by the investing company or, as the case may be, by the group member concerned.

(8) The following shall be treated as having a relevant connection with each other—

(a) the investing company;

(b) the joint venture company;

(c) any company having a relevant connection with the investing company;

(d) any company having a relevant connection with the joint venture company by virtue of being—

(i) a 51 per cent subsidiary of that company, or

(ii) a member of the same commercial association of companies.

(9) The acquisition by the investing company of the qualifying shareholding shall not be treated as a relevant change of activity for the purposes of paragraph 11 above.

(10) For the purposes of this paragraph 'ordinary share capital' has the meaning given by section 832(1) of the Taxes Act.".'.—*[Miss Melanie Johnson.]*

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Schedule 22

TONNAGE TAX

Amendment made: No. 99, in page 432, line 32, at end insert—

': and

(f) the profits of the overseas company out of which the distribution is paid are subject to a tax on profits (in the country of residence of the company or elsewhere, or partly in that country and partly elsewhere).'.— *[Dawn Primarolo.]*

Clause 92

TRANSFERS OF VALUE BY TRUSTEES LINKED WITH TRUSTEE BORROWING

Mr. Flight: I beg to move amendment No. 147, in page 66, line 21, leave out "that are" and insert—

'who are not trustees of a settlement for the benefit of the persons named in paragraphs (a) and (b) of section 86 of the Inheritance Tax Act 1984 but who are'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 148, in clause 93, page 67, line 26, after "(a)", insert—

'"settlement" means any settlement other than for the benefit of the persons named in paragraphs (a) and (b) of section 86 of the Inheritance Tax Act 1984 and'.

No. 149, in clause 94, page 67, line 45, after "13", insert—

'and "settlement" means any settlement not being for the benefit of the persons named in paragraphs (a) and (b) of section 86 of the Inheritance Tax Act 1984.'.

No. 150, in page 68, line 34, leave out "that" and insert—

'which is not engaged in a trade or which does not have a 51 per cent. subsidiary (as that term is defined in section 838 of the Taxes Act 1988) which is engaged in a trade, and which'.

No. 151, in page 68, line 34, at end insert—

'(3) This section shall not apply if the trustees show in writing or otherwise to the satisfaction of the Board of Inland Revenue either

(a) that the purpose of avoiding liability to capital gains tax was not the purpose or one of the purposes for which the trustees became a participator in the close company to which the chargeable gain accrued; or

(b) that the acquisition and the disposal by the close company of the asset on which the chargeable gains accrued were bona fide commercial transactions and were not designed for the purpose of avoiding liability to capital gains tax.

(4) The jurisdiction of the Special Commissioners on any appeal shall include jurisdiction to review any relevant decision taken by the Board in exercise of their functions under subsection (3) above.'.

Mr. Flight: There was a fairly full discussion in Committee of the territory that these amendments cover. A matter of principle is ultimately involved: whether the Government's objective is fundamentally to prevent tax avoidance or to change a principle of British law. It is understood that the purpose of clauses 92 and 93 is to try to stop tax avoidance, but they are widely drafted and apply to all trusts, irrespective of their purpose and operation.

Employee trusts frequently take out a series of loans from employing companies within a group as part of their disposal of shares to employees. The loose wording of schedule 25 could be applied, more or less, to anything to which the Inland Revenue wanted it to apply. Under amendments Nos. 147 and 148, we suggest that employee trusts should be excluded from the scope of the measure, putting beyond doubt that wider employee share ownership should not be hindered inadvertently by such ambiguously worded legislation.

The same point arises in relation to amendment No. 148. Employee trusts could make both gains and losses as they pass to employees shares that have been warehoused for a period. It is possible for them to receive shares from, for example, a retiring controlling director. They could be exposed to higher than necessary capital gains while engaged in perfectly legitimate activity, which the Government wish to encourage.

Similarly, amendment No. 149 is drafted to exclude employee trusts. Why should employee trusts be penalised because they happen to be established for United Kingdom employees where the parent company is located overseas? The Government may say that that is highly unlikely, but business is increasingly global and an employee trust could hold 5 per cent. or more of a company—the minimum threshold to receive a tax bill under clause 94. However, an employee trust would be unlikely to hold more than 5 per cent. of such a company as part of a tax avoidance scheme.

Amendment No. 150 focuses on different territory. The Paymaster General has helpfully confirmed in correspondence that the provisions under clause 94 will apply only to investment gains; it is not intended to apply to gains on tangible assets used in a trade. That relates to section 13 of the Taxation of Chargeable Gains Act 1992, but the defences in that section are not sufficient. Therefore, why have only tangible assets been included? What about software? The principle set out in the Paymaster General's letter could be best safeguarded by making it clear that those provisions will apply only to non-trading groups.

Amendment No. 151 is somewhat larger in scope, so I hope the House will excuse me if I deal with the arguments in total. Those subsidiaries of United Kingdom companies that make gains on the disposals of their assets pay tax in the appropriate location. If the proceeds are used to invest overseas, it is right that no UK capital gains tax arises. UK tax is payable when the proceeds are brought back to the UK or distributed to UK shareholders. Those general rules are overridden only where necessary to prevent avoidance.

The Government say that clause 94 is focused on avoidance, but their definition of avoidance includes any cases in which trustees are shareholders in a close company. Unless, as I have said, the intention is to change an underlying principle of tax law, that definition is too sweeping and unfair. It could significantly reduce the ability of UK-based groups to reinvest overseas and to create continuing flows of income, which would be taxable when brought back to the UK.

We have received a number of representations from taxpayers who are clearly not involved in avoidance and who will be damaged by the new rules. For example, a pension fund may want to invest in property overseas and find that it can take a stake in a non-UK company,

the rest of which is owned by a UK private group. Under clause 94, if such overseas property were sold—that would be outside the control of the pension fund—the pension fund would be deemed to be a tax avoider and a notional gain would be charged even if the proceeds were invested overseas and thus not available.

Another example is a charity with significant assets represented by a gift of shares in a private company. If the status of the private company changed to close—which, by definition, would be outside the charity's control—the charity would have deemed gains visited on it. Thus, it would have a tax liability even when it had no taxable proceeds. A more glaring anomaly is represented by the example of a close company at present controlled by individuals who will be outside the scope of the new rules introduced by clause 94. If those individuals believe unreservedly in the values of employee share ownership, they might create a trust for the permanent benefit of their staff and transfer to it the majority of the shares in the company. Under clause 94, the situation would change totally so that the trustees would be deemed guilty of tax avoidance. Overseas gains would be attributed to them even if they had no money with which to meet the tax. The Baxi Partnership, to which we referred extensively in Committee, is an example of that.

A company that has had investments abroad for 20 or 30 years might decide that the time has come to realise those investments and reinvest the proceeds in either a different asset or another overseas country. Again, there would clearly be no UK tax avoidance motive, but if the company committed the heinous crime of having trustee shareholders, deemed gains would be attributable through to those shareholders if the company was close and the funds available for reinvestment would be reduced.

In Committee, we urged the Government to accept that they had to identify commercial cases, including such examples as I have described, to meet what we understood to be their intention to focus on avoidance situations. Our amendment, which draws on long-standing precedents, offers an acceptable way to achieve that. One of the oldest anti-avoidance provisions in our tax code was originally section 18 of the Finance Act 1936, which became well known through the Vestey case in the 1980s. Even that provision, the severity and breadth of which has been commented on by a number of distinguished judges, provides an exemption when the taxpayer has invested overseas for bona fide commercial reasons or not to avoid UK tax. In the narrow area on which the Government are focusing, we ask that they afford the same protection that extends to that wide income tax avoidance provision.

To sum up, a recent Revenue technical note said:

> Certain aspects of the current tax code for capital gains can hinder businesses' international competitive position and distort their commercial decisions, forcing them to adopt structures that they would not have needed otherwise. It may also act as a disincentive to companies that are investing to innovate and to modernise.

We ask the Government to see that justice is done.

The Paymaster General (Dawn Primarolo): I shall respond briefly as we had a similar debate in Committee, and I must admit to a feeling of déjà vu as the hon. Member for Arundel and South Downs (Mr. Flight) has made exactly the same arguments. I remind the House that the proposals represent an important package of measures that we have introduced to counter a large number of tax avoidance schemes involving the use of trusts, which have been devised to enable individuals to sell valuable assets without paying any tax on their gains. Our proposals, which are specific and tightly drawn, deal with avoidance.

7.15 pm

Although this may disappoint the hon. Gentleman, I am no more convinced by his amendment than I was in Committee, even though we have had extensive discussions. Towards the end of his remarks, he referred to three aspects on which there was a meeting of minds in Committee: charities, pension funds and whether the operation of section 13 of the Taxation of Chargeable Gains Act 1992 is harsh. Particular discussion centred on the Baxi company.

Before I respond on those points, which are the ones on which the hon. Gentleman seeks the comfort of a reassurance given on the Floor of the House, I say to him that the proposals deal with avoidance. In Committee, he agreed that he would not want himself or his party to be associated with activities deliberately designed to allow someone not to pay tax. I accept his point about the amendment, but in the knowledge that there is much to agree on with respect to the broad sweep of the proposals. However, I recognise that the Opposition feel strongly as they have returned to these issues yet again.

Mr. Oliver Letwin (West Dorset): For only the third time.

Dawn Primarolo: Third time lucky, perhaps.

As I said in Committee, I have asked the Inland Revenue to review without prejudice the operation of section 13 of the 1992 Act in respect of charities. I have also asked it to consider pension funds, which the hon. Member for Arundel and South Downs also mentioned. I have some sympathy—I would not like to overstate the point—with the view that section 13 may operate harshly in some circumstances, so I have asked the Inland Revenue to extend the remit of the review, again without prejudice, to see whether there is a case for widening the categories of gain not caught by section 13.

May I put out a general statement? People concerned about those matters, including the hon. Gentleman, will have the opportunity to make their points to the Revenue. I take a great deal of pleasure in my correspondence with him, and I am sure that the Revenue will do likewise. I shall consider carefully the points arising from the review, and there is no reason why there should not be further correspondence at that time. I trust that my remarks have helped to allay the fears expressed by Conservative Members and that they will withdraw the amendment and await the outcome of the Inland Revenue's considerations.

Mr. Flight: I thank the Minister for a most constructive response. Both of us seek justice and fairness and, with pleasure, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 26

TRANSFER OF VALUE: ATTRIBUTION OF GAINS TO BENEFICIARIES

Amendment made: No. 90, in page 482, line 5, leave out—

', in subsections (1), (3)(a), (4), (5), (7) and (8), after "sections 86A to 96"'

and insert "—

(a) in subsections (1), (3)(a), (4) and (7), after "sections 86A to 96", and

(b) in subsections (5) and (8), after "sections 86A to 90",'.—*[Dawn Primarolo.]*

Schedule 30

DOUBLE TAXATION RELIEF

Dawn Primarolo: I beg to move amendment No. 103, in page 513, line 11, at end insert—

'Restriction of relief for underlying tax

7A.—(1) Amend section 799 of the Taxes Act 1988 (computation of underlying tax) as follows.

(2) In subsection (1) (underlying tax to be taken into account to be so much of the foreign tax on the relevant profits as is attributable to the proportion represented by the dividend) after "as" insert "(a)" and at the end of the subsection add ", and

(b) does not exceed the amount calculated by applying the formula set out in subsection (1A) below."

(3) After subsection (1) insert—

"(1A) The formula is—

$$\frac{D \times M}{(100 - M)}$$

where—

D is the amount of the dividend; and

M is the maximum relievable rate;

and for the purposes of this subsection the maximum relievable rate is the rate of corporation tax in force when the dividend was paid."

(4) In subsection (3) (profits by reference to which underlying tax to be taken into account is calculated)—

(a) at the end of paragraph (a) insert "and";

(b) omit paragraph (b); and

(c) in paragraph (c), for "paid neither for a specified period nor out of specified profits" substitute "not paid for a specified period".

(5) This paragraph has effect in relation to any claim for an allowance by way of credit made on or after 31st March 2001 in respect of a dividend paid by a company resident outside the United Kingdom to a company resident in the United Kingdom unless the dividend was paid before that date.

(6) In determining, for the purpose of any such claim made on or after that date, the underlying tax of any such third, fourth or successive company as is mentioned in section 801(2) or (3) of the Taxes Act 1988, this paragraph shall be deemed to have had effect at the time the dividend paid by that company was paid.'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 104 to 107.

Dawn Primarolo: I have not moved the amendment formally because it is necessary to comment on the double taxation relief issues before the House. I recognise that the hon. Member for West Dorset (Mr. Letwin) is not feeling as well as he might. I therefore hope to be succinct in my comments and, at this point, perhaps he will agree with our proposition.

The amendments will change the system of double taxation relief for companies in order to reinforce the Government's policy of removing the tax advantages that the biggest multinationals get from using offshore companies to route dividends into the United Kingdom. At the moment, that enables them to avoid UK tax on profits on which little or no tax has been paid elsewhere, and to avoid the impact of the legislation on controlled foreign companies—a matter that we will come to subsequently.

Most of the provisions introduced by the amendments are new. Some, however, are a reordering of amendments that were agreed in Standing Committee; they need to be repeated because of the other changes that we are making. I turn specifically to the new proposition in the Government amendments, which basically deals with onshore mixing. That brings me to new sections 806A to 806K. I shall mention briefly what they do.

The Inland Revenue has produced a very detailed explanatory note with dozens of worked examples. To make this aspect of very complex legislation as clear as we possibly could, the Government thought that it would be helpful to have a full explanatory note for business and, indeed, hon. Members to refer to. The Inland Revenue will publish further detailed guidance about the legislation later this year, well in advance of when the legislation starts to apply at the end of March next year.

New sections 806A to 806G allow underlying tax that is excluded by the 30 per cent. mixer cap, or that cannot otherwise be allowed in the UK, nevertheless to qualify for credit relief, subject to an upper maximum limit of 45 per cent. That will effectively prevent low-taxed profits from being mixed with high-taxed profits, while still allowing relief for foreign tax paid at rates of up to half as much again as the UK rate.

A rate of 45 per cent. is generally above the main corporate tax rates in, for example, virtually all the European Union, the United States and a very large number of other countries, which I am more than happy to read into the record if hon. Members wish. However, I do not think that they would wish me to do that, so I will use just those examples.

The proposals would remove the tax advantages of holding overseas subsidiaries through offshore holding companies. They prevent avoidance of UK tax on low-taxed profits from controlled foreign companies by the current practice of mixing them with high-taxed profits earned by different companies in different countries. They stop the UK giving unlimited relief for foreign tax paid at rates well in excess of the UK rate, while nevertheless giving companies scope for obtaining relief for foreign tax paid at rates that are up to half as much again as the UK corporate tax rate. They introduce more flexible forms of relief than UK companies have enjoyed before.

The old system of mixing offshore was extremely complex. Dividends had to be timed perfectly. One had to have the right dividend in the right place at the right time in the right year in the right amount. The mixer system was very complicated and entirely artificial. We are putting in place a system whereby new companies investing overseas will in future have a new system that

is simpler and more flexible, although taxation in this area is never simple; however, it will be simpler. It will influence behaviour.

Some companies already investing overseas have complicated structures. If they want the maximum benefit from the arrangements, they will need to restructure. In the *Financial Times* today, the Chartered Institute of Taxation said that the compromise was "generous and flexible". Hallelujah! Peter Cussons, partner of PricewaterhouseCoopers, said of the proposals, "90 per cent. there," although he would have liked to have seen the cap set a little higher, but he would say that, wouldn't he?

I think the House will agree that the arrangements that will be in place following all the changes in the Finance Bill on double taxation relief, on capping and to prevent offshore mixing, and the arrangements for onshore mixing give a sound basis to move forward in this policy area. I commend the amendments to the House.

Mr. Letwin: It seems as long as I have been alive since we started making representations about the matter. Hon. Members present will remember that the initial proposals by the Government followed a consultation paper in which two options were put forward, one of which was onshore pooling. From that moment to this, we have argued that onshore pooling was an appropriate response. I can only say with heartfelt thanks that the Paymaster General and her colleagues have now given us a system of onshore pooling. We could all have been spared a lot of time and bother had that been done in the first instance.

This is very good news for British industry, for parliamentary democracy and for those who are contemplating establishing headquarters of multinational companies in the UK. Indeed, I will go so far as to say that I think the system of onshore pooling is superior in principle to the system of mixer companies, which has informally and quasi-formally operated to date. It is very good news. Indeed, it overwhelms the points that I am about to make, although they are also important. I hope that the Paymaster General will take them in the spirit in which they are intended—not as party politics, but as a recommendation for serious action over the next year.

If I can be forgiven a Dickensian allusion, the drafting of these particular amendments, which I recognise has been done in an almighty rush given the complexity of the subject matter, is worthy of the Circumlocution Office and may on reflection engender a certain amount of Jarndyce *v.* Jarndyce legal action. I hope that the Paymaster General will allow the next few months to be taken up in part by a review of those provisions to see whether a certain element of the spirit of the tax rewrite might not enter some of them, and whether they might not be brought back, not substantively altered necessarily—except in relation to a point that I shall come to—but altered in the drafting, so that there is some hope of people who have to operate the system in future years roughly understanding them.

Many hours spent going through the provisions in the past few days with expert help have convinced me that it is almost impossible to understand quite large sections. One or two of the most distinguished accountants in Britain are unable to determine the precise meaning of some of the paragraphs. Perhaps the parliamentary counsel who wrote them is unable to determine their meaning. In any case, I am sure that they could be improved upon with the lapse of time.

We are grateful for the offer that the Paymaster General makes to produce a kind of guide for the uninformed in due course. I hope that that guide, which will have the benefit again of a much greater amount of time than the notes on clauses have had, will benefit from a little application of Fowler's plain English—not just plain English, but conceptual clarity.

I do not mean to be abrasive about the people who had the laborious task of drafting the notes on clauses, at what must have been astonishingly high speed. The notes are voluminous, but I must say that they are an extraordinary example of the art form. They make issues that were already complex obscure, and in some cases, issues that were already obscure incomprehensible. In some cases, it was only by returning to the clauses themselves that I could make out what was going on. The problem is remediable. There are plenty of people in the Treasury and at the Paymaster General's disposal who know how to do such things, given a few more weeks. I hope that time will be taken and that when the guide is produced, it will be comprehensible. So far, we are probably ad idem on the matter on both sides of the House.

7.30 pm

I shall deal with one grave matter of substance, but, before that with one comparatively minor matter. First, I must declare an interest. I have never been able to work out what it was, but I am sure that I do have an interest in some way, and it would be remiss of me not to declare it.

The Paymaster General said—and she was right—that the preponderance of the relevant other jurisdictions have tax rates that fall within the 45 per cent. limit. However, the current drafting of the amendments will, rightly, also capture withholding tax. The hon. Lady will discover, or she may already know, that in relation to, for example, subsidiaries held in Tokyo or in the state of New York, the composite effect of underlying tax and withholding tax rates will exceed 45 per cent.—not by very much, but by a little. That is why, I think, Mr. Cussons was arguing for a slightly higher rate. I believe that 48 per cent., for example, would capture almost all the effects to which I am referring, and certainly 50 per cent. would.

I do not want to stress that point unduly. Throughout the debate, I have never sought to use hyperbole where there are serious arguments and serious issues at stake. The old system that was introduced by the previous version of the Bill would have destroyed Britain as a location for multinational headquarters. The difference between 48 and 45 per cent. as a cap on onshore pooling will not destroy—I repeat, will not destroy—Britain as a headquarters for multinationals. It is, however, a minor irritant and I hope that the Paymaster General will reflect on that. There is time enough between now and next March or April to revise the limit to 48 per cent. That would be helpful, without much cost to the Treasury.

My major point relates to a matter which the Paymaster General acknowledged, to a degree, but I am not sure whether she has yet, or even that we have yet, fully grasped the scale of the problem. I refer not to new companies that are considering locating their headquarters in the UK, but to multinational companies that are already headquartered in the UK.

Those multinationals are largely shackled by the provisions that ensure that there will be a significant crystallisation of capital gains, should they seek to leave

[Mr. Letwin]

the UK. It has never been our argument that any change of double tax relief will send packing companies that are already headquartered in the UK, for that very reason—they are shackled by the provisions of capital gains realisation.

I am not saying that the effects that I am about to describe will send companies packing, but those effects may cost companies currently headquartered in the UK very large sums of money. That is the worry. Currently headquartered in the UK are multinational companies which, for tax-mixing purposes or for other purposes, or both, have been structured around intermediate holding companies, very often Dutch BVs, but in some cases other kinds of mixer companies. They have indirect subsidiaries—subsidiaries of subsidiaries—often in countries such as Japan and the United States.

The great bulk of the most important subsidiaries of multinationals headquartered in the UK, both originally UK-based and immigrants to the UK, have holdings through intermediates and sub-subsidiaries in the US and Canada. For various cultural and business reasons, our major area of outward investment has been north America. Under the provisions for onshore pooling, in order to benefit fully from the mixing or pooling—in order to get the unrelieved portion dealt with and to be able to use it—those companies will have to restructure their activities in such a way as to bring the current sub-subsidiaries and sub-sub-subsidiaries under the direct ownership of a UK-based company. That is the point of onshore pooling. We have no objection to that. There are restructuring costs associated with that, but I do not dwell on them—I suspect that, in the context of those companies, those costs will not be major.

However, the UK is not alone in having rules that crystallise capital gains upon restructuring. Other countries do, too. Some of the jurisdictions in the US have very great penalties on restructuring under certain circumstances. The Paymaster General is helpfully nodding, so the subject has evidently been aired inside the Treasury. I have had the opportunity in the past few days to discuss the matter with some distinguished auditors and also with some of the most important company treasurers in multinationals headquartered in the UK, which have not just substantial but enormous sub-subsidiaries and sub-sub-subsidiaries in north America.

I can assure the Paymaster General that a proper investigation of the matter will in due course reveal that the possible losses to multinationals headquartered in the UK associated with the transitional restructuring, so to speak, required to get the benefit of the onshore pooling may be enormous.

Bizarrely, that takes us back to a slightly sterile debate that we had right at the beginning, long before I at least, and perhaps even Ministers, properly understood what we were debating. That was the sterile debate about how much the Treasury would or would not raise by moving from mixing to no mixing. It was a sterile debate then as, in fact, the Treasury would not raise anything because sooner or later companies would not come to the UK. The long-term effect of the old proposals would have been that no revenue was raised and no multinationals were headquartered in this country.

Now there is the question not of new companies coming, but of existing companies that are shackled in the UK. There is the possibility not of the Treasury doing too well, as it will not gain by the restructuring, but of the US Treasury gaining from the provisions. I know that throughout the proceedings in Committee and on Report, the Paymaster General has been generous and I do not doubt her generous instincts, but I suspect that they do not stretch to trying to make the US Treasury richer at the expense of UK-headquartered multinationals.

A brief inspection of *The Economist* this week will show that the US Treasury is rich beyond the wildest dreams of man. It is getting to the point where presidential candidates vie with one another to explain to US taxpayers how much tax relief they will undertake. We do not need to shed tears about the US Treasury, and we do not need to make it any richer at the expense of multinationals headquartered in the UK.

The practical question arises: how serious is the problem? The honest answer is that I do not know, and there is no one else who knows, as we have had only a few days to study the amendments. It will take time for accountants and treasurers in those large companies to get to grips with what will be required and to work out in detail what the costs will be.

What are the practical steps that can be taken if it transpires that the problem is serious, as I suspect it may be? I think that I can suggest a course of action that may be acceptable to the Paymaster General and which she would have an opportunity to put on the record today. We could then rest easy, broadly, and, in the spirit of amity, claim joint victory over the forces of evil. I do not suggest in any way that that would be a victory over the Government—no, no, far be it from me.

I suggest that over the next few months, companies be given the opportunity to calculate the tax costs arising in other jurisdictions; that some consultative process be established so that they can bring to the attention of the UK Treasury on a confidential basis the broad effects; and that the Paymaster General and her colleagues should consider those and judge whether the effects are serious. If they are, the Paymaster General or her successor should bring forward in next year's Finance Bill—that will be just in time—transitional amending provisions to provide more time or to make such other changes as are necessary to allow multinational companies currently headquartered here not to suffer the effects that we are discussing, or not to suffer them too dramatically.

I say "just in time" because, as the Paymaster General rightly said, the provisions will come into force next March. Unless my colleagues or successors are peculiarly inadvertent, next year's Finance Bill will not have been taken through the House and passed into law by March.

If the hon. Lady were now to announce that she is at least willing to go through some such process, and to agree that if it transpires that there is modification required she will bring forward in next year's Finance Bill retrospective legislation to allow for that, companies could proceed in the next few months in the knowledge that if they can show that there is a real problem, action will be taken retrospectively to allow them to engage in restructuring at a pace and in a way which minimises that problem.

Mr. Edward Davey: The hon. Gentleman is making an important point. One way to assist companies as they plan

for the next financial year would be if the Government were, in a pre-Budget report, to pre-announce at that early stage their intention to allow retrospective taxation and the possible shape of it.

Mr. Letwin: Yes. I think the hon. Gentleman's suggestion is an improvement on mine. I agree that it would be helpful if these matters were made clear in a pre-Budget report. I am sure that there will be time enough to do that. If there really is a problem, the scale of it will then have become clear.

I do not ask the Paymaster General to make a firm commitment on Report to a particular series of steps. However, if she will agree to reflect on these matters and to work out a scheme of action that will ensure that there are not unnecessary, significant and crippling costs—crippling is perhaps an exaggeration—for multinational companies currently headquartered in the UK, we shall have achieved a reasonable solution. This is a textbook case of why it is worth while going through the rather ghastly and laborious process of Second Reading, Committee and Report—it has given the industry and the professionals time to bring out the real problem.

I give due credit to the Paymaster General because she has shown considerable forbearance and understanding as we have gone through the parliamentary process. In the end, she has produced a sensible and workmanlike solution. She will not go down in history as the sort of Agrippa that we feared. On the contrary, she will be recognised as the kindly aunt of British industry.

Mr. Barry Gardiner (Brent, North): We have come a long way over the past few months, and the amendments reflect that. I pay a sincere tribute to the work of the hon. Member for West Dorset (Mr. Letwin), who, in a powerful speech at the beginning of our consideration of these matters on the Floor of the House, drew attention to the problems that stemmed from the original drafting. He did his cause nothing but good by the way in which he argued rationally and reasonably throughout consideration in Committee, not taking the line of party political advantage. I have been impressed by that, and I pay him tribute for adopting that approach.

I pay tribute also to my hon. Friend the Paymaster General for the way in which she has consistently responded to, and taken on board, the points that have been made. With the amendments, we shall end up with much improved legislation. As the hon. Member for West Dorset said, that is a tribute to the parliamentary process of Second Reading, Committee and Report.

7.45 pm

In Committee, I recall the Paymaster General making some fine points about the way in which changes to double taxation must be considered, together with all the other elements of the tax system. We must take account of that. I say in response to the comments of the hon. Member for West Dorset about US Treasury gain that business has repeatedly pointed out that there is extreme reluctance to take on board aspects of the US taxation system in this country. Relief for interest is restricted, capital gains are taxable and double taxation relief is extremely complicated in the US. On that basis, I do not think that the amendments will be the windfall for the US Treasury that the hon. Gentleman might have led us to believe.

We have ended up with 16 pages of highly complex legislation, and, at short notice, we have had to come to terms with how that will impact on industry. There is still the opportunity for pause for further reflection. When we consider the revised figure of 45 per cent., it seems that companies using overseas holding companies to hold trading companies in higher tax countries are penalised. An example would be if a German subsidiary were held below a holding company. A capped rate of 30 per cent. would apply to double taxation relief. That is the UK corporation tax rate. If the subsidiary company were held directly, the cap is 45 per cent., and can therefore be pooled against more lowly taxed profits. There are areas that need further consideration. There can be commercial reasons for holding companies other than simply tax reasons. These will restrict the ability to mix and pool dividends when shares are held under a holding company.

A UK company using an EU holding company is now worse off than if foreign trading companies were held directly in some situations. I question whether that is in line with the free movement of capital that is demanded within the EU. However, the movement that we have seen over the past few months has been enormous. We have ended up with much better legislation than would have been the result had we proceeded on the basis on which we started. I pay tribute to my hon. Friend the Paymaster General for the work of her team and for her willingness to listen to all the arguments that have been presented to her.

Mr. Letwin: What the hon. Gentleman says is true. However, I hope that I shall not be accused of disloyalty to my right hon. and hon. Friends if I defend the Paymaster General against the hon. Gentleman's accusation. It is an inherent part of the logic of onshore pooling that the holding should be direct for the unrelieved portion to be mixable. It is almost necessary that there should be strict compulsion that all the mixing should be done onshore for the regime to be clear. I accept the hon. Gentleman's point that that will mean that the subsidiaries of trading subsidiaries, rather than controlled foreign companies, will also be caught. I accept also his point about the effects in Germany, for example. However, that is an inherent part of the logic and we must accept that consequence, whereas the restructuring that I was talking about is transient.

Mr. Gardiner: I accept those points. Where we have ended up may have certain consequences that are disadvantageous but, on balance, we have a package that is a huge improvement on the original drafting, and one that should be welcomed by the House.

Mr. Edward Davey: If only, on the odd occasion, Prime Minister's Question Time could be as consensual as this debate. It has been quite amazing. There has been a great deal of agreement between both sides, and that is welcome. I associate myself and the Liberal Democrats with the comments of the hon. Members for West Dorset (Mr. Letwin) and for Brent, North (Mr. Gardiner). The way in which this debate has been conducted has shown how Parliament, when it is at its best, can help to defend British industry and the interests of our country.

It is not often that I say that about the way in which the House scrutinises financial matters. On many other occasions, I have criticised the way in which it has dealt

[Mr. Edward Davey]

with expenditure, and the way in which it deals with tax matters is not often to be praised. We often consider new clauses and amendments late in the day and do not have sufficient time to debate them. One could apply that criticism to some measures in the Bill, but the Government have consulted recently and that has assisted us in our work. I add my support to the call of the hon. Member for West Dorset that the Government continue with that consultative process as we wait to see how these complex measures work in practice. If the Paymaster General can assure us that they will deal with the issue in the pre-Budget report and that they will at least consider the need for possible retrospective legislative change, that will be incredibly helpful.

One could, at this point, make several party political points about the whole process and say that lessons need to be learned. However, those lessons probably have been learned—I certainly hope so. It would be a wise idea for Ministers to listen to their officials and not just to their political advisers. If officials had been in charge of drawing up the Bill, we would not have faced the problems of the past few months. We would have had better legislation if the proposal that we are now examining had been introduced in a more considered fashion. The hon. Gentleman is probably right to say that onshore pooling is probably superior to the old offshore regime, but it would have been better if such a move had been made after substantial consultation and had not been rushed through in a short time.

I wish to reflect on one or two details that give rise to slight cause for concern. The first appears in Government amendment No. 106 and in the proposed new section 806H to the Taxes Act 1988 which is headed "Surrender of relievable tax by one company in a group". The arrangements for group provisions for other areas of taxation are often made by primary legislation, but the proposed new section 806H suggests that that should be done by regulation in this case. That is unusual. Perhaps when the parliamentary draftsmen were trying to put such detailed legislation together, they felt that they had no other alternative. One can have sympathy for that view. However, it is not necessarily a good precedent and it is not how group relief is dealt with for other taxation purposes.

I associate myself with a point made about how the cap relates to subsidiaries in Tokyo. That issue is a cause for concern. The current proposal relates to both the cap and to the underlying withholding tax. Perhaps it should be reconsidered at a later stage.

A separate point on the relief of capital gains on the sale of shareholdings has been brought to my attention. It may relate to the point that the hon. Gentleman made about the United States tax regime, but my point applies to Dutch mixer companies. It is my understanding that, when a subsidiary held via a Dutch mixer is sold, there is no UK tax on that gain. Is the Paymaster General concerned that, when a UK onshore mixer company sells a subsidiary, it will face a capital gains tax liability that would not exist if a Dutch mixer company is closed and moves onshore as the result of restructuring? I am not sure whether that is so, but I would be grateful if the Government could reassure me on that point.

Mr. Letwin: I am sorry to return the hon. Gentleman to his point about the proposed new section 806H. On re-examining it, I do not understand his argument. It seems appropriate that the surrender by one group to another of the relievable tax should be organised by regulation. Is he suggesting that there should be a statutory provision describing exactly how that should be done?

Mr. Davey: My point was that group relief in other areas of the tax system and tax legislation tends to be provided for by primary legislation. Therefore, there is no parallel with this provision. I wanted the Government to explain their thinking. Because this proposal was made in a hurry, I can understand why it will be made through regulation, but I hope that it does not set a precedent. One normally wants group taxation to be provided for by primary legislation.

Mr. Letwin: In that case, I agree with the hon. Gentleman. In due course, the proposal should be put into statute. However, can he and I not agree that it would be better to assess experience and to understand what the rules should be before we enact the measure? It is right that there should be some rules, but they need to be in regulations at the outset. However, we hope—next year or the year after—to put them into statute.

Mr. Davey: I am more than happy to concede that point.

Dawn Primarolo: I intend to follow in the spirit of agreement that has broken out. If the hon. Gentleman reads the provisions of the proposed new section 806H(3), he will see that the regulations made under 806H(1)

> may make different provision for different cases . . . may contain such supplementary, incidental, consequential or transitional provision as the Board may think fit.

Given the complexity of the issue, it is appropriate to put such measures into regulations that we will have an opportunity to discuss. That does not set precedent. The House has used regulations in that way for some time. Given the complexity of the points made by all the contributors to the debate, and what the hon. Gentleman has said in the past about consultation, that is the most sensible way to proceed.

Mr. Davey: I did not wish to make this a major issue. I was merely trying to make sure that the Government realise that they have approached group relief arrangements differently from the way in which they have dealt with other tax legislation. I understand that there are special circumstances and I am sure that the Government are right to wish to consult on the detail. That is why I shall certainly not vote against the amendment.

I return to the point that I may not have been making terribly well. I mentioned Dutch mixer companies and capital gains tax liabilities on the sale of subsidiaries. If such companies move onshore into UK mixer companies, will the Government introduce measures for CGT relief on the sales of the overseas subsidiaries of the UK-based onshore mixer companies? It is possible that I have not understood the point properly, but I would be grateful if the Minister could try to explain it to me.

Dawn Primarolo: The hon. Gentleman may be struggling with the concept of a mixer company. It is simply a vehicle and its location is determined by where its board

meets and by the nationality of those on the board. Its sole function is to funnel profits to the UK having mixed them offshore. He is making a point about mixer companies that does not apply because the provisions relate to payments that come directly to the UK.

8 pm

Mr. Davey: The Paymaster General may be right, but I have been led to believe that some mixer companies have subsidiaries; Dutch mixer companies have had subsidiaries. The way in which those companies are constructed is often complicated. The complexity is not necessarily driven by tax reasons. I should be grateful if the Paymaster General reflected on that when she replied to the debate.

Does the Paymaster General have a forecast or estimate of the expected yield of the proposals? We heard a range of forecasts for the expected yield of the original proposals. The Government have spent much time on the matter, and I wonder whether the Paymaster General could tell the House the expected revenue yield, or whether no Exchequer gain is expected from the proposals.

When the Government propose major changes to the tax system in future Finance Bills, I hope that they will have learned lessons from this year and that they will abide by their code on consultation. If they do that, we will not again get into the current mess over double taxation relief.

Dawn Primarolo: I shall reply briefly to the points that were made by the hon. Member for West Dorset (Mr. Letwin), my hon. Friend the Member for Brent, North (Mr. Gardiner) and the hon. Member for Kingston and Surbiton (Mr. Davey). I am sure that hon. Members who have spoken will agree that it is especially important that none of my comments add uncertainty to an extremely complex aspect of taxation. They will therefore forgive me if I do not respond as fully as they would like to some of their points.

We are considering large companies making decisions about their structure and about their best interests in maximising the benefits that are available in, for example, the new arrangements for onshore pooling. I shall therefore be careful about what I say on that.

The hon. Member for West Dorset mentioned drafting. I hope that it will be possible to clear up several points in the guidance so that, for now, at least the guidance will be clearly understood by the Revenue and the relevant companies. The hon. Gentleman also mentioned withholding tax. I have considered the point that he made and I examined the January 2000 KPMG corporate tax survey. It considers corporate tax rates and withholding, if it exists. I am not surprised that the hon. Gentleman picked the one place where the combination of withholding and corporate tax might create a higher level than the 45 per cent.

Mr. Letwin: I mentioned two places: Tokyo and New York. I feel more confident that I am right about New York than about Tokyo. However, will the Paymaster General admit that New York is not any old place? It is where the largest number of major subsidiaries of UK-based multinationals are located. The point that I made is therefore of some importance.

Dawn Primarolo: I would not want to insinuate that Tokyo or New York were "any old place"—heaven forbid! The 45 per cent. rate is extremely generous. While the difference that may arise is not insignificant to companies, it is only just above the cap. In fairness to the hon. Gentleman, and to provide certainty about the matter, the answer to his direct question about whether I would review the 45 per cent. rate is no.

The hon. Member for West Dorset also mentioned company structures. He concentrated on the United States preferred company structure as opposed to that in the United Kingdom; the flat structure that the US operates rather than what could be described as a chain structure. The hon. Gentleman mentioned costs in the US. A company may consider it necessary to move the US company so that it has a completely flat structure, which would relate to the UK, to maximise the benefits. That would entail costs. The relevant company would have to consider the benefits of restructuring its operations. That would be a commercial decision for the company, which would have to balance the costs of restructuring with the benefits that might accrue from it. Companies are already doing that in terms of the acquisitions of US-UK groups. We are considering vast companies. The decisions are always complex and involve vast amounts of money and much consideration.

The hon. Member for West Dorset kept saying, "if there is a real problem". I do not deny that restructuring will involve costs for some companies. I do not believe that that is a real problem in the way in which the hon. Gentleman suggests, although, as with any legislation, the Government have to be watchful about its operation. We have an annual opportunity to consider whether the measure is operating correctly and to remedy it if not. We are considering complex matters, which we will supervise closely.

I am not currently attracted to helping with transitional costs. The benefits to the companies of being linked directly to the UK are enormous. Apart from the 45 per cent., there is the carry-back of three years to offset a liability, indefinite carry-forward and the ability to surrender to another company in the group for use against uncapped lower dividends. Holding those assets directly is greatly beneficial to the company and the UK economy.

Mr. Letwin: I accept that the carry-back and carry-forward provisions, and the relief provisions in general, may be attractive. Will the Paymaster General at least give us an assurance that, if representatives of major multinationals with their headquarters in the UK wish, they will have the opportunity to see her or her senior officials to explain the tax consequences, as the year progresses, in the US, or north America generally, of restructuring so that sub-subsidiaries of current Dutch BVs—limited companies—and other vehicles are brought under the direct ownership of the UK headquarter company? Will she assure us that she will consider those representations seriously and take them into account when drafting next year's Finance Bill?

Mr. Flight *rose—*

Dawn Primarolo: I shall deal with the point raised by the hon. Member for West Dorset before giving way to the hon. Member for Arundel and South Downs (Mr. Flight). One at a time, please.

The Government have clearly demonstrated in the development of their policy that they are prepared to hold discussions and listen to the points that companies and

[Dawn Primarolo]

many other people want to make about our proposals. There is no reason why that practice should not continue. Indeed, we have met a huge number of representative groups and large companies. The hon. Gentleman asks whether the Treasury and the Inland Revenue will engage in discussions with companies; of course we will, but we should do so anyway.

Mr. Flight: It is perfectly reasonable that British-based multinationals should not have everything all ways round. However, much as I support our alliance with the United States, I would not wish to stimulate a massive gratuitous payment of tax to the United States authorities. It would be better if that tax came to the UK authorities.

Dawn Primarolo: Indeed. As strong as our cultural, historical and business ties with the United States might be, our friendship would not extend to providing income for them. The hon. Gentleman knows a great deal about how complex the matter is, and he will have appreciated my points on providing certainty.

I agree with my hon. Friend the Member for Brent, North about the way in which the debate has been handled. It has been fraught at times for me at the Dispatch Box, but I feel that I have accounted for myself and the Government's policy clearly. We have developed a good policy. My hon. Friend is right to pay tribute to the officials who have supported Ministers in that exercise at the Inland Revenue and the Treasury.

I know that the hon. Member for Kingston and Surbiton does not believe everything he reads in the newspapers, so I can tell him that the scurrilous remarks about a division between political advisers and officials inside the Treasury and the Inland Revenue were not correct. The Treasury, the Inland Revenue, Ministers and special advisers work as a superb team to develop good policy—as we have done in this respect—with assistance from some others en route. I have dealt with the point about regulation and why section 806H of the Taxes Act 1988 deals with that.

The hon. Member for Kingston and Surbiton asked about capital gains tax on mixer companies. There may be a slight misunderstanding about that. The Inland Revenue is currently consulting on the roll-over relief for capital gains on sales of substantial shareholdings. He will have heard me refer to that in Committee. That will include shareholdings in trading companies that would have avoided capital gains in the mixer companies. That is subject to current consultation by the Government, and would cover the point raised by the hon. Gentleman.

Finally, the hon. Gentleman asked about yield. I direct him to the Inland Revenue's press release of 16 June. There have been huge estimates, with great variations, of how much would be raised or lost. I have explained how the Government systematically tried to measure the cost by looking at previous years. The Inland Revenue made it clear that given the scale of avoidance that has come to light since the Budget, the impact of the overall package represented by the changes—including onshore provisions—would be broadly similar to the estimates provided in the "Financial Statement and Budget Report". The hon. Gentleman wondered whether the Government were going to raise tax, but the figures are approximately the same.

I hope, therefore, that I have dealt with all the issues that have been raised. I hope that this closes the chapter on double taxation relief for this Finance Bill.

Amendment agreed to.

Amendments made: No. 104, in page 513, line 35, leave out from beginning to end of line 26 on page 514 and insert—

'Restriction of relief for underlying tax: dividends paid between related companies

10.—(1) Amend section 801 of the Taxes Act 1988 as follows.

(2) After subsection (2) (cases where the overseas company receives a dividend from a related third company) insert—

"(2A) Section 799(1)(b) applies for the purposes of subsection (2) above only—

(a) if the overseas company and the third company are not resident in the same territory; or

(b) in such other cases as may be prescribed by regulations made by the Treasury."

(3) This paragraph has effect in relation to any claim for an allowance by way of credit made on or after 31st March 2001 in respect of a dividend paid by a company resident outside the United Kingdom to a company resident in the United Kingdom, unless the dividend was paid before that date.

(4) In determining, for the purpose of any such claim made on or after that date, the underlying tax of any such third, fourth or successive company as is mentioned in section 801(2) or (3) of the Taxes Act 1988, this paragraph shall be deemed to have had effect at the time the dividend paid by that company was paid.'.

No. 105, in page 515, line 9, at end insert—

'Separate streaming of dividend so far as representing an ADP dividend of a CFC

11A.—(1) After section 801B of the Taxes Act 1988 insert—

"Separate streaming of dividend so far as representing an ADP dividend of a CFC

801C.—(1) This section applies in any case where—

(a) by virtue only of section 748(1)(a), no apportionment under section 747(3) falls to be made as regards an accounting period of a controlled foreign company; and

(b) one or more of the dividends paid by the controlled foreign company by virtue of which the condition in paragraph (a) above is satisfied are dividends falling within subsection (2) below.

(2) A dividend falls within this subsection if, for the purposes of Part I of Schedule 25, the whole or any part of it falls to be treated by virtue of paragraph 4 of that Schedule as paid by the controlled foreign company to a United Kingdom resident.

(3) If, in a case where this section applies,—

(a) an initial dividend is paid to a company resident outside the United Kingdom, and

(b) that company, or any other company which is related to it, pays an intermediate dividend which for the purposes of paragraph 4 of Schedule 25 to any extent represents that initial dividend,

subsection (4) below shall have effect in relation to the UK recipient concerned.

(4) Where this subsection has effect, it shall be assumed for the purposes of allowing credit relief under this Part to that UK recipient—

(a) that, instead of the intermediate dividend, the dividends described in subsection (5) below had been paid and the circumstances had been as described in subsection (6) or (7) below, as the case may be; and

(b) that any tax paid under the law of any territory in respect of the intermediate dividend, or which is underlying tax in relation to that dividend, had instead fallen to be borne accordingly (taking account of any reduction falling to be made under section 799(2)).

(5) The dividends mentioned in subsection (4)(a) above are—

(a) as respects each of the initial dividends which are, for the purposes of paragraph 4 of Schedule 25, to any extent represented by the intermediate dividend, a separate dividend (an "ADP dividend") representing, and of an amount equal to, so much of that initial dividend as is for those purposes represented by the intermediate dividend; and

(b) a further separate dividend (a "residual dividend") representing, and of an amount equal to, the remainder (if any) of the intermediate dividend.

(6) As respects each of the ADP dividends, the intermediate company is to be treated as if it were a separate company whose distributable profits are of a constitution corresponding to, and an amount equal to, that of the ADP dividend.

(7) As respects the residual dividend (if any), the relevant profits out of which it is to be regarded for the purposes of section 799(1) as paid by the intermediate company are, in consequence of subsection (6) above, to be treated as being of such constitution and amount as remains after excluding accordingly so much of those relevant profits as constitute the whole or any part of the distributable profits out of which the ADP dividends are paid.

(8) If, in a case where this section applies, an intermediate company also pays a dividend which is not an intermediate dividend (an "independent dividend") and either—

(a) that dividend is paid to a United Kingdom resident, or

(b) if it is not so paid, a dividend which to any extent represents it is paid by a company which is related to that company and resident outside the United Kingdom to a United Kingdom resident,

subsection (9) below shall have effect in relation to the United Kingdom resident.

(9) Where this subsection has effect, it shall be assumed for the purposes of allowing credit relief under this Part to the United Kingdom resident—

(a) that the relevant profits out of which the independent dividend is to be regarded for the purposes of section 799(1) as paid by the intermediate company are, in consequence of subsection (6) above, to be treated as being of such constitution and amount as remains after excluding so much of those relevant profits as constitute the whole or any part of the distributable profits out of which the ADP dividends are paid; and

(b) that any tax paid under the law of any territory in respect of the independent dividend, or which is underlying tax in relation to that dividend, had instead fallen to be borne accordingly (taking account of any reduction falling to be made under section 799(2)).

(10) For the purposes of this section—

(a) a controlled foreign company is an "ADP controlled foreign company" as respects any of its accounting periods if the condition in paragraph (a) of subsection (1) above is satisfied as respects that accounting period;

(b) an "initial dividend" (subject to subsection (14) below) is any of the dividends mentioned in paragraph (b) of subsection (1) above paid by an ADP controlled foreign company; and

(c) a "subsequent dividend" is any dividend which, in relation to one or more initial dividends, is the subsequent dividend for the purposes of paragraph 4 of Schedule 25.

(11) In this section—

"distributable profits" means a company's profits available for distribution, determined in accordance with section 799(6);

"intermediate company" means any company resident outside the United Kingdom which pays an intermediate dividend;

"intermediate dividend" means any dividend which is paid by a company resident outside the United Kingdom and which—

(a) for the purposes of paragraph 4 of Schedule 25, to any extent represents one or more initial dividends paid by other companies; and

(b) either is the subsequent dividend in the case of those initial dividends or is itself to any extent represented for those purposes by a subsequent dividend;

"the UK recipient" means the United Kingdom resident to whom a subsequent dividend is paid.

(12) Where—

(a) one company pays a dividend ("dividend A") to another company, and

(b) that other company, or a company which is related to it, pays a dividend ("dividend B") to another company,

then, for the purposes of this section, dividend B represents dividend A, and dividend A is represented by dividend B, to the extent that dividend B is paid out of profits which are derived, directly or indirectly, from the whole or part of dividend A.

(13) Sub-paragraph (2) of paragraph 4 of Schedule 25 (related companies) shall apply for the purposes of this section as it applies for the purposes of that paragraph.

(14) Where an intermediate company which is an ADP controlled foreign company pays a dividend—

(a) by virtue of which (whether taken alone or with other dividends) the condition in subsection (1)(a) above is satisfied as regards an accounting period of the company, but

(b) which also for the purposes of paragraph 4 of Schedule 25 to any extent represents one or more initial dividends paid by other ADP controlled foreign companies,

the dividend shall not be regarded for the purposes of this section as an initial dividend paid by the company, to the extent that it so represents initial dividends paid by other ADP controlled foreign companies."

(2) This paragraph has effect in relation to any claim for an allowance by way of credit made on or after 31st March 2001 in respect of a dividend paid by a company resident outside the United Kingdom to a company resident in the United Kingdom, unless the dividend was paid before that date.

(3) In determining, for the purpose of any such claim made on or after that date, the underlying tax of any such third, fourth or successive company as is mentioned in section 801(2) or (3) of the Taxes Act 1988, this paragraph shall be deemed to have had effect at the time the dividend paid by that company was paid.".

No. 106, in page 522, line 24, leave out from beginning to end of line 6 on page 527 and insert—

"Foreign dividends: onshore pooling and utilisation of certain unrelieved foreign tax

19.—(1) After section 806 of the Taxes Act 1988 insert—

"Foreign dividends: onshore pooling and utilisation of eligible unrelieved foreign tax

Eligible unrelieved foreign tax on dividends: introductory

806A.—(1) This section applies where, in any accounting period of a company resident in the United Kingdom, an

amount of eligible unrelieved foreign tax arises in respect of a dividend falling within subsection (2) below paid to the company.

(2) The dividends that fall within this subsection are any dividends chargeable under Case V of Schedule D, other than—

(a) any dividend which is trading income for the purposes of section 393;

(b) any dividend which, in the circumstances described in paragraphs (a) and (b) of subsection (8) of section 393, would by virtue of that subsection fall to be treated as trading income for the purposes of subsection (1) of that section;

(c) in a case where section 801A applies, the dividend mentioned in subsection (1)(b) of that section;

(d) in a case where section 803 applies, the dividend mentioned in subsection (1)(b) of that section;

(e) any dividend the amount of which is, under section 811, treated as reduced.

(3) For the purposes of this section—

(a) the cases where an amount of eligible unrelieved foreign tax arises in respect of a dividend falling within subsection (2) above are the cases set out in subsections (4) and (5) below; and

(b) the amounts of eligible unrelieved foreign tax which arise in any such case are those determined in accordance with section 806B.

(4) Case A is where—

(a) the amount of the credit for foreign tax which under any arrangements would, apart from section 797, be allowable against corporation tax in respect of the dividend,

exceeds

(b) the amount of the credit for foreign tax which under the arrangements is allowed against corporation tax in respect of the dividend.

(5) Case B is where the amount of tax which, by virtue of any provision of any arrangements, falls to be taken into account as mentioned in section 799(1) in the case of the dividend (whether or not by virtue of section 801(2) or (3)) is less than it would be apart from the mixer cap.

(6) In determining whether the circumstances are as set out in subsection (4) or (5) above, sections 806C and 806D shall be disregarded.

The amounts that are eligible unrelieved foreign tax

806B.—(1) This section has effect for determining the amounts of eligible unrelieved foreign tax which arise in the cases set out in section 806A(4) and (5).

(2) In Case A, the difference between—

(a) the amount of the credit allowed as mentioned in section 806A(4)(b), and

(b) the greater amount of the credit that would have been so allowed if, for the purposes of subsection (2) of section 797, the rate of corporation tax payable as mentioned in that subsection were the upper percentage,

shall be an amount of eligible unrelieved foreign tax.

(3) In Case B, where the mixer cap restricts the amount of tax to be taken into account as mentioned in section 799(1) in the case of the Case V dividend, the difference, in the case of that dividend, between—

(a) the amount of tax to be taken into account as there mentioned, and

(b) the greater amount of tax that would have been taken into account as there mentioned, had M in the formula in section 799(1A) in its application in the case of that dividend (but not any lower level dividend) been the upper percentage,

shall be an amount of eligible unrelieved foreign tax.

(4) In Case B, where the mixer cap—

(a) restricts the amount of underlying tax that is treated as mentioned in subsection (2) or (3) of section 801 in the case of any dividend received as mentioned in that subsection, but

(b) does not restrict the relevant tax in the case of any higher level dividend,

subsection (5) below shall apply.

(5) Where this subsection applies, an amount equal to the appropriate portion of the difference, in the case of the dividend mentioned in subsection (4)(a) above, between—

(a) the amount of underlying tax treated as mentioned in section 801(2) or (3), as the case may be, and

(b) the greater amount of underlying tax that would have been so treated, had M in the formula in section 799(1A) in its application in the case of that dividend (but not any higher or lower level dividend) been the upper percentage,

shall be an amount of eligible unrelieved foreign tax.

(6) For the purposes of subsection (5) above, the "appropriate portion" of the difference there mentioned in the case of any dividend is found by multiplying the amount of that difference by the product of the reducing fractions for each of the higher level dividends.

(7) For the purposes of subsection (6) above, the "reducing fraction" for any dividend is the fraction—

(a) whose numerator is the amount of the dividend; and

(b) whose denominator is the amount of the relevant profits (within the meaning of section 799(1)) out of which the dividend is paid.

(8) Any reference in this section to any tax being restricted by the mixer cap in the case of any dividend is a reference to that tax being so restricted otherwise than by virtue only of the application of the mixer cap in the case of one or more lower level dividends.

(9) For the purpose of determining the amount described in subsection (2)(b), (3)(b) or (5)(b) above, sections 806C and 806D shall be disregarded.

(10) In this section—

"the Case V dividend" means the dividend mentioned in section 806A(1);

"higher level dividend", in relation to another dividend, means any dividend—

(a) by which that other dividend is to any extent represented; and

(b) which either is the Case V dividend or is to any extent represented by the Case V dividend;

"lower level dividend", in relation to another dividend, means any dividend which—

(a) is received as mentioned in section 801(2) or (3); and

(b) is to any extent represented by that other dividend;

"the relevant tax" means—

(a) in the case of the Case V dividend, the foreign tax to be taken into account as mentioned in section 799(1); and

(b) in the case of any other dividend, the amount of underlying tax to be treated as mentioned in section 801(2) or (3) in the case of the dividend.

Onshore pooling

806C.—(1) In this section "qualifying foreign dividend" means any dividend which falls within section 806A(2), other than—

(a) an ADP dividend paid by a controlled foreign company;

(b) so much of any dividend paid by any company as represents an ADP dividend paid by another company which is a controlled foreign company;

(c) a dividend in respect of which an amount of eligible unrelieved foreign tax arises.

(2) For the purposes of this section—

(a) a "related qualifying foreign dividend" is any qualifying foreign dividend paid to a company resident in the United Kingdom by a company which, at the time of payment of the dividend, is related to that company;

(b) an "unrelated qualifying foreign dividend" is any qualifying foreign dividend which is not a related qualifying foreign dividend.

(3) For the purposes of giving credit relief under this Part to a company resident in the United Kingdom—

(a) the related qualifying foreign dividends that arise to the company in an accounting period shall be aggregated;

(b) the unrelated qualifying foreign dividends that arise to the company in an accounting period shall be aggregated;

(c) the underlying tax in relation to the related qualifying foreign dividends that arise to the company in an accounting period shall be aggregated;

(d) so much of the foreign tax paid in respect of the qualifying foreign dividends that arise to the company in an accounting period as is not underlying tax shall be aggregated.

(4) Credit relief under this Part shall be given as if—

(a) the related qualifying foreign dividends aggregated under paragraph (a) of subsection (3) above in the case of any accounting period instead together constituted a single related qualifying foreign dividend arising in that accounting period ("the single related dividend" arising in that accounting period);

(b) the unrelated qualifying foreign dividends aggregated under paragraph (b) of that subsection in the case of any accounting period instead together constituted a single unrelated qualifying foreign dividend arising in that accounting period ("the single unrelated dividend" arising in that accounting period);

(c) the underlying tax aggregated under paragraph (c) of that subsection for any accounting period were instead underlying tax in relation to the single related dividend arising in that accounting period (the "aggregated underlying tax" in respect of the single related dividend);

(d) the tax aggregated under paragraph (d) of that subsection for any accounting period were instead foreign tax (other than underlying tax) paid in respect of, and computed by reference to,—

(i) the single related dividend arising in that accounting period,

(ii) the single unrelated dividend so arising, or

(iii) partly the one dividend and partly the other,

(that aggregated tax being referred to as the "aggregated withholding tax").

(5) For the purposes of this section, a dividend paid by a controlled foreign company is an "ADP dividend" if it is a dividend by virtue of which (whether in whole or in part and whether taken alone or with one or more other dividends) no apportionment under section 747(3) falls to be made as regards an accounting period of the controlled foreign company in a case where such an apportionment would fall to be made apart from section 748(1)(a).

Utilisation of eligible unrelieved foreign tax

806D.—(1) For the purposes of this section, where—

(a) any eligible unrelieved foreign tax arises in an accounting period of a company, and

(b) the dividend in relation to which it arises is paid by a company which, at the time of payment of the dividend, is related to that company,

that tax is "eligible underlying tax" to the extent that it consists of or represents underlying tax.

(2) To the extent that any eligible unrelieved foreign tax is not eligible underlying tax it is for the purposes of this section "eligible withholding tax".

(3) For the purposes of giving credit relief under this Part to a company resident in the United Kingdom—

(a) the amounts of eligible underlying tax that arise in an accounting period of the company shall be aggregated (that aggregate being referred to as the "relievable underlying tax" arising in that accounting period); and

(b) the amounts of eligible withholding tax that arise in an accounting period of the company shall be aggregated (that aggregate being referred to as the "relievable withholding tax" arising in that accounting period).

(4) The relievable underlying tax arising in an accounting period of the company shall be treated for the purposes of allowing credit relief under this Part as if it were—

(a) underlying tax in relation to the single related dividend that arises in the same accounting period,

(b) relievable underlying tax arising in the next accounting period (whether or not any related qualifying foreign dividend in fact arises to the company in that accounting period), or

(c) underlying tax in relation to the single related dividend that arises in such one or more preceding accounting periods as result from applying the rules in section 806E,

or partly in one of those ways and partly in each or either of the others.

(5) The relievable withholding tax arising in an accounting period of the company shall be treated for the purposes of allowing credit relief under this Part as if it were—

(a) foreign tax (other than underlying tax) paid in respect of, and computed by reference to, the single related dividend or the single unrelated dividend that arises in the same accounting period,

(b) relievable withholding tax arising in the next accounting period (whether or not any qualifying foreign dividend in fact arises to the company in that accounting period), or

(c) foreign tax (other than underlying tax) paid in respect of, and computed by reference to, the single related dividend or the single unrelated dividend that arises in such one or more preceding accounting periods as result from applying the rules in section 806E,

or partly in one of those ways and partly in any one or more of the others.

(6) The amount of relievable underlying tax or relievable withholding tax arising in an accounting period that is treated—

(a) under subsection (4)(a) or (c) above as underlying tax in relation to the single related dividend arising in the same or any earlier accounting period, or

(b) under subsection (5)(a) or (c) above as foreign tax paid in respect of, and computed by reference to, the single related dividend or the single unrelated dividend arising in the same or any earlier accounting period,

must not be such as would cause an amount of eligible unrelieved foreign tax to arise in respect of that dividend.

Rules for carry back of relievable tax under section 806D

806E.—(1) Where any relievable tax is to be treated as mentioned in section 806D(4)(c) or (5)(c), the rules for determining the accounting periods in question (and the amount of the relievable tax to be so treated in relation to each of them) are those set out in the following provisions of this section.

(2) Rule 1 is that the accounting periods in question must be accounting periods beginning not more than three years before the accounting period in which the relievable tax arises.

(3) Rule 2 is that the relievable tax must be so treated that—

(a) credit for, or for any remaining balance of, the relievable tax is allowed against corporation tax in respect of the single dividend arising in a later one of the accounting periods beginning as mentioned in rule 1 above,

before

(b) credit for any of the relievable tax is allowed against corporation tax in respect of the single dividend arising in any earlier such accounting period.

(4) Rule 3 is that the relievable tax must be so treated that, before allowing credit for any of the relievable tax against corporation tax in respect of the single dividend arising in any accounting period, credit for foreign tax is allowed—

(a) first for the aggregated foreign tax in respect of the single dividend arising in that accounting period, so far as not consisting of relievable tax arising in another accounting period; and

(b) then for relievable tax arising in any accounting period before that in which the relievable tax in question arises.

(5) The above rules are subject to sections 806D(6) and 806F.

(6) In this section—

"aggregated foreign tax" means aggregated underlying tax or aggregated withholding tax;

"relievable tax" means relievable underlying tax or relievable withholding tax;

"the single dividend" means—

(a) in relation to relievable underlying tax, the single related dividend; and

(b) in relation to relievable withholding tax, the single related dividend or the single unrelated dividend.

Credit to be given for underlying tax before other foreign tax etc

806F.—(1) For the purposes of this Part, credit in accordance with any arrangements shall, in the case of any dividend, be given so far as possible—

(a) for underlying tax (where allowable) before foreign tax other than underlying tax;

(b) for foreign tax other than underlying tax before amounts treated as underlying tax; and

(c) for amounts treated as underlying tax (where allowable) before amounts treated as foreign tax other than underlying tax.

(2) Accordingly, where the amount of foreign tax to be brought into account for the purposes of allowing credit relief under this Part is subject to any limitation or restriction, the limitation or restriction shall be taken to have the effect of excluding foreign tax other than underlying tax before excluding underlying tax.

Claims for the purposes of section 806D(4) or (5)

806G.—(1) The relievable underlying tax or relievable withholding tax arising in any accounting period shall only be treated as mentioned in subsection (4) or (5) of section 806D on a claim.

(2) Any such claim must specify the amount (if any) of that tax—

(a) which is to be treated as mentioned in paragraph (a) of the subsection in question;

(b) which is to be treated as mentioned in paragraph (b) of that subsection; and

(c) which is to be treated as mentioned in paragraph (c) of that subsection.

(3) A claim under subsection (1) above may only be made before the expiration of the period of—

(a) six years after the end of the accounting period mentioned in that subsection; or

(b) if later, one year after the end of the accounting period in which the foreign tax in question is paid.

Surrender of relievable tax by one company in a group to another

806H.—(1) The Board may by regulations make provision for, or in connection with, allowing a company which is a member of a group to surrender all or any part of the amount of the relievable tax arising to it in an accounting period to another company which is a member of that group at the time, or throughout the period, prescribed by the regulations.

(2) The provision that may be made under subsection (1) above includes provision—

(a) prescribing the conditions which must be satisfied if a surrender is to be made;

(b) determining the amount of relievable tax which may be surrendered in any accounting period;

(c) prescribing the conditions which must be satisfied if a claim to surrender is to be made;

(d) prescribing the consequences for tax purposes of a surrender having been made;

(e) allowing a claim to be withdrawn and prescribing the effect of such a withdrawal.

(3) Regulations under subsection (1) above—

(a) may make different provision for different cases; and

(b) may contain such supplementary, incidental, consequential or transitional provision as the Board may think fit.

(4) For the purposes of subsection (1) above a company is a member of a group if the conditions prescribed for that purpose in the regulations are satisfied.

Interpretation of foreign dividend provisions of this Chapter

806J.—(1) This section has effect for the interpretation of the foreign dividend provisions of this Chapter.

(2) In this section, "the foreign dividend provisions of this Chapter" means sections 806A to 806Hon. and this section.

(3) For the purposes of the foreign dividend provisions of this Chapter, where—

(a) one company pays a dividend ("dividend A") to another company, and

(b) that other company, or a company which is related to it, pays a dividend ("dividend B") to another company,

dividend B represents dividend A, and dividend A is represented by dividend B, to the extent that dividend B is paid out of profits which are derived, directly or indirectly, from the whole or part of dividend A.

(4) Where—

(a) one company is related to another, and

(b) that other is related to a third company,

the first company shall be taken for the purposes of paragraph (b) of subsection (3) above to be related to the third, and so on where there is a chain of companies, each of which is related to the next.

(5) In any case where—

(a) a company resident outside the United Kingdom pays a dividend to a company resident in the United Kingdom, and

(b) the circumstances are such that subsection (6)(b) of section 790 has effect in relation to that dividend,

the foreign dividend provisions of this Chapter shall have effect as if the company resident outside the United Kingdom were related to the company resident in the United Kingdom (and subsection (10) of that section shall have effect accordingly).

(6) Subsection (5) of section 801 (related companies) shall apply for the purposes of the foreign dividend provisions of this Chapter as it applies for the purposes of that section.

(7) In the foreign dividend provisions of this Chapter—

"aggregated underlying tax" shall be construed in accordance with section 806C(4)(c);

"aggregated withholding tax" shall be construed in accordance with section 806C(4)(d);

"controlled foreign company" has the same meaning as in Chapter IV of Part XVII;

"eligible unrelieved foreign tax" shall be construed in accordance with sections 806A and 806B;

"the mixer cap" means section 799(1)(b);

"qualifying foreign dividend" has the meaning given by section 806C(1);

"related qualifying foreign dividend" has the meaning given by section 806C(2)(a);

"relievable tax" has the meaning given by section 806E(6);

"relievable underlying tax" shall be construed in accordance with 806D(3)(a);

"relievable withholding tax" shall be construed in accordance with 806D(3)(b);

"single related dividend" shall be construed in accordance with section 806C(4)(a);

"single unrelated dividend" shall be construed in accordance with section 806C(4)(b);

"the upper percentage" is 45 per cent."

(2) The amendments made by sub–paragraph (1) have effect in relation to—

(a) dividends arising on or after 31st March 2001, and

(b) foreign tax in respect of such dividends,

(and accordingly the single related dividend or the single unrelated dividend which falls to be treated under those amendments as arising in any accounting period of a company shall not include any dividend arising on or before 30th March 2001).

Application of foreign dividend provisions to branches or agencies in the UK of persons resident elsewhere

20.—(1) After section 806J of the Taxes Act 1988 insert—

"*Application of foreign dividend provisions to branches or agencies in the UK of persons resident elsewhere*

806K.—(1) Sections 806A to 806J shall apply in relation to an amount of eligible unrelieved foreign tax arising in a chargeable period in respect of any of the income of a branch or agency in the United Kingdom of a person resident outside the United Kingdom as they apply in relation to eligible unrelieved foreign tax arising in an accounting period of a company resident in the United Kingdom in respect of any of the company's income, but with the modifications specified in subsection (2) below.

(2) Those modifications are—

(a) take any reference to an accounting period as a reference to a chargeable period;

(b) take any reference to corporation tax as including a reference to income tax;

(c) take the reference in section 806A(4)(a) to section 797 as a reference to sections 796 and 797;

(d) in relation to income tax, for subsection (2) of section 806B substitute the subsection (2) set out in subsection (3) below.

(3) That subsection is—

"(2) In Case A, the difference between—

(a) the amount of the credit allowed as mentioned in section 806A(4)(b), and

(b) the greater amount of credit that would have been so allowed if, for the purposes of section 796, the amount of income tax borne on the dividend as computed under that section were charged at a rate equal to the upper percentage,

shall be an amount of eligible unrelieved foreign tax."."

(2) The amendment made by sub–paragraph (1) has effect in relation to—

(a) dividends arising on or after 31st March 2001, and

(b) foreign tax in respect of such dividends,

(and accordingly the single related dividend or single unrelated dividend which by virtue of that amendment falls to be treated as arising in any chargeable period shall not include any dividend arising on or before 30th March 2001).

Unrelieved foreign tax: profits of overseas branch or agency

20A.—(1) After section 806K of the Taxes Act 1988 insert—

"*Unrelieved foreign tax: profits of overseas branch or agency*

Carry forward or carry back of unrelieved foreign tax

806L.—(1) This section applies where, in any accounting period of a company resident in the United Kingdom, an amount of unrelieved foreign tax arises in respect of any of the company's qualifying income from an overseas branch or agency of the company.

(2) The amount of the unrelieved foreign tax so arising shall be treated for the purposes of allowing credit relief under this Part as if it were foreign tax paid in respect of, and computed by reference to, the company's qualifying income from the same overseas branch or agency—

(a) in the next accounting period (whether or not the company in fact has any such income from that source in that accounting period), or

(b) in such one or more preceding accounting periods, beginning not more than three years before the accounting period in which the unrelieved foreign tax arises, as result from applying the rules in subsection (3) below,

or partly in the one way and partly in the other.

(3) Where any unrelieved foreign tax is to be treated as mentioned in paragraph (b) of subsection (2) above, the rules for determining the accounting periods in question (and the amount of the unrelieved foreign tax to be so treated in relation to each of them) are that the unrelieved foreign tax must be so treated under that paragraph—

1. that—

(a) credit for, or for any remaining balance of, the unrelieved foreign tax is allowed against corporation tax in respect of income of a later one of the accounting periods beginning as mentioned in that paragraph,

before

(b) credit for any of the unrelieved foreign tax is allowed against corporation tax in respect of income of any earlier such period;

2. that, before allowing credit for any of the unrelieved foreign tax against corporation tax in respect of income of any accounting period, credit for foreign tax is allowed—

(a) first for foreign tax in respect of the income of that accounting period, other than unrelieved foreign tax arising in another accounting period; and

(b) then for unrelieved foreign tax arising in any accounting period before that in which the unrelieved foreign tax in question arises.

(4) For the purposes of this section, the cases where an amount of unrelieved foreign tax arises in respect of any of a company's qualifying income from an overseas branch or agency in an accounting period are those cases where—

(a) the amount of the credit for foreign tax which under any arrangements would, apart from section 797, be allowable against corporation tax in respect of that income,

exceeds

(b) the amount of the credit for foreign tax which under the arrangements is allowed against corporation tax in respect of that income;

and in any such case that excess is the amount of the unrelieved foreign tax in respect of that income.

(5) For the purposes of this section, a company's qualifying income from an overseas branch or agency is the profits of the overseas branch or agency which are—

(a) chargeable under Case I of Schedule D; or

(b) included in the profits of life reinsurance business or overseas life assurance business chargeable under Case VI of Schedule D by virtue of section 439B or 441.

(6) Where (whether by virtue of this subsection or otherwise) an amount of unrelieved foreign tax arising in an accounting period falls to be treated under subsection (2) above for the purposes of allowing credit relief under this Part as foreign tax paid in respect of, and computed by reference to, qualifying income of an earlier accounting period, it shall not be so treated for the purpose of any further application of this section.

(7) In this section "overseas branch or agency", in relation to a company, means a branch or agency through which the company carries on a trade in a territory outside the United Kingdom.

Provisions supplemental to section 806L

806M.—(1) This section has effect for the purposes of section 806L and shall be construed as one with that section.

(2) If, in any accounting period, a company ceases to have a particular overseas branch or agency, the amount of any unrelieved foreign tax which arises in that accounting period in respect of the company's income from that overseas branch or agency shall, to the extent that it is not treated as mentioned in section 806L(2)(b), be reduced to nil (so that no amount arises which falls to be treated as mentioned in section 806L(2)(a)).

(3) If a company—

(a) at any time ceases to have a particular overseas branch or agency in a particular territory ("the old branch or agency"), but

(b) subsequently again has an overseas branch or agency in that territory ("the new branch or agency"),

the old branch or agency and the new branch or agency shall be regarded as different overseas branches or agencies.

(4) If, under the law of a territory outside the United Kingdom, tax is charged in the case of a company resident in the United Kingdom in respect of the profits of two or more of its overseas branches or agencies in that territory, taken together, then, for the purposes of—

(a) section 806L, and

(b) subsection (3) above,

those overseas branches or agencies shall be treated as if they together constituted a single overseas branch or agency of the company.

(5) Unrelieved foreign tax arising in respect of qualifying income from a particular overseas branch or agency in any accounting period shall only be treated as mentioned in subsection (2) of section 806L on a claim.

(6) Any such claim must specify the amount (if any) of the unrelieved foreign tax—

(a) which is to be treated as mentioned in paragraph (a) of that subsection; and

(b) which is to be treated as mentioned in paragraph (b) of that subsection.

(7) A claim under subsection (5) above may only be made before the expiration of the period of—

(a) six years after the end of the accounting period mentioned in that subsection, or

(b) if later, one year after the end of the accounting period in which the foreign tax in question is paid."

(2) The amendment made by sub-paragraph (1) has effect in relation to unrelieved foreign tax arising in any accounting period ending on or after 1st April 2000.

(3) No such tax shall be treated by virtue of that amendment as foreign tax in respect of income arising in any accounting period ended on or before 31st March 2000.'.

No. 107, in page 531, line 8, at end insert—

'Restriction of interest on repayment of tax resulting from carry back of relievable tax

25A.—(1) Amend section 826 of the Taxes Act 1988 as follows.

(2) After subsection (7B) insert—

"(7BB) Subject to subsection (7BC) below, in any case where—

(a) within the meaning of section 806D, any relievable underlying tax or relievable withholding tax arises in an accounting period of a company ("the later period"),

(b) pursuant to a claim under section 806G, the whole or any part of that tax is treated as mentioned in section 806D(4)(c) or (5)(c) in relation to the single related dividend or the single unrelated dividend arising in an earlier accounting period ("the earlier period"), and

(c) a repayment falls to be made of corporation tax paid for the earlier period or of income tax in respect of a payment received by the company in that period,

then, in determining the amount of interest (if any) payable under this section on the repayment referred to in paragraph (c) above, no account shall be taken of so much of the amount of the repayment as falls to be made as a result of the claim under section 806G, except so far as concerns interest for any time after the date on which any corporation tax for the later period became due and payable (as mentioned in subsection (7D) below).

(7BC) Where, in a case falling within subsection (7A)(a) and (b) above—

(a) as a result of the claim under section 393A(1), an amount or increased amount of eligible unrelieved foreign tax arises for the purposes of section 806A(1), and

(b) pursuant to a claim under section 806G, the whole or any part of an amount of relievable underlying tax or relievable withholding tax is treated as mentioned in section 806D(4)(c) or (5)(c) in relation to the single related dividend or the single unrelated dividend arising in an accounting period before the earlier period,

then subsection (7BB) above shall have effect in relation to the claim under section 806G as if the reference in the words after paragraph (c) to the later period within the meaning of that subsection were a reference to the period which, in relation to the claim under section 393A(1), would be the later period for the purposes of subsection (7A) above."

(3) In subsection (7D) (date on which corporation tax is due and payable for the purposes of certain provisions) after "(7B)" insert ", (7BB)".

(4) In subsection (7E) (which, for the purposes of certain provisions, restricts the power in section 59A of the Taxes Management Act 1970 to alter the date on which corporation tax is due and payable) after "(7B),", in both places where it occurs, insert "(7BB),".'.—*[Mr. Dowd.]*

Clause 104

CONTROLLED FOREIGN COMPANIES.

8.15 pm

Mr. Flight: I beg to move amendment No. 14, in page 72, line 23, leave out clause 104.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Amendment No. 15, in schedule 31, page 532, line 3, leave out schedule 31.

Government amendment No. 91.

Mr. Flight: We believe that there are some major deficiencies in the schedule, which we did not address in Committee.

Mr. Letwin: The charade that we have just witnessed is necessitated by the fact that I must declare an interest. Again, I am not quite clear which, but I am sure that there will be one. Therefore, I am prohibited by the rules of advocacy from moving the amendment. I do not know what relationship my interests have to schedule 31. However, the rules of the House do not let one speculate, so we will, as always, play by the rules.

We did not discuss schedule 31 in Committee and the sole responsibility for that lamentable fact lies with me. I was so concerned with schedule 30 that I did not notice that schedule 31 was on the agenda and failed to leap up in time. However, nothing much has been lost, because the right answer on Report is the same as the right answer would have been in Committee, which is that schedule 31 needs to be no part of this Bill. It is radically misconceived and the Government have just as good an opportunity to remedy it now by accepting the amendment to delete it as they would have had in Committee.

I want to put on the record two critical points. The first is that the Conservative party has no truck whatever with the idea of people being able to construct arrangements for avoiding tax out of controlled foreign companies as a way of going about something quite other than trading business. That is the reason why we introduced controlled foreign companies provisions 16 years ago. There is nothing between us and the Government on the general principle that where a UK company seeks to engage in Bermuda cashbox activities or the like with a straightforward controlled foreign company, that needs to be stopped. The whole purpose of CFC legislation is to stop it. So far, so good.

The second point is that, unfortunately, this is an area of great delicacy and complexity, involving a huge range of different transactions. As a consequence, it is extraordinarily difficult to disentangle entirely legitimate business manoeuvres from tax avoidance manoeuvres. I do not hold it against Ministers or officials that they have made a muck-up of schedule 31 because it is difficult to separate the two matters. However, the fact is that they have made a muck-up of it and, as a consequence, it needs to be withdrawn. That is not to say that some better constructed analogue of it could not come forward next year and do some good in the service of the British taxpayer. This, however, is not that analogue. It is a schedule that does some very wrong things—albeit, I think, unintentionally.

I think that the Paymaster General is aware of some of those things, but she may not be aware of all of them. If she is aware of all of them, I apologise for going through them rather laboriously; but as, if she is aware of them, she should have done something about them, I think I can be forgiven for assuming that she is not. That is the only charitable explanation for the existence of schedule 31.

I wish to draw attention to two problems in particular. The first is caused by a combination of paragraphs 4 and 8 of the schedule, and relates to the 50:50 joint venture. Let us suppose that there are two corporations, one UK-based and the other US-based, each of which holds an interest of more than 40 per cent. and less than 50.1 per cent. of a joint venture vehicle. If each corporation holds an interest of 50 per cent., both will fall into the category of companies holding an interest of more than 40 per cent. and less than 50.1 per cent., and will therefore be caught in the nexus of paragraphs 4 and 8.

I am sure that the 40 per cent. rule is intended to capture certain nefarious tax-avoidance practices—practices unknown to me but, doubtless, known to the Minister and her officials. I do not doubt that such practices exist; nor do I doubt that we should find ways of dealing with them. The problem is that the Minister, I think unintentionally, will also catch an entirely legitimate set of business practices which I consider particularly important.

Let us imagine that the UK and US companies that I mentioned earlier are involved in internet communications, or telecommunications generally. Let us suppose that they operate on the basis of a joint endeavour to provide major multinational customers with voice telephony or data transfer between the US and the UK, and that—not unnaturally—the UK partner seeks to service the UK-based elements while the US partner seeks to service the US-based elements.

A standard voice telephony call along a straightforward transatlantic cable with indefensible rights of user attached has three components. There is the local and long-distance domestic access within the UK; there is the local and long-distance domestic access within the US, which involves two people, or sets of people, picking up their telephones; and there is the transatlantic component.

A perfectly rational business structure to be used in such circumstances—a structure that may emerge from detailed negotiations in the setting up of a joint venture—may be the holding of three "pick and mix" sets of accounts. One may relate to the part of the pool charge that originates from the UK caller, and represents the resource cost of providing the UK domestic section of the call facilities. Another may relate to the US termination. The third may relate to the transatlantic element—and the transatlantic element may be accounted for through a 50:50 joint venture.

It would be perfectly reasonable for that joint venture to be registered in, for instance, the media. We are not talking about a cash box: there is no intention to stuff the system with earnings from the UK in order to collect tax-free interest. The intention is simply to identify a low-tax jurisdiction, for legitimate taxpaying purposes and as part of a legitimate business structure, in which a 50:50 joint venture can be sensibly located—a venture in which the shared part of the call revenue can be placed, and in which the cost of that shared part will be recognised. In this instance, we are talking about the cost of the IRUs on the transatlantic cable and, perhaps, associated transmission equipment.

[Mr. Letwin]

I have described an entirely legitimate business practice and an entirely legitimate business structure. I do not know whether such things currently exist, although I speculate that they do, and if they do not they soon will. There are many other such cases, some of which I know exist, from personal experience. All those cases will be captured by the intersection of paragraphs 4 and 8. The joint venture that I have described will be regarded as a controlled foreign company, and that is wrong. The Financial Secretary will smile at this, inwardly or outwardly, but the effect of the provision is irrational. Moreover, it is unintentional. At least, I assume that it is; the Bill cannot have been intended to clobber such legitimate business practices.

That is the first defect of schedule 31. I thought long and hard—and, more importantly, tried to persuade experts to do the same, as my capacities in this respect are distinctly limited—about the possibility of tabling specific amendments to deal with that defect, but I am afraid that it defeated us. I think that the structure of the schedule militates against a solution, and that is my first reason for believing that the schedule should be rewritten.

I am mindful of the fact that, as the hon. Member for Kingston and Surbiton (Mr. Davey) said repeatedly in Committee, we do not want to complicate the situation by tabling "right" amendments on top of "wrong" schedules, ending up with a provision that no one understands. I fear that that would be the very result of trying to weave a solution into schedule 31 as it stands. Surely it would be far better to scrap the schedule, and bring it back next year. The amount that the Government will lose as a result of loopholes they have discovered will not be hugely significant in one year. Over time it may prove important, but I am sure that over time a solution can be found to whatever problems the Paymaster General considers to be real—and arise from tax avoidance manoeuvres—without the need to clobber the joint ventures to which I have referred.

I do not know whether the Paymaster General already knows about the problem that I have identified. As I have said, if she does, she should have killed it already. I shall charitably assume that she does not.

Dawn Primarolo: If the hon. Gentleman looks at the Bill, he will see that the motive test would apply. He has described a situation that revolves around not an intent to avoid tax, but the structure of the joint venture. The motive test, and other exceptions, would exempt a case of non-avoidance.

I do not understand the hon. Gentleman's point. He says that he is against avoidance, but that there are some structures that do not fit the 50:50, 40:40 arrangement. Ours is the only country with the motive test and the other exemptions. If the purpose was not to avoid tax, presumably such structures would be all right.

Mr. Letwin: I hardly dare suggest it, but we may be making progress. If I tell the Paymaster General what I find worrying, perhaps she can lay my fears to rest for Pepper *v.* Hart purposes.

I freely admit that I only dimly understand how the motive test will be applied by the courts. Indeed, I am not convinced that the great lawyers understand that yet. As I dimly understand it, however, the test does not distinguish clearly between two things. We need such a distinction here, and if the Minister can make the right statement we may be able to achieve it.

The test does not distinguish clearly between manoeuvres designed purely to avoid tax—I agree that they should be clobbered—and arrangements of the kind I have described. While such arrangements are perfectly legitimate business manoeuvres, an element of them will have been the hope that—through onshore pooling and other legitimate means; by causing the subsidiary to be chosen to be in a low-tax jurisdiction—the net effect would be beneficial. That constitutes tax planning of a legitimate kind, not tax avoidance.

If the Paymaster General is saying that the motive test—not only as she plans it but, much more importantly, as she intends it to apply to this case—would mean that, in the type of circumstances I was describing, that would be regarded not as an avoidance mechanism but as legitimate tax planning, as part of legitimate business activity, I think that we probably do have a solution to this particular problem.

8.30 pm

Dawn Primarolo: The motive test has been in place since 1984, when the previous Government introduced it, and has consistently worked perfectly well without the problems that the hon. Gentleman is describing. I assure him that the type of structures that he is identifying are not new ones. He has advanced two arguments, the first of which deals with what would happen if the activity was not avoidance under the 40:40 test. As I told him, the motive test is the key to determining how to deal with the matter.

Secondly, the hon. Gentleman questioned whether the motive test was adequate. As I said, it has been working perfectly well since 1984 and has withstood the test of time. I think that I am right in saying that we use it also in transfer pricing. However, I shall double check on that to ensure that I am correct.

I apologise for making a rather long intervention. Nevertheless, both the hon. Gentleman's points are answered in the legislation.

Mr. Letwin: There is no need to apologise for the length of the intervention. I think—as long as I am thinking straight through the haze of my indisposition—that the Paymaster General is probably saying what needs to be said. We shall later entirely discover. However, I think that she may have succeeded in removing my anxiety on that score.

Dawn Primarolo: I think that we can certainly clear up these points, and it is important that the explanation is on the record. The motive test exempts controlled foreign companies that do not have United Kingdom tax avoidance as one of the main—I emphasis, the main—reasons for their existence or the transaction. I think that we can see a clear audit trail—involving motive, motive test, exemptions and current and past interpretation—that deals with the point that the hon. Gentleman is making. Clearly, CFC legislation takes account of legitimate activity, but—putting it very directly—nails those who are avoiding tax and for whom the CFC exists purely to help them to do that.

Mr. Letwin: If the hon. Lady is putting the emphasis that I think she is putting on the word "mainly", I think

that it probably will capture the case that I was describing and similar cases, and that we probably will have a solution. Therefore, I think that we can probably rest easy on that—although, as I said, time will tell, as we go through the courts and hear how these matters are interpreted. Nevertheless, the hon. Lady's comments were very helpful.

Mr. Edward Davey: I believe that the Paymaster General is right on this point. My only concern with the motive test in the legislation is whether, in the Inland Revenue's examination of a company's motive, there should be an appeal procedure. There is an appeal procedure in other spheres in which the motive test operates. Does the hon. Gentleman think that the absence of such a procedure is a deficiency in the Bill?

Mr. Letwin: I agree with the hon. Gentleman that if the motive test is to have placed on it the weight that the Paymaster General has most helpfully placed on it, it would also be helpful if there were an appeal procedure within the Inland Revenue—as the courts already have one. I certainly agree on that point.

Let us turn to the second problem with schedule 31, which I think that the Paymaster General became aware of at a considerably earlier stage in our deliberations on the Bill. I think that she became aware of it through the representations of one particular company. In Committee, at a certain moment in the discussion of something quite else, the Paymaster General sounded as if she was saying that there was only one company in the whole of the United Kingdom that really was affected in the way that I am about to describe. I think that that was incautious and, in fact, false. Certainly, however, one company has brought to her attention the problem that I am about to bring to her attention. I can only assume that she thinks that the problem is not serious enough to worry about. It is serious enough to worry about.

What is this particular problem? It is the problem of the Swiss-Lux Finance Company being used as part of a structure whose basic intention is not to avoid United Kingdom tax, but to benefit from the tax shield on interest costs of a higher-tax jurisdiction where the subject of an acquisition resides in the higher-tax jurisdiction. Let me try to disentangle that absolutely ghastly sentence.

Dawn Primarolo: I think that I may be able to help the hon. Gentleman to untangle that ghastly sentence. Is he describing the transfer of losses into a country where the losses were not generated, to get the benefit of that country's relief?

Mr. Letwin: In a word, no. I am describing a situation in which a United Kingdom company, as a perfectly ordinary part of its business, acquires a company in another jurisdiction that has a higher corporate tax rate—it is a standard merger and acquisition by one trading company of another trading company; there is no question of any type of sheer financing manoeuvre—and in which it funds that acquisition, as many acquisitions are funded, partially or wholly through debt. Because company A, the United Kingdom company, is the acquirer, it will naturally fund the acquisition through debt raised by itself from its bankers. Therefore, stage 1 of the transaction is that the United Kingdom company—which was previously, for example, debt free—has acquired a huge lump of debt as a result of raising the money to buy company B in, shall we say, Germany, which has a high corporate tax rate.

So far, there would be nothing between the Paymaster General and the Opposition. Everyone would agree that that is a completely legitimate acquisition activity. It may even lead to the creation of a great United Kingdom company. In fact, there is one instance in recent British history when it has led precisely, as I have described, to the creation of a great United Kingdom trading company.

The next stage of the transaction is that the United Kingdom company in question—having acquired, first, the German subsidiary, and, secondly, the lump of debt in the United Kingdom—wants to find a way of refinancing that debt in the German subsidiary, so that—

Dawn Primarolo: It can transfer losses.

Mr. Letwin: No. We are talking about transferring not losses, but acquisition debt. There is no reason on earth why the United Kingdom tax authorities should object to the transfer of acquisition debt from a United Kingdom acquirer to a subsidiary in a higher-tax jurisdiction. I cannot see any reason at all why that should be something to which the United Kingdom Treasury objects.

I should point out that, if it really is something to which the United Kingdom Treasury and the Paymaster General object, they are signalling to all such potential acquirers in the United Kingdom that they should do reverse takeovers and end up with their headquarters in the higher-tax jurisdiction. I know that the Paymaster General is the chairman of an important—to my mind rather misguided, but, nevertheless, important—committee of the European Union that looks into these things, and I understand that she may have other interests and motives in the matter—which certainly are not illegitimate in any personal sense, but are part of an agenda that the Opposition do not share.

None the less, just dwelling on this particular type of case, I cannot see any United Kingdom interest in trying so to arrange things that, in the circumstance that I have described, the United Kingdom acquirer prefers to have headquarters located in the high-tax jurisdiction by doing a reverse takeover. Such an arrangement would be a great disadvantage to the United Kingdom, its financial institutions, its accountants, its lawyers, its office cleaners and all the rest. It is all part of the same syndrome that we thought we had got over when the Government reversed the double tax relief provisions. What we are all trying to achieve, I hope, is attracting—not repelling—companies from locating their headquarters here.

It is clear to me that I do not need to explain to the Paymaster General—I shall therefore only very briefly explain to the House—that, currently, the manoeuvre of locating acquisition debt in the high-tax jurisdiction subsidiary proceeds by means of having a Swiss-Lux Finance arrangement, whereby the Luxembourg company effectively lends money to the subsidiary in the high-tax jurisdiction and receives interest from it.

That money is then used by the subsidiary to purchase shares in the acquirer so that the acquirer can pay off its UK debt. By those means, the debt is effectively relocated to the high-tax jurisdiction. That manoeuvre will be prevented by schedule 31(7). However, it is not in the interests of the UK to arrange matters so that such a

[Mr. Letwin]

manoeuvre is illegitimate, because the effect will be to persuade companies to locate their headquarters in the high-tax jurisdictions, which are likely to be other European countries. That cannot be to our national advantage.

Having said all that, I am most preoccupied by the unfairness involved. Although the disadvantages are considerable, they are not as great as in the case of the double tax relief. Schedule 31(7) is an important, but not a catastrophic, mistake. What makes it necessary for us to oppose the provision is the fact that companies have already performed the manoeuvre in the legitimate expectation that it would not be clobbered retrospectively. The least that the Government should do—which would reduce the schedule from being appalling to merely very bad—is to agree that the provisions will not apply retrospectively. People will know in future that they need to plan around the provisions, but to apply them retrospectively is unfair and the Opposition cannot concur to that.

I expect that the Paymaster General has received intensive briefing and clear explanations from at least one company. I happen to know that it is not the only one that will be affected, but it is the only one that has stuck its head above the parapet. The Paymaster General will probably admit—while displaying the same delicacy as I am in not naming the company—that the company is a reputable company. It is not a fly-by-night tax avoidance mechanism, but one of Britain's great trading companies. I disagree with the Paymaster General on many things, but I know that we share the patriotism that means we wish to encourage business to locate here. I cannot think that she wants to send out the message that if companies based in the UK behave in certain ways based on legitimate expectations, they will be retrospectively clobbered by Acts of Parliament. That has not been part of the tradition of our tax legislation and the Paymaster General cannot wish to see it happen now.

If the Paymaster General can tell us, in the same tremendous spirit of co-operation and sympathy that she displayed in relation to earlier problems, that the legislation will not apply retrospectively, for some reason that I have missed, it will at least not be catastrophic, although it will militate against future acquirers locating in the UK. A much better solution would be to redo schedule 31(7) so that it would not have that effect. That is the solution that we seek and the reason why we shall push the amendment to a vote.

8.45 pm

Dawn Primarolo: I shall clear up a couple of points before I turn to the issue of acquisition. It was, I believe, the hon. Member for Kingston and Surbiton (Mr. Davey), as well as the hon. Member for West Dorset (Mr. Letwin), who raised the issue of whether the motive test was appealable. The answer is yes. Under self-assessment, it is for companies to assess whether their controlled foreign companies pass the motive test. They have been capable of doing that since 1984, as I explained. If the Inland Revenue disagrees with the self-assessment, it can amend it. As in any other case in which the Inland Revenue makes such an amendment, the company can appeal against it. The case goes to the commissioners and can then go to the courts.

Mr. Letwin: That is helpful.

Dawn Primarolo: Thus far, but no further. I have a feeling that we will have to agree to disagree on the rest, because we do not accept the amendment. To remove in their entirety the anti-avoidance measures on controlled foreign companies would be crazy. I am a little surprised that the hon. Gentleman suggests doing so because he is otherwise clear on the issues of avoidance. The amendment is reckless and the beneficiaries would be those multinationals which wish to avoid paying their fair share of UK tax. The losers would be the hard-working families of this country and other companies which would face increased taxation or poorer services because of lower tax receipts. I am sure that the hon. Gentleman does not wish to be seen to support the corporate tax scams and wheezes that the amendment would allow.

The hon. Gentleman will be familiar with the opinion in the *International Tax Review*, which in September 1998 specifically highlighted the fact that the use of the controlled foreign company and exempt international holding companies was

a method of avoiding tax.

Indeed, the article expressed surprise that the arrangements were not being blocked and it was written by none other than the leading accountant at the then Price Waterhouse, which the Opposition have been keen to quote during these debates.

On the issue of acquisition, I shall make a few preliminary points and then deal specifically with debt transfer.

There are four sets of changes in the arrangements for controlled foreign companies, and the point about acquisition is pertinent to the fourth. That change stops the automatic exemption for holding companies from being abused to avoid UK tax on intra-group interests and royalties. As we have discussed, holding companies are generally outside the controlled foreign company rules if at least 90 per cent. of their income comes from companies that meet one or more of the controlled foreign company exemptions.

Generally speaking, that makes sense when the income is a dividend paid out of post-tax profits. There is a logic in saying that, from the point of view of the UK Exchequer, it is largely immaterial whether the post-tax profits of a non-resident subsidiary are held in the subsidiary or in the non-resident holding company. However, the current rules are not restricted to holding companies that receive their income from post-tax profits. They apply equally where the income consists of interest and royalties paid from pre-tax profits. In those circumstances, pre-tax profits are shifted from the subsidiary to the holding company. There is a tax deduction in the subsidiary, and a new source of income in the holding company.

The current exemption distorts the way in which some investments are structured, and is leading to a loss of tax for the UK. Multinational companies use offshore holding companies to extract tax-free profit from overseas subsidiaries. They then keep those profits outside the UK tax net. That is part of the problem that the Government

are dealing with, but I hope that the hon. Member for West Dorset will accept that several relationships are involved.

The Bill will ensure that the automatic exemption for holding companies is passed only when more than 90 per cent. of the holding company's income is received in the form of a dividend that is not tax deductible. The change does not introduce any new principle to the controlled foreign company rules. Other ways of diverting the pre-tax profits of overseas subsidiaries into tax havens and preferential regimes are already covered. The Bill will introduce a logical and coherent set of rules by applying to the holding company exemption the same principles that apply to the rest of the controlled foreign company legislation introduced by the Conservatives in 1984.

It has been suggested that some multinationals—I shall not name them for reasons of taxpayer confidentiality—are using loans from holding companies to reduce foreign tax, rather than UK tax. That is the point that the hon. Member for West Dorset is focusing on, and I hope that he will be happy with what I have to say next. If a company is not seeking to avoid UK tax it will, of course, get through the motive test—end of story. However, holding companies typically use debt finance to reduce both foreign tax and UK tax. It is in those circumstances that the controlled foreign company legislation would bite.

I hope that the hon. Gentleman appreciates the distinction. He said that he does not agree with avoidance of UK tax, and that he was talking about the transfer of debt into foreign jurisdictions. As long as that transfer does not lead to a reduction in UK tax liability, the CFC legislation will not bite.

Mr. Letwin: That is helpful, but although the main purpose of the manoeuvre that we are talking about was to reduce costs through reducing tax in a foreign jurisdiction, the by-product was that tax in the UK was also reduced. Does not the Paymaster General think that it would be wrong retrospectively to clobber people who had made plans based on legitimate expectations regarding the law as it previously existed?

Dawn Primarolo: With respect, I do not understand how the hon. Gentleman can say that the Bill will clobber such people retrospectively. The rules have made it clear that companies could not use controlled foreign companies to reduce their UK tax liability, or to avoid it completely. The Bill proposes amendments to our controlled foreign company legislation because some have sought to circumvent the clear intent of that legislation.

The hon. Member for West Dorset will know that controlled foreign company legislation is used throughout Europe and north America. The UK is the only country in the world that has a motive test, and we recognise that it can be commercially legitimate to use such companies. However, a company that is avoiding its UK tax liability will be caught by the controlled foreign company legislation. I make no apology for that, as such a company should pay to the Government the tax for which it is liable.

Mr. Letwin: I persist in believing that the Paymaster General is missing a point. The fundamental purpose of the manoeuvre that we have been discussing is to obtain a reduction in the foreign jurisdiction tax by displacing the debt to the subsidiary; in that case, the CFC is being used not to avoid UK tax, but to reduce tax in the other jurisdiction. However, it may be that a by-product is to reduce UK tax liability, and in that case it seems quite unfair retrospectively to deal a blow.

Dawn Primarolo: I do not agree. As we discussed in our previous debate, there has been much comment and many representations on the double taxation relief set out in schedule 30. We have received far fewer observations on the controlled foreign company provisions in schedule 31. Indeed, without breaking any confidences about which companies were involved, it is accurate to say that the majority of companies that made representations on the double taxation relief entirely supported our measures in respect of legislation on CFCs—in fact, some thought that we should go further than we have done. A small number of companies were attempting to use CFC legislation to avoid UK tax, and they have, of course, been quite vocal, but their comments are not representative of the far larger number of companies and professional advisers who have discussed these matters with us. The hon. Gentleman should not expect us to make legislation for the exceptions that attempt to reduce their tax liability in the UK when every other multinational is paying that liability. Therefore, should the hon. Gentleman push his amendment to a vote, I shall ask my hon. Friends to reject it.

Mr. Letwin: Although I appreciate that the Paymaster General is attempting to block off a species of tax avoidance that we agree should be blocked off, she is also blocking off manoeuvres that are perfectly legitimate, and I am bound to say that I persist in believing that she is doing so retrospectively and unfairly. In the circumstances, we shall press the amendment to a vote and I urge my right hon. and hon. Friends to vote against the schedule and in favour of our amendment. I hope that the Paymaster General will reconsider the measure, as she has on double taxation relief, because its long-term effects will be severely deleterious to our industry.

Dawn Primarolo: I shall urge my hon. Friends to support the Government amendments, including Government amendment No. 91, because I am not persuaded by the hon. Gentleman's arguments. We shall not be able to reach agreement on the matter.

Question put, That the amendment be made:—

The House divided: Ayes 120, Noes 344.

Division No. 279] **[8.58 pm**

AYES

Ainsworth, Peter *(E Surrey)*	Chapman, Sir Sydney *(Chipping Barnet)*
Amess, David	Chope, Christopher
Arbuthnot, Rt Hon James	Clappison, James
Baldry, Tony	Collins, Tim
Beggs, Roy	Cormack, Sir Patrick
Bercow, John	Cran, James
Body, Sir Richard	Davies, Quentin *(Grantham)*
Bottomley, Peter *(Worthing W)*	Davis, Rt Hon David *(Haltemprice)*
Bottomley, Rt Hon Mrs Virginia	Day, Stephen
Brazier, Julian	Donaldson, Jeffrey
Brooke, Rt Hon Peter	Evans, Nigel
Bruce, Ian *(S Dorset)*	Faber, David
Burns, Simon	Fabricant, Michael
Butterfill, John	

Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith,
Rt Hon Sir Geoffrey
Key, Robert
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paice, James
Paterson, Owen
Portillo, Rt Hon Michael
Prior, David
Randall, John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Peter Atkinson and
Mr. Geoffrey Clifton-Brown.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Ballard, Jackie
Banks, Tony
Barnes, Harry
Bayley, Hugh
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Gordon
(Dunfermline E)
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Caborn, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corston, Jean
Cotter, Brian
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry
(B'ham Hodge H)
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Doran, Frank
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Ewing, Mrs Margaret
Fearn, Ronnie
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Don *(Bath)*
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harvey, Nick
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Khabra, Piara S
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAllion, John
McAvoy, Thomas

McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moore, Michael
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salmond, Alex
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Robert Ainsworth and
Mr. Jim Dowd.

Question accordingly negatived.

Amendment made: No. 91, in page 533, line 43, leave out "(3)" and insert "(4)".—*[Mr. Jamieson.]*

Clause 106

FOREIGN EXCHANGE GAINS AND LOSSES: USE OF LOCAL CURRENCY

Mr. Flight: I beg to move amendment No. 155, in page 77, line 11, leave out clause 106.

This is a probing amendment. We have been approached by the Chartered Institute of Taxation and the Law Society, which are still concerned about the wide scope of the wording of proposed new section 135A of the Finance Act 1993. In their opinion, the new provision is still capable of catching many companies that prepare their accounts in foreign currency for perfectly normal, commercial reasons rather than because of tax factors.

Both organisations expressed the concern that the test remains an expected main benefit test as opposed to a purpose test. The question posed is what is the main benefit that might be expected to accrue from exchange gains having to be computed for tax purposes by reference to a particular currency, rather than the relevant question as to what is the main benefit that might be expected to accrue from drawing up commercial accounts in a particular currency. The expected benefits of a transaction is the expected result, whereas a purpose test is a motive test.

A company's motive in choosing to use a particular reporting currency might have been to avoid exchange fluctuations where the majority of its assets or liabilities are denominated in that currency, but, applying the proposed new section 135A, it may be possible to conclude that the expected main benefit of using the currency was that the company would avoid realising an exchange gain under the foreign exchange legislation.

9.15 pm

The key concerns about this anti-avoidance provision are whether wider commercial factors can be taken into account and at which time the expected main benefit test is to be applied. Those issues exercised the institute and the Law Society; both expressed concern that the new test could catch a large number of the investment companies that the reforms in clauses 106 and 107 are introduced to assist.

Will the Minister offer assurances that commercial factors can be taken into account, and that the expected benefit is to be judged at the time when a company first prepares its accounts in foreign currency? Will she also confirm that the provisions of the section will not apply when a company is preparing its accounts in foreign currency, in accordance with normal accounting practice, in order to avoid its results being distorted by exchange rate fluctuations? The current provisions are widely drawn, and it would be most welcome and helpful if the Minister would give us a clear statement on the cases to which the anti-avoidance provision might be applied.

Dawn Primarolo: The amendment would remove clause 106. That clause contains several provisions to

[Dawn Primarolo]

support changes introduced by clause 105 to improve the tax system for international companies. Those changes have been widely welcomed because they will make the United Kingdom a more attractive base for international companies.

As those supporting measures are necessary to enable the new system to fit in with the existing law, I realise that the Opposition's attempt to drop the whole clause is not serious. Indeed, the hon. Member for Arundel and South Downs (Mr. Flight) admitted that the amendment is a probing one, and that the real concern is about the part of clause 106 that deals with the new anti-avoidance measures in the clause: the new section 135A of the Finance Act 1993, designed to stop the new rules established under clause 105 being exploited to avoid tax.

As the hon. Gentleman knows, the effect of section 135A is to undo the application of the new rules where the main benefit that might be expected to accrue to a company from using a particular currency in its accounts is that a taxable currency gain would not be recognised. In Committee, the Government made it clear that the rule will apply only where net exchange gains would be cancelled out. That demonstrates that we are interested in the overall position of the company and not in the effect of individual transactions considered in isolation.

The hon. Gentleman continues to express concerns about the scope of the rule, however, so I shall try to reassure him with some comments that I prepared earlier—as they say on "Blue Peter". These comments will also cover points of interest to others who read our proceedings.

Let me emphasise first that the new rule is intended to catch avoidance. It is not aimed at any particular type of company or business, but seeks to ensure that the new system of calculating tax, based on a company's accounts, cannot be abused to avoid tax. So trading companies and investment companies conducting their business in a normal, commercial way will not be affected. The point of the test is to establish whether the main benefit that might be expected to accrue to a company from the structuring and accounting of assets and liabilities in a particular currency is that a net exchange gain would be avoided.

The wording of the test allows for commercial considerations to be taken into account. For example, even if the currency adopted in the company's accounts was particularly weak or strong, if it made commercial sense to use that particular currency and the company's assets and liabilities in that currency were broadly matched, no net exchange gains would have been expected to have been avoided, and the section would not apply.

Where a net gain has been avoided, the test would still be whether the main benefit from using the currency was the furtherance of the commercial purposes of the company or the avoidance of that exchange gain. The Government believe that a company will normally be able to judge whether it would pass or fail this test. In particular, a company will know whether the decision to account in a particular currency makes commercial sense or whether the structuring and accounting of the company's affairs has been skewed to avoid generating taxable exchange gains.

To conclude, let me reiterate that the new rule is intended to tackle avoidance. It will not affect legitimate business undertaken by any company, whether that company is a trading company or an investment company. However, it will affect companies that aim to exploit the new rules for a tax benefit.

I hope that those remarks clarify the scope of the provision and give the hon. Gentleman some of the reassurances that he and others seek on the implementation of the clause. The Inland Revenue will also be providing some written guidance on how the provision will be applied. Given this clarification, perhaps the hon. Gentleman will now feel able to withdraw his amendment. It is only regrettable that we did not have an opportunity to cover these points more fully in Committee.

Mr. Flight: I thank the Paymaster General for her helpful comments. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 107

Overseas Life Assurance Business

Miss Melanie Johnson: I beg to move amendment No. 64, in page 79, line 29, leave out from beginning to "an" in line 30 and insert "Where".

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Government amendments Nos. 65 to 67.

Amendment No. 152, in page 80, line 4, leave out—

'such descriptions of general insurer as may be prescribed:'

and insert ";

(i) such descriptions of general insurer as may be prescribed: or

(ii) a general insurer who elects to be subject to an arrangement prescribed in regulations which appear to the Board to be appropriate;'.

Government amendments Nos. 68 to 70.

Amendment No. 153, in page 80, line 10, leave out "prescribed" and insert "commercial".

Amendment No. 154, in page 80, line 10, after "rate", insert "or rates".

Government amendments Nos. 71 to 77.

Miss Johnson: Clause 107 deals with tax deductions for general insurance reserves and introduces the principle of discounting. It consists mainly of regulation-making powers, and this use of regulations has allowed for consultation with the insurance industry, which has been undertaken, and which good continues—to good effect. The amendments will allow regulations made under the clause to incorporate a change to the original proposals which was suggested in the course of consultation.

In order to explain the amendments, I will briefly explain the effect of the clause. Regulations made under the clause will introduce a process of recalculation of the tax deduction for a year. If it turns out that the tax deduction exceeded a discounted value of actual costs, additions will be made to taxable profits. The additions

will be calculated like interest charges, so the effect will be to charge interest on tax that has been delayed because tax deductions have been too large.

This leads to the question of what should happen if it turns out that a deduction was too low. It is right that this situation should be recognised, alongside the case where a deduction is too high. If a deduction was too low, an amount of interest will also be calculated and it will be given as a tax relief for the insurer.

The consultation paper for the secondary legislation proposed allowing this relief only against interest additions made under the clause, and only in the same year or a later year. In Committee, I agreed that this relief should be made more widely available than was originally proposed, and suggested two options—that relief be available against all trading profits, or that it should be available to carry back to an earlier year.

Industry representatives have suggested that the two options should be combined, with a general right of set-off in the same year, combined with a limited right of set-off in an earlier year. Of the two options, their preference was for an unlimited set-off in the same year. The amendments to the clause will make this change, by providing that interest on overpaid tax will take the form of additional trade expenses. The expenses will be available in the normal way against all taxable profits arising in the same year. If they create a loss, there will be the usual one-year loss relief carry-back.

The amended clause also leaves open the possibility of a limited form of carry-back of relief to an earlier year. This is, however, a matter for secondary legislation, and will be decided following further consultation, along with other matters of detail.

The amendments create an even-handed approach in the way the clause deals with overpayments and underpayments of tax. In this way, the clause will ensure that the tax outcomes are fair to the Exchequer and fair to insurance companies.

Mr. Michael Jack (Fylde): When we discussed this in Committee, concern was expressed that the clause as originally drafted would disadvantage UK insurance companies in comparison with world competitors because of the global nature of the insurance market. In the discussions that were subsequently held with the industry, did the Economic Secretary receive positive assurances from the industry that the amendments addressed the competition issue to its satisfaction?

Miss Johnson: Many countries, including the United States, Canada, Australia and Germany, already require discounting for tax purposes. France has rules very similar to our proposals to counter over-reserving. The UK has the lowest rates of corporation tax of any major industrialised nation. The long-term costs of the clause to the industry will be far less than the cost of typical European corporate tax rates, which are about 10 per cent. higher than in the UK. The cost is also much less than the industry would pay if insurance premium tax were increased to typical European rates. Our rates are well under European rates.

Companies can choose to base their tax deductions on discounted liabilities. That will cost them more in the short term, but it will reduce or eliminate their long-term costs. They can choose to do that all at once, or to spread the costs over several years. Therefore, the clause will not produce a competitive disadvantage for UK insurers. I hope that that answers the right hon. Gentleman's question.

Mr. John Greenway (Ryedale): I beg the Paymaster General to revisit what she has said because companies do not pay insurance premium tax; consumers do. If I am lucky enough to catch your eye, Mr. Deputy Speaker, I shall acknowledge that the current provision represents a significant improvement on the original proposal. However, such issues are still not entirely resolved to the satisfaction of those of us who are concerned about the continuing competitiveness of the UK insurance industry.

Miss Johnson: The point that the hon. Gentleman makes about insurance premium tax is correct. Nevertheless, if we were to raise the rate of insurance premium tax, he would say that that would, in effect, cost the companies money, or that the cost would be passed on to the consumer. The cost is not lost depending on the point at which it enters or leaves the system; it affects the entire system. That point would always be made in such circumstances.

On the general principle of such discounting, there is an increasing acceptance that the proposal represents the right way to proceed. In Committee, I put on record the joint response to the proposal of the International Accounting Standards Committee. Perhaps it is worth while briefly reminding hon. Members of that comment on discounting.

The IASC's steering committee concluded that the use of the present value in measuring general insurance claim liabilities is consistent with the emphasis on information that is relevant and decision-useful. A claim that is payable within one month imposes a higher economic burden than a claim for a similar amount that is paid two years in the future. The use of present value allows financial statements to provide information that differentiates those claims from each other. The steering committee found no basis to exempt general insurance claim liabilities from the present value measurement. That was not a lone voice, as was suggested in Committee.

The IASC's view has been widely endorsed by UK accountants, actuaries and companies. There has been a joint response to the proposals on insurance accounting from the Institute of Chartered Accountants in England and Wales, the Institute of Chartered Accountants in Scotland, the Faculty of Actuaries in Scotland, the Institute of Actuaries and the Association of British Insurers. Their joint comment on discounting was simple. They agree that the use of present value in measuring general insurance claims is appropriate. That is the key issue.

Our large insurance companies agreed with that view. CGNU expressed support for the joint response, and Royal and Sun Alliance commented:

> We do not think there is any argument for not discounting general business under a fair value basis of measurement of liabilities.

There is overwhelming support for the principle of discounting. That is at issue here, and the matter is being dealt with even-handedly in response to those representations.

9.30 pm

I appreciate that the hon. Member for Arundel and South Downs (Mr. Flight) has not yet spoken to his amendments, but perhaps I might comment briefly. Amendment No. 152 would allow companies to elect to reduce their tax deductions to a discounted best estimate of liabilities, creating what has been called a safe harbour. In return, a company that so elected would be given immunity from later interest charges. However, that change would not sit well with the other provisions in clause 107, which sets out a wholly automatic approach to determining tax liabilities. The clause would not require matters of judgment to be decided on or argued about between the insurance company and the Inland Revenue. I could go into much more detail in response to whatever points the hon. Gentleman makes, but the amendment would add an element that could be disputed. I suggest that it might be subject to considerable legal activity, which would probably not benefit anyone except the lawyers.

Under amendment No. 153, the discount rate would not be prescribed by secondary legislation. Indeed, it suggests that the legislation should merely specify that the discount rate should be the "commercial" rate. That seems to be a recipe for disagreement. Requiring that the rate be commercial is not good enough properly to describe what is needed and companies, tax inspectors and the courts would have insufficient guidance. To avoid ambiguity, the rate must be prescribed in secondary legislation. Perhaps a commitment is being sought that the discount rate will include an allowance for risk. I await clarification. I gave such a commitment in Committee, but, if that is the issue, I am pleased to do so again and reassure Conservative Members that it holds just as true.

Mr. Jack: The Minister said that an allowance for risk would be made, which is an important point. Will she be kind enough to develop that by saying how the amount is to be calculated?

Miss Johnson: The allowance for risk in the discounting calculation could be made either by including a margin for error in the undiscounted value and then discounting the result, or by including an allowance for risk in the discounted rate. There may be some combination of the two. If the legislation did no more than specify that the discount rate should include commercial allowance for risk, that would be ambiguous. It would not specify the commercial purpose, as is suggested by a commercial allowance for risk, nor would it deal with the related question of the margin for error. The proper allowance for risk will be prescribed in secondary legislation, along with the determination of a proper margin for error and other matters of detail. Draft regulations will be made available for comment at the appropriate time.

Mr. Jack: The Minister says that the question of risk will be the subject of secondary legislation. Will she give an assurance that the insurance industry will be consulted on the legislation's detailed points so that it may have an input?

Miss Johnson: I have no difficulty in giving the right hon. Gentleman that assurance as we want to achieve legislation that is workable and right. I have given a commitment on the discount rate and the way in which it will be considered.

Amendment No. 154 would insert "or rates" alongside the reference to a discount rate. The amendment is not necessary, but perhaps clarification is being sought and I hope to provide it. I can confirm that clause 107 would allow secondary legislation to specify different rates for different types of business. For example, it would allow discounting to proceed according to a non-sterling rate when the liabilities were denominated in another currency. In view of those assurances, I trust that the amendment will be withdrawn.

Mr. Flight: I begin by welcoming the Government amendments and the concessions. Despite those, the industry still feels that clause 107 is damaging to UK competitiveness and, ultimately, not worth the candle of the revenue that it will generate.

The amendments are to permit insurers to treat the negative adjustments arising from under-reserving as expenses of the trade. Those are welcome. The Revenue has also indicated that, if the negative adjustment remains unrelieved, it should be allowed to be carried back against previous positives. It has suggested that subsection (5)(c)(i) and (ii) as amended permits that. It would be helpful if the Minister confirmed that understanding in responding.

What is particularly welcome is that the recognition of risk in the discounting calculation will be on a commercial basis. As well as the references made by the Minister, I mention her letter to my hon. Friend the Member for Ryedale (Mr. Greenway). It states:

> I agree that the discounting calculation should proceed on a commercial basis, which is why I gave a commitment during the debate that the discount would include a risk margin.

I take a few minutes to put on the record a summary of why the industry is still not happy with clause 107 and remains opposed to it in principle. As we know, the clause introduces both discounting and a retrospective recalculation regime for tax purposes for insurers. The proposals create a harsher regime than those applicable to other UK companies, even after the concessions and amendments that have been announced.

Unlike other UK companies, insurers are required to compute claim provisions on the basis of 100 per cent. accuracy, with interest charges where that is not achieved. The Revenue's initial proposals were to allow a small—some 5 per cent.—margin of tolerance. The Revenue has indicated that that margin may not be necessary on the basis of the discount rate taking account of risk, but the industry continues to believe that the discount rate and the margin achieve different, although connected, objectives and that the margin should remain.

The insurance industry, unlike other businesses, will be taxed on its liabilities, which is different from being taxed on its accounts, and required to discount in all circumstances. In our view, the proposals remain harsher than the rules on discounting applying to other insurance markets. Indeed, many other businesses—banking in particular—make reserves, but have no requirement to discount. However, the proposals are harsher in the sense that the ability to write insurance cross-border in European insurance markets and the developments in telephone and e-commerce mean that insurers in other

European Union member states must be seen as domestic competitors not subject to these measures, which will apply to UK-based insurers.

While the Government have argued correctly that UK corporation tax rates are among the lowest in Europe, there is a general move to lower company taxation in Europe. As the Government know, Ireland is the main threat to the UK industry; it is rapidly expanding its financial services and the insurance sector, which has not introduced discounting, and it is reducing its corporation tax to 12.5 per cent. as of January 2003.

As was pointed out in Committee, comparisons with insurers in other countries such as the United States are difficult because of the different regulatory rules and more protected domestic markets. The international business, meanwhile, is highly mobile, and the proposals are negative for the continued success of the UK as the centre for both national insurance and reinsurance.

The compliance, regulatory and administrative aspects of the proposals are complex and can lead to uncertainty. They are burdensome and make operating in the UK difficult. The Government have calculated the cost of the proposals to insurers at £250 million, but that does not include the effect on insurers' balance sheets, and therefore the cost of capital.

Under the regime, insurers have two choices: to pay more tax later and recognise a future liability both in their accounts and for regulatory purposes now, or to pay more tax now and set up a deferred tax asset not normally recognised for solvency purposes. With regard to the weakening of the capital base of companies, one leading group estimates that the effect on it will be some £140 million, in line with estimates by other groups.

In summary, despite the Government's welcome attempts to make their proposals more realistic to operate, the proposals are harsh on short-tail business compared with other sectors, and particularly harsh on long-tail, largely international and increasingly mobile lines of insurance, where competitiveness is of the utmost importance.

As the Minister pointed out, our amendment No. 152 is designed to create a safe harbour. Contrary to the hon. Lady's comments, we remain of the view that that is appropriate within the regime that the Government seek to put in place. The amendment would allow insurers to elect for an alternative to the hindsight test in the Government's proposals. The proposed freedom to pay more tax liability will not relieve insurers from the requirement to make retrospective recalculations. Any insurer electing to pay tax earlier can therefore still be subject to prolonged uncertainty about the eventual tax position.

The amendment would allow the industry to explore with the Revenue whether an alternative arrangement might be available as an option. It has been described as a "make your bed and lie on it" approach, and could be based on previous years' experience. The industry's aim is, indeed, to agree a safe harbour arrangement, which would satisfy the Revenue's concerns and protect insurers and pension funds investing in insurance companies from the uncertainty and significant additional compliance costs involved in the retrospective recalculations. Without the amendment, clause 107 would not permit an election for a safe harbour. The amendment permits such an option to be available if subsequent consultation between the Revenue and the industry shows that arrangement to be feasible.

In amendment No. 153, the intent of the word "commercial" is not, as the Minister suggested, to create a confusing situation, but that the rates prescribed should be commercial which, as the Minister kindly confirmed, is the Government's aim. Amendment No. 154 is designed to seek confirmation that more than one rate of discount could be applied, as different rates are likely to be appropriate to different classes of business. The two amendments aim at the same objective.

In short, although there appear to be those in the Treasury or Revenue who are determined to achieve their long-term objective of shifting to a discounting regime, we do not see that in terms of revenue—the Minister made it clear that the £250 million was the total over time, not a per annum figure—that is worth the candle, compared with the damage, albeit not huge, to the international competitiveness of the industry. If, as seems likely, the Government intend to pursue their objective, we look to them to co-operate with the industry, as they have done, to make their proposed new regime as workable as possible and to minimise the damage to the industry's competitiveness.

9.45 pm

Mr. Greenway: It is some time since I spoke on Report on a Finance Bill. As a Front-Bench spokesman with other responsibilities, I felt it convenient and right to leave my right hon. and hon. Friends on the Opposition Front Bench, who have done an admirable job with the Bill, to deal with the issues of the day that arise from the measures that the Government have brought forward in the Finance Bill. However, as the chairman of the all-party group on insurance and financial services, I have been on the receiving end of probably more concerned lobbying on the issue raised by the amendment than any that I can remember for quite some time.

I am happy to remind the House of my interests in the insurance industry.

Mr. Graham Allen (Vice-Chamberlain of Her Majesty's Household): Ah!

Mr. Greenway: None of my interests affects the issue that is before us. The insurance broking and intermediary profession, unlike insurance companies, have no interest. The insurance company interest is the interest of us all because most of our constituents are policy holders with those companies.

I shall make a brief contribution. I do not wish to take up the admirable speech of my hon. Friend the Member for Arundel and South Downs (Mr. Flight), who has handled the issue with his typical expertise. Nor do I wish to deny the Minister gratitude that the Government have been listening to the concerns of the industry. I wish merely to ask, now that we have narrowed the Government's proposals down to the small point that they intend to pursue, whether it is worth while to continue with what is proposed.

If, as the Minister and my hon. Friend the Member for Arundel and South Downs say, the amount of revenue that is to be raised is small, what is the point of potentially

[Mr. Greenway]

disadvantaging our general insurance industry, which is one of the great earners on our balance of trade? I am talking of invisibles, but they are important.

I hope that I shall make three telling points. First, the regime that is being imposed is both retrospective and harsher in its nature than comparable regimes in other countries within the European Union. The Minister shakes her head, but that is what I am advised. That must mean that there is a competitive disadvantage. The hon. Lady talked about fair value, but the issue is fair competition. No one denies that there are other mechanisms in place in other member states which we do not have. It is understandable that the Treasury wants in some way to balance things up. Revenue has to be raised, and there has to be fairness in so doing. However, I urge the hon. Lady to view these matters on the basis of fairness and competition.

The second and crucial point is that insurance companies will now be taxed, even on what has been agreed so far, on a basis that is different from their accounts. I do not see the logic of that. I again ask the Minister to consider the mischief that the Government are to deal with.

The third and most important point of all, given that this is not the final stage of the process, is to ask the Minister to continue to be receptive to contributions and consultations from and with the industry on the final outcome of secondary legislation. I understand that some of the features with which the industry remains concerned can be ironed out. We accept that the Government intend to go ahead, and before the night is over the Bill will receive its Third Reading. The Bill will set out the law with which the industry will have to work. I simply plead with the Economic Secretary not to hamper the competitive advantage that our general insurance industry—one of this country's success stories—enjoys because that would inevitably lead to more business moving offshore.

My hon. Friend referred to e-commerce and internet business, and that is a matter for the future. We are dealing with this issue from an historic perspective and not considering how business will be done in the future. The House should ensure that our great insurance industry remains not just competitive, but capable of competing in every market throughout the world and of maintaining its predominant market share in general insurance in this country. That should be our objective.

I understand that, from time to time, we must consider how insurance companies are taxed. However, we must not hamper them in a way that drives business away and allows competitor companies overseas to gain a bigger share of our market than is justified.

Miss Melanie Johnson: So that Opposition Members are clear about the position, let me reiterate what I said in Committee about the costs involved. The hon. Member for Arundel and South Downs (Mr. Flight) remarked on the figure of £250 million. That sum builds up over a 10 or 11-year period and it is the figure per annum from that time.

Hon. Members have referred to fairness. The issue comes down to the fact that the insurance sector uniquely has not had its liabilities discounted previously. That is unique to the United Kingdom and it means that the sector has obtained its tax deductions on a wholly undiscounted basis.

Mr. Flight: I wish to make two key points on the fact that the industry is apparently unique. First, the banking industry is a greater maker of provisions against bad debts. Those provisions are sometimes inadequate and sometimes too high but, as far as I am aware, they do not need to be discounted. Secondly, it is the normal practice of the insurance industry to discount its own provisions; they are already discounted. In Committee, the Economic Secretary made the point that the data of the Department of Trade and Industry have generally shown a tendency to under-provisioning and not to over-provisioning as a tax avoidance measure.

Miss Johnson: This is getting complicated. I said that the DTI's reports are based on non-discounted reserves, so one cannot draw the conclusions that the hon. Gentleman wants to draw from those reports. I was comparing insurance companies and I said that their position was unique in the UK. At this hour, it is perhaps wise not to start a debate on banking at the same time as a debate on the insurance industry. However, to base tax deductions on the discounted value of liabilities, it is necessary for the tax to move on to a different basis for that account.

The position has been unusual. Although the hon. Gentleman says that, in effect, the companies have discounted in any case, the point is that that has not been a requirement of the system. They have therefore been in an unusual position. He mentioned the way in which the proposals could add significantly to companies' capital requirements on balance sheets However, the clause will give companies a choice and I thought that I had made that point clear. If they wish, they can choose to base their tax deductions on the discounted liabilities. If they do that, they will not be obliged to include any tax liability on their balance sheets through the clause and the amendment. There will be no effect on capital requirements if companies make that choice. If they do not, capital requirements will be affected. However, that is not inevitable.

The hon. Member for Arundel and South Downs also asked for confirmation about the allowance for risk in the discount rate and whether a margin of error would continue to exist. An allowance for risk may be combined with a margin of error. However, two sorts of allowance for risk are related. The existence of a margin of error may therefore have a bearing on the extent of the allowance for risk in the discount rate. It is important to achieve a proper balance in secondary legislation between the different means of recognising risk. There will probably be further discussion with the industry and the Inland Revenue to achieve the right balance. We do not need to determine it today. I hope that that reassures the hon. Gentleman.

Let me revert briefly to safe harbours because I did not argue much of the case on them. I do not believe that the hon. Member for Arundel and South Downs has taken account of a couple of central points. First, a safe harbour depends on the notion of a discounted best estimate. Integral to that notion is some method of determining what constitutes a best estimate. I suggest that that simply moves the question a stage further down the line. It would therefore be a matter of determining the calculation,

which could involve extensive debate between insurance companies, the Inland Revenue and possibly the courts. Tax inspectors in the courts are not well placed to make decisions about insurance reserves. Certainty would not therefore ensue.

Let us consider certainty. Even for, for example, oil rigs and nuclear decommissioning, where matters are uncertain, all the provisions are discounted. There should probably always have been discounting in the insurance industry, too. On safe harbours, there is no way of creating certainty for something that is inherently uncertain, namely the insurance business. Companies accept uncertainty from their business. Nobody is certain about future tax charges. Apart from uncertainty about future business results, there is always the possibility of changes to tax law.

Whenever deductions are made for unpaid liabilities, it inevitably adds to uncertainty about future tax. Some uncertainty is inherent in the insurance business. I do not believe that Conservative amendments would have the intended effect of removing the tax uncertainty. However, they have great potential for litigation. They would increase uncertainty and lead to greatly increased costs for the insurance companies and the Inland Revenue.

I hope that hon. Members accept that the assurances that I have given will be helpful to them and the industry. We have reached greater agreement with the industry through our discussions in the past few weeks. I hope that hon. Members will support the amendment.

Amendment agreed to.

Amendments made: No. 65, in page 79, line 33, leave out "and (b)" and insert—

'(a) subsection (2) below applies if'.

No. 66, in page 79, line 35, at end insert—

'and

(b) subsection (2A) below applies if it becomes apparent in such a period that that amount was insufficient.'.

No. 67, in page 79, line 40, at end insert—

'(2A) For the purpose of making good to the general insurer the loss occasioned by the deficiency, an amount calculated by applying, for a prescribed period, a prescribed rate of interest to the amount of the deficiency shall be treated as an expense of the general insurer's trade in computing for tax purposes the profits of that trade for the later period of account.'.

No. 68, in page 80, line 7, leave out "and (2)" and insert "to (2A)".

No. 69, in page 80, line 8, after "excessive" insert "or insufficient".

No. 70, in page 80, line 9, after "excess" insert "or deficiency".

No. 71, in page 80, line 12, leave out "and (2) " and insert "to (2A)".

No. 72, in page 80, line 17, after "receipt" insert "or expense".

No. 73, in page 81, line 39, leave out—

'above is treated as a receipt'

and insert—

'or (2A) above is treated as a receipt or expense'.

No. 74, in page 81, line 47, after "(2)" and insert "or (2A)".

No. 75, in page 82, line 4, leave out "and (2)" and insert "to (2A)".

No. 76, in page 82, line 7, leave out—

'period of account mentioned in paragraph (a) of'

and insert—

'first period of account mentioned in'.

No. 77, in page 82, line 9, leave out "paragraph (b) of".—*[Mr. Allen.]*

Clause 111

PAYMENTS UNDER DEDUCTION OF TAX

Amendments made: No. 78, in page 89, line 35, after "etc)" insert "—

(a) after subsection (2) insert—

"(2A) A declaration under section 481(5)(k)(i) must contain—

(a) in a case falling within section 481(4)(a), the name and principal residential address of the individual who is beneficially entitled to the interest or, where two or more individuals are so entitled, of each of them;

(b) in a case falling within section 481(4)(b), the name and principal residential address of each of the partners."; and

(b)".

No. 79, in page 89, line 35, at end insert—

'( ) In section 477A of the Taxes Act 1988 (building societies: regulations for deduction of tax), after subsection (2) insert—

"(2A) Without prejudice to the generality of subsection (2)(a) above, regulations under subsection (1) above may make provision with respect to the furnishing of information to or by building societies corresponding to any provision that is made by, or may be made under, section 482 with respect to the furnishing of information to or by deposit-takers.".'.—*[Dawn Primarolo.]*

Clause 122

TRANSFER OF PROPERTY BETWEEN ASSOCIATED COMPANIES: GREAT BRITAIN

Amendments made: No. 108, in page 97, line 13, at end insert—

'(1A) In subsection (2) (instruments on which stamp duty not chargeable) in paragraph (a) for "to another" substitute "("the transferor") to another ("the transferee")".

(1B) In that subsection, after paragraph (b) insert—

"unless at the time the instrument is executed arrangements are in existence by virtue of which at that or some later time any person has or could obtain, or any persons together have or could obtain, control of the transferee but not of the transferor.".'.

No. 109, in page 97, leave out lines 23 to 29.

No. 110, in page 97, line 37, at end insert—

'; but this is subject to subsection (5A).

(5A) In determining for the purposes of this section whether a body corporate is the parent of the transferor, paragraphs 5(3) and 5B to 5E of Schedule 18 to the Income and Corporation Taxes Act 1988 shall not apply for the purposes of paragraph (b) or (c) of subsection (2B).'.

No. 111, in page 97, line 38, leave out "subsection (2C)" and insert "this section".

No. 112, in page 97, line 40, leave out "on or".—*[Dawn Primarolo.]*

Clause 123

TRANSFER OF PROPERTY BETWEEN ASSOCIATED COMPANIES: NORTHERN IRELAND

Amendments made: No. 113, in page 98, line 2, at end insert—

'(1A) After subsection (2) (instruments on which stamp duty not chargeable) insert—

"(2A) But this section does not apply to an instrument by virtue of subsection (2)(a) if, at the time the instrument is executed, arrangements are in existence by virtue of which at that or some later time any person has or could obtain, or any persons together have or could obtain, control of the transferee but not of the transferor.".'.

No. 114, in page 98, leave out lines 12 to 18.

No. 115, in page 98, line 26, at end insert—

'; but this is subject to subsection (6A).

(6A) In determining for the purposes of this section whether a body corporate is the parent of the transferor, paragraphs 5(3) and 5B to 5E of Schedule 18 to the Income and Corporation Taxes Act 1988 shall not apply for the purposes of paragraph (b) or (c) of subsection (3AA).'.

No. 116, in page 98, line 27, leave out "subsection (3AAA)" and insert "this section".

No. 117, in page 98, line 29, leave out "on or".—*[Dawn Primarolo.]*

Clause 124

GRANT OF LEASES ETC BETWEEN ASSOCIATED COMPANIES

Amendments made: No. 118, in page 98, line 31, at end insert—

'(1A) In subsection (1) (stamp duty not chargeable on leases etc) at the end insert the following paragraph—

"This subsection is subject to subsection (4A) below."

(1B) After subsection (4) insert—

"(4A) An instrument shall not be exempt from stamp duty by virtue of subsection (1) above if at the time the instrument is executed arrangements are in existence by virtue of which at that or some later time any person has or could obtain, or any persons together have or could obtain, control of the lessee but not of the lessor.".'.

No. 119, in page 98, line 41, leave out from beginning to end of line 3 on page 99.

No. 120, in page 99, line 11, at end insert—

'; but this is subject to subsection (10AA).

(10AA) In determining for the purposes of this section whether a body corporate is the parent of the lessor, paragraphs 5(3) and 5B to 5E of Schedule 18 to the Income and Corporation Taxes Act 1988 shall not apply for the purposes of paragraph (b) or (c) of subsection (8) above.'.

No. 121, in page 99, line 12, leave out "subsection (8A)" and insert "this section".

No. 122, in page 99, line 14, leave out "on or".—*[Dawn Primarolo.]*

Clause 125

FUTURE ISSUES OF STOCK

Amendment made: No. 123, in page 99, line 26, leave out "on or".—*[Dawn Primarolo.]*

Clause 126

COMPANY ACQUISITION RELIEFS: REDEEMABLE SHARES

Amendment made: No. 124, in page 99, line 41, leave out "on or".—*[Dawn Primarolo.]*

Clause 127

SURRENDER OF LEASES

Amendment made: No. 125, in page 101, line 17, leave out "on or".—*[Dawn Primarolo.]*

Clause 132

SUPPLIES TO WHICH REDUCED RATE APPLIES

Amendment made: No. 80, in page 104, line 33, at end insert—

'( ) Subsection (2) does not apply to the amendment made by paragraph 8(5) of that Schedule.

That amendment has effect in relation to supplies made after the day on which this Act is passed.'.—*[Dawn Primarolo.]*

Schedule 35

VALUE ADDED TAX: CHARGE AT REDUCED RATE

Amendments made: No. 81, in page 543, line 51, at end insert—

'and for "neither of those sub-paragraphs" substitute "none of those paragraphs".'.

No. 82, in page 544, line 26, at end insert—

'(5) After paragraph (e) (which is inserted by sub-paragraph (4) above) insert—

"(f) wind turbines;

(g) water turbines."'.—*[Dawn Primarolo.]*

Schedule 40

REPEALS

Amendments made: No. 92, in page 566, line 21, at end insert—

'1992 c. 48.	The Finance (No.2) Act 1992.	In Schedule 6, paragraph 3.'.

No. 93, in page 566, line 29, leave out "that Act" and insert—

'the Taxes Act 1988 and the repeal in Schedule 6 to the Finance (No.2) Act 1992'.

No. 126, in page 571, line 18, at end insert—

'1986 c. 41.	The Finance Act 1986.	In sections 67(9), 70(9), 95(1) and 97(1), the words "and is resident in the United Kingdom" and "and is so resident".'.

No. 127, in page 571, line 23, column 3, at end insert—

		'Section (Stamp duty and stamp duty reserve tax: transfers between depositary receipt systems and clearance systems).'.

No. 128, in page 571, line 27, at end insert—

'1A. The repeals in the Finance Act 1986 have effect in accordance with section (*Stamp duty and stamp duty reserve tax: transfers between depositary receipt systems and clearance systems*)(5) of this Act.'.

No. 129, in page 571, line 28, leave out—

'repeal in section 131 of this Act has effect—

(a) so far as it relates'

and insert 'repeals of sections 131 and (*Stamp duty and stamp duty reserve tax: transfers between depositary receipt systems and clearance systems*) of this Act have effect—

(a) so far as relating'.

No. 130, in page 571, line 31, leave out "it relates" and insert—

'relating to stamp duty on instruments other than bearer instruments, in accordance with section 108 of that Act; and

(c) so far as relating'.—*[Dawn Primarolo.]*

Order for Third Reading read.

10 pm

Dawn Primarolo: I beg to move, That the Bill be now read the Third time.

I say that with great pleasure and true feeling on behalf of a number of hon. Members who served on the Finance Bill Committee.

This Finance Bill continues to deliver Labour's promises and enacts Budget decisions to deliver opportunity and security for the hard-working families of Britain. Working families are seeing the benefit of that. Thanks to sound economic management, we have been able to cut their taxes. We have brought in not only the working families tax credit and the new 10p tax rate but now, in clause 31, we have cut the basic rate of income tax to 22p—its lowest level for nearly 70 years.

By April next year, personal tax and benefit changes in this and previous Budgets will mean that, on average, households will be £460 a year better off and that families with children will, on average, be £850 a year better off. The tax burden on a single-earner family on average earnings with two children will be the lowest since 1972. Coupled with low inflation, low interest rates, low mortgage rates and economic growth, that adds up to a substantial increase in living standards, which is what really matters. For a single-earner family on average earnings with two children, living standards will have risen by more than 10 per cent. during this Parliament.

Our measures will help to achieve our goal that every child should have the best possible start in life. That is why we have set out in the Budget our ambition to halve child poverty by 2010 and to eliminate it altogether by 2020. The measures introduced so far in this Parliament will lift 1.2 million of Britain's children out of poverty and by next year the Government will be spending an extra £7 billion a year on support for children.

The Finance Bill takes a further step to increase support for children with the introduction in April 2001 of the children's tax credit, which is worth up to £442 a year for a family claiming it. Rising living standards and tackling child poverty will be reinforced by further improvements in public services.

The immediate boost for health in the Budget of £2 billion this year is partly funded by the real increases in tobacco duties in clauses 12 to 15. The decision of the Conservative party not to vote for the tobacco tax on Budget day is another confirmation that their sums do not add up and that they could not deliver Labour's pledges on health and education, as we saw yesterday.

Businesses and jobs will benefit from our commitment to enterprise in the Bill. We have cut main and small business rates of corporation tax to their lowest levels and to the lowest levels of any industrialised economy. The Finance Bill contains a number of measures to promote enterprise and help business: the cuts in capital gains tax in clause 37; the research and development tax in clauses 68 and 69; and the permanent 40 per cent. capital allowances for small and medium-sized enterprises in clause 70. Those provisions especially help manufacturing business.

The new all-employee share ownership plan in clause 47 and the enterprise management incentives in clause 62 help high-risk companies recruit key personnel. The share option provisions in clause 56 and the corporate venture provisions in clause 63 are also important. These measures have been widely welcomed by business, along with the introduction in the Budget of a three-year 100 per cent. capital allowance for investment in information and communications technology equipment and the extra £100 million for the new £1 billion target umbrella fund for enterprise growth across the regions. That is a huge commitment to business success, from a Government who believe that enterprise and economic prosperity can and must go hand in hand with fairness.

Clause 82 introduces an optional ring-fenced regime for so-called tonnage tax, whereby shipping companies can opt to work out taxable profits on the basis of the tonnage of the ships that they operate. That innovation, which follows Lord Alexander's inquiry, is part of the Government's commitment to encouraging the British shipping industry.

As was said earlier, the Budget introduces changes in the corporation tax rules, such as limiting the use of so-called offshore mixer companies to shelter low-taxed foreign profits from UK tax. The new arrangements cap the relief on dividends at 30 per cent., and ensure that no UK tax benefit can be gained from "mixing" in an offshore holding company.

As was also said earlier, the introduction of offshore mixing with a cap of 45 per cent. will benefit companies greatly. For the first time, the UK will allow onshore mixing in non-abusive circumstances. That answers industries' concerns about international competitiveness. The UK will be in a position similar to that of the US, but the UK rules are less complicated and therefore better for business.

The Bill also helps us to meet our international commitments to the environment. Following last year's Budget, it is an important part of the largest package of environmental tax measures to be introduced in the UK. Clause 30 introduces the climate change levy. Clauses 20 to 23 reform vehicle excise duty for cars. Clause 59 fundamentally reforms the company car taxation regime, providing an incentive for low carbon dioxide emissions and removing the perverse incentive for people to clock up business miles to achieve more generous thresholds. Clauses 137 and 138 increase the landfill tax rate, and clarify liability.

The changes in the affordable warmth programme in clause 79, and the reduced rate of VAT on the installation of energy-saving materials and grant-funded installation

[Dawn Primarolo]

of heating systems in clause 132, will help to ensure that pensioners feel the benefit of warmer homes and cheaper fuel bills, as well as the £150 winter allowance. That programme implements the Government's commitment to combat fuel poverty by supporting the installation of energy-efficient heating systems and insulation in up to 1 million low-income homes.

The Bill also does a great deal for charities and charitable giving. It helps communities to become more democratic, more open and more socially inclusive. Clauses 38 to 46 give effect to our radical package of measures to boost donations to charities, and to improve the operation of the tax system for charities. Clause 39 abolishes the minimum limit on tax relief for donations. Clause 138 boosts payroll giving with the three-year 10 per cent. Government supplement, and abolishes the maximum limit on donations. Clause 40 cuts red tape in regard to corporate donations, and clause 43 introduces new income tax relief on gifts of shares and securities. The Bill frees charities from the need to set up subsidiaries for small trading and fundraising ventures, and broadens the VAT zero rate for the sale or hire of donated goods. It is a good package, which has been widely welcomed by charities.

Along with the new children's fund which we announced yesterday—it will have a £450 million budget over three years—these measures point to how we can help our country to make the most of one of our greatest strengths: the readiness of our people to give so much of their time and money to voluntary and community activity, for the benefit of all.

The Bill demonstrates that the Government are working hard for a purpose—to build a Britain that is strong, modern and fair. At last, economic prosperity and fairness are no longer seen as opponents; instead, they are seen as partners in the process of building Britain for the future.

The Bill also demonstrates that, with a Labour Government, there is more enterprise, more opportunity, more fairness and more investment in Britain. Britain is better off with a Labour Government, and I commend the Bill to the House.

10.10 pm

Mr. David Heathcoat-Amory (Wells): This is not quite the worst Finance Bill that the Government have produced in the past three years, but it comes very close to it. It is certainly easily the longest Finance Bill. It is now a two-volume monster which has grown during our proceedings to 572 pages—most of which raise taxes in one form or another, and all of which make the British tax and benefits system a great deal more complicated.

Contrary to what the Paymaster General has just said, this is a tax-raising and tax-increasing Finance Bill. It comes as the last in a series of tax-raising Budgets. Taken together, this Government's Finance Bills have increased taxes on the hard-working families of Britain by £670 per year each. That is not just damaging to individuals, but involves piling taxes on to the business sector, which in itself undermines the competitive advantage that the previous Government built up during our period in office. The country and the Government will pay dearly for the mistake of eroding those advantages that our firms enjoy in international markets—in which, until fairly recently, they were comparatively lightly taxed and lightly regulated.

The Government's instinct is to tax, to regulate and to intervene. They believe that their decisions are superior to those made by free people and free companies operating in a free market.

This two-volume Bill contains its full quota of stealth taxes. Stamp duty on more expensive properties has quadrupled since the previous general election. The Chancellor is fond of pretending that that increase is borne entirely by the private householder but, in fact, the great majority of stamp duty is paid by businesses. The Government's refusal even to contemplate removing stamp duty from share transactions is again threatening to cause an erosion of business—indeed, a migration of business from this jurisdiction to the continent.

There is another stealth tax that has not been introduced yet, but has been announced. Indeed, we spent many hours debating it in Committee. It is the energy tax, or climate change levy, which the Government now seek to put into law in the Bill and which will come into effect in April 2001. I declare an interest in that I have registrable interests in companies that will pay that tax. I am in fairly good company, however, because every single business of whatever size and in every part of the United Kingdom will pay that energy tax. It will be particularly damaging for the manufacturing sector, and most especially for those companies struggling to earn a living and make a return in international markets.

Mr. Timms: At an earlier stage in our consideration of the Bill, the right hon. Gentleman told the House that the companies in which he has an interest will—like the majority of United Kingdom companies—be better off because of the climate change levy package. Will he confirm that that is the case in the instance of the companies that he is involved in?

Mr. Heathcoat-Amory: No; not for the first time, I was misled by the Government. They told me that the sectors in which my companies operate would in fact be better off. On further investigation, however, I am assured by the management that we—along with most other businesses in the United Kingdom—will be substantially worse off.

What is particularly unfortunate is that the tax, although in the Bill and supposedly in its final form, is still undergoing an evolution. We are told by outside interests and the CBI, for instance, that certain companies will be eligible for rebates of up to 80 per cent., but that many other companies in the intensive energy sector will not. The reason for that is truly bizarre. In order to qualify for the rebate, a company has to be part of a polluting industry. It has to be regulated by the integrated pollution prevention and control directive. So a company such as British Oxygen, which separates air—a highly energy-intensive, but non-polluting operation—will not qualify for the rebates and will have to pay the full tax. British Oxygen operates in an intensely competitive environment and such firms will increasingly invest overseas and not here. At the same time, the Government talk about the need to improve productivity and promote competitiveness. They are good at lecturing other people about such things, but what they do undermines the very competitiveness that they urge on others.

The tax may also fall foul of the European Commission on grounds of state aid. Companies that are negotiating in good faith to try to obtain rebates are uncertain about

whether the whole thing may be torpedoed by the European Commission. The companies have been told that they have to wait until the end of the year before they receive any assurances, and perhaps—even at this late hour—the Government could provide certain assurances. Above all, it is an unnecessary tax. We believe in meeting our Kyoto obligations, just as the previous Government met the Rio convention obligations, but there are many other ways to maintain the downward trend in carbon dioxide emissions, such as voluntary agreements, emissions trading and increased use of gas burning for electricity generation.

The House will recall that IR35 was announced last year, not—typically—by the Chancellor or a Minister at the Dispatch Box, but in the 35th press release put out on Budget day by the Inland Revenue. It amounts to an attack on people who provide services through companies, especially in the high-tech sector that the Government say that they wish to encourage. The Government are obsessed by tax avoidance, but their approach in this case is hitting legitimate businesses that set up companies to help the companies that they serve. They are not avoiding tax and, what is more, they provide the very flexibility in the labour market that the Government say is an asset. The Government criticise other European Union countries for their lack of labour market flexibility, but domestically the Government are piling on more regulation and bringing out more tax measures that undermine that national asset about which they boast.

I turn to the saga of double taxation relief, which has been ably tackled by, among others, my hon. Friend the Member for West Dorset (Mr. Letwin). He spotted early on that the proposal was a tremendous own goal. The Government seem to recognise that we need to be a magnet for overseas investment and business, but in their attack on double taxation relief they are eroding that possibility. Companies based here do not have an advantage, because they are effectively on the same taxation basis as their counterparts in the United States and on the continent. By removing the existing double taxation provisions, the Government will put companies based here at an actual disadvantage compared with those based overseas.

After much bluster, the Government conducted a series of inelegant retreats during consideration of the Bill. First, they postponed the measures until next year. Then they tabled some highly complicated amendments to their own provisions which have gone a long way to reversing the damage and preventing the folly.

However, the damage had been done with the business sector. Last year and the year before, businesses consulted in good faith with the Inland Revenue about how to tackle issues of tax avoidance. The Government ignored that consultation, and brought forward their own clumsy provisions. They ignored the warning signals when they were published.

The Government and the Chief Secretary to the Treasury owe a particular apology to Peter Wyman, a senior partner in PricewaterhouseCoopers, who was the first to point out that the Government had got the matter wrong. Instead, he was insulted by the Chief Secretary, who told the House that the Treasury was entirely right and that the accountancy world had got the matter wrong.

It is now clear that Mr. Wyman was right—and not about that matter alone. One of the first of what has turned out to be a series of leaks from officials at the centre of government came from Andrew Fraser, head of the Invest in Britain Bureau. A memo from him to the Secretary of State for Trade and Industry found its way into the popular prints. It stated:

> We can do better to avoid shooting ourselves in the foot . . . at a time of real pressures on manufacturing it must make sense to (a) to be careful about the impact of new initiatives—especially from the Treasury and (b) extremely sensitive over their presentation.

Mr. Fraser was referring to three measures—the climate change levy, the imposition of national insurance contributions on share options and the changes to double taxation relief. All of them in their various ways are damaging, and a Government servant told a Minister the truth about that.

In addition, the Bill does nothing to reverse the decline in savings in the economy. The problem is getting worse. When the Conservative Government left office in 1997, the savings ratio—the proportion of national income being saved rather than spent—was 11 per cent. That has fallen in every year since the election—to 7, 5.75, and 5.5 per cent, respectively. In the last quarter, it fell to 3.8 per cent. Yet the Government say that they want to promote self-reliance and long-term savings. They say one thing, but do another.

Finally, I turn to indirect taxes. We debated yesterday at some length the Government's pick-and-choose attitude to indexation and uprating. They uprated pensions by 1.1 per cent., and fuel duty and other indirect taxes by 3.4 per cent. In Committee, we debated the fact that the tax on tobacco has risen relentlessly in every Budget. Those rises represent failures in the Government's health, crime and fiscal policies. The yield from tobacco duty fell last year, so it is just as well that we were not relying on that for national health service funding. Moreover, there has been an explosion in smuggling.

All that was set out in a report that the Government commissioned from Mr. Martin Taylor. Where is that report? It is secret. We are not allowed to see it, even though we paid for it, because Mr. Taylor made the rather obvious observation that it is no good being tough on the crime of smuggling without being tough on the cause of that crime—the large and growing duty differential between Britain and the continent. That is getting worse, and it increases smuggling and encourages criminality. It encourages drink-related crimes, which the Government now say that they are worried about: when drink from smuggled sources is sold in uncontrolled outlets, it increases the danger of criminal behaviour following excessive alcohol consumption.

Mr. Christopher Leslie (Shipley): Are we hearing a guarantee that the Conservatives will cut tobacco duty?

Mr. Heathcoat-Amory: The hon. Gentleman sounds rather worried, so I invite him to join us in the Lobby to express his concern. The Opposition have voted against those increases in every Finance Bill since the general election. I remind him that, even when we had a Budget deficit, in our last two Budgets we froze duty on alcohol and cut it on spirits precisely because of the problems that I have described. The Labour party entered office and reversed that policy; they increased duty on all those products and made smuggling and racketeering worse. If the hon. Gentleman cares to follow up his concern with a little action, he will have an opportunity to do so shortly.

[Mr. Heathcoat-Amory]

The abiding impression we have of the Bill is that it is another tax-raising measure; furthermore, it is a measure of almost stupefying complexity. In its excellent publication "Towards a Better Tax System", the Institute of Chartered Accountants in England and Wales gave the Bill marks out of 100 based on the institute's 10 principles of good taxation. The final score was 30. I am tempted to give the same score but, on reflection, I have decided that that would be over-generous. The Bill will continue to annoy and baffle taxpayers for many years after it has become law. We shall vote against it.

10.27 pm

Mr. Edward Davey: One hundred and fifty-seven clauses, 40 schedules and 572 pages later, the House should consider striking medals for veterans of the Committee on the Finance Bill. With its complexity and length, the Bill does this country's tax system no good. We are left with the question of whether we should support the Bill's Third Reading, and I suggest that the House applies two tests to find the answer. The first is a cost-benefit analysis of the contents—the Bill contains some good measures, but, as I shall demonstrate, many bad ones as well—and the second is the wider role of the Finance Bill and what it adds or subtracts from the management of the public finances.

As I said, the Bill contains some good measures, albeit small ones: for example, the change to amusement machine licence duty, which is a small measure, but one that will be welcomed in British Legion and non-profit-making clubs throughout the country, and a measure which my hon. Friend the Member for Twickenham (Dr. Cable) pressed to be included in last year's Finance Bill. Air passenger duty exemptions are likewise welcome to those living in the Scottish highlands and islands. As I told the Financial Secretary in Committee, I hope that the exemption will be extended, for example, to cover the special case of the Scilly Isles, and to ensure that passengers benefit when they arrive at airports in the highlands and islands. Gift aid is also a welcome measure.

A large measure that we support is the climate change levy, although we have had some concerns, which we have expressed in a forthright manner. My hon. Friend the Member for Hazel Grove (Mr. Stunell) moved amendments and spoke on various issues relating to the levy in an effort to improve it. Unfortunately, the Government did not listen, but we decided ultimately to support the schedule's inclusion in the Bill because we believe that, on balance, it is better to have the measure in the Bill than not to have it—it is certainly better than the status quo left by the previous Government.

Those are the good things in the Bill, but, I am sorry to say, there are quite a few negatives.

Ms Rosie Winterton (Doncaster, Central): Will the hon. Gentleman give way?

Mr. Davey: I will not give way. *[Interruption.]* Perhaps I will give way later.

Fuel duty increases have raised costs for motorists, but have not been offset, as we have advocated, by substantial reductions in vehicle excise duty. The Government have also failed to sort out the employers' national insurance contributions impost on share options. The most significant negative point, however, is IR35, with which we disagree profoundly. The abuse on which the Government have tried to clamp down is far more narrow than Ministers have made it out to be. Measures to clamp down on tax avoidance could have been more narrowly targeted and far more effective. The way in which the Government have chosen to act means that many small companies in the information technology sector will be seriously hit.

What has concerned us most is that the Government have at no stage admitted that market forces require many small firms—in the IT industry, the oil industry and the engineering consultancy sector—to form limited personal service companies. At no time were the Government prepared—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael Lord): Order. Far too many private conversations are going on. I cannot hear the hon. Gentleman.

Mr. Davey: Thank you, Mr. Deputy Speaker.

At no time on Second Reading or in Committee have Ministers acknowledged the fundamental objection to IR35. Many companies are forced into the arrangements that they make by market pressures and by the larger companies. The Government seem unaware of that in spite of all our arguments.

The wider role of the Finance Bill also raises some serious concerns. The Government have said many times that they have not sufficiently increased expenditure on our public services over the first two or three years of this Parliament because they were trying to get the public finances under control. There are three ways in which to do that—increasing taxes, restraining public expenditure and taking benefits from the growth dividend. Over the past few years, tax rises have been introduced and there has been significant growth. Those measures, coupled with tax rises introduced by the Conservative Government, have ensured that the public finances are extremely healthy. No objective observer could say otherwise.

That is why there was no need for the Government to curb public expenditure in their first three years. There have been problems in the health service and a loss of police officers, and our schools have been starved of the funds that they need. The real reason why the Government imposed that public expenditure restraint was that they were trying to build up an election war chest. That was one of the major political reasons for their decision, and that is a great shame given the need in our public services.

A second political reason was that the Government felt the need to convince the City that they could be trusted on public finances. That is their legacy, through no fault of the people who use the public services. They have played politics with our country's public services.

The Government are offering tax cuts in the Bill. There is a penny cut in the basic rate of income tax in clause 31. But that is being done ahead of the huge and very welcome investments in public transport announced in the comprehensive spending review yesterday. Why is income tax being put ahead of investment? The Chancellor talked about deficit reduction. That was necessary, and he is right to point out the mismanagement

of the economy by the Conservative Government. Frankly, however, deficit reduction is becoming almost a fetish for the Chancellor. Why must pensioners wait for an increase in the basic state pension when the Chancellor is using a lot of money to reduce the deficit? He has his priorities wrong.

Ms Rosie Winterton: Is the hon. Gentleman saying that we are taxing the country too little?

Mr. Davey: The Liberal Democrats have often argued that targeted tax increases are necessary for public service investment. The House cannot say that that is a secret.

There is one argument for supporting the Finance Bill and the overall management of the public finances, which is that the Conservatives' proposals are even more ludicrous. They have been saying that the Government's spending proposals are reckless and that spending is getting out of control. Unfortunately, nothing could be further from the truth, and when they look at the facts, the Conservatives will be unable to continue making that point.

In this financial year, total managed public expenditure, as a proportion of GDP, is at a level that has not been seen since 1963–64, so it starts at a low base. At the end of the comprehensive spending review period, 2003–04, it will reach 40.5 per cent. of GDP. In only three years of the Conservatives 18 years in Government was public expenditure as a proportion of national income lower than that. If the Conservatives claim that public spending is out of control, they must acknowledge that it was out of control for 15 of their 18 years.

There is no way that we could support the Conservatives' approach to the management of public finances. The problem, however, with the management in the Finance Bill is that the Government's proposals are too modest and do not put public services first. We shall vote against Third Reading because the Bill puts a tax cut before public service investment and includes an outrageous measure in IR35.

10.36 pm

Mr. Jack: At the conclusion of consideration of the longest Finance Bill in history, I would like to put on record my appreciation of the way in which my Front-Bench colleagues have solidly and resolutely attacked and unmasked the Government's tax-raising agenda. They have done it despite all the difficulties that any Opposition face in dealing with highly technical and complex matters, and they have done it with great skill and exposed the truth of the Bill.

It is a pity that when we tried to use modern equipment such as laptop computers in the Standing Committee to assist us in our job of probing the Government, and suggested having the notes on clauses in a modern electronic form, the somewhat arcane rules about what one may or may not bring into a Standing Committee meant that I got my knuckles rapped because I was out of order in bringing in a laptop. I hope that the Chairmen's Panel will consider that matter in due course because we ought now to be allowed to use modern aids further to enhance the ability of the Opposition—and, indeed, right hon. and hon. Members on both sides of the House—to have access to the complex information needed to consider the Bill.

I want to put on record my appreciation of the Inland Revenue for drafting excellent notes on clauses, which helped us to understand the Bill. I wish that the same clarity of explanatory information about the Bill had been available to the Chancellor of the Exchequer yesterday, when I challenged him on the tax burden that results from these measures. In this House, he denied that this country's tax burden is rising. For the record, I point out that in the financial year that ended in April, total Government receipts, excluding the windfall tax, came to 39.6 per cent. of GDP; in the current financial year, that proportion rises to 39.7 per cent., and by the end of the Parliament, it will have reached 39.9 per cent. I wish that the Government had the honesty to admit what their own figures say and what will result from the Bill.

The Bill contains a number of measures on energy saving. As my right hon. and hon. Friends have said, they are too complex and will not work. I make this prediction: the climate change levy will, if the Government continue, be turned into a nice little earner. They say that it is fiscally neutral because of the national insurance rebate, but that claim will go out of the window, as it has with the landfill tax. The Government's increase in that tax did not result in a corresponding decrease in national insurance payments.

The Bill has worsened Britain's international competitiveness, as clauses 103 and 104 bear testament. The Government have taken little note of the impact of that aspect of the measure on their tax policies.

I conclude—[Hon. Members: "Hear, hear."]—on one important point. I am glad to hear the cheers of Labour Members. My right hon. Friend the Member for Wells (Mr. Heathcoat-Amory) and the hon. Member for Kingston and Surbiton (Mr. Davey) pointed out the length and complexity of the Bill.

Even if Treasury Ministers do nothing else in response to what the Opposition have said, they should expand, with immediate effect, the remit of the tax law rewrite project to begin the much needed task of mapping out how we simplify, shorten and improve the operation of our tax system. Every company would welcome that and every citizen certainly deserves it. If the Government want to do something for tax—other than raising it—they should make its operation simpler.

10.40 pm

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): I want to make only two points—[Hon. Members: "More, more."] I am tempted to filibuster so that my hon. Friend the Member for Banff and Buchan (Mr. Salmond) will have to begin his Adjournment debate in the early hours of the morning. However, I shall continue.

I suspect that the Government will not take on board my first point. As I pointed out in yesterday's debate on fuel duty, the Government have continued on a course set out by the previous Conservative Government that is detrimental to many people, especially those in rural constituencies such as mine. I regret that the House did not discuss the amendment proposed by my hon. Friends and myself, which suggested that the latest increase in fuel duty, introduced in the Budget, should be suspended until there had been a report on its effect on the Scottish economy and that of the UK.

There is no doubt that fuel duty is one of the major issues affecting the rural economy and the economy at large. The Rural Affairs Committee of the Scottish

[Mr. Alasdair Morgan]

Parliament, of which I have the honour to be a member, recently held six or seven hearings throughout rural Scotland—from the far north to the far south—to consider employment prospects. Despite the efforts of the Countryside Alliance to claim that the main issue affecting employment prospects was fox hunting, at all those hearings the foremost issue was fuel tax. The Government make much of targeting benefits on the poorest of society, so it is a matter of deep regret that, at the same time, they are imposing a tax that hits the poorest people in rural society.

I hope that the Government will take on board my second point. It relates to the effects of the climate change levy on medium-sized hydro-electric stations in the north of Scotland. When we debated amendment no. 98 yesterday, the Financial Secretary responded to my speech by noting the concern

about a band of hydro-electric schemes . . . in the 10 to 25 MW capacity range, that, at some point in the future . . . may want to carry out refurbishment, and that may well be a point that needs to be considered at that stage.—[*Official Report*, 18 July 2000; Vol. 354, c. 331.]

I point out to the hon. Gentleman that many such schemes were constructed in the late 1940s and the early 1950s. They have a lifespan of about 50 years, so investment decisions to refurbish them must be taken now. If the Financial Secretary is to reconsider the climate change levy on such stations, it must be done within the next year or so. When he responds to the debate, will he give some consideration to the genuine concerns of the hydro-electric industry in the north of Scotland?

10.44 pm

Mr. Timms: In this year's Budget and with yesterday's spending review, my right hon. Friend the Chancellor set out the next steps on the road to a modern and decent Britain, where security and opportunity are open to everybody.

The Bill and the spending review maintain the commitment to stability and prudence, ensuring that we remain on track to meet our fiscal rules and to deliver the steady growth we need. That is why we can make progress and look forward after 18 long years of catastrophic underinvestment in public services under the Tories.

In the Budget, we announced sustained increases in resources for improving our public services. As the spending review shows, we are putting in sustained investment to improve standards and deliver modern, responsive services—in health, education, transport, and law and order. What is the Tory response? Some £16 billion worth of cuts.

The Government's aim is for every child to have the best possible start in life. That was clear from what was announced yesterday. That is why we set out in the Budget and in this Bill our ambition to halve child poverty by 2010 and end it altogether by 2020.

We are continuing to ensure fairness for pensioners. This package targets help at the least well off pensioners, while boosting the incomes of those who have managed to put a little aside and do not currently qualify for help.

We are making huge progress towards full employment. The number of people in jobs is at a record level, up by 1 million since the election. Long-term unemployment is at its lowest for 20 years, and the Bill contains a series of measures to improve things further still. There are action teams to help match people in areas where pockets of high unemployment remain close to vacancies nearby. We are rolling out nationally the new deal for the 50-plus. Employment zones are providing tailored support to around 50,000 long-term unemployed individuals in 15 areas of high unemployment. There is also the cut in the basic rate of income tax. All those measures are promoting employment and moving us further towards full employment.

The platform of stability that we have built is essential for businesses as well. We now have the lowest rates of small business corporation taxes ever—the lowest in the industrialised world. Since 1997, small companies have received an average corporation tax cut of nearly 25 per cent.

We have made further progress on protecting the environment. We have introduced the vehicle excise duty discounts for small-engined cars, the incentive for ultra-low sulphur petrol and a whole range of other important measures.

When growth made a fleeting appearance under the previous Government, their response was reckless and irresponsible. They blew the proceeds of North sea oil and privatisation on current spending instead of investment. We are making sure that that catastrophic mismanagement will not be repeated. We are locking the stability in.

Our prudence over the past three years has been for one purpose and one purpose only—to build a Britain that is decent as well as modern, where, acknowledging that we all depend on each other, we provide opportunity and security for all. The Bill takes us a giant step closer to that goal, and I commend it to the House.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 310, Noes 170.

Division No. 280] **[10.47 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry

Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Doran, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Fyfe, Maria
Gardiner, Barry
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'd Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Reid, Rt Hon Dr John *(Hamilton N)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Gerry Sutcliffe and Mr. Don Touhig.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David

Chope, Christopher
Clappison, James
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Evans, Nigel
Ewing, Mrs Margaret
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Keetch, Paul
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Alasdair *(Galloway)*
Moss, Malcolm
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Paice, James
Paterson, Owen
Portillo, Rt Hon Michael
Prior, David
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Londy)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Salmond, Alex
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Webb, Steve
Welsh, Andrew
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. John Randall and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

Bill read the Third time, and passed.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Friday 28th July, the Speaker shall not adjourn the House until—

(a) any Messages from the Lords shall have been received; and

(b) she shall have notified the Royal Assent to Acts agreed upon by both Houses.—*[Mr. Mike Hall.]*

Horseracing (Starting Prices)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Mike Hall.]*

11.1 pm

Mr. Alex Salmond (Banff and Buchan): I am delighted to move the Adjournment of the House on a debate that is of substantial interest to many people in the country. Indeed, if my memory serves me correctly, Mr. Deputy Speaker, it might have been of interest to your late father.

Before I move on to the substance of the debate, may I say that as I will shortly have more time on my hands, I am intensely grateful to hon. Members in all parts of the House for speculating on what I might be doing with that time? As a long shot, I might move in as a compromise candidate for Speaker of the House. Despite the overwhelming demand in all parts of the House, that might well be a long shot.

A favourite's chance would be the proposition put to me by the hon. Member for West Ham (Mr. Banks), who suggested that I might front up the Scottish bid for the Euro 2008 championships—an attractive prospect, particularly if the hon. Gentleman gives me the benefit of all his experience after the glittering success of the English world cup bid. That could be the favourite's chance—but we must move on to the substance of the debate on starting prices.

The intricacy of the matter is important. Since January last year, the racetrack odds and margins have swung in favour of the punters—a remarkable occurrence—as a result of the opening up of the pitch positions at the racetracks, which has made the betting market at racetracks rather more competitive. That in turn led to better starting prices, which are available to punters in betting shops around the country.

Not surprisingly, the big bookmakers were not at all happy with the resultant fall in their profit margins. At last year's Levy Board annual general meeting, Rob Hughes, the chairman of the Levy Board, announced publicly that the big bookmakers, including John Brown of William Hill and Chris Bell of Ladbrokes, had telephoned him, complaining about the fall in their profit margins. More generally, they complained of "economic ruin" and "financial suicide".

I am reminded of Adam Smith's comment that whenever two or three men of business are gathered together, what takes place is a conspiracy against the public interest. What has taken place as a result of the moaning and groaning of the big bookmakers is most certainly a conspiracy against the public interest.

It came to pass on 22 May this year that the starting price executive, which has responsibility for administering the returns system, issued new rules. There had been no demand whatever for any change, except from the big bookmakers. There was no consultation before the new rules were instituted. As many have pointed out, the old system was not broke so there was no need to fix it, but the new rules were none the less imposed unilaterally by the starting price executive.

Under the new system, two starting price returners operate at race meetings and are each required to draw up a list of at least five bookmakers—a total of 10 per meeting. The list must be determined before the start of racing. The final starting price is determined from a majority of the bookmakers' quoted odds. Under the old, more flexible system, the returners had assessed prices through the racecourse betting ring, for the betting ring as a whole. It was a more flexible system that was related to the new competition in the ring. It depended, of course, on the integrity of the starting price returners. It was a well-tried system that had worked extremely well. Above all, it was perceived by all concerned to be fair and above board.

What has been the outcome of the changes? The evidence to date clearly indicates that starting price returns have moved in favour of the bookmakers to the detriment of the punters, improving the profit margins of the large bookmakers. Evidence collected by the *Racing Post* shows that the overround—that is, the theoretical profit margin of bookmakers—has improved substantially under the new system. For example, at the bank holiday meetings, when there were 10 race meetings on 9 May, the evidence showed improved margins for bookmakers compared with the corresponding fixtures for 1999.

Who made the decision on the starting price executive? Two of its members are from the Press Association, two from Trinity Mirror and two from Satellite Information Services. The chairman of the executive is Mr. Terry Ellis of SIS, who was once employed by Ladbrokes. The big bookmakers have a substantial interest in SIS. As *The Observer* pointed out, the perception of the betting shop punter must be that

> the arrangement must seem as clean as coal.

What has been the reaction to the changes? As John McCririck of Channel 4 has pointed out—a weel kent face as we would say in Scotland—every body, every responsible person and every spokesperson in racing, apart from SIS and the big bookmakers, are opposed to the changes that have taken place.

Keith Elliott, an independent member of the Levy Board appointed by the Home Secretary, describes the new system as

> a scandal and a disgrace.

He added:

> It is not appropriate for SIS to have such a prominent role in the determination of starting prices. We cannot let the fox look after the chickens. It will certainly damage customer confidence.

He said:

> I would like us to go back to the previous system . . . That system worked well. It did what it was designed to do—return the prices that were available to punters on the racecourse.

Viscount Falkland said that

> this development has caused monstrous damage to the perception of . . . racing . . . This is the most dangerous development in racing in recent times. It has to be changed. I hope that punters around the country will clamour for it to be changed.—[*Official Report, House of Lords*, 14 June 2000; Vol. 613, c. 1737.]

To show that the dividing lines on these matters are not purely between bookies and punters, I shall cite Andy Smith, an on-course bookmaker, who says:

> It's being wholly done in the interests of Ladbrokes, Coral and Hill and absolutely against the interests of their betting-shop customers.

Rather disturbingly, when Channel 4's "The Morning Line"—an estimable programme—broadcast an interview with Keith Elliot expressing his views, the reaction of Terry Ellis and SIS was not to debate the issue but to put

[Mr. Alex Salmond]

lawyers on the job. They extracted an apology from "The Morning Line", but I would suggest that instead of adopting these bully-boy tactics, Mr. Ellis should be prepared to debate the issue.

Mr. Ellis has indicated that he will stand down as chairman of the starting price executive. I have a fellow feeling for people who take that decision. That being so, I shall not say as much about Mr. Ellis as perhaps I would have done before he made that particular decision. However, people in public life should be prepared to debate matters of public interest and should not censure debate by calling in lawyers.

The fact that Mr. Ellis was a senior executive for Ladbrokes is a substantial matter of concern when he becomes chairman of the starting price executive, which introduces unilaterally a system which is to the benefit of Ladbrokes, Hill and the other big bookmakers. These are matters of public concern and they should be debated without fear or favour, which is, I hope, what I am doing and what the Minister will do when he replies.

The Minister is well known as a friend of the betting shop punter. He is concerned about fairness and competition, and ensuring that people get a decent deal. I hope that his reply will indicate substantial concern on the part of the Government about what is going on.

I believe that what is required is a return to the old system—it worked. It was perceived to be fair and provided a reasonable deal for punters. We also need a reform of the starting price executive itself. It should have an independent chairman, two representatives from the Press Association, two from Trinity Mirror and two from the National Joint Pitch Council. Crucially, there should be no place for SIS, except perhaps as observers. The starting price executive needs to be perceived as clean and above board and definitely not as representing the interests of the bookmakers.

I suggest that those reforms should be instituted now. With great respect to the Minister, I do not think it is good enough to wait for Sir Alan Budd's committee on gambling which is not due to report until next summer. There are rumours, after all, that Hill and Coral are due to float on the stock market and that Labrokes' betting operation could be floated off, too. It is reasonable to believe that one of the reasons for the changes is to see profit margins increase so that there can be big pay-offs when the companies are floated. If that is so, it should not be at the expense of the betting shop punter.

I shall summarise my argument. The new starting price system introduced on 22 May this year has undoubtedly proved to be to the bookie's benefit and to the detriment of punters in the shop. The new system has improved profit margins for the big bookmakers and led to worsening starting price odds for the betting shop punters. The starting price executive has let punters down by introducing the new system; and the fact that Terry Ellis, the chairman of the starting price executive, is a former Labrokes employees and that his company, SIS, is substantially owned by the big bookmakers gives reasonable grounds for concern. As Keith Elliott, the independent member of the Levy Board, said:

> We cannot let the fox look after the chickens.

If we are serious about protecting the interests of punters and defending the integrity of racing, the new starting price system must be scrapped. The big bookmakers already get a fair deal from racing; they should not be allowed to rip off the punters.

11.12 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): I begin by congratulating the hon. Member for Banff and Buchan (Mr. Salmond) on raising an important issue. Horse racing and betting on horse racing have a long and honourable history in Great Britain. He is one of many hon. Members who have taken an active interest in racing—attending race courses and, no doubt, betting either on or off course. I also congratulate him on his decision to retire. I hope that he has a long and honourable retirement and spends a lot more time at the races rather than in this place causing problems to Ministers.

I am glad that the hon. Gentleman has brought this issue to the attention of the House, because there is much concern about it. The turnover on horse race betting is an important matter for the Government and for the economy as a whole. It helps to support 8,000 licensed betting shops in Britain, and a growing internet and telephone betting industry in which many people are employed. The total amount staked on horse races with off-course bookmakers in 1999-2000, including bets with the Tote, was about £5 billion. That is an indicator of the widespread popularity of horse racing, its importance and its value to the Exchequer as a source of revenue.

As hon. Members know—some to their cost—the tax on off-course betting stands at 6.75 per cent. Government revenues from off-course horse race betting therefore approach £350 million a year. What happens in the industry is important to the Government.

I make no secret of my concern at what the hon. Gentleman has said tonight. There has been a debate in the racing industry and in the media for some time on an issue that I have monitored closely, including by watching the estimable John McCririck, the racing commentator, in full flow on television on a number of occasions expressing his concern about the dangers to the integrity of the industry and the need to protect the punter.

The way in which on and off-course betting is organised developed over the years and has largely stood the test of time. It has a reputation for integrity. It is plainly important that the majority of punters, who place bets in the betting shop rather than on the race course, know that they are getting a fair deal. It is also important that off-course bookmakers can run a commercially viable operation. There is therefore a balance to be struck.

The organisation of off-course betting is not always understood by those who know little of the industry. Leaving aside betting on the Tote, which is a separate system, it is up to the punter at the betting shop to decide whether to back a horse at starting price or at whatever odds the bookmaker offers. As a race approaches, betting shops will offer fixed odds, based on early shows of the betting on the course. For some races, they might offer fixed prices throughout the day. In some cases, especially for major races, such as the National or the Derby, the bookmaker will offer ante-post prices on the horses for days, weeks or even months in advance. The odds that the betting shop offers on a horse will move up or down according to the state of the market.

Betting shop customers have a choice and can place their bets at fixed odds. However, many choose not to do that; instead, they place their bets at the starting price—the odds given by the bookmakers at the race course when the race is about to start. When punters place their bets, they do not know exactly what the starting price will be and therefore how much the bookmaker will pay them if they win.

The key question, to which the hon. Member for Banff and Buchan has rightly drawn attention, is the maintenance of public confidence in the way in which the starting prices are worked out. It is important that punters who bet on the starting price get a price that fairly reflects the prices that are available on the course just before the off, and that the way in which the price is calculated is transparent.

Arrangements for working out starting prices depend on starting price returners at the race course. They note the varying prices that bookmakers offer in the betting ring just before the start of the race. They must decide on representative prices for each horse and notify betting shops around the country of them. The task is organised by the starting price executive, which brings together the three major media companies—the Press Association, Trinity Mirror and Satellite Information Services—which employ the returners.

The arrangements have never been directly a matter for the Government. Nevertheless, as the hon. Member for Banff and Buchan said, some recent changes have been made; I understand that the executive made them in May. The aim was to offer a more transparent, accurate and efficient method of assessing starting prices. The returners had previously tried to take account of the prices offered by a wide range of bookmakers in the ring. That is difficult to do properly and fairly, especially in the limited time available in the run-up to a race.

The starting price returners now concentrate on a smaller sample of bookmakers. Allegations have been made that that reduces the starting price, of which the starting price executive notifies betting shops around the country. If that were so, it would shade odds at which off-course bookmakers paid their starting price customers. The bookmakers would be richer and the punters would be poorer. Tonight and on other occasions, I have heard arguments to support that proposition.

It is said that other changes that the National Joint Pitch Council made to controls on the betting ring a year or two ago led to a more customer-friendly betting market on the course. It is suggested that the restructuring of the on-course betting market led to an overall increase in the starting prices of which betting shops are notified, and that there was therefore an incentive for off-course bookmakers to do something about circumstances in which their profits were being cut.

Off-course bookmaking interests have always hedged their bets with an on-course bookmaker to manage their liabilities. Consequently, the weight of their money may affect the starting price. However, it has now been suggested that, because the new starting price system takes account of fewer on-course bookmakers, who are thus easier to identify, the larger off-course bookmakers may be able to hedge their bets more strategically with a view to manipulating the starting price in a way that is favourable to their business.

I have listened carefully to the comments of the hon. Member for Banff and Buchan and other observers on the matter. I understand their anxieties and I am watching developments with great care and not a little concern. If the punter is being ripped off by the bookmaker, the Government may need to express their views strongly to the industry. I am well aware that early signs show an apparent decrease in the starting prices at some races compared with those returned for the same races in previous years. The position will vary from course to course and race to race. However, I am advised that it is too early to say that the evidence has conclusively proved that there is a problem in which we need to intervene. We are monitoring developments with a great deal of concern and care.

Our job as a Government is to ensure that punters are not ripped off. However, we will not intervene in the market unless the evidence is clear. I am watching matters with interest and concern, but the true effect is unlikely to be apparent yet.

Mr. Alan Meale (Mansfield): I congratulate the hon. Member for Banff and Buchan (Mr. Salmond) on raising an important matter. I draw the attention of my hon. Friend the Minister to the evidence given to the Select Committee on Home Affairs—of which the hon. Member for Banff and Buchan was a key member—by Mr. Peter George, the then chief executive on betting of Ladbrokes, who admitted openly that the company was proactive rather than reactive in terms of hedging bets on race courses. The major bookmakers already have considerable influence on the course in lowering the price for off-course betting, which the large bookmakers control. In terms of the geographical remit to which my hon. Friend refers, the problem will not show up, as the large bookmakers have that remit right across Britain. I take this matter very seriously and it is an important example of how, yet again, the big bookmakers are trying to take advantage of the ordinary punter by hedging bets even further before there is a return in the betting shop.

Mr. O'Brien: My hon. Friend puts his point strongly and it is right that Members should express the concerns of constituents. As it stands, the Government have no legal base on which they can intervene in this market. If we wanted to intervene, we would have to take powers and pass legislation. However, I am sure that the industry and the bookmakers will listen with great care to what is said in the House.

Mr. John Greenway (Ryedale): May I also congratulate the hon. Member for Banff and Buchan (Mr. Salmond) on raising this matter, which is an issue of concern? I have a great deal of sympathy with what the Minister has said. I do not see a basis on which he can intervene. However, if the matter persists—quite apart from the prospect of considering whether, as an outcome of the gambling review, this may be a matter for legislation—would he consider referring the matter to the Secretary of State for Trade and Industry and the competition authorities? If the consumer—the punter—is being disadvantaged by this kind of practice, the House ought to unite behind a call to do something about it.

Mr. O'Brien: I hope that the bookmaking industry is listening with care to the debate. It is important that we

[Mr. O'Brien]

look at the issue of confidence in the industry. It is not just a matter of doing things the way that they ought to be done, or doing things honestly. There is also a question of perception; things must be perceived to be open and above board. There should not be public concern. It is important that the punter believes that, when he places a bet, he is getting a fair deal. There is concern about the way in which things are done. The hon. Gentleman is right to say that the odds at which punters are prepared to back horses and the odds that bookmakers are prepared to offer them are not things that the Government regulate.

Mr. Salmond: I welcome the Minister's concern, and his words should be listened to carefully by those concerned. I welcome also the fact that Members on both sides of the House share that concern. However, let us say that we were not talking about betting shops and race meetings but about the financial markets. If we had a situation in which a company—in this cases SIS, which is owned by the big bookmakers—were in a position to regulate the profits available in the market, that would not be allowed legally in the financial markets. If it would not be allowed in the financial markets, why should it be allowed in this market, which affects a substantial number of people in the UK?

Mr. O'Brien: The hon. Gentleman knows well that the law has a different approach to gentlemen's agreements or gambling than it does to contracts involving financial matters, such as deals and agreements in the City. To that extent, there has historically been a different legal basis for the approach to these issues. The hon. Gentleman needs to be careful; he appears to be suggesting going much further than I think that he really wants. I think that he is identifying a particular concern that a number of punters feel about a particular issue. In his intervention, he almost seemed to be saying "Let us go much further, and regulate, on a legal basis, all contracts under which these bets are placed." I do not think that he wants to do that.

I think that, to some extent, this is a commercial matter between bookmaker and customer. If the punter does not accept the terms of one bookmaker, he can always go to another, at least in theory. Of course, he could also use the Tote—and, for obvious reasons, the Government want to encourage use of the Tote.

I accept that the betting industry is important, and we want it to succeed. I understand the hon. Gentleman's concern about something that is important to the success and integrity of the industry as a whole. After all, the industry trades on its integrity, and, as I have said, the industry is important to Britain. If it compromises its integrity, it damages our economy and the Inland Revenue's income. We are therefore watching what is happening very carefully.

Integrity must be both real and perceived to be real. When people do not believe that integrity is present, even if in reality it is, they will be reluctant to rely on it. The bookmakers need to remember that.

I was glad to learn recently that the starting price executive had responded to concern expressed in the racing press and elsewhere. It has said that it will commission independent consultants—a major accounting firm—to undertake a review of the new SP system, to see how it is working in practice and to compare its operation with the previous arrangements. It has also said that it will use two SP returners at all race meetings except minor ones that do not feature in the betting shops' service. Each returner will monitor a minimum of five bookmakers, and the two will compare the prices that they have recorded and determine the SP.

I welcome the executive's announcement. I trust that it will take account of what has been said here tonight, and that, when it reaches its conclusions with the help of the accountants, it will consider not just the views of those independent consultants, but the views of hon. Members. If there is a problem, it is important for it to be identified, and it is important for the bookmakers to be prepared to address it.

There is a possible issue of consumer protection. The Government have set up a review of gambling legislation as a whole. The review body is chaired by Sir Alan Budd, and is due to report next summer. It has extensive terms of reference, which include a requirement to make recommendations on the kind and extent of regulation that is appropriate to gambling activities in Great Britain. That wide remit will enable Sir Alan and his team to consider whether there might be controls in this area, and, if so, what they should be.

No doubt Sir Alan would want to consider evidence on this matter if it were put to him. That would be part of the whole process of ensuring that the gambling industry has not only integrity in reality, but a reputation for integrity. We are acting, at some degree of risk, because there is public concern—because people feel that they may be ripped off by bookmakers. If that is the case, we want to ensure that the bookmakers address the issue. They may want to do that by convincing people that what they are doing is proper, fair and appropriate: that is the approach that they are taking. However, they may well have to conclude that, whether what they are doing is fair or not—it may well be fair—they must bear in mind the perception that people may have, and therefore consider whether to adopt a particular course.

Mr. Meale: Given the resignation of Mr. Ellis, might it not benefit this side of the industry if the new chair had independent status? That might make it easier for people to deal with the discrepancy involved.

Mr. O'Brien: My hon. Friend makes an interesting point. Although the issues will have to be examined, I shall certainly bear in mind what he said and consider whether it is appropriate to take that action.

The hon. Member for Banff and Buchan is to be congratulated on initiating this debate. As he will know, Adjournment debates usually involve a Minister and only one other hon. Member. For this debate, however, at a late hour, quite a few hon. Members have stayed because they are seriously concerned about the issue. It is right that we should have this debate, and it is right that others should listen to it.

The Government are concerned that future gambling legislation should properly balance the interests of business with the need to protect consumers and the

public. I assure the hon. Member for Banff and Buchan that the Government are perfectly prepared to act in the interests of betting customers and of the industry as a whole if there is a need to do so. The Government are watching the situation with care, as are other hon. Members. When the House returns in the autumn, if we need to have another debate on the issue because there is still serious concern about it, I am sure that the bookmakers will realise the seriousness of the situation.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes to Twelve midnight.

House of Commons

Thursday 20 July 2000

The House met at half-past Eleven o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

MERSEY TUNNELS BILL *(BY ORDER)*

Order for Second Reading read.

To be read a Second Time on Thursday 27 July

STANDING ORDERS (PRIVATE BUSINESS)

Ordered,

That the Amendments to Standing Orders relating to Private Business set out in the Schedule be made.

SCHEDULE

Table of Fees

line 2, leave out '£3,500' and insert '£4,000'.
line 3, leave out '£3,500' and insert '£4,000'.
line 23, leave out '£3,500' and insert '£4,000'.
line 29, leave out '£1,750' and insert '£2,000'.
line 35, leave out '£1' and insert '£1.60'.—[*The Second Deputy Chairman of Ways and Means.*]

Oral Answers to Questions

TREASURY

The Chancellor of the Exchequer was asked—

Working Families Tax Credit

1. **Mr. David Watts** (St. Helens, North): How many inquiries have been received by the working families tax credit response line from the north-west region. [130128]

3. **Mr. Richard Burden** (Birmingham, Northfield): If he will make a statement on progress with the implementation of the working families tax credit. [130130]

The Chancellor of the Exchequer (Mr. Gordon Brown): Up to 30 November 1999—the end of the first phase of television advertising—the response line handled 89,000 inquiries from the Granada Television region. In total, more than 3 million calls have been received on our response and helplines, and more than 1 million families are now receiving working families tax credit. Already this is almost 230,000 more than the number who were receiving family credit, even at its peak. Some families are £50 a week better off, and 110,000 families are receiving help with child care costs. That is twice as many than under the old system, and it is making work pay.

Mr. Watts: I thank my right hon. Friend for his response. Does he agree that this initiative has been one of the most positive ways of getting people out of poverty and into work? What does he think about the Opposition's proposals to scrap this tax credit? Does he believe, like me, that that would put people—

Madam Speaker: Order. It is not the Chancellor's business what the Opposition's policies are.

Mr. Watts: I will try again, Madam Speaker. Does my right hon. Friend agree that if the tax credit were to end, it would put many families into poverty and increase unemployment?

Mr. Brown: I am grateful to my hon. Friend for the careful way in which he words his question to me. It is true that 1 million families are better off; it is true that they are £24 a week better off, and it is true that if working families tax credit were taken away, that would effectively be a tax rise of £24 a week for the poorest families in the country. We invite the Opposition to tell us what they would do. I understand that they would abolish the new deal and working families tax credit. They would make people unemployed, and they would make people in work poor.

Mr. Burden: Although I realise that my right hon. Friend has no responsibility for the Opposition—it would be quite wrong if he had—will he comment on any advice that he has received, for instance from the Dimbleby programme in 1998, when I understand that the Leader of the Opposition said about the working families tax credit, "We wouldn't do it."? Given that more than 2,500 families in my constituency stand to benefit from the working families tax credit, will my right hon. Friend tell me whether he would follow that advice or stick to our current line of tackling poverty, not ignoring it?

Mr. Brown: I understand my hon. Friend's concern to point out the virtues of the working families tax credit. It is, after all, similar to the earned income tax credit in the United States of America. If Ronald Reagan could support the working families tax credit through the earned income tax credit, it is quite surprising that the Conservative Opposition have moved so far to the right that they cannot support it.

I understand that the shadow Chancellor has made a decision that he will not make a spending commitment to support the working families tax credit or the new deal. I understand also that he has been prepared to give the figure of £16 billion as the public spending cuts that the Conservatives would impose. I understand also that there is now a regional breakdown of those cuts. The Conservatives have even issued press releases for their candidates on this matter. I understand also that "The Common Sense Revolution" is being pulped today. We knew that it was fiction—now we know that it is pulped fiction.

Mr. Michael Portillo (Kensington and Chelsea): But is not the working families tax credit fundamentally misdesigned? Families have to give intimate details about themselves to their employers. The money does not go to the parent who looks after the children, and it may never reach the children. It is the Chancellor of the Exchequer who proposes to abolish the scheme in two years' time. Is that not the substance behind the spin?

When the Chancellor made his spending review statement the other day, why did he not tell us that the election war chest had been collected from taxing the least well-off families in our society? Is it not deplorable that it is the poorest fifth of our society which has faced the largest increase in tax under this Government? The Government take the money that people have earned for themselves, churn it around the system, and give some of it back to them in the form of benefits so that the Chancellor of the Exchequer can get the credit and take the moral high ground.

I know that the Chancellor is not a fan of the Prime Minister's memos but, to borrow a phrase from one of them, would it not be bizarre to believe that any Government in which he was Chancellor could be thought of as pro-family?

Mr. Brown: If the shadow Chancellor wants to help the low paid, why would he abolish the working families tax credit? Why would people be £24 a week worse off? Why would he abolish the new deal? Why did the Conservative party not support our 10p basic rate of income tax? I know that the shadow Chancellor does not want to answer any questions about his public spending cuts guarantee, but perhaps when he stands up again he will explain, bearing in mind the document that was produced by the Conservative party only yesterday, where the public spending cuts would be made. He has said that there is a difference of £16 billion between the 2 per cent. that he would finance and 3.3 per cent. He has even had his party break it down in regional terms. Now he must tell us where those cuts will fall.

The right hon. Gentleman broke his promises on tax after the election in 1992. The Conservatives have now had to break their promises before the election.

Mr. Portillo: It is perfectly clear to me that even the Chancellor does not believe that all that bluster will be believed by working families. Is he aware that the polling organisation ICM conducted research in his constituency on Tuesday night, after his statement? The responses make interesting reading. Three per cent. of the Chancellor's constituents believe they are being taxed less; 48 per cent. of the Chancellor's constituents believe they are being taxed more; 79 per cent. of the Chancellor's constituents say that public services are not improving—[HON. MEMBERS: "Ah!"] Wait, it gets better. Seventy-two per cent. of the Chancellor's constituents say they do not believe the spending figures that he promised on Tuesday.

Even the Chancellor's constituents can see through the spin. Even they know that they have been taxed more and that the Chancellor has delivered less; they do not believe a word that he says.

Mr. Brown: It is getting more and more expensive for the shadow Chancellor to ask me a question. He now has to hire an opinion polling agency before he comes to the House.

Will the right hon. Gentleman answer the question that I put to him on the Conservatives' £16 billion of public spending cuts? *[Interruption.]* The Opposition are getting very agitated. Last night during the debates on the Finance Bill, they voted £1 billion extra in tax cuts simply for double taxation relief and national insurance on share options. The total bill from the Finance Bill alone is extra tax—extra revenues that have to be raised—of £5 billion.

Will the shadow Chancellor answer the question? The Opposition had—*[Interruption.]* They do not like it. The Opposition had five guarantees. Where will the cuts fall—on health, education, transport, social services, defence, or law and order? It is about time that the Conservatives gave the country an answer.

Mr. Dennis Skinner (Bolsover): I was just listening to those polling figures. There was one figure of 3 per cent.; one of 48 per cent.; another of 79 per cent. and another of 72 per cent. Those figures demonstrate clearly that when we get more than 200 per cent. voting, that is as phoney as the shadow Chancellor and a £9 note.

Mr. Brown: It certainly does not add up. When the shadow Chancellor still had his tax guarantee and he wanted to prove that the economy was doing well, he went around the television studios saying:

> Well, governments are in a strong position when the economy is doing well, there's absolutely no denying that.

He also said that

> fortunately, the national finances are good enough.

He then said that we had an absolutely reliable anti-inflation strategy.

The shadow Chancellor has been going around saying that the economy is doing well. He now tries to tell us that our spending figures are unsustainable. I put it to him that the last Chancellor who said that our spending figures were unsustainable found that his position was as well.

National Health Service

2. **Mrs. Caroline Spelman** (Meriden): What discussions he has had with the Secretary of State for Health on the implementation of the national changeover plan within the national health service. [130129]

The Financial Secretary to the Treasury (Mr. Stephen Timms): The implementation of national changeover planning in the public sector is overseen by a committee of Ministers, which is chaired by my hon. Friend the Economic Secretary, who is attending today's European Union Budget Council. The interests of the NHS are represented on the committee by the Under-Secretary of State for Health, my noble Friend Lord Hunt.

Mrs. Spelman: The Government pledged to make savings of £100 million on NHS bureaucracy. Will the Financial Secretary confirm that nearly all of that will be negated by the national changeover plan?

Mr. Timms: No. That is certainly not the case. All parts of the public sector need to undertake analysis and planning for the possibility of UK entry to the single currency. If there is a clear and unambiguous economic case for Britain to participate, we want to be able to do so. The work being undertaken by NHS trusts is a small task and can be managed well within existing resources.

There is a proposal floating around which should worry the hon. Lady very greatly, given her concern—which I know is genuine—for the health service, and that is her party's policy to make £16 billion of spending cuts.

Savings

4. **Mr. Ian Bruce** (South Dorset): What his policy is on encouraging people to save. [130131]

The Chief Secretary to the Treasury (Mr. Andrew Smith): We are extending opportunities to save through our policies for a stable, low-inflation and growing economy, with rising real living standards, and through the extension of the 10p rate of tax, the success of individual savings accounts and action to tackle financial exclusion.

Mr. Bruce: I am sure that the House will be surprised that the Minister did not actually say that the Government have no policy to extend saving, as the savings proportion of people's income has gone down from 10.6 per cent. to 3.8 per cent.

Can the right hon. Gentleman perhaps tell the House something that might be simpler for him to explain? Every year £5 billion pounds is now being taken out of people's pensions and the pensions of future pensioners. How much is that contributing to the enormous slash in the amount that is being saved by the nation?

Mr. Smith: As the hon. Gentleman should well know, the dividend tax credit was ended precisely because it provided a perverse incentive to the distribution of profits in dividends rather than as re-investment. Not only all shareholders but particularly future pensioners will benefit from the economic growth that will be derived from the levels of investment that will now follow. As for our record on savings, the hon. Gentleman seems to overlook the success of ISAs, which the Conservatives derided when we brought them in. In the first year of their introduction, £28 billion was invested in more than 9 million accounts—one third more than went into PEPs and TESSAs the year before.

Mr. Jim Cousins (Newcastle upon Tyne, Central): May I pursue the point about ISAs? My right hon. Friend is absolutely right to say that they are now being opened by people in parts of the country and from parts of society who never had a savings habit before, and that they are encouraging and incentivising that habit. May I urge that the £7,000 limit on ISAs, which was extended from one year to two, be extended for a third year and made a permanent feature of the ISA system, so as to encourage that growth in ordinary people's savings throughout their lives?

Mr. Smith: My hon. Friend is quite right. Many people in our country were excluded from prosperity and from the chance to save under the previous Government but they now have the opportunity to benefit because we have a million more people in jobs, because of the help through the working families tax credit and because of the way in which ISAs respond to their needs. We are helping them further by tackling financial exclusion, for example by encouraging credit unions. As to my hon. Friend's proposal for the extension of the £7,000 limit, all advice for the Budget is gratefully received and I am sure that my right hon. Friend the Chancellor will give it due weight.

Mr. David Heathcoat-Amory (Wells): Why does the right hon. Gentleman have such difficulty in recognising his own figures? Is he aware that the Treasury's own published documents record a collapse in the proportion of savings as a percentage of national income, from 11 per cent. when the general election took place to 7 per cent., then to $5\frac{1}{4}$ per cent. and now to less than 4 per cent.? In the real economy, rather than the economy inhabited by Treasury Ministers, that is extremely serious and has very damaging implications for the long term. It is attributable to the £5 billion a year raid that the Government are carrying out on pension funds, which they started in 1997 and which is still under way. Will the right hon. Gentleman now admit his own figures, agree that there has been a collapse in private savings and tell us what he is going to do about it?

Mr. Smith: The right hon. Gentleman would do well to recall that the savings ratio fell to a lower proportion under the previous Conservative Government. He would also do well to understand, as I am sure that he does, that the savings ratio necessarily reflects spending patterns which themselves reflect the low unemployment, strong earnings growth, low interest rates, low inflation and strong growth in wealth that we are seeing in the country right now. Talking of figures and them adding up, the question that he and his right hon. and hon. Friends have to answer is from where the £16 billion of spending cuts will come. They will not help savings.

Mr. Roger Casale (Wimbledon): Does my hon. Friend agree that one of the best encouragements that the Government have given to savers has been to create a strong and stable economy and to put in place measures to safeguard economic growth in the medium to longer term? Of course, extra incentives may be necessary for individuals and families to save even more, and the Government are putting those incentives in place, such as employee share ownership plans, ISAs and stakeholder pension schemes. But a return to boom-and-bust economics, which would certainly accompany the return to office of the Conservative party, would destroy the secure savings environment on which the take-up of such incentives depends.

Mr. Smith: My hon. Friend is right. Nothing would damage the prospects of prosperity and future savings more than a return to the chronic short-termism and boom and bust of the previous Conservative Administration. Conservatives would do well to remember that under our spending plans, as set out this week, for every extra pound spent, only 17p goes on social security and debt interest. Throughout the Conservatives period in office, 43p went on social security and debt interest. There could be no clearer sign of how we are ensuring stability and steady growth. The extra money that we are able to spend goes to front-line services, and the Opposition still cannot say where they would find their £16 billion in cuts.

Single Currency

5. **Mrs. Ann Winterton** (Congleton): What his policy is on promoting potential membership of the single currency in advance of an assessment of the five economic tests. [130132]

9. **Mr. Nick St. Aubyn** (Guildford): What recent discussions he has had with the Secretary of State for Foreign and Commonwealth Affairs about his policy on the single currency. [130136]

The Chancellor of the Exchequer (Mr. Gordon Brown): I meet Cabinet colleagues to discuss a range of issues. The Government's policy towards the single currency has not changed and will not change. We recommend joining a single currency only if it is in our national economic interest to do so, and if the economic case for the UK joining is clear and unambiguous. The Treasury will make another assessment of the five economic tests early in the next Parliament.

Mrs. Winterton: Does the right hon. Gentleman agree that before promoting potential membership of the single currency, full consideration should be given to the constitutional and political implications of joining? Does he further agree that a Government who give away control of their currency lose control of their economy and cannot therefore govern the country?

Mr. Brown: I take it that the hon. Lady never wants to join the single currency, and that that is her position. It is unfortunately not the position of the Conservative party, which on principle would rule out the single currency for one Parliament, but would not do so for ever. Our position on the constitutional issue was set out in full in my 1997 statement. We discussed and examined the issue, which is a factor in the decision. We do not believe that the constitutional issue is an insuperable barrier to joining the single currency if the economic conditions are met and if there is a referendum of the British people. If the hon. Lady is saying that she would never join the single currency, she will have to persuade the Leader of the Opposition.

Mr. St. Aubyn: The Chancellor has just told the House that the Government's position on the euro "has not changed and will not change." Why was it that when the Foreign Secretary came to the House a month ago to make a speech on the Government's position on the euro, he was forced to change it only minutes before he delivered it on the personal insistence of the Chancellor? Does not that show that the question of a referendum will not be decided in the national interest by the Government? Instead, it will be put forward on the basis of personal rivalries and petty jealousies which divide the Government from top to bottom.

Mr. Brown: If we are to talk about consistency, let us consider the hon. Gentleman's general election manifesto. He now poses as someone who is completely against the single currency. He even doubts whether a referendum would be fair. What did he say in his manifesto? This was his proposal:

> Anchor the euro-currency option, with our pledge of a national referendum.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): May I congratulate my right hon. Friend on his excellent management of the British economy? On the single currency, does he agree that interest rates and the exchange rate are vital considerations? On interest rates, there has been considerable convergence, but there is some way to go. On the exchange rate, the euro has strengthened 8 per cent. against the pound in recent months, but it remains substantially undervalued. Does he agree that the exchange rate, in particular, is a vital factor that we must take into account when we take our decision on the single currency?

Mr. Brown: I am grateful to my hon. Friend. I know of his particular interest in industry in Wales and I understand the difficulties that exporters, especially those in the manufacturing sector, face. I also understand the particular difficulties of the steel industry in Wales and elsewhere. He will agree with me that what manufacturers want least of all is a return to the stop-go policies of the past. After all, those policies killed 1 million manufacturing jobs at the beginning of the 1990s and made for record numbers of repossessions. In the years that the shadow Chancellor was at the Treasury, we had 15 per cent. interest rates, a £50 billion borrowing requirement and, in 1992, 22 tax rises. He is now going to have £16 billion of public spending cuts in 2000 if he gets his way.

Mr. David Taylor (North-West Leicestershire): Given that, under the gold standard, Bretton Woods and the exchange rate mechanism, we always had the right to come out if circumstances changed—as they did and as we did—does my right hon. Friend agree with the previous Chancellor who said that any future decision to abolish the national currency would for all practical purposes be irreversible and that, if things went wrong, we would just have to lump it? How strong a risk does my right hon. Friend believe there is of that happening?

Mr. Brown: It is the importance that we attach to this issue that has led us to say two things. The first is that the decision must be made in the national economic interest, and that is why five economic tests are to be applied. We will consider the matter early in the next Parliament. Secondly, we have decided that there would be a referendum if a recommendation was made and, therefore, any recommendation would come before the Cabinet, the House of Commons and would then go before the country. That is the right way of approaching this issue. It is quite ridiculous to say that one is against the principle of a single currency for one Parliament only and to refuse to be able to put the arguments for ever, but that is what the Conservative party wants to do.

Mr. Matthew Taylor (Truro and St. Austell): While the House ponders why the Chancellor feels he should answer questions on the euro this Question Time when he did feel not able to answer them last time, and given that the Prime Minister has reportedly let Ministers off the leash to make the case for the euro, perhaps the Chancellor will tell us why he believes that Britain should join the euro in the right economic circumstances?

Mr. Brown: The unfortunate thing about the position taken by the hon. Gentleman is that he would rush into

joining the euro without making a proper assessment of the economic tests. I believe that it is in the national economic interest, when a serious decision such as this is being taken, to do it properly by examining all the economic issues. The economic tests affect employment, investment and every individual sector of the economy. They also affect the flexibility of the economy and the durability of convergence. I would have thought that, if the Liberal Democrats were concerned about the future of the economy, they would want us to take exactly that approach. That is what we shall do.

Dr. Nick Palmer (Broxtowe): Does my right hon. Friend accept that there are three intellectually respectable positions on the euro? The first is to commit to joining immediately as the Liberal Democrats favour; the second is to oppose it on principle, as a section of the Conservative party favours; and the third is to enter it if it is in Britain's best interests and if the currency is a success, as is our policy. Has he given any consideration to including as an option the official Opposition's policy of ruling the euro out for whatever the length of the next Parliament will be—be that one, two or five years—and does he see any intellectual coherence in that?

Mr. Brown: The right course of action is to consider the matter in terms of the economic interests of the country and to make a proper assessment early in the next Parliament with a view that, if an assessment recommended yes, the Cabinet, the Government and then Parliament and the people would make the final decision. What is not respectable is the position of Conservative Members because the shadow Chancellor is on record as saying that a single currency

> would mean giving up the government of the UK. No British Government can give up the government of the UK. That's impossible.

However, a few months later, on "Breakfast with Frost", he said:

> No I wouldn't say I'm a never man.

Mr. Tony Baldry (Banbury): Does the Chancellor accept that there is not a single Member of this House who believes that the economic tests are anything other than entirely politically self-serving? There is not a single Member of the House who believes that a decision on a referendum will be made on anything other than political judgments. Would it not be far more politically honest and far more in the public interest if the Labour party were to say that if it won the next election, there would be a referendum on the single currency in the lifetime of the next Parliament? The policy that the Government are currently pursuing is bringing not only the single currency but the Labour party into discredit.

Mr. Brown: It is precisely the ill-thought-out views of hon. Gentleman that led the previous Government to join the exchange rate mechanism in the wrong conditions—*[Interruption.]* Conservative Members now want to blame us for the ERM. My goodness, we are learning a lot today. All the decisions of the previous Government are now the Labour Government's fault. The shadow Chancellor wants us to forget that he was at the Treasury between 1992 and 1994. The failure to think things through in the necessary detail and to apply the economic tests that we are applying led the Conservatives into the difficulties that caused the exit from the ERM when the shadow Chancellor was at the Treasury. We shall not repeat that; only the shadow Chancellor would.

Mr. Michael Portillo (Kensington and Chelsea): My hon. Friend the Member for Banbury (Mr. Baldry) was absolutely right to ask that question. Regarding the five economic tests, does the Chancellor accept that judging whether the British economy is sufficiently flexible to adapt to change is wholly a matter of opinion? Whether or not joining the euro would help long-term investment is merely a matter of debate. The impact of joining on financial services in this country is a matter on which views are hotly divided. Whether or not joining would be good for jobs is a matter of dispute.

Does the Chancellor believe that those tests, which are merely matters of opinion, can be taken seriously by anybody? Are they not just a means of allowing him to stall now, so that if the Labour party wins the election, he can take an arbitrary, ideological decision to scrap the pound.

Mr. Brown: I thought that the shadow Chancellor would answer the point that I put to him. If it is in the economic interest to join, we would consider doing so, would apply the five tests and put the matter to a referendum. The decision will therefore be made in the country's economic interests. The five tests refer to employment—which I would have thought the right hon. Gentleman was concerned about—investment, all the sectors of the economy, the flexibility of our economy and the durability of convergence. That is the right way in which to make the decision, and then put it to the people, if that is our recommendation.

The position of the shadow Chancellor and his hon. Friends is not respectable. He has said:

> I can't see the circumstances in which I would be in favour

of a single currency. However, a year or two before that, the shadow Chancellor told the Welsh Conservatives:

> Keep our options open on EMU.

He said that that was best for Britain. Sooner or later, the shadow Chancellor will have to answer questions, not only about £16 billion of spending cuts, but about the euro. Is he for or against the euro in principle? We have made our decision and are for the euro in principle, where the benefits in trade, investment and jobs are shown, and we will put it to the economic test. The question for the Conservatives, who have not got past first base on this issue, is do they oppose the euro in principle, or do they support it? Yes or no?

Mr. Portillo: It is really disgraceful that the Chancellor of the Exchequer will not answer questions on the economic tests. I would have thought that he had more intellectual self-respect and I really do not know why he is so unrelaxed when he talks about the euro.

I could say:

> All we are trying to do is talk about Europe in an open, democratic and adult way. How can anyone object to that?

Those are the words of the Northern Ireland Secretary. The Chancellor seems determined today to deny the British people a proper debate on this most important

issue. I do not often agree with the Northern Ireland Secretary, but was he not absolutely right to describe the Chancellor as neuralgic on this subject?

Mr. Brown: One normally starts a debate by saying where one stands on principle. Do the Conservatives support the single currency, or oppose it? Do they believe that the constitutional issues are an insuperable objection, or not? Do they believe that the economic tests matter, and that if the economic conditions were met they would join? Would they put the issue to the British people in a referendum? Those are four questions that not one Member of the Conservative Front Bench can now answer, because while they do not rule out the single currency in principle, they rule it out for the next Parliament and want to imply that they have ruled it out in principle.

We will make the five economic assessments, and we will put the matter to the British people if our decision is that yes, we could join. We have already stated where we stand on the principle, on the constitutional issue and on the question of whether the economic conditions are met. I ask the shadow Chancellor again: does he support the euro single currency or does he oppose it—yes or no?

Tax System

6. **Dr. Lynne Jones** (Birmingham, Selly Oak): What proposals he has for simplifying the tax system. [130133]

The Paymaster General (Dawn Primarolo): We continue to support the tax law rewrite project, which aims to modernise direct tax law and make it clearer and easier to use. The first rewrite Bill will be ready for enactment by the end of this year.

Dr. Jones: I thank my hon. Friend for that answer, but rewrite is not the same as simplification. The House has just completed consideration of the Finance Bill. I must confess that I have not studied its 742 pages to the extent that I am sure other Members have, but I get the impression that successive Governments have introduced Finance Bills that have made the tax system more complex. Most have paid lip service to the need for a less complex system, but none have set up a mechanism with clout for addressing the issue. I invite the Government to set up such a mechanism, preferably involving Members, who should be given adequate resources for this important job.

Dawn Primarolo: If my hon. Friend had studied the Finance Bill, she would have seen that at least one measure removed more than 40 pages of highly complex tax law. I am sure that she will also appreciate that when a Government approach tax law, they have to balance fairness with simplicity and understanding for the taxpayer. In today's complex world, another issue that Governments have to address is the activities of the tax planning industry, which spends all its time trying to circumvent tax law and avoid paying the levels of tax that Parliament had intended should be paid, so anti-avoidance legislation becomes increasingly complex.

The tax law rewrite project considers how to simplify the drafting of legislation, and the Government are reviewing how we can ensure that our legislation is simpler and easier to understand, while addressing the issue of fairness in the tax system.

Mr. Michael Fallon (Sevenoaks): Is the hon. Lady aware that only new Labour could describe 15 separate rates of capital gains tax and 21 separate rates of company car tax as simplification? Why does she think that every business organisation now complains about the tax complexity and red tape imposed by the Government?

Mr. Dennis Skinner (Bolsover): We have just got rid of 5 million files.

Dawn Primarolo: I know that we are nearing the end of the Session.

The hon. Member for Sevenoaks (Mr. Fallon) is saying that he is opposed to the 10p rate of capital gains tax and to the way in which the Government have reformed the tax system to encourage long-term investment. Is he seriously suggesting that the previous system of capital gains tax, with all its indexation, was somehow simpler?

Gross Domestic Product

7. **Mr. James Clappison** (Hertsmere): What proportion of gross domestic product was represented by net taxes and social security contributions at the latest date for which information is available. [130134]

The Chief Secretary to the Treasury (Mr. Andrew Smith): The Treasury updates its fiscal and economic forecasts and the ratio of tax receipts to gross domestic product twice a year, in the Budget and the pre-Budget report, and most recently in the Budget Red Book, which showed the share falling from 37 per cent. of GDP last year to 36.9 per cent. this year and to 36.7 per cent. in 2003-04. As the Chancellor said on Tuesday, the combination of a stronger economy leading to higher revenues and £4.5 billion lower spending meant that the net debt repayment last year was not £11.9 billion, as we said at the time of the Budget, but £18.1 billion.

Mr. Clappison: Can the Chief Secretary tell us whether the tax burden now is greater or less than it was when the Government came to office?

Mr. Smith: The figures are set out in the Red Book for the hon. Gentleman and the world to see. It is clear that the tax burden is falling. Moreover, the day after the Budget, the shadow Chancellor said on the "Today" programme that

> the Red Book which is the document that accompanies the Budget shows that the Government expects the tax burden to fall during the next parliament, which is exactly what we expect.

Mr. Geraint Davies (Croydon, Central): My right hon. Friend is aware that borrowing is a third form of taxation. When one adds taxation and borrowing as a share of GDP when the Tories left office, it was almost 2 percentage points higher than it is now, which is equivalent to some £19 billion of expenditure or 7p on the basic rate of tax. Is it not the case that the current Government can spend more and tax less because there are an extra 1 million people in jobs, because we have replaced the chaos and calamity of the Tories with the stability and success of the Labour party?

Mr. Smith: My hon. Friend is right. The previous Administration wrecked the public finances, doubling

borrowing, so that for every extra pound that they spent, 42p went in debt interest and social security, whereas we are now able to get that down to just 17p, so that we can put more than 80 per cent. into the front-line priorities—health, education, fighting crime, and transport. When the Conservatives left office, the debt to GDP ratio was 44 per cent. On the plans that we set out this week, we will get it down to a third of GDP—33 per cent. That shows a Government running the economy properly, with sound and strong public finances.

Mr. Peter Lilley (Hitchin and Harpenden): Can the Minister confirm that in 1979 the share of national income taken by spending and tax in this country was slightly higher than in the rest of the European Union, and that by 1997 it was substantially lower than the rest of the EU, giving the UK an enormous relative advantage? Can the right hon. Gentleman confirm that, on his own projections, that gap between us and our competitors on the continent is set to narrow, eliminating at least part of the great advantage that we built up over 18 years?

Mr. Smith: That was rather a long way of explaining that the figure rose under the Tories.

Employment (Scotland)

8. **Mr. Tom Clarke** (Coatbridge and Chryston): If he will make a statement on the impact of his Department's policies on the levels of employment and unemployment in Scotland. [130135]

The Chancellor of the Exchequer (Mr. Gordon Brown): Since the election, employment has risen by 62,000 in Scotland and unemployment has fallen by 22,000. Unemployment is now the lowest for 20 years. By 2003–04, public spending will be £3.4 billion higher than in 2000–01, showing that the Scottish economy and Scottish public services will do well.

Mr. Clarke: Is my right hon. Friend aware that under this Government the number of unemployment claimants in Scotland has fallen by a quarter, and in my constituency by almost 30 per cent? Does he agree that, in the interests of even more progress, he is absolutely right to stand unflinchingly in support of the new deal and the Government's other employment initiatives, particularly in the light of some of the Mad Hatter ideas being spread around the House, including the implementation of public services cuts guarantees?

Mr. Brown: I am grateful to my right hon. Friend, who is absolutely right. The new deal is a vital part of employment creation in this country. It is a tragedy that the Opposition will not support it, and that they would abolish it if they were elected. It would be one of their public spending cuts, which would total £16 billion. The Conservative party helpfully provided a regional breakdown for us. As my right hon. Friend knows, the cuts would be £1.4 billion in Scotland. Such cuts under a Conservative Administration would be a disaster. That is why there are no Conservative Members of Parliament from Scotland.

Miss Anne McIntosh (Vale of York): Does the Chancellor agree that the new deal has been an expensive failure in Scotland? The Conservative way forward of "Britain works" will be a much more successful system. Will the Chancellor tell us whether he has assessed the impact of the Barnett formula on employment in Scotland? It should be subject to review, and, post-devolution, greatly reduced.

Mr. Brown: The policy word the hon. Lady was seeking was "abolition" of the new deal. That is Conservative party policy. A former Conservative Chancellor of the Exchequer said that, for him, unemployment was a price worth paying. I fear that the Conservative party is now following that route. It is a bit much for the shadow Chancellor to say that he supports full employment while proposing to abolish the new deal. However, he has got to do that because he would have to make public spending cuts of £16 billion.

On Scotland, I am sure that the hon. Lady would agree that it is unfair that all the regions of this country and all the nations of Britain would have to suffer major public spending cuts as a result of a Tory programme. That is why the people will not vote for it.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): The past three sets of unemployment figures for Scotland, according to the International Labour Organisation—the Government's preferred measure when they were in opposition—have shown successive increases. The figure is now the same as it was two years ago. How does the Chancellor explain that?

Mr. Brown: Since the 1997 election, the ILO figures show that unemployment has fallen by 22,000.

Mr. Morgan: For the past three years?

Mr. Brown: For the past three years, the figures have been minus 22,000. Youth unemployment has fallen by 71 per cent.—I believed that the hon. Gentleman would welcome that—and long-term unemployment has fallen by 54 per cent. If we had followed the policies of the Scottish National party, we would not be able to afford a new deal. The SNP has no cause for complaint; it should applaud our measures to create new jobs in Scotland.

VAT (Listed Buildings)

11. **Mr. Lindsay Hoyle** (Chorley): If he will make a statement on the charging of VAT on the renovation of listed buildings. [130138]

The Paymaster General (Dawn Primarolo): The repair and renovation of listed buildings has been charged at the standard rate since the beginning of the tax.

Mr. Hoyle: I understand what my hon. Friend says. However, she may not be aware of the plight of the Rev. David Morgan and the parish church of Adlington in Chorley. He has genuine problems with church repairs. The church is a grade 2 listed building; what began as a simple exercise has incurred a cost of £145,000, and the VAT is more than £25,000. What help and consideration can be given to reducing VAT on listed buildings in future?

Dawn Primarolo: I understand that in the grants from English Heritage to grade 1 and grade 2 listed buildings,

payments are made for urgent repairs, which my hon. Friend described. The conditions of VAT were established when the tax was introduced. We are not permitted to introduce reduced or zero rates. The Government therefore seek, through English Heritage and the Department for Culture, Media and Sport, to support our heritage through direct help.

Mr. Peter Brooke (Cities of London and Westminster): As the campaign has existed for about 15 years—I acknowledge that, some time in the past, I had to give the same answer as the Paymaster General—will the hon. Lady find a way to communicate the EU position to those who write to us? It would then become clear that the campaign has some serious deficiencies.

Dawn Primarolo: As the right hon. Gentleman knows, having given the same answers and having been a Minister when the legislation was operating, the Government cannot change it except in periods of review of the tax. We are not currently in such a period.

I have repeatedly made it clear to Members in detail when and why the imposition was made, when the tax began and what happened in 1984. Since that date, we have been unable to introduce zero or reduced rates. Therefore, the Government approach investment in historic and cultural buildings through methods other than VAT. As the Minister responsible for the tax at that time, the right hon. Gentleman will know that that is the only way forward, regardless of how strong feelings and campaigns are.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): But my hon. Friend will realise that although Treasury Ministers' habit of giving the same answers as their predecessors is not unknown, it is not a proper response to a proper worry. As a member of a very imaginative Treasury team, will she look seriously at some other way of tackling the problem? Frankly, English Heritage is not the answer. Such buildings consistently require not only that work be done by expensive craftsmen, but large sums of money. Destroying important buildings in the United Kingdom on the basis of being unable to change our tax system is not a sufficiently good answer.

Dawn Primarolo: The Government are always looking for innovative ways to use the tax system to encourage the type of behaviour that we would like to see in the UK. My hon. Friend will know that Lord Rogers's urban taskforce report on regeneration of our communities made a series of important proposals that will be discussed as part of the consultation on the urban White Paper. Tax issues regarding brownfield and greenfield sites and other matters have been raised. We are looking at them seriously and will respond.

Business Taxation

12. **Mr. John Butterfill** (Bournemouth, West): What recent representations he has received on his policy on business taxation. [130139]

The Financial Secretary to the Treasury (Mr. Stephen Timms): We have received numerous representations from business, including the statement from the Institute of Directors that the Budget shows that the Government believe in the enterprise culture.

Mr. Butterfill: Does the Chancellor recollect his statement of 19 December 1998 that he intended to reduce business taxation? How does the Minister reconcile that with the CBI estimate that business taxation has increased by £5 billion a year for each of the past three years?

Mr. Timms: No, that is not right. We have set out our ambition to increase productivity faster than our main competitor states in order to close the productivity gap that opened up over a long period. We have set out a clear strategy for doing that, and the tax system has an important role to play in boosting productivity and improving competitiveness. Corporation tax rates are at their lowest ever and are the lowest in the industrialised world. On average, small companies have enjoyed a corporation tax cut of about 25 per cent.

Mr. Barry Sheerman (Huddersfield): Is my hon. Friend aware that those of us who spend time with businesses in this country, including those in my constituency in west Yorkshire, find that business people say that this is the best time to be in business in terms of business taxation and the general business environment? They have one caveat: they are still worried about the value of the pound against the euro.

Mr. Timms: My hon. Friend is right. There are 1 million extra jobs in the economy since the election and 100,000 more small firms. We are creating a new culture of enterprise for all and our tax policies are a key element in that success.

Mr. Owen Paterson (North Shropshire): The president of the CBI has clearly stated that the Government have imposed £5 billion of taxes on business. Will the Minister please name three businesses that have been made more competitive by that policy?

Mr. Timms: Small businesses have enjoyed an average corporation tax cut of 25 per cent. Let me tell the hon. Gentleman about another tax change that we have made: the new 10p starting rate for corporation tax has helped 270,000 small businesses—not three, but 270,000.

Children's Tax Credit

13. **Ms Sally Keeble** (Northampton, North): What progress is being made with the introduction of the children's tax credit. [130140]

The Paymaster General (Dawn Primarolo): The Inland Revenue has issued claim forms to PAYE taxpayers in families that, according to its records, may be eligible for the credit. We estimate that almost 2 million forms have already been sent back to the Inland Revenue. There has been a radio and press advertising campaign to encourage people to claim and return their forms in good time.

Ms Keeble: I am grateful for that reply. May I congratulate the Department on its effective advertising and take-up work, which has been well received in my constituency? Will my hon. Friend confirm that this tax credit will be available to people with small businesses who are not on PAYE? Does she agree that many families want to know whether this and the other child support measures that the Government have introduced will be supported by the Conservative party, or whether they will all disappear into its £16 billion black hole?

Dawn Primarolo: The self-employed will claim the credit on their tax returns in the normal way. As for support for the children's tax credit, we must add it to the list of items that the Opposition oppose, because they have rejected and voted against it at every opportunity. That means that nearly £8.50 a week would be denied to families who need it most.

Mr. John Bercow (Buckingham): Is the Paymaster General proud that hundreds of thousands of married couples have been deprived and short-changed of support for a full 12 months before the belated introduction of the children's tax credit?

Dawn Primarolo: What I am proud of is that this Government recognise that pressure on families is greatest when they have children. What I am proud of is that we are addressing the fact that 3 million children are living in poverty, which was inherited from the previous Government's policies. What I am proud of is that at the end of this Parliament, 1.2 million children will have been lifted out of poverty, and the children's tax credit, which the Opposition oppose, will have played its part in that.

Mr. Malcolm Chisholm (Edinburgh, North and Leith): Is it not the case that no additional costs are associated with marriage, but that many are associated with having children? Is it not therefore correct to target help on children via the children's tax credit, the working families tax credit, the record rise in child benefit and the other many initiatives that will reduce, and finally eliminate, child poverty?

Dawn Primarolo: My hon. Friend is absolutely correct. Indeed, when the shadow Chancellor was at the Treasury, he said that the married couples allowance had the least on-going justification because it was given to couples when they married—and only when they married—in recognition of the fact that the man was acquiring a wife and therefore had less taxable capacity. We recognise that pressure is placed on families when they have children—when one parent may give up work or when the family faces child care costs. That is the point at which to help families and to ensure that children are lifted out of poverty.

Objective 1 Regions

14. **Mr. Andrew George** (St. Ives): What progress he has made in completing financial arrangements for the United Kingdom's European objective 1 regions. [130141]

The Chief Secretary to the Treasury (Mr. Andrew Smith): The spending review announcements ensure that all the UK's objective 1 programmes can now draw down their full structural funds allocations for the next three years. This is very good news for the regeneration of objective 1 areas.

Mr. George: I am sure that the Minister is aware how warmly the Chancellor's announcement on Tuesday was greeted in the UK's four objective 1 regions. However, is he aware how anxious those regions are to secure some further detail, such as the mechanisms that will now be put in place to ensure the efficient delivery of those match funds? What Treasury spending guidelines will be available to the spending Departments in objective 1 regions?

Mr. Smith: I can give the hon. Gentleman some more detail now. The Government will provide full funding for expenditure under objectives 1, 2 and 3 programmes within departmental allocations. That is estimated to total £4.2 billion for EU structural funds in the UK over three years, including an estimated £600 million for new objective 1 programmes in English regions, and of course the extra allocation of £80 million, £90 million and £100 million to Wales to ensure funding of European expenditure under objective 1 there.

We have delivered on our support for the objective 1 programme, regenerating areas of the country that were neglected by the Conservative party. The Liberal Democrats, like everybody else, should welcome it.

Mr. Harry Barnes (North-East Derbyshire): Will my right hon. Friend look at areas that fall just outside objective 1 funding provisions and whose objective 2 funding has been seriously cut? I appreciate that borders must be drawn somewhere, but it is difficult for impoverished neighbours such as north-east Derbyshire, which cannot cash in on some of the provisions that have been added.

Mr. Smith: I understand the concerns to which my hon. Friend draws the House's attention. I recently met representatives of the Alliance for Regional Aid, and we discussed precisely these issues. I have asked for a further report from my officials. I should be only too happy to meet my hon. Friend and his local representatives to see how we can ensure that if people are eligible for this support, they actually get it.

Dr. Julian Lewis (New Forest, East): Does the Chief Secretary recognise that there is only one objective for the Government on European funding or on anything else, which is to try to con the electorate in 2001 as they conned them in 1997? Is not the reason why they are so desperate to spend their time attacking Opposition policies instead of answering questions about Government policy the fact that they know there are no answers to those questions and that they are preparing to swap Front Benches with the Opposition at the next general election?

Mr. Smith: The one crucial reality that is most relevant to all these issues is that a growing, extreme section of the Conservative party would end this help from the European Union and the support of these programmes because it wants to pull us out of Europe.

Business of the House

12.30 pm

Sir George Young (North-West Hampshire): May I ask the Leader of the House to give us the business for next week?

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): MONDAY 24 JULY—Consideration of Lords Amendments to the Child Support, Pensions and Social Security Bill.

Consideration of Lords Amendments to the Government Resources and Accounts Bill.

TUESDAY 25 JULY—Remaining stages of the Criminal Justice (Mode of Trial) (No.2) Bill.

Consideration of Lords Amendments to the Learning and Skills Bill *[Lords]*.

WEDNESDAY 26 JULY—Remaining stages of the Census (Amendment) Bill *[Lords]*.

Consideration of Lords Amendments to the Regulation of Investigatory Powers Bill.

THURSDAY 27 JULY—Consideration of Lords Amendments to the Utilities Bill.

Consideration of Lords Amendments to the Postal Services Bill.

FRIDAY 28 JULY—Motion on the Summer Recess Adjournment.

The House may also be asked to consider any Lords messages which may be received.

The House will also wish to know that on Monday 24 July there will be a debate on a general framework for equal treatment in employment and occupation, in European Standing Committee C. Details of the relevant documents will be given in the *Official Report*.

[Monday 24 July 2000:

European Standing Committee C—Relevant European Union Document: 13540/99; A general framework for equal treatment in employment and occupation. Relevant European Scrutiny Committee Reports: HC 23-vii; HC23-xix and HC 23-xxiv (1999-200)

Sir George Young: The House is grateful to the Leader of the House for the business for next week. Can she confirm that on Monday, the Prime Minister will make a statement to the House on his return from the G8 summit? What other statements will be made by Ministers next week? On that subject, is it not slightly absurd that the House was formally told only at 11 o'clock today that there would be a statement on transport by the Deputy Prime Minister, whereas the media have known for days that that would happen? Is not there a better way of letting the House know about planned statements? I think that the right hon. Lady will find that the Chancellor mentioned the publication.

The Deputy Prime Minister's statement is, of course, not yet available to the House, but is it not clear that the details have already been released to the press? The *Evening Standard* must have had all the details before 9 o'clock, because they are set out in that newspaper. Will the right hon. Lady conduct a leak inquiry into how that discourtesy to the House could have occurred?

I understand that a decision is imminent on the future ownership of the dome. There is much public interest in how much it is being sold for and in the new owner's future plans for the site. Could the House have a statement on that?

Finally, can the right hon. Lady confirm that on Wednesday, there will be valedictory tributes to Madam Speaker and that on Thursday, there will be a business statement giving the business for the first two weeks back after the recess?

Mrs. Beckett: Yes, I anticipate that the Prime Minister will make a statement on the G8 summit.

I take the right hon. Gentleman's point about formal notification of statements, but he will know that those are the procedures of the House. Whether a statement is to be made is always in the balance until the morning in question because, apart from anything else, Madam Speaker and others may have decisions to make about the progress of business, so the final decision is not made until that morning. However, I take his point that there may be merit in giving advance notification if it is fairly certain that a statement is to be made. I endeavour to do that in the business statement, but I shall consider his point.

I fear that I have not seen the *Evening Standard*, so in consequence I do not know whether what is in it is accurate or a leak. Whatever the case may be, as my right hon. Friend the Deputy Prime Minister will be making a statement in the not too distant future, the opportunity to raise that issue will arise. Nor is it clear how imminent is the decision about the dome, but I shall draw the right hon. Gentleman's remarks to the attention of my right hon. Friend the Secretary of State for Culture, Media and Sport.

The right hon. Gentleman is quite correct to say that on Wednesday, we expect the formal valedictory from and for Madam Speaker. The whole House is looking forward to that. I have forgotten what the right hon. Gentleman asked me about Thursday.

Sir George Young: Will there be a business statement?

Mrs. Beckett: Yes. I anticipate making a business statement on Thursday.

Mr. David Taylor (North-West Leicestershire): Seven days ago I raised with my right hon. Friend the Leader of the House the subject of the cluster of new variant CJD victims in the north Leicestershire village of Queniborough, in the constituency of the right hon. Member for Charnwood (Mr. Dorrell). Will my right hon. Friend urge the Secretary of State for Health to make a statement before the recess on the background to that incident; to reassure the House and the people of Leicestershire that enough is being done to investigate this worrying occurrence; and to reassure them that sufficient resources are being devoted to it so that we can learn from what has happened?

Mrs. Beckett: I am grateful to my hon. Friend, who raised this matter last week. I shall certainly draw his remarks to the attention of my right hon. Friend the Secretary of State for Health. My hon. Friend will know that some quite detailed investigations and research are

under way. While I understand his anxiety to have a statement before the recess, if possible, I am sure that neither he nor anyone else would wish my right hon. Friend to make a statement before there is a clear understanding of the situation.

Mr. Andrew Stunell (Hazel Grove): May I draw the attention of the Leader of the House to the contrast between the way in which the House conducts its business in relation to the comprehensive spending review and its treatment of the Budget? The Budget covers one year and is followed by a three or four-day debate concentrating on various elements within it. The comprehensive spending review, which covers three years, is followed by a half-day Adjournment debate and some statements and questions. Bearing in mind the greatly increased significance of the CSR in the Government's planning and organisation, will the right hon. Lady consider whether in future its exposure to debate in the House might be more equivalent to that of the Budget? That might also give the House an opportunity to consider one or two elements that were not in the CSR, such as the omission of any improvement to pensions, which is certainly deeply felt by people in the country and right hon. and hon. Members on both sides of the House.

Will the Leader of the House look carefully at the business for tomorrow as there is a list of 58 private Members' Bills for consideration? Will she bear in mind the request that has been made through the Modernisation Committee and elsewhere for the House's procedures on private Members' business to be given careful scrutiny? Perhaps she will undertake that the Modernisation Committee and others will give that serious consideration in the coming weeks.

Mrs. Beckett: Of course I take the hon. Gentleman's point about the way in which the Budget is followed by several days' debate whereas the CSR does not follow the same pattern. However, the big difference between the two is that the Budget deals with the revenue-raising side of policy and looks in depth at what that means over a number of days. The comprehensive spending review, particularly one that looks three years ahead, is only a broad outline. Whereas the Budget is followed by the Finance Bill, which looks in detail at tax measures, the CSR is followed not only by a number of departmental statements, but by the unfolding of what those general totals mean over time.

I recognise that some silly statements have been made, particularly in the news media, about the CSR being a reannouncement and not involving new money. That is why it must be made clear to people what it means in terms of the impact on their local community—something that some people have an interest in obscuring.

With regard to the issues that the hon. Gentleman raised about pensions, of course I understand the great interest on both sides of the House in what is happening in terms of pension policy. My right hon. Friend the Chancellor said that there would be further announcements in due course, but I gently remind the hon. Gentleman that the Government are doing at least as much as the Liberal Democrats promised in their last manifesto when they said that they would increase pensions only in line with inflation. As far as I am aware, no one in the House—certainly not in the three main parties—proposes to increase pensions by more than inflation, or at least to link them with earnings. Every party would have given the same increase because of this year's low inflation—something that, again, people are perhaps more anxious than they should be to obscure.

I take the hon. Gentleman's point about private Members' Bills. No doubt it will be raised again. I simply say that, under successive Governments, over many a decade, people have examined our procedures for such Bills, but have not thought fit to make major changes.

Ms Julie Morgan (Cardiff, North): Will my right hon. Friend find time for a debate on women's representation in Parliament? She will know that all political parties have difficulties in finding candidates who represent the whole of their communities—women and men. She will also know that Labour has been the most successful party in promoting women candidates. However, I am sure that she knows, too, that in Wales, the six seats held by Labour where the sitting Members are retiring have all chosen Labour candidates who are men. Can she find time for a debate in which we could discuss and find a solution to this very important issue?

Mr. Desmond Swayne (New Forest, West): What about some more hermaphrodites?

Mrs. Beckett: My hon. Friend may have heard, as I did, some of the heckling from Conservative Members, who are of course embarrassed by the lack of representation of women in their ranks. Somebody—fortunately anonymous, as far as I am concerned—said that we needed more hermaphrodites. I remind the whole House, and Conservative Members in particular, that women are more than 50 per cent. of the population. They might bear that in mind when they make some of their less polite remarks.

I fear that I cannot undertake to find time for such a debate on the Floor of the House, but my hon. Friend might look to the opportunities in Westminster Hall, which offers double the time for Adjournment debates.

Mr. Ian Taylor (Esher and Walton): Will the Leader of the House ask the Home Secretary to make a statement next week on the implications for policing of the investigation that led to the discovery of the body of Sarah Payne? Her family are constituents of mine, and I think that their resilience under what was ultimately a tragic event was remarkable.

Will the Leader of the House also ask the Secretary of State for Health to come to the Dispatch Box and perhaps lead a debate on the future of cottage hospitals? Three cottage hospitals in my constituency—Emberbrook, Cobham and Walton—are suffering from cuts that could lead to the ending of the use of intermediate beds, much to the disturbance of local people.

Mrs. Beckett: I know that the whole House will want me to express our sympathy for the family of Sarah Payne and our horror at her tragic death. I know that my right hon. Friend the Home Secretary is conscious of the implications for policing, although we all know that there will always be tragic cases that, no matter how efficient our policing, will fall through the net. The hon. Gentleman may have noticed that we have questions to the Home Secretary on Monday, and he might find an opportunity to raise the matter then.

[Mrs. Beckett]

The issue of cottage hospitals is, as the hon. Gentleman appreciates, a matter for my right hon. Friend the Secretary of State for Health. I am well aware of his, and everyone's, wish to see the best and most efficient provision in health care, and I will draw the hon. Gentleman's remarks to his attention.

Caroline Flint (Don Valley): What plans does my right hon. Friend have for a hectic week ahead in terms of the timetabling of business and the programming of motions to ensure that we have a speedy and effective week of legislating?

Mrs. Beckett: My hon. Friend is right to draw attention to the fact that it is important that the House should deal with its business expeditiously and well. She is also right to identify the fact that proper programming of discussion is the most effective way of achieving that. The Government hope that it will be possible to achieve business and get a proper pattern of debating by agreement, but we of course reserve the right to table any motions that might be required to ensure that business is indeed secured.

Mr. Michael Jack (Fylde): It is evident from her statement that the Leader of the House has not been able to find time next week for the promised debate on defence procurement. Hundreds of aerospace workers lobbied Parliament this week, anxious about their future. What reassurance can she give me that, when the House returns, we will have an early opportunity to hold that debate?

Mrs. Beckett: The right hon. Gentleman may or may not have heard me say last week that the Government have every intention of scheduling a debate on defence procurement. He will know that, in recent days, the Secretary of State for Defence has made a number of procurement announcements, all of which were welcomed. He will know also that the review announcement on Tuesday conveyed that more resources would be available for defence. In other ways, the Government have made resources available to the aerospace industry. All I can say to the right hon. Gentleman's constituents is that the Government are endeavouring to make the right decisions for our defence needs—decisions that have a proper regard for the national interest and a continued rise in employment.

Mr. Paul Flynn (Newport, West): When will we have a chance to debate early-day motion 985, on a matter that my right hon. Friend possibly has not had a chance to study?

[*That this House welcomes the statement of the Government Actuary that the link between the basic pensions and the earnings level could be restored for the next five years without any increase in National Insurance contributions; notes the answers to parliamentary questions that confirm that keeping contributions at their present level, as a proportion of earnings, would allow the link to be paid until 2011 while producing a surplus of £4 billion; and believes that this evidence fully justifies an immediate restoration of the link and a declaration of the Government's intent to increase pension levels at the true rate of earnings inflation.*]

There seems to have been a significant change in Government policy late last night in another place, where the Government accepted, for the first time, a welcome amendment by Baroness Castle of Blackburn which instructed the Government Actuary to investigate the results of restoring the link between earnings and the pension level. The Government Actuary has indicated to the Select Committee on Social Security that the link could be restored without any additional spending and without any increase to the national insurance scheme for the next five years. Other parliamentary answers have indicated that the link can be restored up to the year 2011. This long-awaited act of justice for pensioners should be carried out within the foreseeable future. It is now, as we know, affordable and can be done without any additional public cost.

Mrs. Beckett: My hon. Friend and I are probably among the few in this House who have ever read the reports of the Government Actuary with interest. I recognise the basic point that he is making and the Actuary will no doubt flesh out the information that is needed. My hon. Friend will know that any such decision would have a major impact on other potential changes in social security. He will know also that, during the course of the Parliament, the Government will have spent £2 billion more on support for pensioners than would have been required by restoring the link with earnings. We have done so by concentrating the greatest amount of help on those who were already in the greatest need. The Government recognise other areas of need and are moving to deal with them appropriately.

Mr. David Curry (Skipton and Ripon): Will the Leader of the House bear it in mind that the Ministry of Agriculture, Fisheries and Food intends next week to announce a major reorganisation of its regional service centres, which will include the closure of some centres? Will she bear it in mind also that the Select Committee on Agriculture intends to vote on a report on this very matter next Wednesday? In light of the debate on the relative powers of the Executive and the legislature, will she ask MAFF to bear in mind the appropriateness of the two announcements?

Mrs. Beckett: I will do so, but I remind the right hon. Gentleman that it is Agriculture questions next Thursday when he may have an opportunity to make those points himself.

Shona McIsaac (Cleethorpes): Following the advice of Advocate-General Siegbert Alber that European member states should impose VAT on tolls, I have established that the final decision is expected on 12 September. As this is during the recess, I urge my right hon. Friend that nothing should be done on this serious issue until we have come back from the recess and had a chance to debate it, so that those of us with interests—including bridges, such as the Humber bridge—can press our case that we should exempt this country from that levying of VAT.

Mrs. Beckett: I understand the strength of feeling of my hon. Friend on the matter and she will know that the measure would have a more major impact on many other member states than it would on the UK. I cannot undertake to find time for a debate on the matter in the

near future, but she may find later today, and on other occasions, the opportunity to raise the issue. In case she does not, I promise to draw it to the attention of my right hon. Friend the Secretary of State for the Environment, Transport and the Regions.

Mr. Peter Brooke (Cities of London and Westminster): Yesterday, while responding to my right hon. Friend the Leader of the Opposition in columns 365-69 of the *Official Report*, the Prime Minister made six references to Opposition spending cuts of £16 billion. Thereafter, in columns 371-74—while responding to lesser mortals—the Prime Minister changed gear upwards to Opposition spending cuts of £24 billion at the next election. Can we have a definitive statement next week on the second figure, so that some of us who are interested parties can from it work out the date of the next election?

Mrs. Beckett: I have not seen the text of *Hansard* to which the right hon. Gentleman refers, but it is occasionally true, as I know to my cost, that *Hansard* very, very rarely does make errors. *[Interruption.]* I have vivid memories of having referred to someone as a "mugger" and seeing it represented in *Hansard* as "mother". It did rather spoil the sense. However, I heard clearly what the Prime Minister said. What he said was, £24 million per constituency. In other words, it was a breakdown of the £16 billion to show the impact in the constituencies of individual Opposition Members. I sympathise with the right hon. Gentleman's anxiety on that point and feel confident that it is something that the Conservative party will hear much of between now and the election.

Mr. Eric Forth (Bromley and Chislehurst): May we please have an urgent debate on leaks—not the Welsh kind, but the Gould kind—because the nation is now surely entitled to know just where all these leaks are coming from? Is it from Downing street, from Millbank, or, as I have seen in one newspaper, from the *Daily Express*? The reason why it is important to know is that, in this age of alleged freedom of information and alleged open government, it would appear that the Government are nevertheless concerned to cover up ever more of what goes on at the highest level, rather than be open, transparent and honest with the people. Can we please have an urgent debate on that matter, so that we can eliminate all the suggestion of leaks and enter a period of genuine open government?

Mrs. Beckett: It is entirely clear in whose interest these leaks are being printed at the time that they are being printed. It is to try to ensure that the British people do not hear the news about the substance of the Government's policies. What is becoming increasingly clear is which party is really interested in substance and which in spin.

Ann Clwyd (Cynon Valley): May we have an early debate on the Ilisu dam in Turkey, from which the right hon. Member for Fareham (Sir P. Lloyd) and I have just returned, on a visit funded by Kurdish human rights groups? The project involves shoving 45,000 people out of their homes without proper consultation. It infringes most of the World Bank guidelines. It is bad for the environment; it is bad for human rights. It would be very bad if the British taxpayer, through export credit guarantees, were to get involved in that project, particularly as the Turkish Government are not likely to adhere to the conditions set down by the Department of Trade and Industry.

Mrs. Beckett: I of course understand the concern that my hon. Friend and others, including the Select Committee on Trade and Industry, have expressed. She will know that the Government have indicated that we would take the most careful note of the concerns expressed, but she will also know that, as yet, no decision has been made or announced.

Mr. Stephen Day (Cheadle): The right hon. Lady will be aware that the Government have a problem with losing important pieces of paper, but it has become more serious lately, according to reports in *The Guardian*: the Government have lost 5 million pieces of confidential information—the tax records of 5 million people. That was brought to light by *The Guardian* from, apparently, a copy of an internal departmental memo.

As Ministers have known about that grave error and concern for so long, why have they not come to the House to explain the matter to Members—who will have to deal with the problems of our constituents, many of whom will be affected—and, indeed, to the 5 million people who will be seriously affected? When the right hon. Lady has explained why Ministers have not come to the House already, can she explain when they will come to the House to explain?

Mrs. Beckett: I am not entirely sure, but it strikes me as possible that, if some records are not at present identifiable, no one can let the people who are involved know because no one knows who they are. That seems to follow rather logically from the loss of those records. However, what is truly remarkable is that, given how many tax records it is said the Inland Revenue has at least temporarily mislaid, it was able to find Lord Levy's records when it needed them.

Mr. Michael Fabricant (Lichfield): Does the right hon. Lady agree that there are many unsung heroes in the United Kingdom? Can she find time for a debate on the honours system, so that the brave soul who is exposed to fear, loathing, ego, cant and sheer hypocrisy at the heart of 10 Downing street can be justly rewarded?

Mrs. Beckett: I should certainly like to see that person justly rewarded.

Mr. Tony McWalter (Hemel Hempstead): In the context of next week's debate on resource accounting, can my right hon. Friend bear it in mind that there are some new towns, which include Hemel Hempstead, whose resource base is almost entirely derived from land devoted to housing stock in the past? As a result, they have a very low resource base which is not funded initially from housing. In the context of changes about ring-fencing housing resources, those new towns are now faced with potentially catastrophic cuts. There is an impending 41 per cent. cut in the resource base in Dacorum in my

[Mr. Tony McWalter]

area. Will my right hon. Friend draw that to the attention of the Treasury so that, with a bit of luck, true resource accounting will not be invidious for the new towns?

Mrs. Beckett: I certainly undertake to draw my hon. Friend's remarks to the attention of my right hon. Friends in the Treasury team. He may find some opportunity to flag up the issue during debates on the matter next week.

Mr. John Bercow (Buckingham): Can we please have an early debate in Government time on the important doctrine of collective responsibility, the Government's current interpretation of which seems to be neither collective nor responsible? Given that the Chancellor of the Exchequer wants the Prime Minister's job, the Foreign Secretary wants the Chancellor's job and the Northern Ireland Secretary wants all their jobs, would it not be helpful to have an early debate in which all those Ministers were present so that we could see them on the Treasury Bench united in fraternal detestation of each other's guts?

Mrs. Beckett: I do not think that the House will wish to spend time on such a debate. If the hon. Gentleman's definition of fraternal support is the way in which the shadow Chancellor's policy has totally scuppered the career of the Leader of the Opposition, all I can say is that they are welcome to it.

Mr. Andrew Robathan (Blaby): Will the Leader of the House persuade the Prime Minister to make a statement next week on his ministerial code? In particular, could he explain to the House and the country why it has disappeared off the web? It used to be found on the Cabinet Office website, but it has now been reorganised out. One can hunt around the web for as long as one likes. One can turn to something which is misleadingly called the opengov.com site, but the statement is not there—nor is there very much else there. Could the Leader of the House arrange for the code to be put back on the web, perhaps on the Deputy Prime Minister's own website, at least for paragraph 113?

Mrs. Beckett: I am not aware of the ministerial code's destination at this time, but I shall certainly draw the hon. Gentleman's remarks to the attention of the relevant authorities. If I were the hon. Gentleman, I would not worry too much about its applying to him for a while yet.

Mr. Tim Loughton (East Worthing and Shoreham): Given the comment by Lord Rogers in *The Independent* today that the Chancellor has singularly failed to stop the haemorrhaging of people from our rundown inner cities and his continued frustration that not a single recommendation of his urban taskforce report has yet been put into effect, will the Leader of the House promise the House an urgent debate after the recess so that the Government can account for what they are actually doing to tackle deprivation in our inner cities, rather than just appointing talking shops to talk about what should be done?

Mrs. Beckett: As I recall there will be Question Time to the relevant Department in the near future. The hon. Gentleman should know that it is not the case that nothing has been done to carry out the recommendations in Lord Rogers's report. A great deal of work has been done in that direction. The hon. Gentleman should also know that our inner cities got into their present state under the Government whom he supported.

Dr. Ashok Kumar (Middlesbrough, South and Cleveland, East): Will my right hon. Friend find time to discuss the future of the steel industry? As she is no doubt aware, 1,200 redundancies have just been announced in Teesside and South Yorkshire, and 1,400 were announced only a few weeks ago. Will she ask the Secretary of State for Trade and Industry to come to the House for a debate on the future of the steel industry?

Mrs. Beckett: I know of my hon. Friend's great concern for the steel industry and for employment in that industry. He will be aware that my right hon. Friend the Secretary of State has taken a great interest in these matters and does what can be done to assist and support that industry. We remain in discussions with the steel industry. I fear that I cannot undertake to find time for a further debate on the matter on the Floor of the House in the near future, but my hon. Friend might seek a debate in Westminster Hall.

Mr. Nigel Evans (Ribble Valley): I declare an interest in the question that I am about to ask, as I am an owner of a convenience store in Swansea. Will the Leader of the House arrange for somebody from the Department of Trade and Industry to come to the House within the next few days to make a statement on the sale of loose goods in shops and supermarkets? She may be aware that Tesco announced on Monday that it was going to reverse its decision, and would sell loose goods using imperial weights and promoting pounds and ounces.

Some 38,000 small stores in this country are still using imperial weights. Officials in local authorities up and down the country will be confused about what they should be telling those stores. A number of the stores will be operating on the margins of profitability, and they simply cannot afford to buy new scales to replace existing usable scales. Will the right hon. Lady clear up the confusion and arrange for a statement to be made in the House in the next few days?

Mrs. Beckett: Of course I understand and sympathise with the concerns of small traders, who may be confused. However, it is a little surprising that neither the hon. Gentleman nor his right hon. and hon. Friends have been able to clear up this confusion, as it is as long ago as 1989 that the then Government agreed that these measures should be phased out by 1995, and they then imposed a delay until 2000. So people should have been aware of this matter for at least 10 years.

I understand—and I know that the House will wish to have this information—that it was as long ago as 1862 that a Select Committee of the House recommended that Britain should go metric, so we have had some time to adjust. Although, as I say, I fully understand and sympathise with the difficulties of small traders, I do not think that "confusion" is the right way to describe what they are experiencing. We should be trying to get people to accept the variation of usage, with one set of measures

alongside the other, but we must recognise that among young people in particular, the use of imperial measures is disappearing.

Mr. David Tredinnick (Bosworth): When the House returns in October, will the Leader of the House find time for a debate on one aspect of parliamentary reform that has not had enough attention? I refer not to the hours in the day that we sit, but the days of the year on which we sit. Is it not a fact that the parliamentary calendar is completely out of balance, with far too much business being taken between January and July? Would it not be much better if the recess was from June to September? What advice does the Leader of the House have for Members who are parents, whose children will be on half-term the week that we return?

Mrs. Beckett: I am very conscious of the difficulties faced by parents. There is, and long has been, a discussion about whether we can establish a firmer parliamentary calender and whether there should be a slightly different balance to the parliamentary calendar. There is only one set of circumstances under which a firmer parliamentary calendar would be possible—that is, if we were able to make firmer arrangements for the programming of our debates. I look forward to the hon. Gentleman being in the same Lobby as me when we debate the Modernisation Committee report.

Dr. Julian Lewis (New Forest, East): Will the right hon. Lady seek to persuade the Minister for the Cabinet Office to make a statement about the extent to which publicly funded special advisers at No. 10 Downing street are being used to wage faction fights among the leading personalities of the Labour Government? I have in mind not only the infamous "TB" memorandum, of which so much has been heard, but the remarks reported last weekend, when No. 10 had a senior special adviser quoted as saying of the Chancellor of the Exchequer:

> He is poisoning relations with half the Cabinet and the sooner he goes the better.

Although I have every sympathy with people holding that opinion, that is a matter for their internal faction fighting. It should not be something that I and other taxpayers are funding.

Mrs. Beckett: I remind the House that it has long been the case that those who are political rather than civil service appointees have worked with Governments of every political shade—very useful it is too. Indeed, a large number of them now occupy the Opposition Benches. Furthermore, we trebled the resources available to the parliamentary Opposition to enable them to be better staffed—something that the Conservative Government denied us when we were in opposition.

It has been truly remarkable that, during business questions today, Opposition Members, with a couple of honourable exceptions, have not wanted to talk about the extra money going to hospitals, schools or the police—any of the matters in which the British public are really interested. That is what people will notice.

Mr. Swayne: It might have escaped the right hon. Lady's notice that we shall have opportunities to question Ministers on those matters—not least after business questions today.

Is there any substance to the press reports that Labour Back Benchers who are not expected to hold their seats are receiving counselling to help them to adjust psychologically? Will the right hon. Lady make a statement to the House setting out the counselling services that she will make available to Back Benchers who, notwithstanding the fact that they will continue to hold their seats, will have no further role in holding the Government to account as a consequence of the plans to programme all legislation?

Mrs. Beckett: I know that the hon. Gentleman is an assiduous attender in this place. I am sorry that, despite the fact that we have offered to conduct seminars on how to be a good Opposition, so many Opposition Members seem not to have been able to take them on board.

Dr. Julian Lewis: You had enough practice.

Mrs. Beckett: I assure the hon. Gentleman that, given the way the Opposition are going, they will have plenty of practice too.

Transport (Ten-Year Plan)

1.6 pm

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): Transport is a subject that has been close to my heart for all my working life in and out of Parliament. However, for decades it has been in decline—dogged by stop-go funding and a short-term approach.

On Tuesday, the Chancellor set out how we can now begin to invest properly in our public services. He was able to do that because we have dealt with debt and sorted out the public finances. That meant that we had to stick to the depressed Tory spending figures that we inherited. We continued the previous Government's fuel duty escalator, both to limit greenhouse gas emissions and to restore public finances. That was not easy. It was not popular, believe me; but it was the right thing to do. Now, we can build and invest for the future.

Decades of under-investment and the lack of strategic planning left us with a transport system in crisis. That is already changing. In three years, we have made real improvements—*[Interruption.]* If hon. Members will listen, they will be able to make a judgment. These are the facts: we have begun to tackle the road maintenance backlog; the overall decline in bus passengers has been halted, and in many areas passenger numbers are rising for the first time; the number of rail passengers has increased by 17 per cent. and rail freight by 22 per cent. since the general election. That is what has happened during the past three years.

Transport is now a growth industry, and many of the problems that it faces are of expansion—not of decline. We have laid the foundations for the long-term. We needed to integrate the Departments of Environment and Transport—we have done that. We needed to set out a new strategy—we have done that. We needed to bring in radical new legislation—we have done that. We needed to introduce new forms of finance; we have done that. Today, I am announcing new resources to bring about a step change in transport.

These are new ideas, new powers and new resources—a new approach for a new century. It is on these foundations that we are building today's 10-year programme. It is based on long-term investment by Government and industry to modernise the country's transport system. That is vital for our economic success, and for the quality of our lives. It is excellent news for manufacturers and for the construction sector, which will be able to plan for the long term. Much of that sector had closed down because of the short-term approach to investment in industry.

On Tuesday, the Chancellor announced that, over the next three years, public spending on transport will rise from £5 billion to more than £9 billion. Real-terms capital investment will double. That has been widely welcomed. The Automobile Association said that it was

> a welcome change from decades of penny-pinching and under-investment . . . There's no doubt that this represents the most serious attempt to tackle our transport crisis in years.

The Rail Users Committee said that the announcement was

> good news for rail passengers and for the country.

The Confederation of British Industry also welcomed it. And the CBI director-general, Digby Jones, said on the "Today" programme this morning that what is needed is a 10-year programme providing substantial public and private investment—he stated, up to £180 billion. My Department's modelling, analysis and consultation came to a similar conclusion. Our analysis is published in a document available in the Library.

There is now a broad consensus about what is needed to reduce congestion and to provide a bigger, better and safer railway and a real choice in public transport. With public investment keeping pace with economic growth after the year 2004, total spending over the 10 years—public and private—will now be £180 billion. One hundred and thirty-two billion pounds of that—almost three quarters—will come from the public purse. This is not all new money, but even if we maintained this year's spending as the norm, that means over £50 billion of extra public expenditure. Capital investment by Government and industry together will be 75 per cent. more in real terms than over the last decade.

The plan addresses the issue in a realistic and businesslike way. There are no frills, no promises of a rosy, traffic-free future: just our best judgments—based on a detailed analysis—of what the new resources will deliver.

We are securing long-term investment through long-term partnership contracts: new rail franchises lasting up to 20 years, 30-year contracts for roads and 30-year contracts for the London underground. But let me make it absolutely clear. If we put in public money, we expect rail and bus companies—and local authorities—to deliver the goods: more investment and better services for the travelling public, on budget and on time.

The policy that we inherited on the railways planned for decline and reduced public support. Our programme includes £60 billion for a bigger, better and safer railway—the biggest investment in railways for generations.

We shall deliver better quality for the travelling public, lower regulated fares, 50 per cent. more passengers and 80 per cent. more rail freight, and a new Strategic Rail Authority with a new rail modernisation fund of £7 billion to help deliver these goals. So we shall deliver a railway system that is better for the passengers, better for freight, better for the economy and better for the environment—win, win, win and win again.

Our programme includes £59 billion for modernising local transport in every region throughout the country. It will increase bus use by 10 per cent., with guided buses, priority routes, park and ride and a modern fleet, building on the £400 million of private investment that has already taken place.

Light rail can transform our cities. Manchester and other cities have shown what a difference it can make. So we are going to provide resources for up to 25 new light rail projects in our major cities. We shall create greater social justice with more accessible buses, trains and taxis for disabled people, and cut-price fares for pensioners and disabled people, and for the first time we are recognising the problems of people who live in poorly served, deprived urban areas, cut off from jobs and services. They can look to help from a new urban bus challenge fund to provide new links to their communities.

Our successful rural transport fund, which has already secured over 2,000 extra services in rural areas, will now rise from £60 million to £95 million a year, with rural transport partnerships established in every county.

Both urban and rural communities will benefit from an extension to the fuel duty rebate for community transport.

Mr. Bernard Jenkin (North Essex): That is our policy.

Mr. Prescott: The hon. Gentleman is in opposition—has he not heard?

Small-scale local improvements can make a big difference to people's lives, such as schemes to make walking and cycling safer and easier, and 20 mph zones, especially where children are most at risk. We shall increase funding for those schemes.

In London, our great capital city, we inherited a creaking transport system, congested roads and overcrowded trains—I do not think that anyone disputes that. We have already made major investments in the capital, with the Jubilee line, docklands light railway extension and other projects. Over the next 10 years, our programme provides £25 billion to support the London transport strategy, with better buses, less crowded trains and less congestion on the roads. This will be enough to produce a real step change in bus services, town-centre improvements and safer walking and cycling. The public-private partnership will secure investment in the existing underground. We have made provision for new links; an orbital London railway and longer-term projects such as the new east-west rail link and east Thames crossings. We are determined to use refranchising to get better and more reliable rail services for commuters.

Those major improvements in public transport throughout the country will help to reduce congestion and pollution. Sensible land-use planning and new technology can make a difference. However, we need also to make better use of our existing road network. We have already set up studies into our busiest transport corridors to find solutions that will involve all types of transport in the multi-modal studies. The first conclusions will emerge over the next few months, and we are providing the resources to implement the results.

The programme includes £21 billion for the strategic road network. This is enough to widen 360 miles of the most congested roads, such as the A1 and the M6, and to invest in "electronic motorways" to manage traffic better and to keep drivers better informed. There will be 100 new bypasses to take traffic out of hard-pressed villages and towns, schemes to tackle congestion and safety hotspots and low-noise surfaces on 60 per cent. of the trunk road network, including all concrete roads.

We have already dealt with the backlog of trunk road repairs. We will enable local authorities to get rid of the backlog on local roads with a £30 billion maintenance programme, which is covered under the heading "Local Transport".

Without the measures set out in the plan, congestion is forecast to grow by 28 per cent. on inter-urban trunk roads and by 15 per cent. in larger urban areas. With the plan, we shall not only eliminate this forecast growth but reduce congestion below current levels by 2010. Our proposals will produce savings in greenhouse gas emissions, helping us to achieve our Kyoto targets and more. We will improve air quality, with new resources to encourage cleaner fuels and vehicles.

Safety is fundamental to the plan and important to the House. The terrible accidents at Ladbroke Grove and Southall, and more than 3,000 deaths on our roads every year, are a vivid reminder that we can never afford to be complacent. We will ensure the installation of train protection systems, as recommended by Sir David Davies. I have stressed repeatedly that we will not pre-empt Lord Cullen's inquiry. I give a categoric assurance that the plan will deliver any further measures arising from Lord Cullen's inquiry. Safety will always be first in my priorities.

Under various Governments, our roads are already among the safest in Europe. Over the next decade, we are determined to reduce the number of people killed or seriously injured in road accidents by 40 per cent., and by 50 per cent. for children. We are providing the resources to enable government, the Highways Agency and local authorities to play their part in achieving these targets.

It has often been the role of Labour Governments to modernise this country's infrastructure, and that is what we are doing again with our 10-year plan. There will be long-term investment and public-private partnership to increase choice and cut congestion. The Opposition have plans only to cut public spending. They have no plans to cut congestion. The public will ask them to declare where they would make cuts in our programme.

A Labour Government are working with business to deliver the long-term investment that is needed to rebuild our infrastructure, cut congestion, improve public transport and give people greater choice. I hope that people will understand that modernising the transport system will take time and create inconvenience and problems. Making the necessary changes, will at least mean that people will be aware that we are making long-term decisions and dealing with the cause and not the symptoms of a congested system.

New roads and railways are not built overnight. However, with sustained government investment and the backing of industry, we shall make year-on-year improvements to get the job done. The plan will get Britain moving and give the people of this country a transport system on which they can rely. The British people have waited decades for a long-term approach such as this. It is what they deserve, and I commend it to the House.

Madam Speaker: Before I call the hon. Member for North Essex (Mr. Jenkin), may I point out that I noticed some Members leaving the Chamber during the statement, no doubt to go to the Vote Office to obtain the document? I regard it as a discourtesy to any Secretary of State for Members to walk out to obtain a document while a statement is being made. If Members want to be called, they should remain in the Chamber throughout and listen to the statement. The statement, not the document, is being questioned at this stage.

Mr. Jenkin: I thank the Deputy Prime Minister for giving me an advance copy of the statement. I give a broad endorsement to the comments that he made about safety and, in particular, about the Cullen inquiry.

As for the rest of the statement, the Deputy Prime Minister must think that the British people were all born yesterday. The travelling public will not be fooled. Labour has made promises before and people are still waiting.

[Mr. Jenkin]

They are waiting in traffic jams, and they have done that; they are waiting for buses stuck in traffic, and they have done that; and they are waiting for overcrowded trains, and they have done that. They are fed up with the right hon. Gentleman's promises and they are fed up with being ripped off by the Government; they have done that.

After three wasted years, the Deputy Prime has the nerve to come to the House and say, "I've got a 10-year transport plan." How much tax will road users have to pay over that period? It is at least £423 billion. That is more than £18,000 per household. That will be his legacy. His only real policy is to try to tax hard-working people and hard-pressed pensioners off the road.

Petrol tax is a regressive tax. Under Labour, the poor pay the biggest increases. Where is the social justice in that? On top of the £423 billion in taxes, the congestion and parking taxes will hurt the poor most. Why are the Government simply reserving the roads for the rich and for Ministers in their Jaguars? Should cars be just for the privileged few?

What does the Deputy Prime Minister's big spending number really mean? How much is double counted or reannounced? How much relies on investment by the transport industries that we privatised? How much is just pious hope, empty promises and post-dated cheques?

As in every Government announcement, these figures are designed to mislead. How can we believe the Deputy Prime Minister's promise of 25 light rail schemes when he told the House of Commons that

> light rail systems are an extremely expensive way of dealing with congestion . . . ?—[*Official Report*, 20 October 1998; Vol. 317, c. 1072.]

His former deputy, the right hon. Member for Hamilton, North and Bellshill (Dr. Reid), said in a press release that

> we will not be in a position to support similar light rail schemes for the foreseeable future.

However desirable light rail systems may be, are these not just fantasyland promises from a Government desperate for votes? How many systems will actually be built within 10 years?

What about all the promises that the Deputy Prime Minister has made before? Does he remember the 1998 White Paper? In it, he said:

> We want to cut congestion . . . and avoid the urban sprawl that has lengthened journeys and consumed precious countryside.

However, the Deputy Prime Minister is building more houses over the green fields of England. Britain now has the worst congestion in western Europe.

Labour Members all cheered two years ago when the M6 widening was cancelled, apparently to save the planet. Now they all cheer when it is going ahead. That is an admission that the Deputy Prime Minister was wrong. Will they all cheer again when it fails to materialise?

Does the Deputy Prime Minister recall saying that he would have failed if there were not far fewer journeys by car? This new 2010 target is an admission that he has already failed. Has he not read the dire warnings of his own congestion report, which showed that congestion will increase by 90 per cent? Why is his target on congestion any more relevant than all his other targets?

The Deputy Prime Minister has abandoned his other targets, such as that to treble rail freight or that to double cycling. What is the point of all the new rail investment if people keep missing their train because they are stuck in traffic jams created by the right hon. Gentleman? How dare he claim credit for announcing 100 new bypasses today, when he scrapped so many bypasses just two years ago? Can he explain why he has announced 100 bypasses, although his own publication says that there will be 50 new bypasses? Is that just another bit of spin? Is not the Secretary of State who murdered the roads programme now trying to change his plea to manslaughter? How is he going to stop the Mayor of London cancelling schemes such as the A23 Coulsdon bypass?

Is it not perfectly clear that, after three wasted years, nobody believes a word that the Secretary of State says? After all the White Papers and consultations, glossy brochures and photo opportunities, today is about nothing more than the sliding credibility of the Government and the looming date of the next election. Does the Secretary of State think that the endless spinning of larger and larger telephone-number figures for his plan conveys anything other than the whiff of panic about the Government's lamentable transport policy?

The Deputy Prime Minister has often attacked the spinning and lying of spin doctors and has said:

> We cannot win simply on image and presentation.

However, is he not resorting to that and that alone? In March, he told the House:

> I regret and denounce the leaks . . . and I am doing all I can to prevent them.—[*Official Report*, 7 March 2000; Vol. 345, c. 863.]

Who, therefore, has been briefing the press on the 10-year plan, week after week, for the past six months? The so-called enemy of spin is the king of spin.

This is not real money, but a 10-year plan from a one-term Government who cannot see further than the headlines in tomorrow's newspapers. The plan is a broken policy on the back of broken promises from a broken-backed Secretary of State.

Mr. Prescott: I am pleased that the hon. Member for North Essex (Mr. Jenkin) thanked me for giving him the report, but it is a pity that he did not read it. If he had, he would not have asked half the stupid questions that he did.

There has been some speculation on the number of leaks to which he referred. I treat leaks seriously. [Hon. Members: "Oh!"] The House can make a judgment on those matters. There has been a great deal of speculation, and different figures are given all the time. I have a document—which I shall not call a leaked memo, as it is a paper from the research department of the Conservative daily bulletin—which predicts that I would produce a £130 billion programme. I announced a £180 billion programme, but the research department had a chance to speculate, although it underestimated what I would do. Many other people made judgments about what the total amount would be, and I observed with interest all those different figures. I have brought my figures for the 10-year plan to the House at the proper time.

Mr. Jenkin: Fantasy.

Mr. Prescott: The hon. Gentleman thinks that that is fantasy. However, I did not notice him address himself to rejecting the idea that investment was needed. There was not one word from him to suggest that he rejected the fact that all that money was needed to modernise the transport system. If that sum is needed, on that considerable scale,

representing the greatest investment in rail seen in generations, it is because investment had presumably declined in the past 20 years. I am prepared to concede that no Government have ever found sufficient resources to put into our transport system and I feel that that is because Treasury rules rather limited that investment.

Our plan talks about public-private partnership, which is something that the previous Administration started to do, but we have taken it much further, by getting private contracts guaranteeing investments for a longer period than the one year or three years that one is likely to get from the Treasury. As a public-private partnership will provide that money, I would have thought that the Opposition could at least agree with that.

Mr. Jenkin: Fantasy.

Mr. Prescott: If the hon. Gentleman thinks that it is fantasy, I suggest that he talk to the director-general of the CBI, who is not necessarily known as one of our spokesmen and who announced today that the minimum amount needed for investment in our transport system was £180 billion. If the hon. Gentleman thinks that the CBI is fantasising, I must tell him that it arrived at that view after proper consultation and having listened to its members, who explained what the country needs to improve the economy and the environment to and reduce congestion, which all involve considerable cost. That is the CBI's judgment. Talk of fantasy is just Opposition rhetoric.

On delivery, in three years we have seen, for the first time, a reverse in the decline of our industries. We have reduced the backlog and seen growth in freight and passenger traffic, both on buses and on rail. That was not evident during the 18 years of Tory Administration. As for all the talk about glossy documents, I can say to the hon. Gentleman that I think that long-term solutions are necessary. I have been in the transport industry, and I am fed up with seeing Governments cut back on capital programmes, because those cuts eventually catch up with them. I have tried to introduce long-term planning.

If we want such planning, first we have to get the thinking right, so we issue a White Paper and then we debate it. Then we have to make sure that we have the powers to introduce the measures, and I have done that. This is the third step in three years to get substantial resources, which the Chancellor has been able to give us simply because we made difficult decisions in the first two years, so I am proud to bring this investment to the public—let them judge what is fantasy and what is reality. The election will surely give the hon. Gentleman his answer.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Is my right hon. Friend aware that this first attempt to have a structured transport plan will be warmly welcomed throughout the country not only by all passengers, but by people who use all forms of transport, whether by road, rail, sea or air?

Will my right hon. Friend clarify one or two points? Does his undertaking on the train protection system mean that, if Lord Cullen makes a different recommendation, my right hon. Friend expects to update the equipment in all existing trains? Is he telling us that there will be new lines as well as enhancement on the London underground system? Can he assure us that, in the new round of franchising, the private companies involved in the transport system will not only give undertakings to enhance the bricks and mortar that they own, but make it clear that the passenger is their first commitment, and that, in future, we will have new trains and better services? We shall certainly examine carefully how much transport is financed by the fare box, to ensure that we achieve the right balance.

Above all, does my right hon. Friend accept that, because transport takes so long to bring into operation, it is essential that passengers immediately begin to see much better conditions? They want new systems; they have waited over 20 years and they want those systems to begin operating as soon as possible. This is the first serious attempt to provide that level of care.

Mr. Prescott: I am grateful to my hon. Friend for that welcome. She is right to point out the concern about safety systems on our railways. I have already promised, and announced to the House, that we will implement the recommendations of Sir David Davies that the warning systems should be applied on all lines and that automatic train protection should be introduced for high-speed lines. If Lord Cullen makes further recommendations about the timetable, I will want to consider those seriously and I would be inclined to say that we should adopt them, but the House will understand that I must wait and see what those recommendations are.

I want us to have the safest railway system, and automatic train protection will give us that. Early warning systems will achieve that level of safety more quickly than I could implement automatic train protection, but I await the report of Lord Cullen, who is taking into account the Uff inquiry and Sir David Davies's report on these matters.

On new lines, the London transport plan to which I referred, and on which the Mayor will report in the autumn, considers the new cross-London line, as my hon. Friend knows, and the east London link, which will connect the underground and the surface railway system. I am glad that, through our negotiations, we were able to establish the new channel tunnel rail link, which is in its first phase and is now on budget and on time. We rescued that from collapse when we came into office. The second stage will provide us with a new line, and we are all looking forward to that. So there are new lines, as well as enhancements to the system.

With regard to public-private partnerships, we will lay down targets and keep the passenger in mind as we modernise the system. The passenger has priority in our considerations. We will set tough targets, and tough penalties if they are not achieved by the companies. I am sure that my hon. Friend's Committee will examine the contracts when they are issued.

On new investment, the decision to bring forward the date for removing slam-door stock was a good decision in the interests of safety, and means that the industry can concentrate on the long-term target of securing investment to provide the new kind of trains that we want on our railway system.

Mr. Don Foster (Bath): Unlike the hon. Member for North Essex (Mr. Jenkin), may I on behalf of those on the Liberal Democrat Benches categorically welcome the Deputy Prime Minister's statement? After 18 years of a Conservative Government, public transport was left in crisis and there was massive congestion on our roads.

[Mr. Don Foster]

However, I hope that the right hon. Gentleman will understand the anger and frustration of many at the fact that, in the first three years of a Labour Government, there have been real-terms cuts in investment in public transport. The situation was not quite as the Deputy Prime Minister said—win, win, win, and win again. It was lose, lose, lose, and only now are we beginning to win, and we welcome that.

Can the right hon. Gentleman, first, assure the House that, after 10 years of the plan, he expects that there will be less traffic on our roads than at present? Secondly, given that he rightly said that we need early measures to prove his commitment and to improve people's environment, lives and road safety, such as safe routes to school and 20 mph limits, will the right hon. Gentleman give a clear assurance that the necessary money will urgently reach local government?

Thirdly, can the Deputy Prime Minister explain why he said in his statement that there would be additional money for the maintenance of local roads at local authority level, yet in the comprehensive spending review document issued two days ago, the amount of money for local authority road maintenance remained constant at the current level?

Finally, can the right hon. Gentleman tell the House what assurances he has been given about the security of the important and welcome private finance that he is bringing in, and why, given the Select Committee reports on the PPP for the National Air Traffic Services and for the tube, both of which were rejected, he sees that as the only appropriate way of bringing in private finance?

Mr. Prescott: I thank the hon. Gentleman for his warm support of our document, but I cannot accept his criticism that we made no improvement in the past three years. I tried to highlight some of them. I do not want to repeat them, but they include more services available on the railways—4,500 of them—and 2,000 new bus services in the rural areas. Those are definite improvements, although I acknowledge that we undertook not to spend more than the programme that we inherited.

To be fair, the Tories' programme of expenditure in the first two years after we were elected anticipated a cut of £1.8 billion. We kept those resources instead of cutting them, but that was not sufficient to meet all the demands. We made a choice, which affected the road programme in particular, largely because we took the view that, if we could get the public finances into proper order, we could begin to enjoy the level of public investment that was needed. That decision was right, although it led to some criticism about whether we were doing enough.

The local government transport plans will be presented to me in the next month or so, and I will make a decision in December. The plans will include recommendations for by-passes, of which there are 100. The Opposition spokesman was confused about that. There are to be 50 rural and 50 urban by-passes, making a total of 100. The hon. Gentleman would have benefited from reading the report.

Local transport plans have been allocated £59 billion in the programme, and £30 billion of that is directed towards improving road maintenance. We have caught up with the backlog. After all, when we came to power, we were told clearly, and the view persists, that the condition of our roads was the worst since records were kept. We have cut the backlog on inter-urban roads, and £30 billion out of the £59 billion is for the towns, where great problems exist.

On the point about more cars and more roads, I have made it clear in several exchanges here that the growth in the number of cars and other vehicles on our roads has decreased from 8 to 2 per cent. There is therefore some decline. My job is to find a better public transport system so that people can begin to choose to use their cars less and public transport more. That is behind much of the programme; two thirds of the money that I have announced will go towards improving public transport.

I still maintain that public-private partnerships for the underground and NATS are the best way in which to proceed. I hope that I shall be able to demonstrate that.

Mr. Clive Efford (Eltham): If anybody needed reminding of the reason for the parlous state of transport when we came to power in 1997, the statement of the hon. Member for North Essex (Mr. Jenkin) did that. He had nothing to say about public transport; he did not mention buses once. That demonstrates the Conservative party's attitude to transport and the reasons that we were in such a mess.

I worked in London's public transport service for 12 years. The £3.2 billion that my right hon. Friend has announced today will be most welcome. However, I draw his attention to plans for the East London line, which I also welcome, and the orbital route that is planned around London. That route does not turn eastward towards south-east London. As I never tire of reminding the House, south-east London does not benefit from the London underground. People who travel to central London rely on the rail network, which is overcrowded at peak times. We need alternatives to Network SouthEast for people who travel to central London. With the east London river crossing for the rail link of the East London line, can we also have a scheme for a link to the south-east?

Mr. Prescott: I have some sympathy with the points that my hon. Friend has made to me on several occasions, both publicly and privately. The Mayor now knows the resources that are likely to be available to him, and he can begin to take them into account in his transport plan. There is considerable investment in new lines and in modernising the existing system. I am sure that my hon. Friend's constituents will benefit from that. I tell my hon. Friend to keep pressing me, but also to get on to the Mayor.

Miss Anne McIntosh (Vale of York): May I return the Deputy Prime Minister's focus to rural transport? He set up the Commission for Integrated Transport in July last year; why did not he insist that it held at least one meeting to discuss rural transport? That would have led to positive input in the 10-year transport plan.

As the right hon. Gentleman knows, figures for road safety in North Yorkshire are the worst in the country, not because of the drivers who live there but because of the high proportion of transit traffic on those roads. I make a plea to the Deputy Prime Minister to recognise the rurality and sparsity factors and the additional miles of road that are covered by transit traffic in North Yorkshire.

I appreciate that the details may be in the document, but the Deputy Prime Minister said nothing about detrunking roads. If he is to proceed with his strategy of detrunking rural roads in North Yorkshire in particular, will he give the House a commitment today to give local authorities, in this case North Yorkshire county council, additional funds to maintain roads at a higher standard than currently applies?

Let me consider—

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Lady has had her share of questions.

Mr. Prescott: The House is aware that the hon. Member for Vale of York (Miss McIntosh) has many interests in rural areas. I well understand that, knowing the beautiful part of the country that she represents. She will know that our increase in bus services in rural areas has benefited many parts of North Yorkshire. There was an initial difficulty when the North Yorkshire local authority refused the £1 million that was available to it. The local authority claimed that it did not know how to use it. It has subsequently found ways of doing that. It was a Tory local authority, and I do not understand why it found it difficult to provide good transport services for the people of North Yorkshire. However, I shall continue to make the case.

The roads and the priorities for the areas that we are discussing are under consideration in multi-modal studies and the regional reports. I expect to receive the reports in the autumn and the spring, and I hope to make statements about them later.

Mr. Dennis Skinner (Bolsover): Does my right hon. Friend recall that we had serious discussions about improving the infrastructure in the old coalfield areas, where as many as 2,000 people would have been working down a hole in the ground? To provide a lot of work on the pit top, we needed to ensure that the infrastructure was correct. He might also recall the discussions and decisions regarding proposed junction 29A of the M1, which could provide about 9,000 jobs for three adjoining constituencies in north Derbyshire, where there is not a single pit left after the Tories got rid of them all. Can he give me an assurance that the Government still have that idea on board and that it will be pursued in the 10-year plan?

Mr. Prescott: Yes, I well remember junction 29A, which was greatly discussed in the coalfield communities. We have changed the regional planning guidance for those matters to take fully into account the difficulties that our coal communities experienced after the massive pit closures and the matter is still very much on board. We are reviewing the programmes and I hope to give an answer by the end of this year or the beginning of next.

Mr. Christopher Chope (Christchurch): Amid all the hype, why is the local authority road maintenance budget not increasing?

Mr. Prescott: The sum is £30 billion, which is the highest ever given to road maintenance—considerably higher than when the hon. Gentleman was a Transport Minister. He presided over a transport policy that led to the mess that we are trying correct.

Dr. Howard Stoate (Dartford): My right hon. Friend will be aware that lack of adequate transport infrastructure is a major challenge that threatens the expansion of the economic regeneration of north-west Kent. How will his plans achieve adequate transport infrastructure for north-west Kent while safeguarding the environment and the quality of life of people in my constituency?

Mr. Prescott: My hon. Friend will know from his constituency that there is considerable call for investment, whether in road or in rail, to meet economic demand. His constituency is in an area of important economic development and we are looking closely at the infrastructure. Roads certainly have a part to play in assisting with the process, as does the new channel tunnel rail link. Our road review document, which we announced to the House about a year ago, made the criteria clear—not only economic factors, but environmental, safety and congestion issues have to be addressed. Those are being considered and we hope to make a statement on the regional reports at the beginning of next year.

Sir David Madel (South–West Bedfordshire): The chief executives of the Highways Agency and of the Government office of the east of England have both visited Dunstable to see the huge congestion there. Does the Dunstable bypass feature in the 100 bypasses that the right hon. Gentleman has announced? There is £60 billion for the railways. Will part of it be used to reopen the disused railway line between Dunstable and Luton? If so, that will also be welcomed in the town.

Mr. Prescott: I can well recall individual Members spending a lot of time asking about particular roads during my 30 years as a Member of the House. *[Interruption.]* I am saying that I am trying to take regional and local factors into account. Local transport plans are given to us each year and a five-year plan will be announced after full representations have been taken by December. Those plans will make recommendations for bypasses and roads and I shall consider them. Of course bypasses can play a part on some strategic routes in both rural and urban areas and I shall take representations from the strategic regional review bodies and the development agencies. All that will enable us to identify those roads over the next six months. The 40-odd roads in the preferred programme that I announced to the House are under way.

Mr. Bill O'Brien (Normanton): I congratulate my right hon. Friend on his statement and the work that he does to try to improve this country's transport system. He referred to pedestrians and walkers. Sadly, the Opposition spokesman did not. May I impress on my right hon. Friend the importance of catering for pedestrians in town and city centres? Will he give an assurance that pedestrianisation schemes will be retained, maintained and extended wherever possible? Will he give a further assurance that he will listen carefully to meaningful consultation on his waterways document and develop still further the canal and waterways system throughout the United Kingdom?

Mr. Prescott: Yes, I can assure my hon. Friend that in the transport plans we are encouraging local authorities to undertake more and more pedestrianisation. There is no doubt about pedestrianisation any more although a few years ago a lot of hon. Members protested that it would be bad for business. Most now feel that pedestrianisation

[Mr. Prescott]

is good for cities, good for business and good for pedestrians. We shall have more to say about that in October in the urban White Paper which will deal with improving the quality of life in our cities, and in a separate White Paper on rural areas.

Having watched the development of waterways—I come from a part of the country where there are many—I am pleased that a week or so ago we announced a change in policy, which allows waterways to become part of the urban environment rather than leaving them to waste away. They should not be a liability on the taxpayer, requiring more and more taxpayers' money. In regenerating our urban areas, public and private partnerships have used waterways to open up many of our cities.

The waterways in Birmingham, Leeds and other cities used to be shunned. They were in parts of the city where nobody wanted to go, but they are now at the heart of urban redevelopment and contribute considerably to the quality of life there. It is noticeable that more people are returning to live in cities where that kind of facility has been turned from a liability to an asset. That is another major change that we have made in transport policy.

Mr. Stephen Day (Cheadle): The Deputy Prime Minister will be aware that the previous Government gave a starting date for the completion of the Manchester airport eastern link road, which would have helpfully linked the airport after which it is named. It also gave a starting date for the Poynton bypass to the east. The Deputy Prime Minister came along and cancelled both schemes, which are now subject to a multi-modal study in which we must rehearse the arguments of 20 years of public inquiries on those schemes. Will road schemes subject to such multi-modal studies remain in that position or will they now have some chance of being given the importance that the previous Government gave them?

Mr. Prescott: We decided to finish with the wish list that seemed to dominate an awful lot of discussions in this House, and we chose our priorities and the criteria according to which they would be judged. I can reassure the hon. Gentleman that we are completing the Manchester motorway box—it will be finished by the autumn, I think—and the inner link road, bearing in mind the Commonwealth games that will take place in Manchester. We are also investing £500 million in the light rail system.

The hon. Gentleman asked about the multi-modal studies. Some of those are already beginning to report. The fact that schemes are in multi-modal studies gives them greater priority.

Ms Joan Walley (Stoke-on-Trent, North): May I pay tribute to my right hon. Friend's long-standing commitment to improved transport for the long term? In light of today's announcement, does he plan to review his guidance to local authorities, which may be in the course of submitting their local transport plans based on the sums previously available, rather than the increased public spending that we now have? In terms of minor improvements to highways, can he shed any light on whether more money will be made available for street lighting?

Mr. Prescott: On the last point, I can assure my hon. Friend that extra money is being made available for street lighting. It is an important investment for safety and for crime reduction, both of which cause considerable concern.

My hon. Friend asked whether local authorities will be advised of the extra resources available. The point of today's statement is to give local authorities an idea of the moneys that will be available not only in the first three years, but in the longer term. That will help them with their local transport plans, which will be given to me in line with the White Paper. The plans are to be for five years, so local authorities have a longer-term perspective to meet their transport requirements. That will be good for areas that want to take long-term decisions and have a proper guarantee of investment.

Mr. A. J. Beith (Berwick-upon-Tweed): I welcome the Secretary of State's reference to the A1 and the study that he announced today. Can he assure me that safety factors, which present an overwhelming case for the dualling of that major road, neglected for so many years, will be fully taken into account? Will he bear in mind that his safety targets could be assisted by ending the head-on collisions that lead to deaths and serious injuries on that road?

Mr. Prescott: Yes. The right hon. Gentleman makes a powerful point. I was discussing that matter earlier in his region, and I have brought forward the multi-modal study that we set up and we hope that it will report by next year. His arguments about safety considerations on the southern part of the A1, north of Newcastle, are important, and we are dealing with those. Indeed, I believe that there is an argument for a strategic road for Scotland, although that matter would have to be discussed with the Scottish Executive. It would complete what I would consider to be a natural strategic road running from north to south.

Mr. Lawrie Quinn (Scarborough and Whitby): My right hon. Friend is a frequent visitor to my part of North Yorkshire, and he knows that the legacy of the Conservative party has left transport policy in a total mess. Will he explain to the House how the multi-modal studies on the A64 corridor relate to the regional dimension, and how we can ensure that the regions deliver this policy?

Mr. Prescott: Multi-modal studies take into account the criteria set out in the road programme, such as the economic requirement, environmental considerations, safety and relieving congestion. Safety is a major consideration, especially with regard to the A64. Provided that multi-modal projects meet those criteria and fit into the regional assessment, they will be built and will be given priority. Although road building may be the solution to some congestion problems using a multi-modal approach, some problems may be solved by public transport, and we want to provide both.

Mr. Peter Brooke (Cities of London and Westminster): Given the read across into other integrated transport considerations, what are the Government's plans for new runway capacities in the south-east?

Mr. Prescott: That industry has been growing for a considerable time. The issue is very controversial to say the least. There is considerable capacity in the south-east. We are approaching airport authorities about this matter, which is complicated, as the right hon. Gentleman well knows. In my role as a planning Minister, I will consider the terminal 5 proposal. That has a major effect on the assessments of airports in the south-east. I cannot say more than that, except that the study has started.

Mr. Syd Rapson (Portsmouth, North): May I raise three issues of importance? If the answers cannot be given now, I would welcome an answer later. First, has the Portsmouth light rapid transport scheme been successful? Secondly, will the Department endorse the innovative private finance initiative scheme for roads maintenance, which is a real leader in its field? Finally, the right hon. Member for South–West Surrey (Mrs. Bottomley) and I would be interested to know whether there is any news on the possibility of a bypass in Hindhead.

Mr. Prescott: I have made it clear to those authorities considering their transport plans that we are including 100 bypasses in the programme—50 in urban areas and 50 in rural areas. Some of them are to deal with congestion in the town and some are strategic. My hon. Friend should press his local authority to ensure that a bypass is included in its transport plan. Local authorities have responsibility for improvements in towns and roads through their local transport plans, which include bypasses. *[Interruption.]* I do not know whether the hon. Member for North Essex (Mr. Jenkin) knew that, but he does now.

We are well aware of Portsmouth's application for a light rail system. We are building 25 LRT schemes. The hon. Member for North Essex made a fair point when he said that I had been critical of light railways compared with buses. That is true, but I have since been converted. [HON. MEMBERS: "Ah!"] I am sorry, but I considered the facts and although they are more expensive—which was my criticism—more people would prefer to use a light railway rather than a bus. Light railways are more expensive, and make sense only in certain cities, but we have included 25 such schemes in our programme. I confess to a change of view. What is wrong with that? Is not that what analysis and the use of intelligence is about—qualities not too often shown by the hon. Member for North Essex.

Mr. Michael Howard (Folkestone and Hythe): In view of the additional resources that the Deputy Prime Minister now claims to have available, will he reconsider the need to resurface the M20 between junctions 10 and 12 to alleviate the noise nuisance from which many of my constituents suffer? Will he also undertake to provide a permanent alternative to Operation Stack, which denies the use of the motorway to my constituents whenever there is a delay to cross-channel traffic?

Mr. Prescott: I shall write to the right hon. and learned Gentleman about his last point. There are problems with managing traffic when it is backing up for one reason or another. I understand his point, and I shall look into the matter. Management schemes can make traffic flows much better, and they are almost inevitable in difficult circumstances. I do not have a firm answer at the moment, so I shall write to him.

The right hon. and learned Gentleman mentioned noisy roads, which clearly create a lot of problems. Even a new road that I opened quite recently turned out to be much noisier than expected. Therefore, we have made a commitment to resurfacing 60 per cent. of trunk roads where noise levels are far too high.

Mr. Jeremy Corbyn (Islington, North): I warmly welcome the general thrust of my right hon. Friend's statement and the huge investment in railways and light rail structures throughout the country. As the money that is being invested in railway developments will end up in the ownership of Railtrack, which is not a publicly owned company, what will happen to the capital return that will benefit Railtrack shareholders? What control do the public have over the ultimate destiny of any land currently owned by Railtrack that may be disposed of in future for capital gain? Surely there is a democratic argument that if the public are putting a vast amount of money into the railways, we should have ultimate control over what happens to it.

Mr. Prescott: We have decided to keep the railways in their present privatised form. As I have said in the House, and even at party conferences, to take the alternative of nationalising the railway and finding some £12 billion is not our highest priority in present circumstances. In addition, I am bound to say that the current procedure allows public-private partnerships to discuss a 10-year plan, which could not be guaranteed by the Treasury. At least it is written into contracts—*[Interruption.]* If obligations are not met and the contract is broken, we can take back the resources. That seems quite a clever idea. We are not against good ideas and getting the best value for public money. It is a pity that the Conservatives did not take the same approach in a number of respects.

My hon. Friend referred to the money being put into Railtrack. It is going towards enhancement and new track. The Government sometimes have to provide money in order to encourage people to do certain things. As my hon. Friend well knows, we provide a subsidy—I used to refer to it as the PSO or public service obligation—to the operators, which also goes to Railtrack. We are bound to give Railtrack some public money and we have to make a judgment about whether it is accountable. Accountability is very important. We lay down the conditions and we have a pretty tough regulator now—much tougher than before—to make sure that the public interest is maintained. In addition to a certain amount of public money for borrowing and for public-private partnerships, the modernisation fund of £7 billion will allow us to expand the railway system with greater accountability than at present.

Mr. Michael Jack (Fylde): Many motorists who have contributed to the extra £135 billion of tax in the Government's coffers by sitting in traffic jams on the M6 will welcome the Deputy Prime Minister's commitment to widening parts of the motorway. However, can he clear up a confusion? I received a letter from his Department

[Mr. Michael Jack]

indicating that it will be some two years before the multi-modal study is completed and decisions are made, yet the Deputy Prime Minister seems to be committing to immediate action on the widening of the M6. Can he give us a timetable in respect of the M6? It needs action now.

Mr. Prescott: It is a pity that action was not taken 10 years ago. I do not recall the right hon. Gentleman asking for it then. Some multi-modal studies will be reporting in the next couple of months, but others—of which the M6 is a classic example—are more difficult to conclude. The right hon. Gentleman was a Minister in the previous Administration. They came up with the idea that the only way to reduce congestion on the M6 was to build the Birmingham northern relief road. They took that decision in 1988 and announced that it would be on the west track. Twelve years later, the sod still has not been cut. That road would have helped to reduce congestion, but because there is such a lousy contract I am finding it difficult to force the private sector to face up to its obligations and invest in the Birmingham northern relief road. Hopefully, it will happen. I am doing my best to implement something that the previous Administration tried to do nearly 20 years ago. Hopefully, I shall conclude that shortly. The multi-modal studies will start reporting in the next few months and we will be able to get on with the job.

Mr. Mark Todd (South Derbyshire): May I draw my right hon. Friend's attention to the proposal in my constituency and neighbouring constituencies for reopening the Leicester to Burton line to passenger traffic? Currently, a bid for the project is being deterred by the framework for public finance that is available to support it. Will he meet local representatives to explore a potentially successful bid in the light of his new statement, which promises extra resources?

Mr. Prescott: I take it that my hon. Friend is referring to the Ivanhoe line. An agreement was arrived at between the local authorities, the Government and the people involved in the project. I am well aware that they are asking for more money to be provided. My noble Friend the Minister for Transport will be delighted to meet my hon. Friend to discuss the matter, although I am more interested at this stage in the expansion of the railway system than in arguing about the contract.

Sir Teddy Taylor (Rochford and Southend, East): As we have appalling congestion problems in Southend, and as the newly elected council is wholly in support of a ring road, can the Secretary of State say whether there are any new procedures for the consideration of cases under the new programme? What is the best way for an authority to urge its special problems for consideration for the additional funding?

Mr. Prescott: I do not think that there are new procedures in that sense, except that local authorities and regional bodies are considering local and regional roads and will make recommendations in the next six to eight months. We will then make a judgment on the priorities for roads and what resources we will provide. My announcement today is that more resources are available to meet some of the requirements, but the criteria laid out in our roads programme will have to be met.

Ms Rosie Winterton (Doncaster, Central): As a member of the RAC's public policy committee, may I assure my right hon. Friend that the RAC, as well as the AA, has warmly welcomed today's announcement, and especially the extra resources for road maintenance, bypasses and motorway widening? Will he assure me that he will continue to consult those organisations, so that motorists' views and priorities can be taken into account in the implementation of the plans?

Mr. Prescott: I welcome what the RAC and the AA said. In my three years in office, I have not always had such favourable responses, so I welcome a genuine response from the motorist organisations to what I think is a very good plan.

On consultation, we set out in the White Paper the motorists charter and what we thought could be done to improve things for the motorist, which involved roads as well as vehicles and safety matters, because motorists are pedestrians as much as they are motorists and an overall approach is needed. We certainly intend to consult those organisations. As my hon. Friend will know, a body has been set up in the Department to discuss matters with them, so their views are fed into our transport priorities.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. I have no doubt that we will return to these matters in the future, but we must now move on.

Points of Order

2.8 pm

Mr. Peter Brooke (Cities of London and Westminster): On a point of order, Mr. Deputy Speaker. At business questions, I unintentionally misled the House, and I would like to take the earliest possible opportunity to correct that. I ascribed wrongly to the Prime Minister references to £24 billion yesterday. I know why I made the mistake, but I should not have passed it on to the House. I apologise unreservedly.

Mr. Deputy Speaker (Mr. Michael Lord): There is no need for me to respond to that point of order. The whole House will have heard what the right hon. Gentleman said.

Mr. Eric Forth (Bromley and Chislehurst): On a point of order, Mr. Deputy Speaker. I seek your guidance in the matter of the forthcoming election of a new Speaker, because of the rather unusual circumstances, in that the House will be in recess for a long time and then come back directly to face that election, and because my impression is that there may be a number of candidates. Can you help the House, not necessarily today, but certainly before we rise, by letting us know exactly what procedure will be followed when we come to elect a new Speaker on 23 October?

It is essential for Members, and indeed the candidates, to know the basis on which the resolutions will be put to the House and the sequence in which amendments may be introduced, so that we can make an assessment in the intervening period of candidates and of proposers and seconders, and then of the procedure to be followed. Otherwise, there is a danger that the House will be faced on 23 October with what might amount to a lottery, which would not be in the interests of the House, its Members or our future Speaker.

Mr. Deputy Speaker: I am grateful to the right hon. Gentleman for giving notice of his helpful suggestion. The Speaker is giving the matter careful consideration. I have been asked to assure the House that Members will be given clear advice in good time about the procedures to be used on 23 October.

Mr. Jeremy Corbyn (Islington, North): Further to that point of order, Mr. Deputy Speaker. You mentioned that the Speaker would give us clear advice in good time. Could I ask you to address the Speaker on the subject to ensure that we have clear advice given to us before the House rises for the summer recess? Could consideration be given to a more democratic and open procedure than the current one, under which a person is nominated and faces a series of Divisions with any other candidate? Is there anything wrong with having an election? The rest of the country does—why not have one here?

Mr. Deputy Speaker: At this point I cannot add to my earlier statement. The House will note the point made by the hon. Gentleman.

Mr. John Bercow (Buckingham): Further to that point of order, Mr. Deputy Speaker. I, too, seek your guidance. As the forthcoming election is a matter for the legislature and not the Executive, and in view of growing concern that the Government Whips will seek to browbeat people into voting for their preferred candidate, can we have guidance on the possibility of ensuring that the election will be conducted by secret ballot?

Mr. Deputy Speaker: Order. As I understand it, these matters are all laid down in the Standing Orders. As I have said, Members will be given clear advice before the date concerned.

Mr. Ian Bruce (South Dorset): On a point of order, Mr. Deputy Speaker. I spoke to the Speaker in the Chair earlier, and I am aware that she does not take points of order during proceedings. However, I would be grateful if you could refer this matter to her. Today, as is normal practice, the Chancellor decided to answer two questions at the same time. He gave notice of that to my hon. Friends the Members for Congleton (Mrs. Winterton) and for Guildford (Mr. St. Aubyn). The two questions were dissimilar, except that they did deal with the issue of the single currency. The House will see from *Hansard* that the Chancellor did not attempt to answer the second question at the same time as the first and appeared, by a device, to avoid taking that individual question.

Mr. Deputy Speaker: Order. I have heard enough from the hon. Gentleman to understand his point of order. He well knows that the Chair does not have responsibility for ministerial answers.

Mr. Bruce: Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I have dealt with that point of order.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Deputy Speaker. Reverting to the points of order on the subject of the election on 23 October, one of the problems is that the Procedure Committee met after the last election in 1992, when there was a proposer and an amendment and the amendment in the name of the current Speaker was successful. Arising out of that, on Wednesday last, I sought the advice of the Clerk with a view to seeing whether the Procedure Committee had made any recommendations for change, because of concern at the time that at least one candidate—a previous occupant of the chair as Deputy Speaker—was not allowed to stand. It seems that the Procedure Committee has discussed the matter, but has come to no conclusion, other than that we will carry on with the current procedure. The Speaker should look into the question of how to overcome the Procedure Committee's recommendation because there is no doubt that there is a groundswell of opinion in the House that there should be a multi-choice election in which people can vote openly for their candidate.

Reference was made earlier by the Opposition to a secret ballot. We do not want secret ballots in the House of Commons. Every single vote that is cast in the House of Commons is cast in the Lobby so people know exactly how we have voted. I find it fanciful that a Tory Member is now recommending secret ballots in the House of Commons.

Mr. Deputy Speaker: I have listened carefully to the hon. Gentleman's point of order. I do not think that I can

[Mr. Deputy Speaker]

add to the response I gave initially to the point of order. I am sure that everybody will have heard the points that have been made.

Mr. Ian Bruce: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is it a different point of order?

Mr. Bruce: Well, it is the point—

Mr. Deputy Speaker: No. I have dealt with that point.

Mr. Bruce: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is it a different point of order?

Mr. Bruce: It is a different point of order.

Mr. Deputy Speaker: Entirely different?

Mr. Bruce: It is entirely different because it is the original point that I wished to make.

Mr. Deputy Speaker: If it is the original point, it can hardly be a separate—*[Interruption.]* Order. If it is the original point, it can hardly be a separate point of order. I have already dealt with the hon. Gentleman's initial point of order and I am not prepared to listen to him any further on that point.

Mr. Bruce: On a completely different point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. We must now move on to the main business.

Public Expenditure

[Relevant document: The Minutes of Evidence taken before the Treasury Committee on 10th May (Spending Review 2000), HC 485-i.]

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jamieson.]*

Mr. Deputy Speaker (Mr. Michael Lord): May I advise the House that Madam Speaker has placed a time limit of 15 minutes on all Back-Bench speeches?

2.16 pm

The Chief Secretary to the Treasury (Mr. Andrew Smith): I commend the spending review and the White Paper to the House, but let me start on a note that I hope the shadow Chief Secretary to the Treasury and his right hon. Friends will endorse. I doubt whether they will find much else in my speech to endorse, but anyone who has seen from the inside the phenomenal amount of work that goes into a public expenditure review will know just what a vote of thanks we all owe to the officials, who often work long hours under pressure to meet the demanding deadlines of such an extensive exercise. We see here the civil service and the Treasury at their best.

As well as policy advice, we have all the energy and dedication that goes into administration, co-ordination and information. Without it, we could not complete a spending review and Parliament and the public would be denied the quality and objectivity of information necessary for informed debate. I place on record our thanks for the high standard of that enormous effort.

The political choice, though, is ours. The Government have made our choice, built on a solid foundation of stability. We have chosen to make a prudent investment to improve key front-line services and to upgrade our infrastructure.

With Labour, people know that those who need care will get better care and that children and adults will be helped to achieve higher standards in education. We are strengthening the hand of the police in fighting crime and making our communities more secure, improving our transport system and tackling the drugs menace. So when we now commit to real average increases of 5.7 per cent. in health, 5.4 per cent. in education, 3.8 per cent. in policing and 20 per cent. in transport over the next three years, we are addressing the public's priorities for better health care, properly equipped schools, less crime in the estates and elsewhere, and better journeys to work and to shops.

We have no doubt that, building on the progress that we have already made, people want to see investment in these and other front-line services. The challenge for the Conservative party is to say where it stands. What is it that it is guaranteeing?

Not so long ago, the shadow Chancellor of the Exchequer was keen on guarantees. On GMTV three months ago, he said of the tax guarantee:

> It is a guarantee of honesty.

Just three months later, refusing to answer five times the question of where he would cut spending, what did the man who had made the guarantee his hallmark of honesty say?

I'm not getting into the business of guarantees.

Mr. John Bercow (Buckingham): Given that the right hon. Gentleman has already admitted that he is this year spending £20 million on the national handover plan, and the further evidence from national health service trusts that an extra £95 million is being spent on proposed conversion to the euro, is he proud of the fact that he is plotting the abolition of our national currency with resources that would otherwise pay the annual salaries of 7,500 nurses?

Mr. Smith: With the huge investment going into information technology and computers it would be foolish not to make the alterations which have to be made. It is no change on the plans and policies that we have announced on this for the future. The hon. Gentleman and his hon. Friends must tell us where they will find the £16 billion of cuts. Not from that, evidently. He, the shadow Chancellor and the rest of them claim that our spending settlement is unaffordable, but they refuse to say where their cuts would fall.

The other night I had some sympathy for the right hon. Member for Wells (Mr. Heathcoat-Amory), who was left forlornly to wander the television and radio studios with no intellectually coherent argument whatever to make against the shadow Chancellor's statement. After all, it follows arithmetically that if the Tories are saying that public spending should grow at 2 per cent. instead of 3.3 per cent., they must be committed to cutting our programme by at least that £16 billion. The Tory research department has accepted that figure in this helpful document. Hon. Gentlemen must now tell us where that axe will fall.

The document takes us some way further forward. It helpfully includes at the end a table, by region, of where £16 billion of cuts, allocated in proportion to taxpayers, would come. It would be £1.8 billion in London, £3.84 billion in the south-east, £606 million in the north-east, £1.4 billion in Scotland and £714 million in Wales. Let Tory Members put on record today for all their constituents to see where they would cut health, which schools would go without and which bits of police spending they would hack back.

The Tories are frightened to do that because they know that it would be unpopular. They try to have it both ways and to con the electorate. That comes out most clearly from the model news releases and briefs, again helpfully prepared by the Conservative party research department, which suggests that hon. Gentlemen use them. I cannot see many hon. Members clutching them this afternoon, however. They are obviously embarrassed by the product of their research department.

Let me show hon. Gentlemen which one I am looking at. It is this one. It provides some further information, but it is hardly profound stuff from the party of "lower but better" spending. It says of transport:

We believe transport is important . . . We want to get more money into transport.

It says of agriculture:

We believe agriculture is important . . . We also want to get more money into rural Britain.

It says of education:

We believe education is important . . . We want to get more money into education.

So the document goes on. Even on social security it has the nerve to say:

We believe social security is important.

Mind you, Mr. Deputy Speaker, it also says:

We believe all the areas covered by DCMS are important.

It is clear from the documents that on education, transport, law and order and the public services, the Tories do not commit to the investment that we are making. They cannot do so because, they argue, our spending plans are somehow imprudent or unsustainable. They are wrong on both counts.

Mr. Richard Livsey (Brecon and Radnorshire): The Chief Secretary rightly castigates the Conservative Opposition for their wish list and the £16 billion hole in their budget. Will he tell me whether there were discussions prior to the settlement on public expenditure about public expenditure match funding to go with European objective 1 funding for Wales? We are grateful for the European public expenditure survey cover, but we do not appear to have public expenditure for match funding.

Mr. Smith: I find those remarks surprising, given the warmth of the welcome for our spending review announcement and the benefit that it brings to the objective 1 areas in Wales and the regions. The 5.4 per cent. real increase for Wales, as well as the objective 1 public expenditure cover which we have provided, will more than facilitate match funding and enable west Wales and the valleys to benefit from objective 1 funding to the full.

I was dealing with the Opposition's argument that our plans are imprudent or unsustainable. We have put these plans forward on very cautious assumptions. The assumption of 2¼ per cent. growth is based on the figures published in the Red Book. These assumptions are tested against trend output, which is 1 per cent. lower than that. It is there for all to see, on page 8 of the spending White Paper, that even if growth were lower, we would meet the golden rule.

These cautious assumptions on growth, unemployment and market expectations of interest rates have all been audited and confirmed as reasonable and prudent by the National Audit Office. They are affordable within the Budget arithmetic in the Red Book, which shows the tax share of GDP falling and which the shadow Chancellor endorsed the day after the Budget when he said:

The Red Book, which is the document that accompanies the Budget . . . shows that the Government expects the tax burden to fall during the next Parliament, which is exactly what we expect.

These plans are sustainable because of our cautious assumptions and because we have sorted out the public finances, so that not only is debt interest £5 billion a year lower than it was, and not only are we meeting the golden rule, but the projected current surplus goes from

[Mr. Smith]

£14 billion this year to £16 billion, £13 billion, £8 billion and £8 billion, with net borrowing lower in every year than in any year of the last Parliament.

Mr. Michael Fallon (Sevenoaks): The Chief Secretary described all these assumptions as cautious. What does he say to Goldman Sachs's assessment today that as a result of the public spending plans interest rates will be higher and the pound stronger?

Mr. Smith: The spending plans entirely meet the conditions that we set out in the Budget settlement. They therefore reflect that locking in of extra fiscal tightening. They are entirely within the envelope on expenditure—the 2.5 per cent. increase in current spending, and the doubling of investment as a proportion of GDP from 0.9 per cent. to 1.8 per cent—which we set out at the time of the Budget. There is thus no reason to expect the judgment on the macro-economic fiscal fundamentals to have changed since the Budget. These are prudent, sustainable plans both because we comply with our golden rule and, as I have explained, because we have straightened out public finances. This is prudent spending; it is spending for a purpose.

When the Tories were in Government, from 1979 to 1997, 42p of every extra pound they spent went on debt interest and social security. We will spend only about 17p in every extra pound we spend on debt interest and social security. More than 80 per cent. of our extra spending, then, goes to front-line services and investment.

The Tories do not have a leg to stand on with their claims of unaffordability or unsustainability. No matter how hard the shadow Chancellor wriggles around on spending, he cannot escape the logic that he would cut our plans, thereby putting a £16 billion axe to our crucial public services.

Caroline Flint (Don Valley): My understanding is that during the course of the Finance Bill, the Conservatives asked for concessions to the tune of £4 billion. Rather than £16 billion-worth of cuts, therefore, would the figure not be nearer £20 billion?

Mr. Smith: My hon. Friend is entirely right: the Conservatives crank this up by the day. They made spending commitments for an extra £4 billion during proceedings on the Finance Bill, and their document outlines all the extra spending that they say they want to put into services. That all adds to the figure of £16 billion, which is the logical consequence of moving from 3.3 per cent. expenditure growth to 2 per cent.

The Conservatives' position is unsustainable, and it will not be believed by the British public. With their record of broken tax promises, mounting debt, mass unemployment, inflation, and boom and bust, they cannot be trusted by the British people again. Their position is in clear contrast to ours—we want stability, investment, quality public services and a rebuilding of our country. With this review, the Government have made clear the next stage in the renewal of Britain.

Mr. Geraint Davies (Croydon, Central): I note from studying the statistics that the cost of unemployment benefits will have fallen by 40 per cent. by 2001–02 from the time when the Government took hold of the economy. Does my right hon. Friend think that the Opposition will target expenditure cuts on social security? Where do they intend to make these cuts? Will they come from families, children, pensioners and people with disabilities? Even if the Conservatives squeezed the poorest as much as possible, they would have to go even further in cutting expenditure on health, education and front-line services. There is no place to make the sort of cuts they want, and the British public need to know that.

Mr. Smith: My hon. Friend is absolutely right. The Conservatives could not find that scale of spending cuts in social security which, along with debt interest, consumed 42p in every extra pound that they spent throughout their period in Government. It was actually 55p in every pound when the shadow Chancellor was Chief Secretary to the Treasury.

My hon. Friend is also right about the benefit to the fiscal position, as well as the incalculable benefit to individuals and their families, of the 1 million extra people we have got into jobs. That contributes £3.5 billion to our fiscal position, just as the savings on debt interest contribute some £5 billion. We are able prudently to undertake this investment because we have saved on the costs of unemployment and on that millstone of debt that the Conservatives strung around our neck.

The review represents movement through to the next stage in the renewal of Britain. Our first priority was to build a platform of economic stability, which is a crucial precondition to achieving stable and steady growth in a modern economy. We made tough choices to sort out the public finances. Our next goal was to provide employment opportunity for all—to get more people into work than ever before. With the help of the new deal, by making work pay, there are now 1 million more people in work than in 1997. Indeed, there are more people in work than ever before.

Now, as we maintain a platform of stability and continue to create new employment opportunities, we are investing in the future of our country—its public services, its infrastructure, its skills and its people. We are tackling that legacy of neglect, the years of underinvestment and the damaging short-termism. Tackling that was never going to be easy—we never said that it would be—but we are doing it and we are determined to build a Britain where there is opportunity and security for all.

What does the Conservative party want to do, apart from wielding its £16 billion axe? It wants to return us to the short-termism that saw our public services, infrastructure and skills base fall into decline and led our economy into boom and bust and stop-go. The shadow Chancellor has confirmed that approach. He told Sir David Frost that he would plan "year after year". The right hon. Gentleman plainly opposes setting out three-year plans; he claims that they are unsustainable. He is not getting into the business of guarantees; he would plan year by year. That would move Britain back to chronic short-termism—the boom and bust, the excesses, the unemployment, the high inflation and high interest rates, and everything else that did so much damage to our country before.

By contrast, we are moving Britain closer to our goal of opportunity and security for all. We are laying the foundations for the future—foundations for increased

productivity, a faster, integrated transport network, a renewal of Britain's neglected science and research base, and the investment that will modernise our schools and hospitals and give the police the increased resources that they need to crack down on crime.

What is more, our new spending plans are about delivering employment and education opportunity for all, building on the success of the new deal and our other policies that have helped more than 200,000 young people into work and cut youth unemployment by more than 70 per cent., just as we have cut long-term unemployment by more than 60 per cent.

As we take the next steps towards our goal of full employment, we recognise the importance of education and lifelong learning as the surest route to employment and employability. That is why education spending across the United Kingdom will grow by 5.4 per cent. over the next three years. Indeed, with the additional resources provided for education at the time of the Budget, over the four years to 2003–4 education will benefit from an annual growth rate of 6.6 per cent. in real terms—the largest sustained investment in our country's education for more than 50 years. In fact, over the five years covered by the Government's two spending reviews, education spending will have risen by 33 per cent. in real terms—more than it rose in the entire period of the Tory government, from 1979 to 1997. That is money for schools, teachers, books, new equipment—investment to give our children the best start in life.

Education cannot be limited to the few. In the 21st century, the need to learn new skills will be very important to adults who want to get on and make the most of their talents. We must tackle the scandal of the 2 million adults in Britain who have literacy and numeracy skills equivalent to those of a seven-year-old. That is why the settlement makes a commitment to investment in adult basic skills and education.

With extra resources comes the responsibility to deliver results. This spending review is not only about the amount of money that each Department will get, because with each allocation will come public service agreements to achieve real improvements in all our services. In education, we have set the target of increasing the percentage of 16-year-old pupils obtaining five or more GCSEs at grades A to G, including English and maths, to 92 per cent. by 2004, from the 86 per cent. that it was in 1997. These are resources for results.

Mr. Phil Willis (Harrogate and Knaresborough): I am grateful to the right hon. Gentleman for giving way, and I apologise for arriving late for the debate. Does the Minister agree that the real challenge in our education system is not to raise the number of five A to C grades achieved but to deal with the 9 per cent. of young people who, under this Government, as under the previous Government, leave school with no qualifications and have no jobs or training? What target is the Minister setting for those young people? That is how people will judge the success of the Government's education policy, not by an arbitrary target of obtaining five or more grades at A star to C.

Mr. Smith: We are doing those things. There are targets for the numbers who will gain qualifications. We want to lever up the performance of those who leave school with no qualifications. We are introducing education and maintenance allowances and giving extra help to those who have been denied it in the past. In our overall settlement, moreover, there is a particular concentration on the most deprived areas, which is where the problems of underachievement to which the hon. Gentleman refers are most acute.

Our next objective is to build responsible and secure communities across our country, where everyone has the opportunity to participate. In his statement to the House yesterday, my right hon. Friend the Home Secretary announced that he will tackle crime, with increases in spending over the next three years of some 3.8 per cent above inflation—money to recruit more than 4,000 police officers and to ensure that they are fully equipped with the latest DNA technology and modern communications, so that they can provide the service that every member of the community wants.

In return, the Home Office will meet its public service agreements; car crime will be cut by 30 per cent., burglaries by 25 per cent. and robberies in our major cities by 14 per cent.

Mr. Tim Loughton (East Worthing and Shoreham): In the event that the Home Office fails to meet those public service agreements, will its funding be cut? Will the Home Secretary have to come to the House to announce that the 4,000 promised policemen will not be funded?

Mr. Smith: The appropriate response in any instance of Government or agency policy underperformance is, first, to analyse properly the variations in performance and to adopt good and accurate measures of efficiency. Recently, the public services productivity panel published proposed measures of efficiency on that very issue.

Secondly, those measures should be applied, with a proper strategy to lever up standards of performance; resources should be available in return for performance and there should be graduated intervention—from improving strategy to changing personnel. That will be a crucial test of the efficacy of our investment. That is why we have set out performance targets in the spending review White Paper.

Mr. Bercow: Will the right hon. Gentleman give way?

Mr. Smith: I have given way several times; I am anxious to make progress.

We have announced plans for a neighbourhood renewal fund; £100 million, and thereafter £300 million and £400 million will be allocated to raising the quality of life in our most deprived areas. That crucial dimension of our settlement again sets us so much apart from the Opposition. When they were in government, they showed every sign of not caring for the poorest and most disadvantaged communities. The previous Government were content to tolerate conditions that they would not have wanted for themselves or any member of their family. That is why the Labour Government are investing in public services for all. We want to narrow the gap between the most disadvantaged in our community and the rest. The neighbourhood renewal fund will make an important contribution to that.

Mr. John Wilkinson (Ruislip-Northwood): Will the right hon. Gentleman give way?

Mr. Smith: No. I want to make some progress.

[Mr. Smith]

Strong communities must mean healthy communities. On Tuesday, my right hon. Friend the Chancellor confirmed the allocation for our health service announced in the Budget: an average 6.1 per cent. real-terms increase—more than double the rate of growth achieved by the previous Government. Next week, my right hon. Friends the Prime Minister and the Secretary of State for Health will give more details of our vision for Britain's health. The resources are in place. The investment is committed. Our communities—individuals and their families—are benefiting from a commitment by the party that created the NHS, believes in the NHS and invests in it.

Our next objective is to raise Britain's productivity and to provide enterprise opportunity for all. For too long, the under-investment that has plagued our science and research base has hindered the development of our economy. The failure to match enterprising and innovative talent with resources has set Britain back. We have announced a major package of resources, covering every part of the country, to improve our productivity and to extend new enterprise opportunities so as to rebuild Britain's reputation as a global leader in scientific research. The spending review provides a real-terms increase in funding of about 5 per cent. a year until 2003-04, to improve our science and engineering base. That includes the £1 billion science research investment fund set up in partnership with the Wellcome Trust.

The plans announced this afternoon by my right hon. Friend the Deputy Prime Minister are crucial to our economic performance. We are doubling public sector investment in our transport system. In a modern economy, work force mobility is a key driver for economic success and increased productivity. By sharp contrast with the short-termism of the Conservatives, the initiatives set out today will make Britain a better place in which to do business, with a modernised infrastructure and better-quality public service provision.

I realise that there will be a time limit for Back-Bench speeches, so I shall draw my remarks to a close. In summary, the investment announced in the spending review is not only for individual initiatives or Departments; it will prepare our economy and our country for a new role in a modern world. Our approach is forward looking—based on stability and built on our fiscal rules. We are investing in our public services and in our science and skills base. We are strengthening our communities and our infrastructure and building a Britain where there is opportunity and security for all.

The policies of the Opposition are in complete and evident disarray. The Opposition have failed the most elementary economic tests. They failed to recognise the need to invest; they failed to see the damage that their policies did in the past and would do again, if they were given the chance. They divided Britain with cuts to services, underinvestment, short-termism and boom-bust—the same old mistakes from the same old Tories.

Our priorities are clear: investment in our infrastructure, in our skills and research base, in education, in our communities and public services. Those are investments not only in individual services, but in the well-being of our whole economy and society and in our country's ability to succeed in today's global economy.

While recognising that to flourish we must invest in our infrastructure, we realise the importance of investment for the long term, within prudent limits and supported by the fiscal rules that guide our planning at present as they will continue to do in the future. Those are the guiding lights of our economic approach and of the spending review.

The Government have made their choices: between stability and the stop-go of the Conservatives; between employment opportunity and unemployment; and between investment and public service cuts. Our choices and priorities reflect the priorities of the British people. I commend the spending review to the House.

2.48 pm

Mr. David Heathcoat-Amory (Wells): On Tuesday, the Chancellor drew a large cheque on the future. The figures are already disintegrating. Yesterday, the Institute for Fiscal Studies pointed out that the Chancellor's calculations were based on a hypothetical figure and that the figure of £43 billion was not meaningful. That was the amount that the Chancellor boasted would be allocated to front-line services.

If we compare last year with 2003–04, the real figure for the total increase in public expenditure is no less than £99 billion. That is almost 12 digits—a telephone number amount. It is a colossal amount and wholly unsafe.

That figure is not merely an aspiration. The Government are making an irreversible commitment to spend those sums over the next four years. Whatever happens to the economy, whatever happens to the global economy and whatever happens to the business cycle, the Government are locked into an expenditure commitment of that scale, way above their own projected growth rate for the economy.

It is not surprising, therefore, that the Bank of England has taken fright. It was told of these figures in advance, and the minutes of the last meeting of the Monetary Policy Committee record the fact that many of its members believed that if this was attempted, interest rates would have to rise in future. *[Interruption.]*

Mr. Deputy Speaker: Order. We cannot have these interventions from a sedentary position. The House listened very carefully to the Minister and it should do the same now.

Mr. Heathcoat-Amory: Thank you, Mr. Deputy Speaker. Labour Members may not like these facts, but they are going to listen to them because they are all based on the truth—either the figures in the Government's own document or comments by respected independent outsiders.

Mr. Andrew Smith: A few minutes ago, the right hon. Gentleman plucked out of the air the figure of £99 billion. Does that mean that he will cut £99 billion, or will he keep the cuts to the £16 billion that we have identified so far?

Mr. Heathcoat-Amory: I shall discuss the question of the year 2004, but before I discuss the expenditure that we shall be undertaking in that year, I shall discuss what the Government have been spending and taxing in the last three years. Let us look at the record; let us read the book before we attempt the crystal ball.

What we do know, beyond dispute, is that it is the taxpayer, particularly the poor taxpayer, who will have to end up paying for all this. How do we know that? Because it has all happened already, despite all the pre-election promises. We remember the Prime Minister saying that he had no plans to increase taxes at all. That is what he said before the election. It was never disputed, it was never contradicted and it was never corrected at the time. Despite all that, we have since had four Budgets, all of which have put taxes up. Road transport, savings, marriage and housing—they have all gone up, and in the Finance Bill, which the House debated last night, there is a new tax, the energy tax, which will be paid by all businesses from April next year.

What is really scandalous about this series of tax increases is that they are very often targeted on the poorest people in the country. In 1997, the Government abolished dividend tax credits. It is bad enough that that means taking £5 billion out of pension funds every year, which has led to a collapse in the savings ratio—which the Government do not dispute.

However, the terrible effect has been on some individuals—but not higher rate taxpayers, who were all protected against that particular tax increase. It is the non-taxpayers—the non-taxpayers relying on small savings—who now get no repayment. The Chief Secretary obviously finds that amusing. I invite him to do what I have done, which is to talk to one of my constituents, a Mrs. Pratt, who has written to me from Glastonbury. She has described how, last year, she received a tax repayment of £583; this year, she is not eligible for that. She actually has to make a tax payment.

Mrs. Pratt is 87 years old; she is blind and she is disabled. She has asked me to ask the Government why they are doing this to her. If the right hon. Gentleman wants me to debate mythical expenditure cuts in four years' time, I will go down to Glastonbury with him to tell Mrs. Pratt about our expenditure plans—if he guarantees to explain to her why he has taken £600 out of her income. That is the deal that I offer.

I also have a letter—I cannot be alone in having been written to by many constituents suffering in this way—[HON. MEMBERS: "You are not."] We have the example of Mr. Brian Speakman, who says that he wrote to the Chancellor—he has not had a reply, of course—asking how he had

> the audacity to claim that this
>
> child
>
> tax credit replaces the married couple's allowance.

He explained how he would lose approximately £20 a month from his small pension. He finished:

> I find that as a lifelong socialist, an ex Labour party member, with a son who is a Labour councillor . . . my vote will go elsewhere

in future. Those are real examples from real people.

Mr. Bercow: Do not both the record of the Government to date and their plans for the future underline the wisdom of what Lord Hattersley wrote in *The Guardian* on 13 March 1995? He observed:

> Labour now has a clear choice. It can either be the party of higher taxes and proud of it or it can be the party of higher taxes which it is ashamed to describe, afraid to admit and incapable of calculating with any accuracy. It cannot be the low taxation party.

Mr. Heathcoat-Amory: My hon. Friend is absolutely right, and the Labour party, when it does not find taxing poor people in this way funny, is in denial about it. The fact is—I am grateful to the Library for this figure—that the typical working family in this country is now paying an extra £670 a year. That is the record; so before we speculate about the future, let the Government admit that that is what they have done to working people in this country. After four Budgets in which the Government have done that, we may now be in an election year, so the Chancellor has gone on a spending spree.

Mr. Geraint Davies: Is the right hon. Gentleman aware of the regular Institute for Fiscal Studies reports after each Budget which show the distributional impact of each Budget? Is he aware that they show consistently for every Budget, and on aggregate for all the Budgets, that the bottom deciles of the population are consistently better off? Does he agree that when one looks at the distribution, it becomes clear that the bottom fifth in particular are much better off, and in fact no one is worse off? That has consistently been the shape of the distribution. That is in sharp contrast to the sort of things that have been thrown around in this Chamber in the last few days.

Mr. Heathcoat-Amory: That is flatly untrue. The bottom decile has actually had the biggest tax increases. On the question of figures, why have the Government dropped the previous Government's practice of publishing on Budget day the impact of all the taxes, direct and indirect, on typical households? We did that, and they dropped it. The Select Committee on the Treasury drew that to the Government's attention, without result.

Mr. David Ruffley (Bury St. Edmunds): Does my right hon. Friend agree that the hon. Member for Croydon, Central (Mr. Davies) has completely misrepresented and distorted the IFS figures? The IFS makes it perfectly clear that the bottom decile figures to which he referred exclude housing benefit. Does my right hon. Friend agree with that?

Mr. Heathcoat-Amory: Yes. We are just hearing more of the fiddled figures, and I am disappointed that the hon. Member for Croydon, Central (Mr. Davies) has fallen for his own propaganda on these matters.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): We heard earlier about the lady from Glastonbury, and of course we all know that in our constituencies there are individual examples of gainers and losers. However, will the right hon. Gentleman say generally for elderly people how many losers there are, and will he compare that figure with the number of elderly people who now qualify for the minimum income guarantee and the number of working families who now qualify for the working families tax credit? I believe that something in the order of more than 1 million now qualify for the working families tax credit.

Mr. Heathcoat-Amory: The elderly lady who is my constituent is not at all unusual. What is more, the hon. Gentleman had an opportunity to help her, because we specifically raised that issue during consideration of the relevant Finance Bill when the dividend tax credit measure was taken through, and we gave the hon. Gentleman an opportunity to vote against it, which he failed to do. That is one of the points that I shall be making to Mrs. Pratt. The governing party just does not

[Mr. Heathcoat-Amory]

care. It has taken £600 a year away from her, and all that the hon. Gentleman says is that other people are better off. That is not the way that she sees it, down in Glastonbury.

In assessing the comprehensive spending review that the Chancellor announced on Tuesday, we are entitled to look back at the other spending review—the one that the Government announced in July 1998, two years ago. We recall that the Chancellor promised an extra £19 billion for education and an extra £21 billion for health—an extra £40 billion in all. We know now that that has not worked. We have longer waiting lists, larger classes in secondary schools and fewer policemen. I think that the Government are learning that it is easy to tax. Indeed, that is the easy part of politics, and that is what the Government are good at. It is difficult, however, to turn people's money into the services that they want. That is a skill that the Government have yet to master.

It is hardly surprising that that observation is shared on the Opposition Benches and by the Chancellor's constituents. ICM conducted a poll of the right hon. Gentleman's constituents on Tuesday night. It revealed that 72 per cent. of his constituents said that they did not believe the spending figure that he promised for the future, the reason being that 79 per cent. of them said that public services were not improving. They have seen tax increases, but not an improvement in public services.

Mr. Christopher Leslie (Shipley): When will the right hon. Gentleman tell us about his guarantees?

Mr. Heathcoat-Amory: In answer to the Chief Secretary, I said that I would describe what we might be doing in office in four years' time. I shall start by sharing with the hon. Member for Shipley (Mr. Leslie) the Government's record over the past three years. I can tell that he does not like it, but he voted for it and he must live with it.

We all agree that some things have increased since 1998 in the most recent expenditure review. For example, crime has increased. The number of political advisers employed by the Government has increased; in fact, it has doubled. It is probably double the number of leaks coming out of Downing street. The cost of central government is eloquent on Labour's priorities in office.

I refer the House to another Government publication in April entitled "Public Expenditure", which shows that the cost of running central government Departments, which was static or slightly falling in the years of the previous Conservative Government, has increased since then by more than £2 billion. There is the example of the Inland Revenue, which is in a bit of trouble for having wiped off its computer 5 million tax records. We do not know what has happened to them. Rather lamely, the Inland Revenue says

> We haven't lost the records, we know they are in the system somewhere.

However, it cannot retrieve them.

That is the same Department that has employed an extra 12,500 civil servants. That is not explained by the new responsibilities that it has taken over from the Department of Social Security. The net increase in employees in all Revenue departments is thousands. From the point of view of the taxpayer, that is entirely unproductive. The size and wealth of the state is increasing, but the wealth of businesses and taxpayers is not.

In addition, there is all the wastage, all the quangocracy, all the regional assemblies, the cultural consortiums, the taskforces and the bogus consultation exercises that the Government set up and then ignore. However, there are some things that are not in the comprehensive spending review documents. Where is the cost of converting to the euro? We know that the Government are committed to it, but where is it in their estimates?

Mr. Roger Casale (Wimbledon): We have heard arguments before from the right hon. Gentleman about the cost of the changeover plan and the cost of central Government, for example. But does he agree with the right hon. Member for Kensington and Chelsea (Mr. Portillo), the shadow Chancellor, who has said that all the extra money spent on public services is money unwisely spent? If he does, will he come with me to Wimbledon to identify where he thinks that the extra money is being wasted or spent unwisely? For example, is it being wasted on the new accident and emergency unit at St. Helier hospital or on the refurbished Hillcross middle school? Is it not more sensible to spend public money—taxpayers' money—on investing in public services such as health and education, rather than on the cost of social failure and rising Government debt, as was done under the Tories?

Mr. Heathcoat-Amory: Yes, of course I agree with the hon. Gentleman. That is where we want to spend the money. I was saying that that will not happen if £3 billion is diverted into a national handover plan for the euro. We do not know the figures because the Government will not disclose them. In written questions, I have asked for the estimated costs of changing over to the euro. The Government say that they have no idea, even in the public sector. So outside estimates have been made by Chantrey Vellacott, an accountancy firm. It has come up with a figure of £36 billion for the economy as a whole. That includes more than £3 billion just for central Government Departments. It said that it was difficult to make an estimate

> because of the lack of information we were given from government departments.

That being so, it took a cautious approach.

The Government are committed to something but they do not know what it will cost. Apparently it is not in their estimates—but perhaps it is. We should be told. Either the Chancellor does not believe that it will ever happen so it is not in his estimates or he believes that it will happen and has budgeted a sum for it. If so, where is it?

Mr. Nicholas Soames (Mid-Sussex): Is my right hon. Friend aware, on the important point about the changeover plan, that in France and Germany, where large sums of public money have been spent on the changeover, the Commissioner with responsibility for the euro said the other day that despite these large sums, the effect appeared to be negligible? If a large sum is being spent to no great effect, does my right hon. Friend agree that it should be accountable through the Public Accounts

Committee or the Select Committee on the Treasury so that the House may examine with great care how the money is being spent?

Mr. Heathcoat-Amory: I agree with my hon. Friend. If the Government are launched on a project that will cost more than £3 billion just for the public service, according to an estimate, and if they have agreed in principle to undertake that expenditure because they want to join the euro, I think that the House is entitled to scrutinise that estimate and have it explained. All my inquiries have met with responses from the Minister that the Government have no idea and that they have made no calculations. That is the height of irresponsibility, and I agree with my hon. Friend the Member for Mid-Sussex (Mr. Soames).

The Chief Secretary claimed that he had a strategy for productivity in the economy. He wants to make the United Kingdom a global leader. How does he reconcile those words with the news this morning that Veritas, one of the world's largest software companies, has put on hold its investment plans because of doubts about the Government's intentions in the high-tech sector, and particularly about their taxation plans?

The Financial Secretary to the Treasury (Mr. Stephen Timms): I am glad that the right hon. Gentleman has referred to Veritas, which is the fourth largest software company in the world. Will he confirm that, contrary to what he has just said, Veritas is announcing today the creation of more than 2,000 new jobs in the UK, and that it has chosen to locate its European headquarters in the UK? I have the press release in front of me.

Mr. Heathcoat-Amory: That is a predictably misleading version of events. Rather than listen to the Chief Secretary, we can hear from the man who is running the company, Mr. Philip Bousfield, who is a senior vice-president of the worldwide operation. He has said that the company has halved its original investment plans because of uncertainty about the climate for high-tech investment created by inappropriate taxation. That is what the company is saying, which is rather different from the version given to us by the Chief Secretary.

Mr. Timms *rose—*

Mr. Heathcoat-Amory: The Financial Secretary has had his chance and he has given his version of events. I have given the company's version, and it is rather different.

To return to the comprehensive spending review, the Chancellor said that this review—the second one—would be different. He said that the new resources that he was funding would be tied to results; they would be tied to output and performance. However, we have heard all that before. That is exactly what we were told in July 1998 when he announced a similar degree of extra spending on public services. At that time, he said that the spending would be tied to public service agreements set out in departmental objectives that had to be met. He portentously said:

> The Prime Minister has decided that that continuous scrutiny and audit will be overseen by a Cabinet Committee . . . Money will be released only if Departments keep to their plans.—[*Official Report*, 14 July 1998: Vol. 316, c. 188.]

We are entitled to compare that statement with what has happened.

Let us consider one or two examples. In the foreword to the document on public service agreements entitled "Public Services for the Future: Modernisation, Reform, Accountability", the Prime Minister gave one of the objectives as

> a reduction in the long-run rate of the growth of crime.

We were told that that would be done

> by launching the new evidence based crime reduction programme

with an additional £250 million. It is not a demanding target to cut the rate of growth in crime when the Government inherited a crime rate that was falling, but that is what they have done. They have turned a decrease in the level of crime into the increase that was announced this week.

There is an even bigger mystery about the targets for immigration controls and asylum seekers. That document, which was released in 1998, could not have been clearer. To be fair, it was absolutely specific. The aim was:

> To put in place firmer, faster, fairer immigration controls.

More than that, the Government were definite that the time taken to reach decisions about asylum applications would be two months by the Home Office and a further four months maximum by the adjudicator—six months in total.

Two years later, we ask ourselves what has happened to that specific target. Therefore, we turn to the Home Office annual report for 1999-2000 and we find that the objective has completely disappeared. There is no reference to it whatever. On page 46 of the departmental report, all the those targets about

> firmer, faster, fairer immigration controls

have become "Target to be developed". On page 47, we are told that

> Further work will take place . . . to develop the integrated planning mechanisms that will ensure that all those with an interest in immigration matters work in a joined up way.

It is a little bit late for that. However, the real point is that a specific target announced by the Government, which would be overseen by a big, new Cabinet Committee and the fact that money would be taken from Departments that failed to meet their targets have been forgotten.

Mr. Loughton: My right hon. Friend is right. Is he aware of ever having seen the minutes of this great new Cabinet Committee that would oversee all the targets and audit all the functions? Is he aware of any Department that has not had its money released because it failed to meet any of the targets that were promised two years ago by the Chancellor? Has any of that happened, or was it all just a load of flannel?

Mr. Heathcoat-Amory: The Cabinet Committee and the new penalties have vanished and all been forgotten. It was all talk. If that happened in 1998, we are entitled to ask whether the same will not happen in 2000 and beyond.

Many other targets were set. For example, Customs and Excise was going to

> collect each year the amount of forecast UK revenue yield from indirect taxes.

Has it succeeded in that? Tobacco duty is a good item to consider. It was forecast to raise £8.9 billion in 1999, but the actual amount that Customs raised was £5.7 billion.

[Mr. Heathcoat-Amory]

That is a gap of more than £3 billion between what the Government said that Customs would collect and what it actually collected a year later. That is another target that has vanished. Will the Minister tell us whether any money has been taken away from Customs and Excise and the Treasury as a result?

Mr. Ian Stewart (Eccles): The right hon. Gentleman referred to vanishing acts, and he will know that the Leader of the Opposition spoke to the conference of the Confederation of British Industry in 1999 and gave a tax guarantee of sorts, which he said was based on a moral argument. We hear that that tax guarantee has all of a sudden vanished, so does that mean that it was based on an immoral argument? What will happen because of the Conservatives' spending cuts, which will mean a loss of £25 million to my constituency? What does the right hon. Gentleman say to my constituents about the removal of that money?

Mr. Heathcoat-Amory: Yes, there is a moral case for low taxation. If one wants to encourage family life and marriage, one should not tax them. If one wants to encourage savings, one should not tax them. That explains the immorality of the Government's actions, so I agree with my right hon. Friend the Leader of the Opposition in setting out the clear moral case for bringing down the burden of taxation over the lifetime of the next Parliament.

Mr. Stewart *rose—*

Mr. Heathcoat-Amory: I hope that the hon. Gentleman will catch your eye, Mr. Deputy Speaker, so that we can continue this discussion at greater length later in the debate.

Ms Karen Buck (Regent's Park and Kensington, North): In view of the right hon. Gentleman's remarks about the moral basis of taxation, will he comment on the 22 tax increases that were introduced by the 1992–97 Government? They included slashing the value of the married couples allowance.

Mr. Heathcoat-Amory: The hon. Lady should understand that removing completely the married couples allowance when the Government are running a surplus is wrong and completely contradicts the Prime Minister's oft-repeated claim that he wants the Labour party to be the party of the family and the party that supports marriage. That is the moral argument and the Labour Government cannot duck it.

We are not just interested in the output targets that have all been breached by the Government. We are also interested in the fact that even their spending commitments have been breached. On Tuesday, the Chancellor of the Exchequer made much of the degree to which he wanted to encourage and promote public sector investment. He said that net capital investment would double by 2004—from £7 billion to £18 billion a year. He made exactly the same promise in 1998. Page 17 of the document on the comprehensive spending review forecast that net investment for the following year would be £8.6 billion.

Again, we are entitled to ask whether that target was met. Did the Government spend £8.6 billion in 1999-2000? According to the document that they published on Tuesday, the actual investment figure was £2.6 billion. What happened to the other £6 billion? They cannot even predict net investment by the public sector itself one year later. How can they expect us to believe what they say will happen to the economy in four years' time? That is the point. It is a giant exercise in underspin.

Dr. Stephen Ladyman (South Thanet): Will the right hon. Gentleman give way?

Mr. Heathcoat-Amory: I am going to draw my remarks to a close so that the hon. Gentleman and others can contribute to the debate.

The answer to the questions of Labour Members, who have raised the mythical figure of the supposed cut of £16 billion in public expenditure in four years' time, is that Conservative Members will not base our plans for total expenditure on a Labour figure for total expenditure in four years' time because the Chancellor cannot even make accurate predictions for a year ahead for investment by his own Departments. In any case, the entire exercise is vulnerable to what may happen in the economy.

Mr. Andrew Smith: Will the right hon. Gentleman give a straight answer to a straight question? By how much would the Conservative party cut our spending plans?

Mr. Heathcoat-Amory: We have already made the answer to that perfectly clear. We are not going to underestimate expenditure plans drawn four years into the future, when the Government's own expenditure plans, which were drawn up two years ago, have already been found to be false in their output and investment targets. The right hon. Gentleman can build castles in the air and project imaginary cuts years into the future. However, the Opposition are entitled to examine the record and what the Government have so far delivered in office.

It is beyond dispute that the Government have spent their first three years taxing, and they now want to spend in the year before the election. However, the record is against the right hon. Gentleman, and the current spending review will be no more successful than the last one in meeting the public's demands, needs, requirements and aspirations. I agree with the 72 per cent. of the Chancellor's constituents who do not believe the figures either.

Mr. Deputy Speaker: Order. Before I call the next speaker, I remind the House that Madam Speaker has placed a limit of 15 minutes on Back-Bench Members' speeches from now on.

3.21 pm

Mr. Tom Levitt (High Peak): I understand that my hon. Friend the Member for Tottenham (Mr. Lammy) may try to catch your eye a little later, Mr. Deputy Speaker, to make his maiden speech. We are looking forward to that occasion very much, so I hope that my hon. Friend is successful.

That reminds me of my own maiden speech, which came under the heading of public expenditure. I talked about education to some extent, and perhaps was a little

foolish, as I tied myself down very specifically by saying that our party ought to be judged not on big figures and headlines, but on what happens in our localities. I named Chapel-en-le-Frith infants school as a school that, to my mind, would be the touchstone of whether our policies had been successful. That school was overcrowded, had a main road going down the middle of it and 50-year-old temporary classrooms, and was letting in water.

Six weeks after my maiden speech came the announcement that Chapel-en-le-Frith was having its infants school replaced, lock, stock and barrel. Earlier this year, my right hon. Friend the Secretary of State for Education and Employment came to my constituency and opened the new Chapel-en-le-Frith infants school, which means that that touchstone of success has been achieved. However, that was only the beginning as, since then, Tintwistle primary school in my constituency has been completely replaced; Taxal and Fernilee primary school has had a new classroom and an extension; Peak school, Chinley has been remodelled; Whaley Bridge primary school has had one extra classroom and Burbage primary school, two; Newtown primary school in New Mills has had one extra classroom. Throughout my constituency, outdoor toilets, which were to be found in all too many of those schools, have been eradicated.

There have been energy improvements throughout the schools of High Peak. No fewer than 30 schools in my constituency have had new classrooms, extensions to classrooms or other major capital expenditure on classrooms in only three years. Half the schools in my constituency have therefore received genuine benefit from the Government's spending programmes after a 10-year drought in which only a single school building was built in my constituency between 1987 and 1997.

Schools are not alone, as there have been other improvements on the ground that people notice. For example, their libraries are open for longer hours and Derbyshire was successful in getting £2 million of additional funding for rural buses. Our primary care groups are now changing into primary trusts and are much more proactive in their delivery of health care throughout the area. People who, only two years ago, complained to me that their four-year-olds were getting a raw deal now find that nursery or pre-school education is provided for four-year-olds. From September, that will extend to three-year-olds in Derbyshire, and is another major achievement that people can see on their doorsteps, in their streets and in their schools.

In High Peak, youth unemployment has been reduced by 78 per cent., and there are now few people who qualify for the new deal. That means not that the new deal is not affecting enough people, but that it has been so effective, as have general plans for generating jobs, that it is hardly being used. In the past three years, unemployment as a whole in my constituency has halved as a result of economic conditions created by the Government. In the next two years, there will be 101 more police officers in Derbyshire. I am sorry, that figure was correct until yesterday but, with further funding not just for 5,000 police officers, but an additional 4,000 throughout the country, we will get a share of that. Those are the real issues on which real people are demanding to see action, and our public spending policies are delivering them.

Those issues are genuine, in contrast to some of the absurd fantasies that we have just heard from the right hon. Member for Wells (Mr. Heathcoat-Amory), who does not seem to live in the real world or relate to the typical experiences of his constituents. The right hon. Gentleman made no mention of the four-year-olds whose education is now being paid for, or of the class size problem. We had a class size problem in Derbyshire, as 13,000 children in key stage 1 in our infant schools were in classes of more than 30 in 1997. We are on target to eradicate that class size problem in just a few weeks, which is long overdue and will be another achievement.

If I may, I should like to put down some markers for the future. If I were to make my maiden speech today, I might like to use as a touchstone the Buxton to Matlock railway line and the need to restore it. The Tintwistle-Mottram bypass is a good contender for funding. Elderly people in my constituency are looking forward very much to next week's announcement on funding for long-term care. Again, we have looked at that matter long and hard and I believe that, at last, next week, there will be an announcement of which I can be proud.

I should like my right hon. and hon. Friends to look at Derbyshire's position in the local authorities' league of spending. We have been down at the bottom for quite a long time, and we are still there, although the difference between top and bottom is not what it was. Derbyshire has had generous settlements for local funding in recent years which, while not quite generous enough to get us up the league table, mean that we are not as far from the top in cash terms as we used to be.

I am proud of the Government's record of public expenditure and know that, in years to come, I shall be proud of the delivery of what my right hon. Friend the Chancellor announced earlier this week. In complete contrast to our position is the play on words or joke that the shadow Chancellor was trying to make in his pathetic response to Tuesday's announcement. He was trying to make a joke of the idea that in our manifesto we said that we should not be judged on public expenditure alone. That is quite right, because if were to say merely that we believe in more public expenditure on the principle that more must be better, our hero would be the right hon. Member for Hitchin and Harpenden (Mr. Lilley), who saw social security expenditure go through the roof when he was in charge of the Department of Social Security.

The right hon. Gentleman spent more than any other Secretary of State for Social Security before him not because he was enjoying the fruits of success, but because he was paying the price of failure. He was paying the price of bailing people out of poverty and of giving benefit to the many people who were unemployed. We believe in public expenditure because it has a positive purpose; it is not just for providing safety nets and bailing people out of problems, which often are not of their making, but for building a coherent society. We have done that and will continue to do it because we have got the economy right, and we have the wherewithal and the determination to do it.

Because we have more people in work, we have more people paying tax. Because more people are earning more, they are paying more tax. There are now more people paying the higher rates of taxation, which could explain some of the barmy figures that we were hearing earlier. They are paying those rates because they are earning more, and they are higher up the income scale. I have no regrets at all about such an increase in the tax take.

[Mr. Tom Levitt]

We have done more: we have reduced the cost of debt to the Government and to householders throughout the country. One has only to consider mortgage rates to see what we have done to stabilise and rationalise our economy. We have a stable, low rate of inflation, and everybody, including companies coming into this country to invest and people planning their family's future, knows that it will continue to be stable for a long time. During the period of these long-term spending plans, there is no reason to believe that we shall have significant problems with the economy getting out of control.

Six basic principles should guide public expenditure. There may be more; I may have missed some out. First, we should get best value for the money that we put in. We should not only measure that in cash terms, but look at the qualitative responses that we get from investing money in services. The second principle is the measurement of outputs. It is essential that we are able to measure what public funding does so that we can assess whether we are getting best value.

Thirdly, we must not be afraid to make difficult decisions about priorities. We had a difficult period in our first two years when we were tied to the spending plans that we had inherited, and with those difficult decisions we got a taste of how bad it would be if we had to return to that situation. Fourthly, our spending decisions must be sustainable; they must not be a flash in the pan. We must not throw money at a problem, thinking that this will solve it. We must build on what has happened before and make sure that we can deliver in future.

Fifthly, our spending plans must be without dogma. By that I mean that the era of Labour Members saying that all public spending is good and all private spending is bad has passed. We must consider using partnerships and seedcorn investment. We must consider using any available money. There is enough capital flying about in this country which has no home to go to. We should find a good home for private capital and use it to underpin public services. I have no conscience about using private money or any money from a legal source to give a good foundation to our public services.

The last principle, which the right hon. Member for Wells completely missed the point of, is that we must plan for the long term. He said that the Government claim to have put money into the national health service, but asked where were the results. If he can find a way of training nurses in 12 months, of training doctors in 18 months and of building hospitals in six months, let him tell us, because our investment in nurse training, doctor training and the capital programme in the health service cannot deliver overnight. We do not claim that it will do so, but we say that essential, long-term, planned investment meets the principles that I have outlined.

Dr. Jenny Tonge (Richmond Park): I accept the hon. Gentleman's point about the length of time that it takes to train a nurse or doctor, but is that not more reason why the Government should have put more money into the health service at the beginning, and not stuck to Conservative spending plans?

Mr. Levitt: I find it odd that someone who is committed to a 1p rise in income tax to invest in education, health, transport and everything else says that we should have found more money. That money has been provided, and it has been invested in a sustainable way.

Those of my hon. Friends who know me best know that sycophancy is not something that I adhere to. I am a scientist by training and I like to look at issues objectively. I have looked very hard at the Government's spending commitments in the two days since they were published and I can sum them up in one word—brilliant.

3.35 pm

Mr. Matthew Taylor (Truro and St. Austell): I am impressed that 30 schools in the constituency of the hon. Member for High Peak (Mr. Levitt) have new buildings. I shall reflect on the benefits of his seat being a marginal Labour gain at the last election. The picture has not been the same in my patch. I have been in touch with head teachers in Cornwall, and the great majority have had to cut staff since the election.

I want to examine how, on the one hand, the Government talk about huge increases in public expenditure and, on the other, the experience over the past three years is of teacher losses, growing class sizes, longer waiting lists and cancelled appointments—problems that led some Labour Members to resign ministerial posts and complain that the Government were out of touch. Even the Prime Minister has complained that he is losing popularity. That is because in the early years of the Parliament, the Government did not follow a progressive agenda of sustainable investment in public service; they followed a Conservative Budget plan that even the last Conservative Chancellor described as eye-wateringly tight. We know that even he would not have followed that plan in practice because the annual expenditure reviews at the time would have released more funds.

Expenditure on public services as a proportion of national wealth started high and followed a smooth curve over the past few years, ending up where it started. It is like the grin of a Cheshire cat; there is nothing to support it. That is why the Government are in great difficulty, and there is a difference between what they have said they will do about expenditure and people's experience on the ground.

That is an election headache for Labour Members, because even the funds that have been announced will take expenditure, as a proportion of national wealth, only back to the level that they inherited from the right hon. Member for Huntingdon (Mr. Major). For the most part, that expenditure will not take effect in time for an election. It is noticeable that the Government's announcements seem to wipe the slate clean of the £19 billion for education and £22 billion for the health service that we heard about two years ago, at the time of the last comprehensive spending review. That is hardly surprising because that money was never there, and it certainly has not been delivered.

Dr. Ladyman: Before the hon. Gentleman hits the moral high ground, I point out that my hon. Friend the Member for High Peak (Mr. Levitt) misled the House: the Liberal Democrat manifesto did not promise 1p on income tax for health spending; it promised £350 million for health spending from a change in national insurance

contributions. How many hospitals in Cornwall would that money have built if it had had to be spread over the whole country?

Mr. Taylor: We also promised a steady 2 per cent. real increase in health spending thereafter, which the Government have not delivered. The key difference between what Labour has delivered and the Liberal Democrat manifesto is that we would have guaranteed upfront investment at the beginning of the Parliament, and not waited for later economic growth. We did not calculate in economic growth. We guaranteed immediate extra expenditure on health and education and for pensioners and others. That upfront expenditure is the gap between Labour's credibility and what it is saying about public expenditure.

Just look at the figures. In the first period of this Parliament, from 1996-97 to 1999-2000, there was a fall of almost 3 per cent.—2.9 per cent.—in the proportion of GDP being invested in public services, and the increase that has just been announced for the next year will be only 1.3 per cent. of GDP. In other words, at the time of the next general election, it will be lower than when the Government came to office.

Those figures hold even when social security is excluded. The Government make great play of the fall in unemployment allowing them to release extra expenditure, but if social security spending is excluded, the fall in proportion of GDP was 29.1 per cent. to 27.1 per cent., now rising in 2001–02, the probable general election year, to just 28.2 per cent.

The net result is that over this Parliament, public sector spending will grow over the first four years to the general election by 1.1 per cent. in real terms per year. That is worse than under John Major or even Baroness Thatcher. The growth announced in the Chancellor's new comprehensive spending review is real growth, but it comes on the back of an unprecedented squeeze in public service. That is at the root of the problem that the Labour party faces. Even on the new plans, current spending growing at only 2.5 per cent. a year is less than for most of the period under the Conservatives.

The Government like to say that the rate will be 3.5 per cent., but a large chunk of that is the increase in capital investment. That is a problem for the Government, but it is an even bigger problem for those on the Conservative Front Bench. At least the Government are now speaking of a real, sustained increase in public expenditure. Those on the Conservative Front Bench must explain how they will come up with £16 billion of cuts in public services, when we are currently spending less than the previous Prime Minister spent as a proportion of national wealth, and less than Baroness Thatcher spent as a proportion of national wealth when she was Prime Minister. If Baroness Thatcher could not do it, is the present leader of the Conservative party capable of delivering it?

On public sector net investment, the Government are trumpeting large increases in capital investment, but the problem for them is that in 1999–2000, public sector net investment is the lowest proportion of GDP since figures started. I have been looking through the figures, which go back on a roughly comparable basis as far as 1963–64, and none have been lower than the Government are currently delivering. On average, under the Government, it will be 0.6 per cent. of GDP, compared to 1.5 per cent. under John Major, a drop of 60 per cent. in capital investment, and in no year—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. As the hon. Gentleman has made the slip twice, may I remind him how he must refer to another hon. Member?

Mr. Taylor: I apologise, Mr. Deputy Speaker. I should do better.

The drop of 60 per cent. in capital investment will be reversed. The Chancellor has trumpeted that, but even in 2003–04, we will not reach the level of public sector net investment achieved in 1992–93, and by the end of this Parliament it will only just exceed the level when the Conservatives left office, with a huge fall in between.

It is true that debt has been substantially reduced. Pensioners were given a miserly 75p increase in March, yet a £2.5 billion surplus in social security funds was used not to increase that miserly pension rise, but to pay off national debt. They must wonder why a pension, which is among the lowest in the developed world, is not to go up, whereas we are to continue paying off debt that is the lowest of any G7 country. It seems an odd priority for a progressive Government, and I suspect that hon. Members will find over the next few months that pensioners are extremely angry about the fact that they got nothing from the distribution of the benefits of growth, which the Labour manifesto promised they would share.

In 1997 Labour decided for electoral reasons to adopt a Conservative Budget plan for two years or more—an electoral decision which proved unnecessary. I do not believe that the Labour party was right to think that it could not win seats without doing that. Indeed, Liberal Democrat gains show that they were wrong to take that view. Nevertheless, Labour decided to deliver a Conservative Budget. The Conservatives were out of office, but the Conservative Budget plans were still in government. The results have been appalling for pupils, patients, parents, and public services as a whole.

On crime, the Conservatives promised 1,000 extra officers in their 1992 manifesto, and 5,000 in 1995. In reality they delivered a reduction, and the Labour Government have continued to oversee reductions. A pledge of 5,000 extra officers has translated into almost 2,500 fewer since the general election. No wonder crime is rising.

Mr. Casale: I am grateful to the hon. Gentleman for giving way. Does he share my amazement, and that of my hon. Friends, at the speech of the right hon. Member for Wells (Mr. Heathcoat-Amory) who, speaking for the Opposition two days after the announcement of £43 billion extra for the public services, hardly mentioned health and did not mention education at all? Will the hon. Gentleman take the opportunity of going on the record and welcoming those public service increases?

Mr. Taylor: I am already on record as welcoming an increase that is overdue and insufficient, but at least it is happening. I agree entirely about the right hon. Member for Wells (Mr. Heathcoat-Amory), who read out a letter from a constituent in Wells who said that she did not plan to vote Labour at the next general election, but did not mention how she would vote. Given that it is a marginal

[Mr. Taylor]

seat between the Liberal Democrats and the Conservatives which I believe we will gain at the next general election, perhaps there are good tactical reasons for moving from the Labour party to the Liberal Democrats.

Mr. Heathcoat-Amory: The hon. Gentleman is muddling up two letters. One that I read was from the ex-Labour supporter in Merseyside who did not intend to vote Labour. The one that I read from my constituent in Glastonbury did not say which way she would vote or has voted in the past. It is an impertinence on the part of the hon. Gentleman to probe her political allegiances, rather than address the substance of the issue and the complaint that she was making against the Government.

Mr. Taylor: Given that the right hon. Gentleman has been reading out letters from correspondents about their political allegiances, I am not entirely sure that the impertinence is mine. I am not sure that his correspondents expected their voting preferences to be read out in the Chamber, but that is a matter for him to consider.

On education, the Conservatives say that they would spend less, so presumably the situation will be worse still. Even between 1991 and 1996 when they spent more than the present Government, the number of pupils in primary schools in England in classes of more than 30 children rose by 38 per cent.—a third of all primary pupils in England were taught in classes of more than 30.

Under Labour, although class sizes have been reduced for five to seven-year-olds, they are up for eight to 11-year-olds and at record levels for secondary school classes. Teacher shortages are worsening. There are 47 per cent. more vacancies than in 1997. In the last comprehensive spending review, the claimed £19 billion or 5.1 per cent. increase for education every year was in fact only 2.5 per cent. last year. The Government cannot even deliver the spending increases that they like to announce, so we must have some doubts about the new comprehensive spending review.

The issue for both parties is to explain away the fact that things were bad under the Conservatives and got worse under Labour, and now the Conservatives want to cut another £16 billion. At least Labour acknowledges its mistakes.

With regard to health, the picture is the same. Under the Conservatives, spending was greater than they now say they would spend, but there was a 41 per cent. reduction in beds, a 53 per cent. rise in waiting lists, and 20 per cent. of intensive care beds were lost between 1989 and 1996. Bureaucracy increased: 20,000 more managers 50,000 fewer nurses, and more than 50,000 people a year had their operation cancelled, but the Conservatives want to spend even less.

The Labour Government tried to spend less, with the result that the number of out-patients rose from 248,000 to 496,000. Their manifesto stated that they would save £100 million in red tape; they failed to do that, and the number of managers has increased while the number of beds has fallen by more than 5,000.

This is deceit, and it is hard for the electorate to discern what is really happening in public expenditure. The first deceit is the Government's refusal to acknowledge that they have cut the proportion of national wealth that is spent on public services. That is the reason for the problems of health, education and crime. The Government have stored up money and they are now able to announce big increases for the general election. However, those increases will not take us beyond the level that they inherited. That is also a problem for the Conservatives, and the reason for their bad performance in every interview on Tuesday.

If there are no big increases in public expenditure, which does not exceed the proportion of national income that was spent under the previous Prime Minister or even Baroness, Thatcher, how can the Conservative party provide cuts of £16 billion in schools, hospitals, police forces and on pensioners, who are still struggling to survive?

Labour's policy is an election year bribe. It was always intended that expenditure would fall in the early years to allow an increase later. The cost has been borne by the people. The Government claim that they have turned round the management of the economy, that the economy is now about sustainable and that we should consider the increases. In eight Departments, the biggest increase in spending happened this year, in the run-up to an election. Ten more Departments will receive their biggest increase in 2001-02, election year. Only one Department will receive an increase of equivalent size after the general election. Five Departments get an increase only in general election year. That is not a policy of sustainable increases but a strategy that was designed to win the last election by adopting the Conservative budget to head off criticism, and to win the next election by pretending to spend substantially more when spending remains at the same level as when the Government were elected.

Spending on education and health is welcome, but the Government should not be allowed to get away with the fact that it is at the expense of longer waiting lists, larger class sizes, cuts in the number of policemen and the measly 75p increase in pensions over the past three years.

3.52 pm

Mr. David Lammy (Tottenham): It is with great pleasure that I rise to make my maiden speech. It would be remiss of me not to note, in passing, that I am almost certainly the last Member of Parliament to be elected to the House while Madam Speaker graces the Chair. As someone from a generation that grew up with Parliament being televised, I can safely say that Madam Speaker is truly a celebrity and that she will be missed.

I stand here with great humility as the newly elected representative of the people of Tottenham. Hon. Members know that I stand here only because of the sad and sudden death of Bernie Grant. I would dearly have loved to spend my first years in this place working alongside Bernie. Fate determined that that was not to be. I thank the people of Tottenham for their confidence in me, and I hope that I shall repay it in the years ahead.

Bernie made his maiden speech in July 1987 and demonstrated at once both his local knowledge and his confidence as a politician. He was a natural. He was authentic and brutally honest and, as has been said,

> He walked a tightrope between street heroism and government office.

For us in Tottenham, he was exceptional and a first-class constituency Member of Parliament. You will understand, Mr. Deputy Speaker, when I say that you could not really

describe yourself as a friend of Bernie's until he had had occasion to bark at you. I am delighted that, on the last occasion I saw Bernie, he did just that while lamenting my stance on the vexed issue of Mr. Mike Tyson's entry to this country. Bernie argued passionately against his entry and considered Mr. Tyson an unworthy role model for his young constituents. His concern for young people is well documented and remained a passion throughout his life.

In his maiden speech in 1987, Bernie said:

> unless the political system can offer some prospects, particularly to our young people and our young black people, they will find other means of expressing their frustration.—[*Official Report*, 6 July 1987; Vol. 119, c. 97.]

He was referring to the Broadwater Farm estate and the disturbances that had happened there. He went on to talk about the way in which the local community and the local council had worked together after that to harness energies and regenerate the estate.

Bernie worked closely with his wife, Sharon, who was very much his partner in work as well as in life. I would like to thank Sharon for all her work on behalf of the people of Tottenham. For her and all of us, Bernie's legacy will live on. He is with us today in the memory of all who knew him. I know that he would forgive me for not wearing a dashiki today in his honour. In a very real sense, he is part of the reason I am here. I thank him for that, and I shall never forget him.

Tottenham is a constituency that has been well served by its Members of Parliament. Before Bernie, Norman Atkinson was our Member of Parliament for 20 years and he, too, concerned himself with the needs of the community and local government. He was also treasurer of Labour's national executive committee for five years. Before Norman Atkinson, Mr. Brown was elected as Tottenham's Labour Member of Parliament in 1959, but in 1962 he crossed the Floor and fought the 1964 election as the incumbent Tory Member of Parliament for Tottenham. It was said at the time that, by crossing the Floor, he raised the average IQ of both the party he left and the party he joined. You will agree, Mr. Deputy Speaker, that I follow in varied and interesting footsteps. However, I can assure you that I will not follow Mr. Brown's example.

I am glad to represent Tottenham, and not only because it is my home and the birthplace of the best football club in London. I am proud because in Tottenham, we have a grassroots intellectual tradition which has been nurtured on the margins of society. Although the margins of society have provided some of the worst statistics on social exclusion, they can also shed the most radical and exciting perspective on social thought. Although Tottenham is a constituency of much poverty, it has never been impoverished in its people. Through the centuries, many cultures of the world have traversed Tottenham High road—white English people, Russians, Huguenots, Spaniards, Greek and Turkish Cypriots, Africans, Irish, Hasidic Jews, Asians, Caribbean islanders and, more recently, Kosovans and other people from eastern Europe.

There is no need to go to New York or California to experience dynamic diversity and vibrancy. One need not look only to the Commonwealth for a model of communities coming together. Under our own eyes, people from the far reaches of the world are living happily together, from different backgrounds, races and religions. All contribute to the richness of Tottenham. All understand the importance of unity and working and living together. All celebrate and glory in the multi-faith, multicultural family that constitutes Tottenham. These people are a valuable resource. If that resource were an untapped oilfield or a new diamond mine, business would be queueing round the block to buy the rights. People are the best and most precious resource that we have. I am acutely aware that I am here today because, at every stage of my development, people have invested in me.

I have had the support of a dedicated mother and family, Haringey council, Haringey teachers, my church, my secondary school, the Labour party, mentors in the legal profession and lecturers at the university of London and Harvard law school. I have even had the support of my bank. No one said, "This isn't for you. Who do you think you are? Black men from Tottenham don't go to Harvard law school." People believed in me. They invested in me. Constituents such as mine want and deserve that same investment—investment in people and the funds and resources not just to take up employment, but to become self-employed by opening small businesses, dot.com enterprises, cafés and newsagents. They want to play football at White Hart Lane, play music in a band or create art. We must invest in people's souls as well as their skills.

It is an honour to make my maiden speech on the most crucial subject of public expenditure, because Government expenditure over the years has neglected to take into account some of the grave problems of the inner city, perhaps in the hope that poverty might disappear by itself. For too long, the state has said to too many people in Tottenham, "You've got nothing to offer. You must be stupid because of your background, because you don't speak English. What are you doing living here?"

The task ahead of us is to continue to search, in partnership with the community and the Government, for new forms of response to an ever-complex and changing world. For the general welfare, sound investment for business and for people is not best served by placing even the least political restraints on economic activity. Responsible government must work to secure social and economic justice. Perhaps that is a tightrope that we knew we would find ourselves walking, but it is one that the Government have trod remarkably well. We have a Government who recognise that public expenditure can liberate and nurture as well as simply provide public services.

Just over a month ago, the Government announced a £50 million package of investment through the new deal for communities programme for the Seven Sisters area of my constituency. That is more than just a band-aid; it is real money—£50 million of investment in the 10,000 people in the Seven Sisters area of Tottenham, which is plagued by poor housing, high crime and weak schools. On Tuesday, my right hon. Friend the Chancellor of the Exchequer announced the Government's massive nationwide investment in public services. His announcement means at least £50,000 for every secondary school in Tottenham every year for the next three years—all paid to the head teacher and all money to be invested in books, new information technology equipment and helping children to grow and develop.

There are 29 centres of early years excellence across Britain. Three are in Tottenham, which is the highest concentration in the country. We can provide an early

[Mr. David Lammy]

years programme for almost all three and four-year-olds whose parents request a place. No four-year-olds in Tottenham will be of the opinion that they are stupid because of their race or because they do not speak English. They will look forward to studying in higher education establishments such as the university of Middlesex, which this week announced that it is to open a new site for 10,000 students in the heart of the regeneration zone in the centre of Tottenham.

The college of North East London has just undergone more than £19 million of development. That money will refurbish the buildings and install cutting-edge technology so that people in my community can learn directly. Tottenham is also the home of the Digital Arts centre, which offers state-of-the-art technology and facilities to a community that wants to engage in music and film. We have many artists in Tottenham, although not ones whose exhibits can be found in Tate Modern or the national gallery—at least not yet. There are plans afoot to bring more art and technology to Tottenham, because our young people and entrepreneurs are crying out for them.

The new deal has created opportunities for 139,000 young people across Britain to gain employment. The scheme has been effective in helping young people and the long-term unemployed to get real jobs, but Tottenham needs more. Our unemployment rate of 11.6 per cent. is the third highest in England and the new deal has not met the needs of all black youth in Haringey. It is vital that that flaw be swiftly addressed. I welcome the Government's assurances that that aspect of the new deal will be quickly improved.

I have the great privilege to represent the most multicultural constituency represented in the House. I am not just a black politician for black people; I am a politician for all people. Multi-ethnic means just that—all ethnic groups, black and white. When I see any section of my community disadvantaged or missing out on life's chances and opportunities, I will strive to support and speak out for it. That is what my constituents would expect me to do.

As a young representative, I am very aware of the lack of interest in the workings of Parliament among my friends and contemporaries. Recent elections have shown a certain lack of engagement between voters and politicians. Most worrying is the fact that younger people—those under 30—are particularly uninterested. They still engage in single-issue politics, but less so in national party politics. This year, I have fought the Greater London Assembly election and the Tottenham by-election. In both, the candidates promised to find solutions to real problems. That is what the voters demand and politicians strive to deliver. Why, then, does a persistent apathy creep in?

That apathy dictates that the politician's role is to fail and the elector's role is to be disillusioned. At the end of the cycle, the politicians are frustrated, the media cynical and the electorate turned off. For me, the real work begins now. Along with all Members of the House, I shall try to find ways to make new connections and to join an on-going dialogue with the electorate. Many people have invested in me. I look forward—with the Government and my right hon. and hon. Friends—to investing in the people of Tottenham. I thank the House for welcoming its youngest Member.

4.7 pm

Mr. Michael Fallon (Sevenoaks): It is a pleasure to be the first to congratulate the hon. Member for Tottenham (Mr. Lammy) on one of the finest maiden speeches that I have ever heard. He paid the most moving tribute to his late predecessor and followed that with the most eloquent advocacy of the need to invest in his constituents. He made a beautifully judged speech and described Bernie Grant as positioned between street heroism and Government office. I see that the hon. Gentleman has selected a place halfway between the very Back Bench and the Front Bench, so he is well poised between Back-Bench heroism and Front-Bench office. I am sure that it will not be long before he moves further forward and I hope that it will not be long before the House hears from him again.

The comprehensive spending review needs to be set in its context. The first CSR was only two years ago, but already we hear that the third is pencilled in for 2002. Instead of being a three-yearly review as originally promised, the CSR has already become two-yearly as the third year of each seems to be subsumed by the first year of the next. It is perhaps important for the House to recall that the first spending review did not even last two years. It was announced in 1998 and began in April 1999, but it collapsed that first Christmas as the flu crisis hit the national health service and the Prime Minister panicked on the David Frost show.

Within a year of the first CSR, the Government were rushing emergency funds to the health service and emergency cheques to our schools. When we assess the first CSR review, we look in our constituencies for signs of delivery. Three years into this Government, Kent has no additional police officers, longer health service waiting lists now and no new hospitals in west Kent. My hon. Friend the Member for Tunbridge Wells (Mr. Norman) and I have campaigned for the dualling of the A21, but that has still not been done. My constituents have paid all the extra taxes and heard all the promises but, three years on, the Government have still not delivered.

Perhaps one merit of the second CSR is that it has acknowledged the extent to which the first CSR was ill judged. We have now had sudden large increases in health, schools and transport spending. That in itself does not help planning by Departments. The evidence of the first spending review shows how much underspending there has been as a result of departmental expenditure limits. That kind of lurching—stop and go—has not allowed the long-term investment that everyone wants in the public services. That is especially true of schools and hospitals.

Conservative Members want better public spending. That means more public spending front line and public spending that gets through faster. Let me deal first with the public service agreements that were supposed to underpin the first CSR. Originally, there were 600 targets. Within a year, 400 of those had been scrapped and we were down to 200. I now see from the document presented on Tuesday that we are down to what are called "key" targets. Perhaps when he winds up the debate, the Minister can tell us just how many targets are still in operation—or have we gone from 600 to 200, to just one, in order to regain some popularity in time for the next general election?

If those public service targets are to be taken seriously, we need serious measures of outcome that are openly understood by our constituents and can be properly audited. It is one of the greatest weaknesses of the present targets that they are self-audited—that the Treasury alone says whether they have been met. The Government have got into trouble, through over-counting and over-promising with vague targets, because the electorate cannot understand what is being delivered, when and where. That disillusion is setting in.

Secondly, we must ensure that the money gets through faster. When the Chancellor announced in March the emergency package of sending some school money direct to schools, I cheered. That is what we were trying to do with grant-maintained schools. The CSR announced on Tuesday refers to direct grants. We applaud those. The amount of money is minuscule.

Mr. Andrew Smith *indicated dissent.*

Mr. Fallon: I do not know what happened in the Chief Secretary's constituency, but in mine it took seven weeks to get those small cheques through to primary schools. Interestingly, those cheques were still routed through the LEA. We are still waiting for that money.

As a further example, let me quote a letter that my local education authority has written to its schools about the devolved formula capital budget for 2000-01. It said:

> We have now had confirmation that the DfEE will be paying the money to the LEA on the following basis: 22 per cent. of the annual entitlement in June

—that has not yet been received, by the way—

> 22 per cent. in September; 22 per cent. in December; and the balance at the end of the financial year.

That is, 12 months on. The letter goes on:

> Clearly this phase method will be unhelpful to many schools who wish to carry out work over the summer and who do not have sufficient reserves to cover the possible cash flow implication.

If it is now common ground that we should go round the LEAs and get the money straight into the hands of head teachers, let us try to work out a faster way of doing it. I asked the Chancellor on Tuesday whether, if it was right to send every secondary school £70,000 direct, the whole lot should be sent direct. His answer was interesting. He said that the LEA would have to deal with special educational needs and school transport. I certainly agree on the first—special educational needs money could not be allocated by school; some kind of social services or education authority function must be at the centre to do that—but I do not particularly agree on school transport. What was interesting about the Chancellor's reply, however, was that he did not resile from sending the rest of the money direct to schools. That is good news, because it is our policy. It is called free schools: take the school budget and give it to the schools. We did that with grant-maintained schools and the Chancellor is just cottoning on. I hope that he will get on and do it with the rest.

Otherwise, we are waiting. Our schools are waiting for the money that has been promised, but is still to get through to governors and head teachers. West Kent is still waiting for the transport expenditure. We have been paying extra motoring taxes and more for petrol, but our new trains have not arrived and our buses are no better. For three years we have been paying more and getting less. Worst of all, we have been waiting for a better health service.

NHS waiting times have gone up. For three years, we have been campaigning for a replacement for our two hospitals: the Kent and Sussex hospital in Tunbridge Wells and the Pembury hospital on the edge of Tunbridge Wells, both of which serve the Sevenoaks constituency. The case went not to the previous Government, but to this Government in the summer of 1997. It was turned down. It went to this Government again in 1999, but it was turned down. We are still waiting for the Government to get the extra health spending through to our constituents. Until they start to do that and to deliver on the ground, they will have no credibility.

Mrs. McDowall from the village of Otford has given me permission to quote a letter sent to her from the Maidstone and Tunbridge Wells NHS Trust. It is dated 10 July, so it is fairly topical. It says:

> We have received an x-ray request

from your doctor

> for you to attend for a routine MRI scan.
>
> At the date of this letter there is a waiting time of approximately 26 weeks for this examination.

That is a routine, but necessary scan. Why is Mrs. McDowall waiting for 26 weeks to have a routine scan? She will have heard about all the extra billions; she heard about them when the first CSR was announced two years ago in 1998 and I am sure that she heard about them again on Tuesday. The money is not getting through. People in west Kent are waiting for money to get through faster to our schools, our public transport and our national health service. We are waiting for the Government to deliver.

There will be a limit to people's patience, as the Chief Secretary can see from Labour's falling position in the opinion polls. In the end, the people of west Kent and Sevenoaks will be waiting not just for more money for schools and the NHS; they will be waiting for the return of a common-sense Conservative Government.

4.20 pm

Mr. Stephen Hepburn (Jarrow): I should like to touch on two specific areas of public expenditure that are of great importance to my constituents. First, I want to raise the issue of health spending, because recent figures show alarming discrepancies between my constituency and those in other parts of the country. Secondly, I shall talk about defence spending and its role in the key industries in my constituency, and its effect on the major issue of job creation, which leads on from that.

The Chancellor's statement was first class. There is no doubt that it was good news for the area that I represent, and for the north as a whole. The increase in Government spending will be welcomed by my constituents, but I should like to draw the House's attention to some other figures that were not given such a high profile as the Chancellor's statement—the annual performance figures for the NHS that were announced last week.

It is five decades since the Labour Government established the NHS, yet there has never been sufficient accountability for the quality of treatment that the health service provides to the public. The statistics were an illuminating source of information. We must be careful when using statistics, as it has been said that they are often

[Mr. Stephen Hepburn]

used as a drunk uses a street lamp—more for support than illumination. However, the new NHS indicators cast a clearer light on the variations in performance across the NHS.

The shocking fact about the performance indicators for my constituency is that on most indices we are near the bottom, or bottom, of the league table. We are the third worst for the number of doctors per head of population. Obviously, if we do not have enough doctors, people's health will be worse. We are the third worst for the number of people dying from cancer, and we have one of the highest death rates in the country. Those figures are not a reflection on the staff of my local health authority, because the same performance indices show that they are among the best performers in the country. They have been swimming against a historic tide of staff shortages, lack of resources and a local population whose health has traditionally been among the worst in the country because of the concentration of heavy industry and the prevalence of deprivation.

I am sure that we all agree that health inequalities are immoral and unacceptable. I am pleased that the Government have announced that the abolition of those anomalies for ever is a priority. They cannot be abolished quickly enough, because my constituents are twice as likely to die as a person in a constituency in the south of England.

The Government have adopted a two-tier approach to abolishing inequalities—first, by giving greater resources to health authorities in more deprived areas to allow them to narrow the inequalities between them and other authorities. The investment announced this week will pay for the extra doctors and nurses that are needed, and to improve the equipment that, sadly, has been neglected for 20 years.

The second tier is tackling deprivation, which is one of the major of causes ill health, and that means tackling unemployment head on. The new deal has certainly had an impact in Jarrow. Already, youth unemployment is down by 78 per cent., and long-term unemployment is down by 62 per cent. On top of that, raising incomes in the constituency through the minimum wage, the working families tax credit and child benefit brings people out of the terrible spiral of deprivation that they have faced for so long.

I shall now refer to defence expenditure. The mainstay of the local economy in Jarrow is shipbuilding—it has been in the past, is now and I hope will be in the future. The shocking fact is that the average age of the skilled worker on the Tyne is now 50. Urgent investment in skills is required if we are to retain a shipbuilding presence on the Tyne.

We are currently awaiting an announcement from the Ministry of Defence about where the roll on/roll off ferries will be built. I appeal to Ministers to make an early announcement, and end the misery of the workers who want to know whether they will have a job or not. I also appeal to Ministers to give preference to the first-class Maersk bid, which unselfishly—I stress the word "unselfishly"—splits the work between the work force of Cammell Laird in Liverpool and the rest of Merseyside, and the work force in Tyneside. They have come up with a solution involving workers from across the country with similar problems who are not currently using their skills.

I do not underestimate the importance of that order for my constituency. It involves significant defence expenditure. A positive announcement would provide employment for about 1,500 new workers in my constituency and up and down the Tyne. It would provide new apprenticeships to replenish depleted skills. The wages alone would inject about £650,000 into the local economy, not to mention the knock-on effect of a further 1,500 jobs or more in the local economy through support for local businesses.

I shall end on that note. I hope that Ministers take on board the issues that I have raised about health inequalities and the lack of shipbuilding orders on the Tyne. The Chancellor is taking positive action by providing increased expenditure, and the Secretary of State for Health is taking positive action on health. In my area and in Tyneside as a whole, we also need positive action to ensure that our industrial base—and shipbuilding in particular—has a future.

4.26 pm

Mr. John Wilkinson (Ruislip-Northwood): We have heard two speeches of outstanding quality. I was much moved by the contribution of the hon. Member for Tottenham (Mr. Lammy). He said of Bernie Grant that he was natural, authentic and brutally honest. I am sure that the hon. Gentleman shares those qualities with his predecessor. He spoke about there being no need to go to New York or California to discover a myriad of diverse vibrancies, and I am sure that many a Select Committee could bear that advice in mind before deciding on its travel programme.

Some people say that there is no gratitude in politics, but the hon. Gentleman showed the opposite. I was especially touched by the warm tribute that he paid to his mother, his family, his teachers, his friends, those in his political party and those who had brought him to where he is now. I am sure that he will fulfil a distinguished role as the hon. Member for Tottenham.

The other remarkable speech, which followed a series of remarkable speeches, was that of my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory). It was full of rigour and intellectual honesty, and to the point. It was the culmination of a series of distinguished speeches that he has made on the Finance Bill, the last of which I heard on Third Reading last night. Each one has been of the highest quality. I wish that more right hon. and hon. Members had been present to hear him.

As my right hon. Friend warned us, the public expenditure statement has all the ingredients of an inflationary package. It is almost certain to increase interest rates, as the Monetary Policy Committee of the Bank of England has warned us. The likelihood is that in the medium to longer term, it will cause taxation to rise as well. The interesting thing is that the projected figures for the last part of the triennial period show that there will no longer be a budgetary surplus, and by then the deficit will have to be made up with taxation.

I am sure that the Government do not want to talk about that additional burden of taxation now. When the Lex column in yesterday's *Financial Times* spoke of "Pumping for a purpose" in connection with the public expenditure statement, it defined it in entirely correct terms. The Government are pumping the economy for the purpose of winning the next general election. It is an

irresponsible additional injection of public money into the economy at a time in the cycle when there are inflationary pressures and pressures on capacity. I am sure that the Monetary Policy Committee is wise to warn of the dangers.

Mr. Alan W. Williams: This is the second or third time this afternoon that we have heard that the Government are pumping the economy for the general election. Does the hon. Gentleman accept that the programme starts on 1 April 2001 and continues for the three subsequent years, and all the guessing suggests that the election could be on 1 May next year? So it is a post-election package rather than a pre-election package.

Mr. Wilkinson: I do not think that it will help the Government, whenever the election comes. The electorate will not be taken in by what constitutes an extra £100 billion of public spending being put into the economy over the period from last year until the financial year 2003–04. The electorate will judge the Government on their performance.

I can only quote the experiences in Ruislip-Northwood, and they are dire. Only last Thursday, consultation started on the closure of Harefield hospital, the country's premier heart hospital, which has carried out more heart transplants than any other in the world. It is threatened with closure at a time when the Government are supposed to be having a drive against heart disease and placing particular emphasis on cardiothoracic treatments, which are the speciality of the hospital.

Education is a continuing problem. The schools in Ruislip-Northwood are exceptionally good, particularly in the secondary sector. Pupils come flooding across the borough boundaries, and as a consequence, my constituents cannot get their children into the local schools. Quite rightly, they are extremely upset about it. None of the proposed measures will change that, because the Government are not prepared to alter the Greenwich judgment.

Police numbers are continually falling. A policeman on the beat is almost as rare as a swallow in winter, and people are desperately worried because crime rates are rising in parts of outer London that never knew a crime wave before. They now have one with a vengeance; they suffer all the time and there are endless complaints to me and other local representatives. We have done everything possible. We have seen the Home Office Minister, Lord Bassam, the Commissioner of Police of the Metropolis, the district commander for north-west London and our own chief superintendent. We have done everything, but police numbers continue to fall, crime statistics continue to rise and public disillusion grows. Although more money is being provided, experienced officers and personnel are leaving the Metropolitan police in droves because they can get a better quality of life outside the force. Even this injection of extra money will not change that.

Last but not least, I turn to transport. We were told at the last general election that the public-private partnership would revolutionise the tube, that the service would be modernised and that the lives of my constituents who depend on commuting into central London would be much improved. The facts are different. We heard a statement from the Deputy Prime Minister only this afternoon. The initial headlines were very favourable and the first edition of the *Evening Standard* paid glowing tribute to the effects of the extra moneys which were to be provided. The headlines were:

> Ken gets £3.2bn for Transport . . . CrossRail to go ahead . . . New east London Tube . . . Huge boost for buses

However, the second edition carried the headlines:

> Ken rages at tube "Stitch-up" . . . Prescott's extra £3.2bn for London ignores huge Jubilee bill, says Mayor.

This is typical of all Labour's pronouncements. They appear very attractive, but when one reads the small print one sees how unattractive they are. Because the current administration at county hall—or wherever the Greater London Authority headquarters are—will have to pick up the tab for the overrun in the Jubilee line extension, there will be virtually nothing left to pay for improvements in services. The office of the hon. Member for Brent, East (Mr. Livingstone) put it rather well. A representative told the *Evening Standard* that by the time the extra money has been found for the Jubilee line extension, the GLA will be left with "peanuts". That was not how the Deputy Prime Minister put it in his statement on public expenditure.

Finally, I turn to the area of departmental spending that I know best, because it demonstrates the sleight of hand of the current Administration. It was the first departmental sector referred to by the Chancellor in his statement on Tuesday, when he said:

> I turn now to the departmental allocations. In recent years, in addition to their conventional responsibilities, Britain's defence forces have taken on a new and valued role in international peacekeeping and in conflict prevention, promoting human rights and peace throughout the world, including in Sierra Leone and Kosovo. To complete the restructuring agreed in the strategic defence review, and to fund new equipment and increase the mobility of our front-line forces, defence spending, which has fallen in real terms every year since the end of the cold war, will now increase in real terms.—[*Official Report*, 18 July 2000; Vol. 354, c. 221.]

The press release on that subject was challenged by *The Daily Telegraph* yesterday because the facts are otherwise. In 1996, the Government of my right hon. Friend the Member for Huntingdon (Mr. Major) announced a budgetary increase in defence expenditure of 0.4 per cent. in real terms. So the civil servants had to correct that in a hurry.

It is clear that the commitments in Tuesday's statement are shallow, insubstantial and inadequate. Let us look at the roles. The British armed forces have always been involved in international peacekeeping, conflict prevention and promoting human rights throughout the world. That is why they fought in Korea, and that is why they have been engaged in countering terrorism in Northern Ireland and supporting United Nations operations from East Timor to Kosovo. There is nothing new about that; they have always done it. The amount of extra money is actually very small. In real terms, it is 0.1 per cent. in the financial year 2001–02, 0.2 per cent. in 2002–03 and 0.7 per cent in 2003–04.

The major projects report for 1999 from the National Audit Office shows that cost overruns continue to escalate. Between 1993 and 1999 they increased in absolute and in percentage terms—so much for smart procurement. In fact, they are getting worse. In 1999 they amounted to £1.36 billion, increasing by 6.3 per cent. in one financial year. Against that background, how will the

[Mr. Wilkinson]

armed forces be able to redress the shortfall in the infantry of some 5,000, the deficiency in fast jet pilots of some 120, and the constant outflow of experienced personnel who vote with their feet, or on the dictate of their wives, who can no longer stand the long separations?

In short, the increases are basically a fraud. That is not limited to the defence sector, but applies to many other Government Departments.

4.38 pm

Mr. Malcolm Chisholm (Edinburgh, North and Leith): I thank the hon. Members for Ruislip-Northwood (Mr. Wilkinson) and for Sevenoaks (Mr. Fallon) for their warm tributes to my hon. Friend the Member for Tottenham (Mr. Lammy) on his maiden speech. I join them in congratulating him on a superb speech, which included a moving tribute to the great Bernie Grant and highlighted the importance of public expenditure in Tottenham.

This week, we can all celebrate a massive expansion of public expenditure that is based neither on rising taxation nor on high levels of borrowing, but on the successful running of the economy during the past three years. One of the most interesting aspects of the public expenditure statement was the revelation that, under the previous Government, 42 per cent. of additional expenditure went on debt repayment and social security, whereas, in the coming period, by contrast, the figure will be 17 per cent.

We must emphasise the importance of increasing employment in enabling the public expenditure increase to take place. I will probably be the only Scottish speaker today, so I shall speak about Scotland as much as I can. We have in Scotland the highest number of people in work since England won the world cup—that also happened under a Labour Government. Contrary to what the Conservative party said would happen, that large expansion in employment took place after the introduction of a minimum wage and improved conditions in the work place.

If a choice has to be made about raising taxation, I would personally argue that that may be justifiable, because I agree with Larry Elliott's assertion in *The Guardian* this week that tax is the price that we pay for a civilised society; but it is most important to emphasise that, over the period in question, tax as a percentage of GDP will fall. As my right hon. Friend the Chief Secretary said, net borrowing over the period will be lower than at any point in the previous Parliament.

Conservative Members have emphasised what they call the macro-economic dangers of the Government's public expenditure stance, but it should be noted that the Bank of England's most recent quarterly inflation report, written at a time when it knew exactly what growth in public expenditure was planned, because of the Budget statement, said clearly that the Budget's macro-economic effects were unlikely to be large.

The minutes that have been quoted liberally and one-sidedly by Opposition Members today reflect some division between various members of the Monetary Policy Committee. For example, David Walton of Goldman Sachs, as quoted in this morning's *Financial Times*, pointed out that several members of the committee think that interest rates will be able to fall, even with this public expenditure projection, partly because average earnings growth has been slowing.

Mr. Ruffley: Does the hon. Gentleman accept that it is not just the aggregate increase in expenditure but its composition that the Monetary Policy Committee will have to consider when it meets next month to decide on interest rates?

Mr. Chisholm: I am just coming to the composition of public expenditure. Obviously, one of the virtues of increased public expenditure is that it can help the economy, and sustainable growth in particular. I am thinking particularly of my right hon. Friend the Deputy Prime Minister's statement today, in which he said that capital investment in transport was to be doubled. My right hon. Friend the Chief Secretary to the Treasury reminded us about education expenditure, which again is crucial for economic as well as other reasons. He informed us that the increase in education spending over the five-year period will be greater than in the whole 18 years of Conservative government. He also spoke about the important investment in science and research.

This is a significant moment, when public expenditure is once again set to climb above 40 per cent. of gross domestic product. I certainly hope that, when we have variations in public expenditure during the next decade or so, they will be within a spectrum above 40 per cent. of GDP, which is still significantly lower than in other European countries.

Public expenditure is important not only for economic efficiency but for social justice. One of the main points that my hon. Friend the Member for Tottenham emphasised was the importance of public expenditure for an anti-poverty strategy. Part of that strategy comes through the main spending programmes. Clearly, the attack on health inequalities is a priority both here and in the Scottish Parliament. I believe that it will be one of the targets in next week's health statement. There are many admirable new initiatives, which we have so far heard about only in relation to England, such as the children's fund and the neighbourhood regeneration fund. No doubt, we will hear about similar measures for Scotland in the autumn.

Sir Robert Smith (West Aberdeenshire and Kincardine): Does the hon. Gentleman think that one of the consequences of a stop-go funding policy for health is the creation of a serious crisis in recruitment? The problem with getting a radiology appointment is the shortage of radiologists. Spending extra money will not train them overnight.

Mr. Chisholm: The simple fact is that health funding has never stopped—even in the difficult first two years of this Government, extra money was found for health—but the hon. Gentleman makes the sensible point that it takes longer for health initiatives than, for example, for certain education initiatives, to come on stream.

Apart from the mainstream programmes, there are many specific initiatives in the anti-poverty strategy. The research last week by the National Institute of Economic and Social Research has been misrepresented. It confirmed the importance and success of the new deal,

and of the working families tax credit and the minimum wage in terms of making work pay. All those initiatives would be threatened, if not abolished, by the Conservative party.

The figure of 17 per cent. as against 42 per cent. of additional spending on social security and debt repayment is important. I would prefer it if we could split up the social security budget so that the money going into unemployment benefit is separated from what Labour Members see as the desirable features of the social security budget. Many aspects of the social security budget are important in the formulation of an anti-poverty strategy.

We will obviously hear more about pensions in the near future, and I will not complain about not hearing more about them this week, as long as I hear more about them in the autumn. The Scottish Affairs Committee recommended the restoration of the link with earnings, which I applaud, and came up with the interesting suggestion that perhaps the working families tax credit could be improved if we dealt with the issue of the withdrawal of housing benefit. I hope that the recommendation for a pilot study will be considered favourably.

There are important parts of the social security budget that must be improved as part of an anti-poverty strategy, but that is not to take anything away from the great improvements in the spending Departments, many of which will impact directly on those living in poverty.

One of the reasons why we have no more Scottish speakers today is that the money for Scotland will not be distributed until the Scottish Parliament reconvenes in September, so all that we know is that we will get a global increase of 4.4 per cent. a year in real terms, which is a significant and welcome increase. The only decision that has been made relates to health, as the health announcement was made in the Budget.

I hear a lot of talk in public and in private about the Barnett formula, so I should share with English Members the fact that, in Scotland, as the Scottish National party keeps saying, the percentage increase that we are getting—health is the only one that we know about so far—is less than in England. That mathematical fact is not especially surprising, but a lot of English Members do not appreciate it. In other words, the Barnett formula is a convergence formula. As Scotland starts with a higher base and gets the same increase per head, that translates in each of the spending programmes into a lower percentage increase. People who criticise the Barnett formula should understand that. Even those who want to get rid of the formula surely would not want to pull the plug on Scotland—not unless they wanted to create an independent Scotland, which would be the general effect in political terms of slashing public expenditure in Scotland.

Some Liberal Democrat Members support the Barnett formula. However, another third of the party wishes to proceed to a new needs assessment for Scotland, while the final third supports fiscal autonomy for the Scottish Parliament. In the short term, it is better to stick with the Barnett formula, although I am not lacking in confidence about the ability of Scotland to argue its corner in terms of need.

In Scotland, the health budget is bigger per head than the English budget but is growing significantly more slowly. If we look at health from the point of view of need, the health needs in Scotland are significantly greater than in England according to all statistics, for the simple reason that people die significantly younger. All the health indicators are worse in Scotland than in England. Given that health accounts for one third of the Scottish Parliament's budget, it would be easy to put up a strong case for the levels of health expenditure that we receive.

What would be indefensible in a Scottish and UK context is to argue for the massive public expenditure cuts that are the implication of the Conservative party's arguments this week. I thank my right hon. Friend the Chief Secretary for pointing out, courtesy of a Conservative briefing, that £1.4 billion would be cut from the Scottish budget if the Tories were to have their way. I have yet to hear any explanation from the Conservatives of where they are to make cuts.

I almost felt sorry for the shadow Chief Secretary, who was sent round the television studios the other night by the shadow Chancellor. When asked how he would find £16 billion of cuts, all that he could come up with were a few political advisers. I do not know how much he thinks Labour political advisers are paid, but he will have to come up with something better than that.

Sir Robert Smith: If those political advisers were paid £50,000 a year, it would mean that there were 320,000 spin doctors.

Mr. Chisholm: I thank the hon. Gentleman for his helpful point.

I conclude by welcoming this significant boost to public expenditure. This is a significant political moment, when the balance of argument has shifted decisively in favour of public expenditure after two decades in which the assumption has been, in England at least, that high levels of public expenditure were not politically popular. Now the climate seems to have changed in England—although I must say that it has always been the case in Scotland that we support high levels of public expenditure.

ROYAL ASSENT

Mr. Deputy Speaker (Sir Alan Haselhurst): I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified her Royal Assent to the following Acts:

Appropriation Act 2000

Crown Prosecution Service Inspectorate Act 2000

Terrorism Act 2000

Limited Liability Partnerships Act 2000

Royal Parks (Trading) Act 2000

Care Standards Act 2000

Television Licences (Disclosure of Information) Act 2000

Carers and Disabled Children Act 2000

London Local Authorities Act 2000

4.54 pm

Mr. David Ruffley (Bury St. Edmunds): Before I begin my remarks on public expenditure, I would very much like to endorse the comments from Members on both sides

[Mr. David Ruffley]

of the House celebrating—that is the right word—the magnificent speech from the hon. Member for Tottenham (Mr. Lammy). It was eloquent; it had charm, style and grace; it was intensely moving. Given the hon. Gentleman's great skill and charm, I trust that he will pursue his remarks on the disconnection from the political process of younger people in this country. I am sure that he will have a valuable contribution to make in that and many other areas.

This week's spending review document should have had a subtitle—"Return to Labour tax and spend". We have seen a set of propositions from the Labour Chancellor which invited us to believe several things. These were very much the kind of propositions that old Labour invited the British public to believe. "We can have high levels of spending and the tax burden does not have to go up to finance that". "We can have high levels of public spending but ordinary hard-working families will not have to pay more tax to finance that". "We can have high levels of public spending and big Labour spending figures that are credible, believable and deliverable and will automatically result in better frontline services".

Those are ridiculous propositions now and they were ridiculous 20 years ago. All Conservative Members know that there is no such thing as a free Labour spending splurge. Someone has to pay for it. Who pays for it? Let us refer to those who must pay rates of interest. In the coming financial year, we will see real terms growth in spending of about 6.7 per cent. That means that about 40 per cent. of the British economy will be growing at nearly 7 per cent.

As Goldman Sachs observed today, it is clear that that will crowd out private sector economic activity. Those who are assiduous enough will have read the minutes of the Monetary Policy Committee at its last meeting, at which it was observed that this spending splurge could lead to inflationary pressures unless the private sector slows down. If it does not slow down, the MPC has made it perfectly clear that there will be upward pressure on interest rates. If there is upward pressure on interest rates, mortgage payers and manufacturing exporters will suffer. These things are not spoken about by Labour Members because they are a cost—there is a cost attached to this spending.

In response to a question on whether there is any room for reducing tax under these fiscal projections, the National Institute for Economic and Social Research and the Institute for Fiscal Studies have observed today that there is not. There is no prospect of money being returned to the British people who have had their pockets picked for three years by the Chancellor and the Labour Government. There is no prospect in the three years of CSR2 of any return of their money through even modest tax reductions.

We do not have to talk about future tax increases from today. We only have to look at the way in which the typical hard-working family has paid more tax over the past three years. As the House of Commons Library has shown, the average family will be paying about £670 a year extra tax. That is made up of council tax, which is rising at nearly four times the rate of inflation; personal pension contributions, which will have to rise by more than £200 a year on average to pay for the £5 billion a year raid by the Chancellor in his first Budget in 1997; over £200 following the loss of married couples allowance; and £200 a year following the loss of mortgage interest relief. The list goes on, making a grand total of nearly £700. Therefore, the people have been paying already for spending, but they also know that that spending has not resulted in better public services. They have been taxed more, but less has been delivered.

I should like to say something about that canard—the £16 billion, a figure that the Labour party will try, I believe unsuccessfully, to lodge in the public mind as being a Tory "cut". Let me explain why that is a fantasy fiscal figure. It is bogus because the £43 billion extra that the Labour party suggests it will spend at the end of four years from now is obviously not going to be delivered. That is the view of many outside commentators, my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) and my right hon. Friend the Member for Kensington and Chelsea (Mr. Portillo). They agree, as we all do on the Conservative Benches, that those are figures four years out. Plenty of things can happen before then.

I am always reminded on these occasions, when I look at Labour fiscal numbers and the preposterous distortions of the truth that they try to foist on the British public in relation to our policy, that a lie is halfway around the world before the truth has got its shoes on. That will not be the case with the bogus £16 billion figure. One cannot have cuts of £16 billion if one does not know what the actual spend will be. I do not believe that £43 billion is what, in practice, will be delivered.

Dr. Ladyman: May I remind the hon. Gentleman that a Conservative party briefing paper identified the £16 billion?

Mr. Ruffley: It is not a document that I have seen. I understand from hon. Friends that it has been, as usual—no surprises there—completely distorted by the Labour party, but the £16 billion is a canard that is being thrown around and debated, not with much success, by the Labour party. I have explained why it is a bogus figure. Those cuts do not materialise because the money that the Government say that they will spend has not materialised. I do not know how much will be delivered, but we know one thing: it will not be spent wisely or well.

We know that because the Labour party and those on the Treasury Bench have been in a bit of a mess about the whole idea of comprehensive spending reviews. First, it said that they would have a three-year planning horizon. I am afraid that we had only two years of CSR1, announced in July 1998, because its third year has now become the first year of CSR2—that is to say, 2001–02.

It gets even worse. Last year, emergency cheques were doled out busting the limits that the Government had said that they were setting. The idea that we have a prudent Chancellor who has a three-year time horizon has been exploded. It is a myth. It is simply not true.

Then we have that work of fiction: the publication of the public service agreements. That was a bit of a laugh. The Government started out with several hundred targets and said that they would measure them over the lifetime of the Parliament, so that the public and the public services could see how that extra money was being spent. They have had to slash the number of targets, many of which were inappropriate. We do not have a basis on which to measure what was happening at the start of the

Parliament with what is happening at the end of it because they have changed the basis of the PSAs. Muddle and confusion abound.

We were told that the allocations set out in the document for CSR2 were going to be informed by the results of the PSAs in CSR1. In other words, they would see how that money was spent and whether Departments hit targets—if they did not, sanctions would have to be taken and the allocations would be tied to performance. We all know that the numbers announced in the document bear no relation whatever to the PSA targets and whether they have been met in the past two years. Everyone in Whitehall knows it.

Mr. Timms: It was always the intention that the first year of the new spending review and the last year of the previous spending review would overlap. That was the intention set out at the beginning of the spending review process. The CSR targets relate to the full three years, which finish at the end of the 2002 year.

Mr. Ruffley: I am afraid that the Minister has not explained why there were so many PSA targets, which were inappropriate, ludicrous and had to be scrapped. We now have no basis on which to measure performance over the Parliament. That is something that no Minister has sought to deny. I notice that he did not seek to deny it in his intervention.

Mr. Timms: I am happy to deny it. As I have said, the targets apply to the full three-year period of the CSR. At the end of that time, the hon. Gentleman will be able to see what has been achieved.

Mr. Ruffley: What the Minister omits to mention is the targets at the beginning of the PSA process and the targets now are different because the targets are being slimmed down and changed. He cannot seriously be seeking to deny that. If he does, I suggest that he speaks to the Chief Secretary, who will put him right on that basic fact.

We were told by the Chancellor this week in his statement on that new money, which may or may not materialise:

> At every stage, money will be tied to output and to performance.—[*Official Report*, 18 July 2000; Vol. 354, c. 220.]

Perhaps the Government can make it clear whether a poorly performing public service will receive a cut by way of a sanction if it does not meet targets, or whether its failure will be rewarded by more money. There is confusion at the heart of the public spending philosophy of the Treasury. That is yet another question that has not been answered in the Chamber, much less in the Select Committee on the Treasury, on which I sit. We had an inquiry into PSAs. Answer came there none.

I draw the House's attention to the way in which the non-delivery of the Government, their hike in taxes and failure to deliver front-line services adequately have affected my rural constituents in the towns of Stowmarket and Bury St. Edmunds. We have seen a decline in police numbers. In 1996–97, the last year of the previous Government, there were 1,185 policemen in the Suffolk constabulary. This year, there are 1,165. Suffolk health authority has received the joint worst health spending increase. I have gone to the Secretary of State for Health to raise that matter. There was no real adequate explanation.

We have seen across first, middle and upper schools an increase in class sizes. Only the other day a written answer provided me with the information that for middle schools in Suffolk, the average class size is 23.8 compared with 23.7 two years ago and that for upper and secondary schools the average class size is 21.2 compared with 20.8 in 1998. These are facts which are not lost upon my rural constituents.

We also realise that we are getting a raw deal on the A14. According to a written answer this week the number of fatalities on that treacherous stretch at Haughley bends has doubled within 2 years. We urgently need expensive, safety work. We need the Highways Agency to commit resources so that there are not more deaths, but all we get are warm words.

We must look carefully at this spending round to ensure that rural areas are not overlooked as they have been so tragically and, in my view, grotesquely in the first three years of this Parliament. That offence is worsened by the way in which the Government invite us to believe things that simply are not true. They say that taxes have not increased; they have. They say that services are getting better; they are not.

For those reasons I must profess my profound scepticism about this document. We in the Opposition make it clear that whatever additional resources may or may not be available in the next two years—a three year horizon in the comprehensive spending review—when we are in government we will spend them more wisely and better, and we shall get more money to the frontline of our vital public services.

5.10 pm

Mr. David Crausby (Bolton, North-East): First, I echo the congratulations that have been heaped on my hon. Friend the Member for Tottenham (Mr. Lammy) for his maiden speech. He will no doubt be here for many years and I trust that he will maintain his humility and hang on to his sense of gratitude to the people who sent him here.

I am grateful for the opportunity briefly to contribute to this debate on public expenditure. It allows me the opportunity to comment on the widespread welcome that my constituents will afford to the radical increase in public investment which the Chancellor announced in his statement on Tuesday. I warmly welcome his conclusions because his comprehensive spending review sets out a wise and responsible direction for the Government to go in—a direction that will deliver the Government's long-term aspirations of a strong, healthy economy, efficient, comprehensive public services and, most important of all, social justice for all our citizens.

The ability to deliver all that while providing stable economic growth coupled with low inflation and the promotion of a dynamic, growing economy which employs our people in ever increasing numbers and prosperity is a remarkable tribute to the Chancellor's handling of the economy. The public investment proposed will be a real boost for Bolton and, indeed, for the rest of the country. It sets us on the road to delivering the social justice that we have always stood for. Wise and prudent public spending is what responsible, democratic government should be all about.

[Mr. David Crausby]

The Chancellor's proposals are essential for Britain. Our country has so much to offer and so much wealth, yet we still have far too many pockets of poverty and deprivation. So much still needs to be done in health, education, transport and, above all, in the reduction of crime, along with the apprehension and prosecution of criminals.

The proposals are especially important to my constituency, where there is a particular demand for all these areas of public service. However, there is an exceptional obligation on us when it comes to the provision of health care. The recent performance indicators, for example, released by the Department of Health last week, demonstrated a massive north-south divide in health care and confirmed that Bolton was one of the worst places for heart attacks. The Bolton hospital trust comes bottom in a table of 56 similar hospitals, with 20 per cent. of those who are admitted with a heart attack between the ages of 35 and 74 dying within 30 days. That is unacceptable for a modern health service. When we enact the Chancellor's promise of 6.1 per cent. growth above inflation in health funding over the next five years, I expect that we will also take the opportunity to equalise the provision of health care across the nation.

One of the consequences of Bolton's getting such a poor financial deal is that many of my constituents who suffer from kidney disease are forced to travel to Hope hospital in Salford for dialysis treatment. Only today, I heard from a constituent who has to wait 60 days for cataract treatment. That will all be helped by the decision to build a new surgical theatre for eye operations in Bolton. However, it is simply wrong that such an essential and basic provision should not already exist in Bolton.

The additional resources made available this week will, I hope, rectify the inequalities in health care between the regions. We will, at long last, have a health service that will be the envy of the world again.

The acid test of any Government's commitment to the NHS is their willingness to deliver the necessary resources. Almost everyone accepts that increased spending on the nation's health service is essential. So how can the shadow Chancellor argue that the rate of spending in Britain should increase by 2 per cent. and not 3.3 per cent. without accepting that the consequences will mean a £16 billion reduction in his spending plans? That view is not simply taken from a Conservative document—we heard it said on television. Where will the right hon. Gentleman find his £16 billion without devastating health and education?

New developments and increased public aspirations will, in any event, continuously increase the demand for health care. Perhaps we will never be able to meet those demands entirely, but to argue for cuts in public expenditure when it impacts on life and death is callous and irresponsible.

I enthusiastically support the review. It has been long awaited, and it is not before time. Such a truly comprehensive review is welcome, and clearly demonstrates the difference between a Labour Government and a possible Conservative Government. That is how it should be. The voters are entitled to be offered distinct political choices at elections.

This week's events have provided such a choice. They demonstrate clearly that if constituents believe in public services efficiently delivered within a strong economy, they should choose Labour whenever they have the opportunity. If, alternatively, they believe in increasing privatisation of the national health service, encouraging non-public sector education for their children and leaving public transport to the rigours of the free market so as to cut taxes for the wealthy, they should, of course, support the Conservatives. If they do not know what they believe but desperately want the best of both worlds, they are perfectly entitled to vote Liberal Democrat. However people choose to vote in the end, they were given a choice on Tuesday, and I welcome that.

I am convinced that the tough decisions that the Government have taken during their first three years in office have equipped us with a stable platform on which we can build. This week's comprehensive spending review will enable us to create a Britain that will not only be fit for the future but fit for its people. It has my committed support, and I commend it to the House.

5.18 pm

Mr. Tim Collins (Westmorland and Lonsdale): Let me begin by adding to what has quite rightly been a chorus of approval for the excellent maiden speech of the hon. Member for Tottenham (Mr. Lammy). I apologise to him and to you, Mr. Deputy Speaker, for the fact that an urgent constituency matter meant that I had to watch the hon. Gentleman's speech on a monitor rather than seeing it from within the Chamber. However, I heard enough of his speech to realise that all the subsequent comments made by right hon. and hon. Members on both sides of the House about its excellence and quality and the very high calibre of contributions that we must now regularly expect from the hon. Gentleman were perfectly right and well judged.

I think that the hon. Gentleman will be an ornament to the House and that he will do himself, his party and Parliament a great deal of credit in the years to come.

On Tuesday, the Chancellor of the Exchequer announced an extra £43 billion of public expenditure, and said that it would transform the nature of public services. I suspect that I was not alone in having an overwhelming sense of déjà vu. It is only two years since the Chancellor of the Exchequer announced an extra £40 billion of public expenditure and told us that that would transform public services and dramatically change the nature of health and education provision. The Government would like the public to believe that, this time, the £43 billion is real and that, of course, the £40 billion from the previous review was the product of some double and triple counting of which they are a little ashamed. The problem for the Government—on this as on so many other fronts—is that their credibility has been comprehensively demolished by their successive experiments in the world of spin and by the way in which all their actions have been exaggerated: figures have been counted twice or three times, or openly fiddled.

It normally takes us a few weeks to get a grip on the sheer scale of the tortuous process through which this Chancellor arrives at the figures, but it is already clear, 48 hours after his statement, that several of the figures that he announced were—to put it at the mildest—a little controversial. For example, the Chancellor announced

with great glee that there would be a substantial percentage increase in the expenditure of the Ministry of Agriculture, Fisheries and Food. However, it turns out that that is possible only because, in the first year, the Chancellor had recalculated the baseline by taking out about 20 per cent. that had previously been included.

The Chancellor undertook a similar exercise in respect of Scottish spending. My hon. Friend the Member for Ruislip–Northwood (Mr. Wilkinson) made a similar point on defence expenditure. Indeed, he could have gone further; assumptions on defence spending are based on the expectation of asset sales, including the dubious process whereby the Government propose to privatise the Defence Evaluation and Research Agency. Those assumptions are rather difficult to believe.

The problems with the Government's spending plans do not simply reside in the fact that the public have grown used to disbelieving any figure produced by the Chancellor or the Prime Minister. If the Government seriously intend to initiate such a substantial increase in public expenditure, there could be grave macro-economic consequences. Two days ago, the City editor of the *Evening Standard* noted that the Chancellor had set in train a process that was likely to lead to a recession. He pointed out that, based on the Chancellor's public spending plans, we should be lucky to avoid a recession.

I do not know whether that prediction is correct, but I do know that the 12 unbroken years of economic growth that the Chancellor assumes will continue until the end of the CSR2 period hardly ever occurred in the UK throughout the whole of the previous century. His assumptions are extremely optimistic. It will be interesting to see whether the Treasury Minister who winds up the debate can guarantee that the Government's spending plans will be met in all economic circumstances.

I suspect that Treasury Ministers will not be prepared to give that guarantee. It is thus clear that the total figure of £43 billion will be, at best, hypothetical by the end of the planning period. That figure is conditional and no one should base any real expectations or hopes on it. I fear that many vulnerable people and deserving causes throughout the land have been cruelly deceived into believing that their fortunes will dramatically improve, whereas in fact, much of that public expenditure is not guaranteed.

The hon. Member for Edinburgh, North and Leith (Mr. Chisholm) made an interesting point. He said that the review was a politically significant moment; he believed that we had come to the end of two decades during which high public expenditure was regarded as politically unpopular. He hoped that we were entering a period when, for as far ahead as we could foresee, the state would consume more than 40 per cent. of the nation's wealth every year.

That is indeed a politically significant moment—in part, for the reasons given by the hon. Gentleman. Indeed, the Secretary of State for International Development was widely reported in today's newspapers as saying that the new bit of new Labour had fallen off. She said:

> The bit that's going wrong is the "new" bit.

The essence of the new bit was that we were led to believe that the governing party did not believe in high levels of public expenditure for their own sake any more—that they were converted to the view that outputs matter more than inputs, that they did not believe in tax and spend for the sake of it, and that they had moved away from the old-style socialist singalong beliefs in the bigger state, bigger government, bigger spend and bigger tax.

It turns out that that is simply not true. It turns out that old attitudes are reasserting themselves, and after two or three years of the present Government, when they have come under sustained criticism because they have failed on so many fronts, they are going back to their old instincts—their old belief, "If in trouble, spend and tax your way out of it". But in fact, the history of every Labour Government has been that when they did let rip in spending and taxing, it has not been the solution to their problems but has resulted in the termination of their public support and their ejection from office.

This is therefore a truly significant political moment. It is the moment when the old division lines between the parties—between a Conservative party that believes that one can grow public services within a growing economy but that one can do so best, indeed only, by reducing taxes and allowing people to keep more of what they own, and a Labour Government who believe in spending more and taxing more for the sake of it—are becoming very much clearer.

I was intrigued by several of the announcements that we have had since the Chancellor's statement, and by their implications for the quality of the public services on which my constituents can expect to rely in future. My constituents have become very sceptical about what this Government's announcements mean in practice. Two years ago, they heard the announcements of the extra expenditure for health and education. Since then, they have found that their waiting times have actually lengthened.

There are now 11 people in the Morecambe Bay health authority area who have been waiting for more than a year for a heart bypass operation. That is a vital, lifesaving operation, and people in my constituency and the surrounding area are waiting more than a year for it.

My constituents were told that the Government believed in high quality transport, yet one of their very first acts was to cancel the desperately needed A590 bypass project at High and Low Newton. Even though the project had funding and planning permission and was ready to roll at the time of the last general election, it was axed in its entirety. This afternoon, the Deputy Prime Minister made a speech in which he said that there would be 100 bypasses, but he then made it clear that he would not tell anyone what they were, where they were or when they would happen; so that seems to be another example of spin for the sake of spin.

We have heard repeated reannouncements of the same thing. Very often, the Government have claimed credit for things so old that they had nothing whatever to do with this Government. They have repeatedly reannounced the upgrading of the west coast main line—which is to happen thanks to Railtrack and Virgin Trains—started under the previous Government. They claim credit for the Jubilee line extension in London, a project that was wholly pushed through under the previous Government.

The Prime Minister regularly claims credit—indeed, he did so in his famous leaked memo—for the introduction of a policy of "three strikes and you're out" for burglars. Not only was that policy brought in under the previous Government, but the legislation was passed in 1996 and

[Mr. Tim Collins]

not implemented by the present Government in their first two years in office; and yet the Prime Minister expects the nation to be grateful to them for implementing it.

The problem that the country faces with any of the Government's public expenditure plans is that time and again we read wonderful headlines and there is a great attempt at spin, but very little actually happens on the ground that people have the chance to see in their local area.

The hon. Member for Edinburgh, North and Leith said something else that was very interesting. He claimed that these public spending plans were unique in British history because they were delivered without higher taxes. We have seen very dramatically higher taxes underlying the present Government's spending plans. There has been a 44 per cent. increase in the petrol price paid by many of my constituents, who have absolutely no choice but to use their car, for whom it is not a luxury item but a necessity.

Mr. Vernon Coaker (Gedling): What are you doing about it?

Mr. Collins: I voted against the tax increase on petrol. I suspect that the hon. Gentleman voted for the tax increase on petrol, and therefore that he will be paying the political price for that, come the next general election.

My constituents and those of many other hon. Members on both sides of the House are paying higher taxes because of the abolition of the married couples allowance, because of the abolition of mortgage interest tax relief, and, as my hon. Friend the Member for Bury St. Edmunds (Mr. Ruffley) pointed out in his superb speech, because of the extra taxes on pensions. We have seen taxes going through the roof, but consistently, whether in south lakeland or throughout the country, we have seen no improvement in services. If the Government expect that this time people will believe that there is £43 billion of spending, let me tell them that people might have believed them the first time when they announced spending of £40 billion, but they will not be fooled by the same bit of spin spun twice by the same unreliable spin merchants.

5.30 pm

Mrs. Janet Dean (Burton): First, I add my congratulations to my hon. Friend the Member for Tottenham (Mr. Lammy) on his maiden speech, which we all recognised was extremely moving. I am sure that he will have a long and distinguished career in the House.

I am pleased to have the opportunity to take part in the debate. This week's announcement of the increase in funding for our basic services is widely welcomed. We have already seen increased Government spending beginning to turn round the decline in services that we saw under the Conservative Government.

We have been accused of spin, as if the extra funding is not real. I can say that it is real. When I talk to head teachers in my constituency, I hear of the improvements that are taking place in our schools. When I talk to constituents, I know that they welcome improved public transport in rural areas and the extra money for our health service.

I served as a county councillor for 16 years, and I witnessed the rise in class sizes year on year. In the early 1980s, children were being taught in classes of fewer than 30 pupils. However, by the time that the Conservatives left office, many class sizes were approaching 40. We have kept our election pledge and we are well on the way to seeing all class sizes for five, six and seven-year-olds below 30. The extra funding announced this week will help to tackle the problem of larger class sizes for older children.

I welcome the extra direct funding to our schools announced by my right hon. Friend the Chancellor of the Exchequer. That is not because I want to see the work of local education authorities undermined, as the Opposition would advocate. Direct funding will help to reduce the gap between authorities like Staffordshire and those which have traditionally been funded at a higher level. It is a great pity that in areas like Staffordshire, the value of the extra Government expenditure on education has not always been appreciated.

The emphasis in the media has been on the disparity between Staffordshire's standard spending assessment and that of other counties. It is important that we address the problem by making changes to the funding formula as soon as possible. I make that plea again.

Perhaps we should spin a little more and get the message over that our schools funding is improving, and that our schools are feeling the benefit of the increased spending, both revenue and capital. On a recent visit to Ryecroft middle school in Rocester in my constituency, I heard from the head teacher of the improvements that have taken place. These included complete roof replacement with new deal funding, a new double mobile classroom from basic needs capital funding, electrical work as a result of the new deal and the refurbishment soon of all cloakrooms, again from new deal money. In addition, the school recently received an extra £30,000 from my right hon. Friend the Chancellor. That will boost the resources that are available to provide a good education for the children in the school.

When I spoke to the head teacher of a junior school in Burton, I heard that the £9,000 direct cash payment this year had enabled the school to retain a teacher who would otherwise have been displaced because of falling rolls.

For years, when I was a member of the county council, we were not able to maintain the fabric of school buildings. We knew that we should be doing more, but we did not have the money. Many capital projects seemed dreams for the future. We knew that we were not spending enough to maintain our building stock. There are now building projects and improvements at many schools in my constituency.

I was talking to one of my former county colleagues recently. I heard how it has taken quite a change of culture to realise that money can be spent and jobs can be done which previously we could only dream of doing.

I look forward to seeing the effect on our schools of the further extra funding that was announced this week. However, it is not only in education that we are beginning to see the benefits of the increased public spending under Labour. Last week, I had a phone call in my Burton office from a lady who had just returned from taking a relative to the accident and emergency unit at Queen's hospital in Burton, and who had been very impressed by the way that it looked and the work that had been done on the reception. Her relative had commented on the kindness of the treatment, and they were both surprised that she had

been treated quite quickly. That lady praised the Labour Government and recognised that we are having to clear up the mess left by the Tories.

It was good to hear that the money provided by the Government to refurbish the accident and emergency unit at Queen's hospital is appreciated. It is also good to know that people recognise that, even with unprecedented increased spending on health, we cannot put right the problems of the health service overnight. It takes time to train doctors and nurses, but we are getting waiting lists down. At Queen's hospital, a special team has been set up to ensure that targets are met and I was delighted to visit the hospital, along with the Under-Secretary of State for Health, my hon. Friend the Member for Birmingham, Edgbaston (Ms Stuart), to thank staff for their hard work.

We have much to do to bring the national health service up to the standard that Labour Members want. We need to reduce waiting lists further and we need to reduce waiting times. I welcome the commitment shown by my right hon. Friend the Chancellor, which has meant that my health authority, South Staffordshire, has received a total increase in its allocation for the current year of 8.7 per cent., giving it a real-terms increase of 6 per cent.

I hope that, as with education standard spending assessments, the Government will continue to review the formula for health spending, which puts South Staffordshire health authority low down in the funding league. It is also important that the anomaly within the health authority, which means that my constituency is poorly funded compared with the rest of the authority, is also addressed.

I want to express my appreciation at the announcement of increased funding for law and order. Staffordshire police had to make cuts in the number of officers last year, because of continued restraints on the budget while the Government were maintaining Conservative spending plans and reducing the burden of national debt. However, I am pleased that Staffordshire will be able to recruit 83 more officers over the next two years from the 5,000 extra that were announced some time ago. Like my hon. Friend the Member for High Peak (Mr. Levitt), I am even more pleased that a further 4,000 extra—in addition to the original 5,000—have been announced and that there will be even more recruits in Staffordshire. I certainly hope that Staffordshire receives a fair share of that funding.

Today's announcement on transport spending was equally welcome. It will bring improved finance to all forms of transport. The extra money that has been provided for road maintenance will continue to help to address the deterioration of our highway infrastructure. I have no doubt that, when repairs hold up traffic, it will cause frustration to motorists; I am sure that we shall receive complaints about that. However, it is vital that we start to catch up on the road maintenance backlog caused by years of underspend by the previous Government.

I remember well the frustration that we felt when I was a member of Staffordshire county council and the vice-chair of highways because we were not able to maintain our road network, just as we were not able to maintain our building stock. We could see the deterioration in the roads year on year, and it was a particular problem in Staffordshire because the county is at the hub of the country's traffic movements.

The Government's increased spending on rural public transport has enabled new services to be provided. The 1986 deregulation of public transport brought with it a loss of services to rural areas, and I welcome the increase in evening services and the greater access to villages that the new money has already brought. Of course, in rural areas, it is not possible to make provision for all transport needs by public transport, but it is right that those without transport should be given greater freedom and that those who seek alternatives to the car should be able to access such services wherever possible.

The extra £800,000 a year which has already been made available to Staffordshire for rural transport has brought new services. One can now even travel from the town of Uttoxeter to other parts of the county on Sunday morning, which has not been possible for more than 25 years. I know that the increase in the annual allocation from £60 million to £95 million will bring even greater improvements.

My constituency includes the town of Burton-upon-Trent whose problems, in some ways, are similar to those of many inner cities. The inner wards are deprived, but are benefiting from the new deal and we are getting young people back into work. I am very pleased that Burton has been accepted as an area that can bid for a sure start scheme which, again, is good news for the Government. As my constituency is semi-rural, I know well the problems faced by the agricultural community, including the legacy of BSE and, in the northern area of my constituency, cattle testing positive for TB, which is a great concern to many other constituencies.

Great changes are needed in the industry, and I welcome the increase in the agricultural budget announced by the Chancellor. I know that my constituents will welcome warmly the public spending announcements this week, and I believe that we can now see that the Chancellor's prudence has enabled money to be made available to improve our public services and address the underspending that we inherited. The difference between Labour plans and Conservative policies is now plain for all to see. The Conservatives would cut public expenditure by £16 billion and would have a two-tier health service, but then they voted against the NHS when it was formed.

I welcome the additional investment in our services, which is vital to ensure that those services are there when people need them and is fundamental in ensuring a civilised and fair society.

5.42 pm

Mr. Andrew Tyrie (Chichester): First, may I congratulate the hon. Member for Tottenham (Mr. Lammy) on his maiden speech. I am sorry that he is not here at the moment, although I quite understand, as he is probably having a well earned cup of tea. He delivered an outstanding maiden speech, one of the best that I have heard since I came to the House, although that was not very long ago. Nevertheless, I have heard quite a few maiden speeches.

I was very interested in and sympathetic to what the hon. Gentleman said about the need for representation of his highly multicultural constituency. He also spoke about the declining interest in politics in his area. I hope that he is wrong, but it is a matter to which we should all pay careful attention. I trust that, as a House, we can all do something about the decline in interest in political activity—if, indeed, that is what is going on.

My hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) also gave an outstanding speech, and made many crucial political points. I shall not go over

[Mr. Andrew Tyrie]

that ground again, but his two key points were that, year after year, we have been spun a yarn about the level of public spending. Huge announcements are made, but we do not know exactly how much is really being spent. At the same time, taxation has been steadily increasing, despite the fact that we were told that it was not. The plain fact is that taxes are going up.

Part of that spinning is reflected in poor Government documentation. We may still have a strong economy, but we already have banana republic-style Government documents to back it up. Last week, the Government's annual report announced the completion of a sports academy that has never even been started. Now we have the spending review document. If, for example, one looks up the Ministry of Defence in the index, one is told to turn to page 59. However, when one does so, one finds the Home Office section instead. One might then have a go at finding the Home Office from the index. One is told to look at page 51, but one will find something completely different there—the Department of Health.

Lest we be in any doubt about what the document is about, we might look at the spine. The cover says that the document is about spending, but the spine says that it is another Budget. I really think that something should be done to sharpen up the Government's publications, which are a symptom of a wider phenomenon. I had a small hand in trying to write to Red Books some years ago, but this Red Book, like its predecessor, is completely incomprehensible to me. Even to cognoscenti of Red Books—perhaps I could classify myself as one such—much of it is gibberish. Nobody could possibly work out from this document what is going on in the economy; it is a scandal and a disgrace.

All the beacons and milestones that have been used in the past to try to assess what is happening in the economy have been removed, and a load of new definitions have been brought in which are extremely difficult to disentangle and understand, even for experts in the City. That was a plea for better documentation. This document cost a lot of money; I wonder how many will be pulped.

Caroline Flint: How many copies of "The Common Sense Revolution" have been pulped this week?

Mr. Tyrie: I do not have that number at my fingertips.

Mr. Loughton: The spending review document costs £32.

Mr. Tyrie: My hon. Friend says that this excellent publication costs £32, and I should not think that W. H. Smith sells many documents that badly edited.

I want to address three relatively serious questions, and although I do not want to upset my hon. Friends, I think that my questions will not be too party political and controversial.

Mr. Andrew Love (Edmonton): In that case, the hon. Gentleman has not made a very good start.

Mr. Tyrie: That is a good point. Most sedentary comments are made by people who are too afraid to stand up and make them, but that one sounds reasonable.

I want to ask three questions, and then have a go at answering them. First, is this increase in public expenditure sustainable? Secondly, will the money be well spent? Thirdly, will the spending increase have other consequences for the economy?

Outwardly, the position on sustainability looks good. Debt repayment is taking place, which must be good news. Debt repayment was 1.6 per cent. of GDP over the past two years. We cannot know about the delivery of projections, but let us consider what is happening now. The debt repayment makes fiscal policy look tight, but I remind the House that in the 1980s debt repayment was a little higher, at 1.7 per cent. of GDP. I seem to remember that there was a bit of asset price inflation then, and we have that again in the economy at the moment. There is rather less of it, but the same storm signals can be seen. I was in the Treasury in the late 1980s, and in retrospect it is clear that fiscal policy was too loose and we should have been repaying more debt. I ask the House whether we should be repaying more debt now.

Hon. Members may ask how a country repaying debt could suddenly have its fiscal so policy shaken out of kilter. The answer, which the Government do not like to talk about, is economic cycles, and in particular, the change in their nature in recent decades. The length of cycles is growing, and the gap between troughs is widening. We used to have three or five-year cycles; now it seems that we have cycles that last a decade or more. It appears that we are now eight years into the upswing of this cycle, which has lasted almost as long as the previous cycle, which had a nine-year upswing.

We are likely to see greater levels of volatility in the future. There are many reasons for that. I shall not go into those now, but one reason why that volatility has been concealed recently is the introduction of new technology, which has created uniquely benign, non-inflationary economic circumstances. I do not know whether that will last. Frankly, I think that it must be a one-off shift, and that when it unwinds we will find ourselves with an economy that is precariously close to a resumption of inflationary pressure.

The Government's rhetoric is that they have abolished the business cycle and brought an end to boom and bust. I do not usually make predictions, because that is a dangerous game, but I will make one: I can guarantee that after this boom there will be a bust; after this recovery, there will be a boom phase and a recession. I guarantee that. I hope that that is firmly recorded in *Hansard*. It has always happened in history, and it will happen again.

Mr. Love: Will the hon. Gentleman give way?

Mr. Tyrie: If the hon. Gentleman will forgive me, I want to make progress. If I succeed, I shall let him in later.

How deep will the downturn be? I do not know, but the arithmetic could turn nasty very quickly, much faster than in previous downturns, except perhaps the last one. There are good reasons for that. The main one is that in a deregulated economy, and in an economy with a much higher private sector share of GDP than in earlier periods of the post-war era, tax revenues collapse much more severely, and public expenditure commitments increase much more sharply, the latter because such a high proportion of public spending is non-discretionary—much higher than it was in the 1950s and 1960s. My guess is that the arithmetic is quite vulnerable to a downturn.

The second question that I posed was whether the money was being well spent. It was a big mistake to announce huge increases in spending in so many areas, without having drawn up clear plans for using the money more effectively. Let us examine what is going on in health. Huge increases in health spending have been announced, without plans to introduce better management in the health service.

The last time there were such huge increases, they were Conservative increases of almost identical size, although only for two years rather than the five years to which the Government are committed, on a scale of 5 or 6 per cent. in real terms per annum. However, that was accompanied by the introduction of the internal market. Many hon. Members may not like the internal market, but the evidence published every year by the Department of Health is overwhelming that the introduction of the internal market increased efficiency in the health service overall, even though many health service workers did not like it.

I fear that the Government have little idea how to go about restructuring the health service to get a bigger bang for their bucks. There are only two routes to greater efficiency in public sector spending. One is managerialism—that is, creating a shadow private management structure, which is what we did, to some degree—and indeed, the Government have attempted to do that in one or two areas. The other route is privatisation or contracting out.

There is no third way to improve the quality of management output in the public sector. There is a way that can be described as different, which is the statist route, which I fear may result from the introduction of tsars, diktats and attempts to manage from the top down. That method of management in major public sector institutions was tried in a host of economies in the post-war era, and was still being tried until recently in eastern Europe. It has been a disaster wherever it has been tried. It requires planning on a grand scale, and planning has always failed, wherever it has been tried.

I worry about whether the money will be well spent. *[Interruption.]* I am tempted to welcome the Treasury Whip, the hon. Member for Nottingham, North (Mr. Allen), to the Chamber.

The third question that I posed was what the long-term consequences of an increase in spending might be for the economy. The balance between the public and the private sector cannot simply be arbitrarily altered. When it is altered, there is a one-off frictional cost and, in the longer term, a larger public sector always risks crowding out private sector activity. In other words, there may be a price to be paid in economic growth forgone for increasing the size of the public sector.

The Government's response to that point is to claim that they are engaged in investment, not public spending. If they believe that we will get investment from the increase in public spending, they should back their rhetoric in the outer years by writing into the Red Book a higher figure for long-term growth. However, they do no such thing. In the Red Book, growth remains the same for the whole run of years. They do not believe their rhetoric; they do not believe that higher public sector investment will lead to better economic performance.

The only increase that the Government made—from 2.25 per cent. to 2.5 per cent. in the long-run growth rate—was written in last year. Clearly it can only be attributed to the changes that we made to the economy. The Government do not believe that their increase in spending will genuinely increase growth. They believe in their spending for other, perfectly laudable reasons. However, the rhetoric of investment is just rhetoric. It will provide no overall increase in economic return. Some aspects will show a net increase, but others will not. There will be a crowding-out effect, which will more than compensate for any such increases.

I have little time left, but I emphasise that there is a risk of the announcements being unsustainable. They are vulnerable to an economic downturn, and the increases may trigger lower growth; they certainly will not increase it. The growth assumption is a key point, and is precarious and vulnerable to fluctuations in the economic cycle.

I shall end with two brief points. First, in western economies everywhere, the scope for higher sustained public spending is less than it has ever been. The penalty for excessive borrowing is now more heavily policed by the markets, and taxes will become increasingly difficult to collect as tax bases become more footloose.

My second point is about the relationship between fiscal and monetary policy. *[Interruption.]* I have got the message about the time. If the Chancellor genuinely believed that we should become part of economic and monetary union, he could do that by repaying more debt, creating room for lower interest rates and therefore allowing the exchange rate to fall. He has not done that—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. Now the hon. Gentleman has my message. Time is up.

5.57 pm

Caroline Flint (Don Valley): I begin by declaring an interest as a member of the Denaby sure start board in my constituency. I am pleased to be called to speak in the debate today. I pay tribute to my hon. Friend the Member for Tottenham (Mr. Lammy), who spoke most eloquently about his constituency's needs. He represents a metropolitan and diverse seat, but when he spoke about his constituents' life chances and their right to aspire to fulfil their potential, his words reflected the message that I give my constituents. I represent a former mining constituency in South Yorkshire. Over years of Tory rule, the people there saw their life chances cruelly savaged and their means of working and surviving taken away.

Only under this Government are the people of South Yorkshire beginning to experience real evidence of hope for change. Communities were left with little employment; the opportunities for investment and excitement through creating jobs, training and opportunities are finally available on their doorstep. That is vital for my constituents.

Much has been made of the word spin recently. I have never heard so many Conservative Members in a spin and out of touch with the real world. I do not recognise some of the communities that they describe when I consider the amount of money that has been invested in schools in my area, in refurbishing housing through repairs and central heating and through providing inside toilets. Hundreds of homes in the Doncaster area had no inside toilets. The release of capital receipts has enabled us to make changes. Conservative Members may never have experienced or represented such a world. However, many of my hon. Friends and I represent such constituencies, and we want to change them for the better.

[Caroline Flint]

Conservative Members do not know whether they are guaranteeing more or pledging less; whether to call us reckless spenders or the bearers of empty promises; whether they would cut taxes or petrol duties. In *The Sun* yesterday, the Leader of the Opposition devoted many words to the way in which petrol prices affect those who own cars. However, despite all the points that he made in that column, he did not even imply that he was prepared to cut petrol duties. Anyone who drives a car, including me, should listen carefully to Conservative Members' weasel words: what they say is not necessarily what they will do. Indeed, they will not even say what they will do. They are caught between their leader in name and their leader in waiting, who are on opposite sides of a roundabout. They are not sure which way to face.

Mr. Tyrie: Will the hon. Lady give way?

Caroline Flint: I want to make progress, but I shall come back to the hon. Gentleman shortly.

Mr. Loughton: She will not.

Caroline Flint: Yes, I will.

The spending round is not about spin; it is about £43 billion. It is about the child in Denaby Main whose young mother has never had the opportunities enjoyed by Conservative Members. Some people have never had au pairs, private schooling or regular holidays. *[Interruption.]* The hon. Member for East Worthing and Shoreham (Mr. Loughton) sighs, but such people cannot buy their way out of the system into which they have been born and they depend on the public services that we provide for them. The spending round is about that child getting the opportunities that she deserves, a chance to fulfil her potential and a second or third chance to prosper at school rather than being written off in the Tories' opted-out, excluded, exam-failed world, which consigned many kids to woodwork, detention and an early exit from the school system.

Children may get a fair go at getting a decent life, thanks to the Government. That is nothing to do with spin or photo calls. Their health, education and very life chances will be transformed by the Government's investment in public services. That investment will provide a sure start in life—we will work on that with parents and agencies—as well as child care, early access to books, early education, regular health checks and the means to tackle the drugs and violence that exist in many communities. Investment will go to estates that can be modernised, to achieve policing that is close to the community and to raising a school's standards.

Our investment means that a child will be able to enter a school that spends £430 more per pupil than in 1997. That school may have a thriving after-school scheme thanks to the Government's investment in an early years partnership as well as the latest information technology equipment, literacy and numeracy hours and teachers who are motivated by the resources that we are putting into schools and into their pay packets. The spending round is about people creating services that provide the opportunity for security and a decent life; it is about changing people's lives for the better. Like many of my hon. Friends, I feel privileged that the policies that we make here change the lives of the people in the communities that we represent.

My constituents, including the pensioners, depend heavily on public services. Above all other groups, pensioners depend on our health service and our transport system. They also depend on us to fight crime. Their housing needs to be modernised. They, too, will benefit from this round of investment, which is also about the buses that link a necklace of villages to the heart of Doncaster. Those buses provide the link with Doncaster royal infirmary, which has a modernised accident and emergency unit and a ground-breaking breast cancer centre. The health service waiting list has been cut by a third since the general election.

Many of my constituents depend on their local authority to modernise the ageing homes that were left unattended due to stupid Treasury rules imposed under the Conservatives. The homes of hundreds of my constituents are getting new double glazing and new central heating and are being rewired thanks to Labour. *[Interruption.]* I am sorry if Conservative Members find that tedious, but they have never had to live in a cold, damp or badly heated house, running up unnecessarily costly bills. Thanks to the Government's investment in regeneration, fighting crime, youth offending schemes and bail projects, we are beginning to win the battle against those who make people's lives a misery.

Mr. Tyrie: I find all this stuff about us never having experienced cold homes a bit odious. I remember going to my grandmother's house during the miner's strike with a calor gas stove to heat up a brick to prevent her from getting hypothermia. That home did not have central heating, as I recall.

Caroline Flint: At that time, mining was in decline throughout Europe and it was unfortunate that then Prime Minister did not address the decline in coal and reinvest in South Yorkshire and other coal mining areas, as France did in the Ruhr valley. Instead, she engaged in a head to head with the industry and many innocent people and families were left desperate for many years.

Mr. Tyrie: Will the hon. Lady give way?

Caroline Flint: No, I will not.

Mr. Tyrie *rose—*

Caroline Flint: No, I will not give way.

I am pleased that the Government are addressing the energy issues that face us in the 21st century. We finally have a Government who have put together a package to deal with the illnesses and diseases from which many of my constituents suffer and which nearly 20 years of Tory Government did nothing to address. I am glad that a Labour Government are dealing with that.

I represent a part of the country with the lowest disposable income in the UK. The area's gross domestic product is only three quarters of that of the average region in Europe. The previous Government refused to deal with that and did not support South Yorkshire's application for objective 1 status. This Government have done so, and we aim to ensure that those figures do not continue into the

future. I hope that, with the additional funding that has been announced this week for the regional development agencies, Yorkshire Forward will make a real difference to the people of South Yorkshire. I know that the role of regional leadership places huge demands on Yorkshire Forward, but I want the agency to come out of its shell and ensure that it is worthy of the investment being made in it.

We should be reminded of the Tory Government's legacy. They thought that mass unemployment was inevitable. They destroyed long-standing jobs without creating new ones; they refused to back South Yorkshire for objective 1 funding; and they sought to drive women back into the home. The only growth under the Tory Government was that in violent crime. Their only gift was that of a holiday to those who burgled our homes and mugged people on the street, who never saw the inside of a court room, let alone a prison cell. The Conservative Government were out of touch. Their great offering to Don Valley was to close our major industries and offer us no hope.

Doncaster and Don Valley have hope for the future. Under the announcements made this week, we shall gain more than £80 million, which can be invested in local services, and £24 million in my constituency. All that would be under threat, should the Tories ever return to power.

I agree with the hon. Member for Chichester (Mr. Tyrie) in one respect: the Government must ensure that the money that they provide is spent wisely and that adequate checks are made to see that funding is used in the best way possible. We must ensure that the partnerships that we establish do not waste time in delivering the services that people want. Just as the Government provide three years' notice of funding, that should be copied at local level. In order to be sustainable, child care projects need the comfort of three years' funding if child care is to improve.

The Government are clearly providing a huge amount of resources in all sorts of areas that benefit the people whom I represent. However, we must tackle the issue of how that money is spent so that it benefits local people. In some areas, we must streamline the bureaucracy or look at how the Government offices work to see whether they are monitoring the situation. If necessary, we must remind local agencies of their duty to ensure that they spend their time not holding meetings and committees and carrying out administration, but ensuring that people see what the Government are providing and that the resources meet local people's needs.

Mr. William Cash (Stone): Will the hon. Lady give way?

Caroline Flint: No, I shall not give way because I am conscious of the lack of time.

The course that we have charted is about a vision of sustainability for the future. It is about looking not just to the next general election, but to five or 10 years' time. In many areas, it will take time to build services that we can all be proud of. I can vouch for the fact that we have seen the benefits of the first three years of this Government. Until we have a general election, the money that has been announced will ensure that we can invest even further in the resources and services that my constituents so badly need.

6.9 pm

Sir Robert Smith (West Aberdeenshire and Kincardine): I want to contribute briefly to the debate, further to the remarks made by the hon. Member for Edinburgh, North and Leith (Mr. Chisholm).

First, on behalf of the Liberal Democrats, I congratulate the hon. Member for Tottenham (Mr. Lammy) on his excellent maiden speech. He seemed to be able to bring his speech to a natural conclusion just when he was about to be called to order. He will look at *Hansard* tomorrow and see all the congratulations, but I assure him that this place is extremely tolerant and he does not always have to live up to the standard that he has set in his maiden speech.

I shall come back to the provocation of the hon. Member for Edinburgh, North and Leith, which made me take part in the debate.

The hon. Member for Chichester (Mr. Tyrie) gave an important warning that we should consider the wider economic situation, because we live in a far more inter-dependent economic world, where grand gestures from Governments are far less likely to go unpunished than they used to be. There is an interesting contradiction in some of the arguments put by Conservative Members. They first referred to previous announcements from the Chancellor when they had looked at the funny money figures and found that there was actually no new money, and then they referred to warnings from the Bank of England that Government spending will cause inflation. Either it is real money, which will cause inflation, or it is funny money, which will not.

It is important to recognise that we need a far more open way of examining the figures. The spending review document, with all its mistakes, does not inform the public about what is happening to their money and how it is being spent. We need a far better debate that informs the public. If we are to have investment in public services—which is what I believe people voted for at the last election when they saw what was happening to their schools and hospitals—we need an honest and open debate on how the public finances will achieve that.

In my constituency, we still need additional investment to pay for the teachers to do the teaching. Teachers have disappeared from schools, and specialist teachers need to come back and provide the previous level of service.

There is a problem with stop-go investment. The hon. Member for Sevenoaks (Mr. Fallon) talked about the problem faced by one of his constituents who was trying to get an MRI scan. We need professionals to run the scanners, but if we are not training enough professionals we will not have the people to employ even with the extra money. The lack of planning and foresight in the recruitment and training of new graduates is a serious strain on many of the professions in the health service. There will not be a miracle cure, and the public need to know that there is a long way to go to get the health service into a stable and effective format.

Sadly, the hon. Member for Edinburgh, North and Leith is no longer present. He referred to the three strands of Liberal Democrat thinking on the Barnett formula. For the record, I shall bring them together into one. At the passing of the Scotland Act 1998, the Liberal Democrats made it clear that we wanted a period of stability, and that we should build on the recommendation of the constitutional convention, which was that the Barnett formula should be

[Sir Robert Smith]

the basis of funding in the new Scottish Parliament. We said that we would stand by that for 10 years. However, in the long run, we need fiscal responsibility to go with political devolution. Financial devolution requires us to review the way in which we fund the nations and regions of the United Kingdom, and to recognise the need to devolve financial responsibility. That does not remove the requirement for a needs assessment to ensure that the parts of the United Kingdom that are seriously challenged and face serious extra costs are not also affected by an equalisation formula.

The second point raised by the hon. Member for Edinburgh, North and Leith concerned the report on poverty produced by the Select Committee on Scottish Affairs. As a member of that Committee, I am glad that some hon. Members have already read it since it was published yesterday. I look forward to the Government's response to its recommendations.

While recognising the importance of the working families tax credit in tackling poverty, I am concerned that in the long run employers may see it as an employment subsidy. If people get the working families tax credit, why should employers increase their wages when they know that the state will make up their take-home pay? What is the Treasury doing to monitor the impact of the working families tax credit on wage levels? Does it have any contingency plans if an effect is spotted?

6.14 pm

Mr. Mark Todd (South Derbyshire): I am sorry to have missed the maiden speech by my hon. Friend the Member for Tottenham (Mr. Lammy), but I was taking part in a debate in Westminster Hall. I shall read his contribution in *Hansard* with interest. It was clearly not to be missed.

I welcome the benefits of public spending in my constituency in the past three years. The most noticeable impact has been on the quality of the built environment of schools that serve South Derbyshire. I recently attended with pride the laying of the foundation stone for a new, replacement infant school at Newhall funded by the new deal for schools. That programme is opposed by both Opposition parties, as it was funded by the windfall levy.

I first visited that school just before the 1992 general election. Then it was a collection of 20-year-old temporary units with ceilings held up by pit props. The outside toilets were temporary structures which smelt of urine. Sadly, the 1992 general election gave the people of South Derbyshire no hope for change and we had another five years of Tory Government in which little changed for that school. The temporary buildings were occasionally patched and repaired and the worst were replaced by slightly more modern temporary structures.

With the election of the new Labour Government hopes rose. After an initial disappointment in the first new deal round, a visit to the then Schools Minister, now the Secretary of State for Trade and Industry, by the head teacher, the chair of governors and myself prompted a successful bid which will provide a new school and an arts centre for the neighbouring William Allitt secondary school. It is but one of the projects awarded in my area. Altogether well over £6 million has been committed to school improvements in South Derbyshire since Labour was elected in 1997. That contrasts with the last year of the Tory Government, when slightly less than £100,000 was spent on schools in my area and we thought ourselves extremely lucky to achieve that. Therefore, it is clear why I hold great store by what the Government seek to do in public spending and have little regard for the criticisms and comments that we have heard thus far in this debate and debates earlier this week.

With that amount of money committed to new school buildings in South Derbyshire we can start to provide an environment to match the quality of teaching that is already offered to our children, and indeed to my own son.

I wish to make some broader comments on public spending, how we prioritise it and how we manage it. While we would mostly subscribe to the necessity of focusing resources on need, we must recognise three disciplines that should be followed. First, it is easy to confuse need with failure and to siphon scarce resources into areas where need indicators show deprivation, but where analysis shows poor strategy and badly managed delivery. I thus welcome the increased emphasis on performance targets and the greater concern shown for the better co-ordination, management and use of resources.

Secondly, our tools to identify need must be subtle. I represent a constituency with relatively low needs indicators overall, but with pockets of deprivation. Thus it seldom attracts special programme support. We have no action zones, no sure start and no early excellence centres. Although my constituents understand the need to help areas of deprivation, they are frustrated by their inability to attract resources to provide additional services in the less prosperous areas of South Derbyshire such as parts of the Hartshorne ward.

Thirdly, we must always recognise that the raising of public money for public spending and its use involve an unspoken pact with citizens. While prioritising and targeting are a duty of Government, we must recognise that all citizens expect a basic level of support and service. We must be careful to strike a balance lest we damage that compact. There are many examples. Although one recognises the need to target resources to schools with exceptional costs and needs, wide variances in funding per pupil of well over 10 per cent. in the primary sector are hard to justify to local taxpayers. Likewise, it is hard to explain why Derbyshire should continue to have far fewer police officers per head of population than the average county. One might also draw out examples in our social security system where targeting negates the concept of mutual insurance—that we all pay collectively to cover risk and expect reasonable payment.

I am also concerned about how we manage public spending. We have learned that commitments to spend, particularly when private finance initiatives are involved, do not mean actual delivery of projects. We must clearly devote more attention to developing skills in managing public spending and in particular in managing complex projects. Civil service reform and development of political skills, where they relate to project management, are critical.

I applaud the spending review and welcome the disciplines within it. It offers the prospect of further qualitative and quantitative improvements in service for my constituents. I have spoken of my pride in one key development in my area—certainly the greatest pride that

I have experienced as a Member of Parliament—and I am confident that, with this spending review, there will be many more occasions on which I can feel that same pride in the achievements of this Government.

6.20 pm

Dr. Stephen Ladyman (South Thanet): This debate has included some remarkable contributions. The first on which I want to comment is that of my hon. Friend the Member for Tottenham (Mr. Lammy), which was an inspiring maiden speech.

Some other remarkable speeches have come from the Opposition Benches. We have heard Conservative Member after Conservative Member blaming the Government for decisions that were taken when their party was in office and are now feeding through into the system, or even decisions that were taken by Conservative county councils when they were asked to prioritise their spending.

One Conservative Member talked about waiting lists for heart surgery. It takes 12 to 15 years to train a heart surgeon. If there are no heart surgeons now, it is not this Government's fault. The new deal is good, but it is not good enough to get people from the dole to heart surgery in two years. Conservative Members should be more honest than to blame the Government for seeds that they sowed while they were in power.

Mr. Collins: Will the hon. Gentleman give way?

Dr. Ladyman: I am sorry, but I really do not have time.

We also heard a remarkable contribution from the hon. Member for Truro and St. Austell (Mr. Taylor). When I pointed it out to him that the Liberal Democrat manifesto did not promise huge amounts of extra money for health—it promised £350 million, funded through a change in national insurance contributions—he said that that was on top of growth. He seems to have forgotten that he and I shared a radio studio shortly after my right hon. Friend the Chancellor's first Budget, when he accused my right hon. Friend of allowing the country to plummet into recession and doing nothing about it. He intended there to be no growth. If the Liberal Democrats had been running the country, we would have had £350 million from national insurance contributions and nothing else.

Mr. Matthew Taylor: Will the hon. Gentleman give way?

Dr. Ladyman: No, I really cannot, because of the shortage of time. It had been my intention, if I had had 15 minutes, to go through all the Opposition arguments and destroy every single one, but unfortunately I have time for only a quick canter through the comprehensive spending review from the point of view of South Thanet.

Several hon. Members have mentioned the £16 billion cuts that the Conservatives are proposing in a document that they have produced, but it has not been mentioned that the document not only talks about the need for that saving but details how much that would mean per constituency, and even helpfully provides the figures per region. It identifies that £2.3 billion of savings have to be made in the south-east.

The hon. Member for Sevenoaks (Mr. Fallon) talked about road improvements in Kent. What chance does he have of getting improved roads in Kent if a further £2.3 billion of cuts has to be made?

The Thanet district of my constituency has one of the highest levels of unemployment in England. Somebody told me that the latest figures show that it is back to having the second highest unemployment rate in England, despite a huge cut in unemployment in the past three years and the fact that things are moving in the right direction.

We have assisted area status, so we can give grants to new investors, but one of the arguments that I have urged on Ministers is that, before we give grants for businesses to move into areas of high unemployment, we should ask what stops them moving in of their own volition, without grants. In the case of the Thanet district, the missing ingredients are improvements on two small pieces of road, and a new railway line.

If we had those improvements to road and rail services, we would be able to build a sustainable economy within a short space of time. The CSR and the announcement on transport spending today give us, for the first time, real hope that we might be able to get the roads and the improved railway line. I will be banging on the Minister's door to make sure he realises how important it is that some of that money comes our way when the announcements are made in December. It is already the number one priority in Kent and I hope very much that we will have good news in December.

The Chancellor promised that he would make sure that objective 2 funding was matched. We have objective 2 funding in Thanet, and that promise of match funding will release a huge amount of extra money to spend on utilities and infrastructure which will help bring down unemployment.

We have a lot of science-based industries in my constituency. The £1 billion pound investment programme in science is to be welcomed. I would like to appeal to all secondary schools in my constituency and others that when they get their £50,000, £60,000 or £70,000 they spend a large part of it on new science facilities and improving laboratories genuinely to inspire our young people to get into science.

One of the things that I have noticed since coming to the House is how many lawyers there are. I have nothing against lawyers, but with great respect to them the law does not put bread and butter on the nation's table. That is done by science and technology and increasingly it will be done by the knowledge-based industries and new technology.

Mr. Tyrie: Does the hon. Gentleman think that there are too many lawyers at No. 10?

Dr. Ladyman: No. I think we have exactly the right number of lawyers in No. 10 and exactly the right lawyers as well.

I wish to draw the attention of the House to the announcement of the £80 million that is being put towards the cost of cleaning up Chernobyl. That is welcome and essential money. It means that in terms of cleaning up nuclear waste and contamination in the former Soviet Union, we are among the leaders in the world. I remind the House and the Government that the estimate for cleaning up the former Soviet Union and bringing nuclear

[Dr. Ladyman]

facilities there up to western standards is £1 trillion. By my calculations, the £80 million we have contributed still leaves us £999,920 million short of the target.

I am not suggesting that the United Kingdom should be providing all that money, although UK companies would win a lot of the business. However, we should go to the United Nations and work hard to have that money matched by other nations so that we start to get the sort of contribution to make a real impact on the clean-up programme. If we do not do that, Chernobyl might not be the last such accident.

I can say with my hand on my heart that the CSR gives my constituency real hope for the future. We hope that within a reasonable space of time we can start to aspire to bring down unemployment to the UK average, and perhaps one day we might even be on our way to the level of Kent generally.

6.29 pm

Mr. Heathcoat-Amory: By leave of the House, I should like to wind up the debate.

It has been a good debate on all sides. I think that it has made genuine progress in scrutinising the Chancellor's announcement on Tuesday and in getting behind some of the figures and the assumptions on which they are based.

The debate was notable, too, for the outstanding maiden speech by the hon. Member for Tottenham (Mr. Lammy), who spoke movingly of his predecessor, Bernie Grant, and described the varied nature of his new constituency and its people. He made it clear that he did not regard himself as a member of any black caucus or sectoral group, but wished to represent all the people of Tottenham. His only controversial note perhaps was when he claimed to represent the best football team in London. I cannot arbitrate on that, but I look forward to debating other matters with him in due course. This afternoon, he earned the good wishes of the House.

Other Labour Members spoke about the spending totals and their hope that they would translate into better services for their constituents. They were ignoring the risks inherent in the process. They certainly ignored the taxes that are paying for it. They entirely underestimate the resentment caused among many people, including many low-income groups, by the relentless increase in the burden of taxation.

We believe that Labour Members are ignoring the importance of effectiveness in public spending, which is odd because the Labour manifesto emphasised the point that it is not how much we spend but how we spend; that is just as important.

Mr. Casale: In his earlier speech, the right hon. Gentleman said that the Government would be judged on their promises. Of course we have a proud record and will be pleased to stand on that, by contrast with the myriad broken promises under the previous Government, which led to their being voted out of office; but does his party intend to keep the promise of £16 billion of spending cuts?

Mr. Heathcoat-Amory: Of course there is no £16 billion-worth of expenditure cuts. The point has been well made by my hon. Friends, as well as by me in my earlier speech, which I think the hon. Gentleman heard.

What we were probing—my hon. Friends did so most effectively—was the question of delivery. We are entitled to do that because it is the Government themselves who emphasise the importance of measuring outputs, rather than cash spent. It is they who set up two years ago the system of public service agreements, so we are entitled to ask whether those agreements have worked. We gave many examples of where the targets have been not only missed, but in some cases quietly expunged or forgotten.

I gave the specific example of the Home Office objective. I hope that the Minister refers to it in his winding-up speech. A specific quantifiable objective in the Home Office about the time taken to assess and to complete asylum seeker applications does not appear in the departmental report, which vacuously referred instead to the need for everyone concerned with the subject to work more closely together.

After the Chief Secretary to the Treasury gave evidence to the Select Committee on the Treasury and the report was published, he was asked by my hon. Friend the Member for Sevenoaks (Mr. Fallon) how many targets had been met. He said that he did not know; he asked one of his officials to give the answer. The official agreed that they had not all been met, but thought that the targets that had not been met were not very important—so now we know that the target to get crime down is no longer very important. Asylum seekers are not very important either. When he was further pressed on the penalties attaching to this failure he said that in extreme cases civil servants could be sacked. We suggest that in extreme cases it is Ministers who should be sacked. They publish these targets and they should stand by them.

In the few minutes left to me I want to refer to some of the outstanding speeches from this side of the House. My hon. Friend the Member for Sevenoaks described graphically the problems of the lack of delivery in Kent and made the good point that we have a new form of economic distortion—the Government tax, and overtax, for a number of years and then open the purse strings and go on a spending spree. We have discovered a new form of stop-go which is highly damaging to public finances and the whole process of planning and delivery.

My hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) described problems with education and crime in London. He rightly criticised the Chancellor's curious remark about defence in his statement on Tuesday, when he asserted that in recent years

> Britain's defence forces have taken on a new and valued role in international peacekeeping and in conflict prevention.—[*Official Report*, 18 July 2000; Vol. 354, c. 221.]

It is not new at all. Has the Chancellor forgotten the war we fought to regain the Falklands, the Gulf war, and the many peacekeeping ventures overseas? This is another example of the Government trying entirely to disown the past, as though with new Labour have come new defence forces, new tasks, new peacekeeping. What rubbish. All that has been going on for many years with a great degree of professionalism, backed up by Conservative Governments.

In London we have had the not-so-surprising news that the mayor is not happy with the settlement. As the *Evening Standard* puts it,

> Ken Rages Against Tube "Stitch Up".

The hon. Member for Brent, East (Mr. Livingstone) has discovered that he will suddenly be stung with the £104 million bill for cost overruns on the Jubilee line and that he has not got the money that he was promised.

Dr. Ladyman: Will the right hon. Gentleman give way?

Mr. Heathcoat-Amory: I am sorry but I do not have time. The hon. Gentleman spoke in his time and I am sorry that I cannot reply in detail to his remarks. This is almost as interesting.

The Deputy Prime Minister hit back:

Doesn't this just show that you can't trust Ken?

Has he only just discovered that? We knew it years ago.

Mr. Coaker: So did we.

Mr. Heathcoat-Amory: When the brothers fall out, they do not do it by half measures. They were going to get together earlier this year. A photocall was planned between the hon. Member for Brent, East and the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Streatham (Mr. Hill), who describes himself as the Minister for London. They were to get together in a new show of togetherness over what was called the "generous" settlement, but that was cancelled when the mayor of London said that he was "too busy" after all. So I am afraid that that has not taken place. Instead, we get allegation and counter-allegation as the so-called generous sums disintegrate when anyone tries to pick them up.

My hon. Friends also talked about the macro-economic risks being run by the settlement. My hon. Friend the Member for Bury St. Edmunds (Mr. Ruffley) in particular emphasised the huge risks being run by the Government, who are relying on continued growth in the economy and think that they have abolished the business and trade cycles. My hon. Friend is absolutely right to say that there is simply no room in the economy for both the private and public sectors to grow in the way indicated. Public expenditure in total is set to grow over the next four years by £99 billion. That must be at the expense of private consumption, investment and growth.

That very point has been picked up by the Bank of England—members of the Monetary Policy Committee have spotted it. They say that unless we shrink the private sector and cut consumption, we will have an inflationary problem on our hands. Interest rates will go up, the exchange rate will strengthen further and we will again have a very real macro-economic problem.

My hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) pointed out that triple accounting and the spin put on all the past figures have completely blown any credibility or reputation for straightforwardness and truth that the Government hope to enjoy. He, too, believed it highly questionable that we will ever see the much trumpeted £43 billion of extra expenditure going to front-line services.

That point was also made by my hon. Friend the Member for Chichester (Mr. Tyrie), with his usual technical mastery. He also made the point that the Government are frittering away the efficiency gains that they inherited from the previous Government in areas such as health. They are going backwards when it comes to delivery and efficiency, and no amount of gross expenditure in the world will compensate for that inability to turn taxpayers' money into the services that people want.

It has been amply demonstrated in this short debate that the second comprehensive spending review will be no more successful than the first. The same sort of money has been promised—it was £40 billion two years ago and it is £43 billion now. The same outputs and results have been promised.

I do not know what has happened to the Cabinet Committee—we did not hear anything about that today. Presumably the Government will resurrect an important spending tsar, who will clamp down and remove money from Departments that fail. In a year or two, when they do fail, the Government will say, "We never really meant that—it was all much too difficult and embarrassing."

We have seen the same old reliance on the economy continuing to deliver the growth so that the Labour party can tax it for their expenditure ambitions. All we can say is that the result will be just the same—disillusionment, and another spectacular failure to deliver.

6.42 pm

The Financial Secretary to the Treasury (Mr. Stephen Timms): We have had a very interesting debate—I can agree with the right hon. Member for Wells (Mr. Heathcoat-Amory) about that. We have been offered a clear choice this afternoon—investment with Labour, or cuts with the Tories. That is the choice before Britain. We have heard not a word from Conservative Members about where the £16 billion-worth of cuts would fall.

Our first task after the election—the foundation for everything else that we wanted to do—was to secure a new stability in the economy. That stability was not only to give individuals, families and businesses the chance to plan their long-term future, but to spur on the creation of new investment and jobs and prosperity. That is what we are delivering—a platform of stability and steady growth, with inflation low and the public finances firmly and sustainably under control.

As a consequence, more people are in work than ever before in the history of the United Kingdom. In Scotland, more people are in work than since England won the world cup, as my hon. Friend the Member for Edinburgh, North and Leith (Mr. Chisholm) said. Across the United Kingdom, there are 1 million vacancies on offer.

Inflation in Britain has been lower for longer than at any time in the past 30 years. In contrast with the deficit of £28 billion in the public finances in 1997, in the last financial year we made debt repayments of £18 billion.

We have built a strong, credible platform of economic stability, and we are determined to keep it that way. Now, building on that greater stability and a stronger work ethic based on opportunity and responsibility, we need to take the next leap and ensure that the benefits of this new prosperity are enjoyed by not just a few, but by all. We want a Britain where everybody is able not just to work, but to work their way up, to gain promotion, to start a business if they want to, to become self-employed, to upgrade their skills throughout their working life and to do as well as their talents and potential allow.

We are putting to rest for good the legacy of decades of under-investment across our public services and setting our sights on the long-term national ambitions that we have set ourselves for the first decade of the new century.

[Mr. Stephen Timms]

I shall refer to several of the contributions to the debate. First, like almost every other speaker, I congratulate my hon. Friend the Member for Tottenham (Mr. Lammy) on a moving and effective maiden speech. He paid an effective tribute to his predecessor, Bernie Grant, whom I first knew when he was an employee of Newham council. My hon. Friend's election slogan was

From Tottenham and for Tottenham.

He spoke with great feeling of the community in which he grew up and that he now represents. We all very much look forward to hearing more from him in the years ahead.

My hon. Friends the Members for High Peak (Mr. Levitt), for Burton (Mrs. Dean) and for South Derbyshire (Mr. Todd) all referred to improvements to schools in their constituencies. My hon. Friend the Member for High Peak mentioned 30 major improvements in his area. My hon. Friend the Member for South Derbyshire told us about the rebuilding of William Allitt school and about an arts centre for the adjoining secondary school. Throughout the country, 17,000 schools—a huge number—have benefited from the new deal for schools, with funding of £1.375 billion.

My hon. Friend the Member for High Peak made the point that, whereas there had been 30 major improvements in his constituency, none at all had been made in the previous Tory decade. That contrast demonstrates the change that has taken place during the past three years.

The right hon. Member for Wells made the criticism that staff numbers in the Inland Revenue had been rising. The right hon. Gentleman has us bang to rights. I confess that staff numbers in the Inland Revenue did grow—from 55,400 in 1996–97 to 63,800 last year. That is a rise of 8,400. However, that was because the Inland Revenue took over functions from the Department of Social Security. The national insurance contributions office is now part of the Inland Revenue so, during the same period, staff numbers in the DSS fell by 11,000. The overall staffing of central Government Departments is lower than it was in 1997—by 30,000.

Mr. Heathcoat-Amory: As I pointed out, those figures do not stack up as an explanation. Since 1997, the number of staff in the Inland Revenue has risen by 12,500; the number of staff in the DSS dropped by only 9,000. There is a net increase in the two Departments of 3,500.

Mr. Timms: The figures are as I set them out. Overall, the staffing of central Government Departments is lower, by 30,000, than it was in 1996–97—contrary to the impression given by the right hon. Gentleman.

The hon. Member for Truro and St. Austell (Mr. Taylor) spoke about the overall amount of Government spending. It is true that total managed expenditure as a proportion of gross domestic product is lower than it was under the previous Administration. However, the key point is the change in the nature of that spending—significantly more is being spent on those services that we have identified as priorities and less on the costs of worklessness and debt. Our commitment was to make that important transformation and we are achieving it.

Mr. Matthew Taylor: I, too, gave figures that excluded debt repayment and social security, although my point was valid even for departmental expenditure.

Mr. Timms: As the hon. Gentleman is aware, we are achieving substantial increases in public spending on key public services to deliver—as he pointed out—important real-terms rises. I shall say more about the effect of that in a moment.

The hon. Members for Sevenoaks (Mr. Fallon) and for Bury St. Edmunds (Mr. Ruffley) and the right hon. Member for Wells seemed to misunderstand the targets set in the comprehensive spending review. Those targets will stand for the whole period of the review—1999 to 2002. We are monitoring them throughout that period. We are reporting regularly on them and we will continue to do so until the end of the CSR period. My right hon. Friend the Chief Secretary told the Select Committee on the Treasury that we are either delivering or on track to deliver 90 per cent. of the targets that were set, and we shall continue to keep that process closely under review until the end of the CSR period.

Of course, for the new spending review there are new targets. Things have changed and new targets have been set. That is a reflection of the improvements that have been made since the beginning of the CSR period. But the point that Opposition Members made—that targets set in the CSR are no longer being monitored—is quite wrong. They are being monitored, and they will continue to be monitored until right at the end of the CSR period.

Mr. Tyrie: The Minister said that there will be a new set of targets with the new spending review. Does that mean that next year, when we have a new review of spending as I am sure that we shall, all the existing targets will be torn up?

Mr. Timms: No. The hon. Gentleman, with many of his hon. Friends, seems fundamentally to misunderstand the process. The comprehensive spending review was for three years—1999 to 2002—and the last year of the comprehensive spending review becomes the first year of the new spending review process. That is the basic fact that quite a number of Opposition Members appear not to have grasped.

My hon. Friend the Member for Jarrow (Mr. Hepburn) made an eloquent plea for shipbuilding. Last year, the Government established the shipbuilding forum to work with the industry on boosting the competitiveness of United Kingdom shipyards. The recommendations of that forum are being considered, and the conclusions will be reported in due course.

The hon. Member for Ruislip-Northwood (Mr. Wilkinson) and several Opposition Members have made it very clear that they support the spending cuts proposed by the shadow Front-Bench team, but the hon. Gentleman did not tell the House where he believes that those cuts should fall. There was not a word about that. Many Opposition Members said that there should be less spending than is proposed. None of them, however, proposed any categories where those savings could be achieved.

The hon. Gentleman was also mistaken about the reaction of the Monetary Policy Committee and the City to the announcements. Let me refer him to some of the remarks that have been made since the spending review announcement.

Mark Millar of Morgan Stanley said that there are

no obvious interest rate implications for the market at present.

The fiscal position this current year seems

to be tighter than originally thought. But no surprises . . . there is no big news for rates.

Robert Barrie of Credit Suisse First Boston said:

All of us who watch these things, the MPC included, will have been prepared for the sorts of numbers he has spoken about today . . . Remember we are in budget surplus at the moment and if you measure fiscal policy that way he's still running a fairly tight policy and will do so throughout this period.

Many statements have been made along those lines.

My hon. Friend the Member for Edinburgh, North and Leith drew attention to the need for us to look at the way that housing benefit works, and I agree with him about that. The hon. Member for Bury St. Edmunds was one of those who agreed that there was a need for cuts, but again he did not tell us where any of the cuts should come from. My hon. Friend the Member for Bolton, North-East (Mr. Crausby) welcomed the additional resources for the health service.

My hon. Friend the Member for Don Valley (Caroline Flint) welcomed the housing improvements that have been achieved in her constituency. Through the spending review, 500,000 houses will be brought up to a decent standard by 2004. I am glad that she latched on to that very important element of the spending review.

The hon. Member for West Aberdeenshire and Kincardine (Sir R. Smith) asked about the effect of the working families tax credit on wages. The key thing is that the taper with working families tax credit is less, at 55 per cent., than it was with family credit, and I believe that the position is the reverse of what he was fearing.

My hon. Friend the Member for South Thanet (Dr. Ladyman) quite rightly said that road schemes in Kent certainly would not survive a programme of £16 billion of cuts.

However, let us just have a look at education. Average increases in education spending will be 5.4 per cent. a year for the next three years. That means that, at long last, the rate of increase in investment in state schools will start to keep pace with the rate of increase that we have seen for years in the private school sector. We want to more than double capital spending in cash terms on education to £1.5 billion by 2003-04. We shall have decently funded schools at last, after two decades of underinvestment. That is a huge breakthrough, and is a consequence of the way in which the economy has been managed over the past three years. It means that instead of spending more and more on debt charges and unemployment benefits, we can now spend on our schools. We shall be able to devote to them the sort of resources that should have been available to them for the past 20 years. That is the historic breakthrough that this week's announcement achieves.

What is the Tory party's response? It is exactly what it has always been—cuts. I think that we have been given a sort of assurance about health service spending. Let us take that at face value and accept for the purposes of the debate that at least the Tory party will change its spots and match our spending commitments on health. However, where would the Tory party find its £16 billion-worth of spending cuts that central office announced yesterday? We know the answer. There would be cuts in education, law and order and transport, the services in which the Tories have always under-invested. We have had decades of underinvestment in our schools. Now, for the first time in a generation, we have a chance to put that right. What is the response of the Tory party? It is one of cuts. It would take us back to the bad old days that Britain rejoiced to be liberated from in 1997.

My right hon. Friend the Chief Secretary to the Treasury said at the start of the debate that in the five years of our two spending reviews, education spending would rise in real terms by more than it increased during the 18 years of Tory government. That is the scale of what we have achieved.

On unemployment, the Tories would scrap the new deal, which has helped to deliver the highest number of people in work in our history, the lowest rate of unemployment for 20 years and the lowest rate of long-term youth unemployment in a generation. They say that the new deal is a waste. No, it is not.

For example, building on its long-term partnership with the city council, the diocese of Birmingham helped to deliver the new deal voluntary sector option. The diocese was asked to find a new deal placement for a youngster who was shortly due in court on 117 counts of burglary. He was placed on a project to improve a church hall, and he struck up a friendship with a part-time church administrator. When the time came for him to appear in court on the charges of burglary, the administrator spoke up for him and asked that he should be given another chance. He was given that chance and the project was completed to a high standard. The young man has gone straight, and he is now setting up a business of his own. At the ceremony to mark the conclusion of the work, one of those who turned up was the young man's mother. She met the church administrator and said:

When you went to court to plead for my son to keep his job, you saved his life.

The Tories say that it is a waste—that is, giving people who have never had a chance the prospect of a decent future. It means work instead of welfare. It enables people to set up a business instead of ending up in prison. The new deal has made all that possible yet the Tories say that it is a waste. No, the truth is that it is bringing about the changes that Britain needs. The number of young people out of work for six months or more is down now to 50,000, and that total is falling. It reached 500,000 under the previous Government. We now have the lowest number of people in that position for a generation, and it is less than at any time under the Tory Government.

Surely all of us can see the huge benefits for everybody now that so many of our young people are familiar with the habits and disciplines of work. So many of them were robbed of that experience for so long. We are all better off for the change.

The personal adviser service is working with my constituents on the new deal for disabled people. The week before last, a disabled man found a job after five years of unemployment. We need more of that, not abolition. An independent assessment shows that the new deal is largely paying for itself through reduced benefits and additional tax revenue.

In the past, every time the economy started to deliver, the Tories blew it. They blew the proceeds of North sea oil and privatisation on current spending instead of investment. That is why the costs of failure spiralled under the previous Government—the bills for unemployment

[Mr. Timms]

and for debt interest. We are locking in the new stability for good. We are using the proceeds of the spectrum auction to pay off debt. That is why the unemployment and debt bills have been turned into extra resources in the long term for our priority services—health, education, transport and policing. That is what people want.

There have been 1 million extra jobs since the election, 100,000 more small firms and a new culture of enterprise. For the first time in a generation, we have the resources that will deliver for public services. I refer to health, education, law and order, transport and housing. We have made our choice, and that is for investment. The Tories have made their choice—

It being Seven o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Church of England (General Synod) (Measure)

7 pm

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): I beg to move,

That the Church of England (Miscellaneous Provisions) Measure, passed by the General Synod of the Church of England, be presented to Her Majesty for Her Royal Assent in the form in which the said Measure was laid before Parliament.

This Measure of the General Synod deals with uncontroversial items and relatively minor matters, which would not necessarily ordinarily merit free-standing legislation. In parenthesis, may I add how much I welcomed the maiden speech of my hon. Friend the Member for Tottenham (Mr. Lammy)? He is a member of the General Synod and the Archbishops Council. He will find the House hospitable, rather than hostile. That is certainly so when we deal with Church legislation.

The Measure contains a number of important clauses dealing with the devolution to dioceses of functions of the Church Commissioners following the passage of the National Institutions Measure 1998 through Parliament. In that sense, the Measures are like stepping stones across a stream, one following another on to the statute book. I should say at the outset, however, that the provisions have been discussed and agreed with the dioceses.

The provisions are dealt with in clauses 1 to 11 and schedules 1 to 6. Clause 4 and schedule 2 provide in financial matters for the transfer of the diocesan stipend funds' accounts and the associated income accounts to diocesan boards of finance. Clause 10 and schedule 6 provide for the transfer of diocesan pastoral accounts to dioceses to formalise the devolved administrative arrangements already in place in respect of these accounts.

The draft Measure provides a vehicle for streamlining and lightening the commissioners' regulatory role in areas such as parsonages, glebe and those associated with the Pastoral Measure 1983. It is estimated that cost savings for the commissioners could amount to about £50,000 per annum if the House and the other place approve these proposals and they are implemented. None of these costs would fall on the dioceses instead, and it is expected that there would be savings in dioceses as well, especially in terms of time spent on seeking the commissioners' approval for various transactions.

Similar proposals are suggested for glebe matters, in which the commissioners' main role would be reduced to considering transactions that do not meet agreed criteria and to carrying out the appellate function set out in paragraph 9 of schedule 5. Again, cost savings for the commissioners are expected to be about £50,000 per annum, and none of those would fall on the dioceses instead.

As to other miscellaneous matters, perhaps I should draw the attention of the House to clause 12. This makes a useful provision for use where the office of rural dean is vacant, or where the rural dean is unable to carry out his or her functions.

Clause 15 brings the Ecclesiastical Jurisdiction Measure 1963 into line with other categories of appeal to the Judicial Committee of the Privy Council by providing that an appeal may be made only with leave to appeal. The Privy Council has signified its agreement to this amendment.

Clause 17 amends the Patronage (Benefices) Measure 1986, which was introduced not that long ago. I always like to throw a little poetry into a debate, so let me quote:

> And see how dark the backward stream
>
> A little moment passed so smiling.

Enough of the "backward stream" has passed since 1986 to make it necessary to amend the 1986 Measure and render it possible for the transfer of right of patronage to be registered even when presentation to the benefice has been suspended under the Pastoral Measure 1983.

To conclude, the measure is useful, if uncontroversial, and will streamline some of the procedures of the Church. I therefore trust that the House will agree to the motion in my name on the Order Paper, and I commend the Measure to the House.

7.5 pm

Sir Patrick Cormack (South Staffordshire): I am delighted to respond to the wise words of the hon. Member for Middlesbrough (Mr. Bell). I am somewhat surprised that the House is not packed, and that you have not already had to call us to order several times, Mr. Deputy Speaker.

Mr. David Drew (Stroud): It is packed on this side.

Sir Patrick Cormack: Of course it is. On this side, as on that side, there are lots of people waiting to speak on the wonderful Measure. To be serious, as a Front-Bench spokesman I can, for once, agree with everything that has been said from the Government Front Bench. This is a tidying-up measure or series or measures.

I join the hon. Member for Middlesbrough in welcoming, in absentia, the new hon. Member for Tottenham (Mr. Lammy), who has an important role to play in the Church of England. I hope that, having made his maiden speech this afternoon, he will now contribute to our debates on Church affairs. It will be most useful to have his contributions, and I am sure that we all look forward to them.

The hon. Member for Middlesbrough went over some of the more important provisions in the Measure, and discussed rural deans. The one thing that he did not mention, which is expressly provided for in the Measure, is the fact that at the discretion of the bishop, rural deans can now be called area deans, which in built-up urban areas, obviously makes a degree of sense.

This is a series of small but important tidying-up measures. It is right that the House should have the opportunity to discuss the Measure, but it would be wrong to contemplate sending it back to Synod, or anything similar. I welcome the hon. Gentleman's words, warmly endorse them, and hope that the Measure will pass swiftly on to the statute book.

7.7 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): One of the paradoxes of this place is the fact that a Scottish Deputy Speaker is presiding over Church of England business, which requires the usual assent of hon. Members, regardless of their origin, the country that they represent, or their theology. As someone who normally looks after home affairs, I reflect that it is just my luck that on the only day in something like six months on which there has been no home affairs business, the only other thing for which I have technical responsibility—Church of England business—pops up on the agenda, making sure that I cannot go far away.

As the Second Church Estates Commissioner and the hon. Member for South Staffordshire (Sir P. Cormack) both made clear, the Measure is unusual in being almost entirely uncontroversial. The Ecclesiastical Committee of both Houses has recently considered many Measures that have been unusually difficult, to say the least. Indeed, the Ecclesiastical Committee recently stood its ground for the first time against the combined weight of the General Synod, saying that it had a function to perform. We sent back a Measure concerning the power of church wardens and the powers of bishops in relation to them, because we were not happy with it. I believe that we were right to do that, and there was wide consensus.

Mr. John Austin (Erith and Thamesmead): In case my presence is misunderstood, I shall explain my position. The hon. Gentleman referred to the Measure as uncontroversial. I regard it as very controversial. The hon. Gentleman will know that I am a member of the all-party humanist group and a sponsor of the early-day motion calling for the disestablishment of the Church of England, for which I shall continue to press. It is inappropriate for these matters to be debated in this House at all, as they should be dealt with in Synod. However, I am here because I am waiting for the petition.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. We will come on to the petition quite soon, so long as we keep to the Measure before us. These other matters are nothing to do with the Measure.

Mr. Hughes: There is no risk at all of my straying from the Measure. The hon. Member for Erith and Thamesmead (Mr. Austin) may have registered this point, but it would be discourteous of me not to point out that although I speak on these matters for my party, my view, and that of my party, is that the Church of England should be disestablished, and that this matter should not come before the House. The hon. Gentleman and I therefore share that view, irrespective of our difference of belief.

I want to talk about only two matters in relation to a Measure that has the unanimous support of the bishops and the clergy, and the support of all but two members of the laity. As someone who was a member of the General Synod for a short time, I know that that is pretty unusual. The first matter is the provision mentioned by the hon. Member for South Staffordshire (Sir P. Cormack), which is the power for a bishop to redesignate rural deans as area deans. That is extremely welcome, and not before time.

Representing an urban seat in the diocese of Southwark, I know that it does not help the Church's credibility to have senior people in its hierarchy designating as rural deans people who work in places that could be regarded even as partly rural only on a very good day, with a great stretch of the imagination. Southwark used to be in the county of Surrey, and extremely rural, but we are down to two urban farms and a few parks; that is the extent of our rurality.

The second matter worth comment is that the Measure—which is like a Law Commission consolidation provision, in that it tries to bring a lot of legislation up to date—allows a new procedure for changing the name of

[Mr. Hughes]

a diocese. It is important to bring that up to date. The debate was triggered by controversy about the diocese of Ripon. It was so named for important historical reasons, but the name could be regarded as deceptive and unhelpful, given that the largest population centre in the diocese, Leeds, does not feature in it. It is proper to provide a way of dealing with a desire, not to get rid of the Church's important historical centres, but to rename dioceses to reflect changing populations.

Having spent a short time as a member of the General Synod, I too welcome the hon. Member for Tottenham (Mr. Lammy) to the House as a fellow London Member and a fellow member of the Church of England.

The principal job of the Church of England is to reach the parts that other theologies and faiths do not reach, and to recruit people to be followers of Jesus Christ. The trouble with an established Church—perhaps with any Church—is that there is a huge amount of bureaucracy and paperwork, as the hon. Member for Middlesbrough (Mr. Bell) will know better than me. The Measure reflects acres of paperwork that has gone into the process of revising legislation.

This is not a matter to be dealt with today, but I wonder whether it would not be helpful if the Church, to make its life easier, set up a one-off Church law commission to consider all existing Church legislation; to consolidate it where appropriate, and to get rid of the remainder that is out of date. That need not be a threatening or undermining process, and it would deal with the fact that, as in this place, there is a huge amount of legislation that is out of use and inappropriate. The hon. Gentleman and his colleagues may reflect on whether that is possible.

I pay tribute to those who do the work, because a huge amount of work has gone into the Measure, but I suggest that we might be able to reduce their work, and that of others, if we swept up Church legislation once and for all, and brought more consolidating and tidying-up Measures to the House. The Measure is welcome, and like colleagues from other parties, the Liberal Democrats support it.

7.14 pm

Mr. Bell: With the leave of the House, Mr. Deputy Speaker, I will respond to the debate. I will not add to the acres of paperwork by making a long speech that will deluge the pages of *Hansard*, so I will not elaborate too much on the comments made by the hon. Members for South Staffordshire (Sir P. Cormack) and for Southwark, North and Bermondsey (Mr. Hughes). I welcome their support; it is important that we reach consensus on these matters in the House and in the other place, and the wider the consensus, the better.

The Ecclesiastical Committee reviewed the Measure and supported it fully. I take on board the suggestion about how we might handle Church matters as they relate to the Synod and to the House in future. I am always happy to take the suggestions of the hon. Member for Southwark, North and Bermondsey back to the Commission so that they can be examined for the long term within the wider Church.

I am grateful for the support of the House and I commend the motion to it. I am grateful to you, Mr. Deputy Speaker, regardless of your nationality, for being in the Chair for this important debate.

Question put and agreed to.

Resolved,

That the Church of England (Miscellaneous Provisions) Measure, passed by the General Synod of the Church of England, be presented to Her Majesty for Her Royal Assent in the form in which the said Measure was laid before Parliament.

PETITIONS

Park Homes

7.15 pm

Mr. David Drew (Stroud): I am delighted to follow the Church Commissioner and to present a petition on behalf of two groups of residents who live in park homes in Berkeley Vale park in Berkeley and in Riverside park in Eastington, both in my Gloucestershire constituency.

The petition states:

The present council tax banding system for park or mobile homes is unfair, as it caters inadvertently for such park homes (sometimes called static vans), placing them side by side with other properties of conventional construction of much more rapidly appreciating value. Moreover, many park home residents, especially retired, make comparatively little use of council services, thus increasing the sense of inequity.

The petitioners therefore request that the House of Commons urge the Secretary of State for the Environment, Transport and the Regions to consider a new lower band for park homes which better reflects the means and needs of these residents.

To lie upon the Table.

Health Centre, Erith

7.16 pm

Mr. John Austin (Erith and Thamesmead): I have a petition from residents of Erith, Slade Green, Belvedere and Northumberland Heath in the London borough of Bexley, and a petition in like form signed by more than 1,000 residents is being delivered to the regional health authority.

The petition declares that

there is a great need for a new health centre in Erith, which has been in the planning process for many years; that the Government decided initially that this should be provided under the private finance initiative, but has now concluded that this would not represent best value for money; and that it should be financed by traditional public finance, although capital funding has not been identified for this purpose.

The petitioners therefore request that the House of Commons urge the Secretary of State for Health, in conjunction with the Bexley and Greenwich health authority, London borough of Bexley council and the Oxleas Trust to ensure that this much needed health centre project goes ahead.

To lie upon the Table.

School Transport

Motion made, and Question proposed, That this House do now adjourn.—*[Mrs. McGuire.]*

7.18 pm

Mr. Alan Hurst (Braintree): I thought for a moment earlier that we were to have a vigorous debate on antidisestablishmentarianism, but the moment seems to have passed, and I have the pleasure of raising the matter of home-to-school transport provision. I see my hon. Friend the Member for Stroud (Mr. Drew) in his place, and I know that he is familiar with the subject. It affects all our shire counties and many of our metropolitan areas.

This coming Monday will almost be a day of jubilation for the motorist. It is the first effective day of the school holidays. It will be possible to travel freely about the roads of our countryside. We will not have to deal with the fact that at 8.50 in the morning, 20 per cent. or more of all car movements involve taking children to school. I assume that the same situation appertains later in the day when children are collected from school, but that may be spread over a slightly longer period.

I remember growing up in the 1950s, and I see that I am in good company with others who may remember those times. At the age of six, I would walk from where I lived on the edge of an urban area to school across fields, down lanes and along roads. I was unaccompanied by my mother or father. It may be thought that I was especially precocious, but walking to school was relatively commonplace in those days; children would walk together in groups. Car ownership was rare; if there was a car in the family, one's father would have taken it to work long before the school hour approached.

Nowadays, car ownership is almost universal. Roads are dangerous and exceptionally busy; parents rightly fear the dangers of those roads for their children, and other, darker dangers that may lurk if children are allowed to travel unescorted to school.

The subject of the debate derives from the Education Act 1944, and the Education Act 1996, which deals with school transport. The formula is that, if the local authority is to provide free transport, the child must live 3 miles away from the school if older than eight and 2 miles away if younger than eight. That formula varied from county to county. In Essex, the local authority has modified those standards to be 1.5 miles for children in infant classes, 2 miles for junior school children and 3 miles for secondary school children.

Legislation also contains a fall-back clause, which allows local authorities, in exceptional circumstances, to provide free school transport for those who do not fit the mileage criteria. It is difficult to be precise about what constitutes those exceptional circumstances. One could hazard that it might be a child's health, a child's domestic circumstances, but there is an element of discretion. However, I have not commonly come upon its exercise.

Free school transport is also provided for children with special needs, who are normally taken to infant school by taxi. The nature of the travel and the distance often makes up a substantial part of a local authority's budget for home-to-school transport. It is not easy to find the exact figures for the number of children who use free school transport throughout England and Wales. I believe that there is an estimate—I am sure that my hon. Friend the Minister can assist me further—of approximately 20 per cent. The amount of money spent on home-to-school transport nationally has increased in the past few years. I believe that, depending on the formula, it now exceeds £400 million per annum.

In Essex, 25,000 children out of a total school population of 200,000 receive free school transport; 10 per cent. of those have special needs. Excluding the special needs children, the percentage is little more than 11 or 12 per cent. The county is large and widespread since the exclusion from it of some urban areas to form the unitary authorities of Thurrock and Southend.

Like others who have served on county councils, I have become familiar with the tussles that occur when parents are denied free school transport for their child. There are stringent limits on local authority finances; consequently they sometimes seek to withdraw routes that hitherto existed on the basis that an alternative route can be found.

In my constituency, the distance by road between the famous socialist village of Silver End to Witham is a little more than 3 miles. Across fields and ditches, it is slightly less than 3 miles. A keen cartographer at county hall studied a large-scale version of the Ordnance Survey map and plotted a route, which took the distance slightly below 3 miles. I had the adventurous privilege of accompanying the county council inspection party that came to assess the route. It began along an especially dark and overhung footpath, and proceeded through ploughed fields, which were dusty in summer and caked in winter. A group of senior councillors proceeded along that route until we came to large ditch.

I knew that the county official had misdirected himself on the route, but I exercised my right to remain silent. A senior elderly lady councillor said, "I've seen enough. School transport shall remain." I hope that that extreme example illustrates the point: should the county or any of us consider sending children across fields, lanes and ditches—accompanied or otherwise—to avoid providing free school transport? The Government have made great strides in considering the way forward for home to school transport and the school travel advisory group has come up with a range of ideas in addition to school transport whereby walking and cycling to school might be increased.

I refer to a place that is indelibly carved in the mind of my hon. Friend the Minister—the village of Hatfield Peverel in my constituency, which he kindly visited recently in one of his other roles. Although the school is all but surrounded by that self-contained village, there are dangerous and busy roads so the parents and the school got together to form what is called a walking bus. I spoke to the headmaster, Mr. Jeremy Crook, this week and he told me that 80 children were involved at the scheme's outset. I do not know whether you are aware of the concept of the walking bus, Mr. Deputy Speaker. It is not a bus at all, but a party of children gathered together in the presence of a number of adults who proceed along a defined route and stop at specified places to collect or deposit children. That enables children to walk to school in safety.

Although the walking bus and dedicated footpaths and cycle paths are great aids that facilitate travelling to school without using a car, I would not want it to be thought that we can avoid the home to school transport question by using such innovations. Car usage could be

[Mr. Alan Hurst]

reduced dramatically if we reduce the number of children who go to school by car. We could do that quickly and effectively by making much more liberal regulations and criteria for allowing home to school transport.

I hope that this is an opportune time to raise these matters—the transport plan has been announced this very day, to a fanfare—and that I have shown that the sum expended on home-to-school transport is modest in terms of total transport expenditure. If distance requirements were lowered and councils given much greater discretion to book buses, sell off concessionary tickets and take a much broader view of who can travel on free school transport, we could achieve that which seems to have eluded people in the 20th and 21st centuries: planning and delivery following each other very rapidly indeed.

If that route is followed, we may achieve remarkable reductions in car movements at two particular times of day and I should be most interested to hear the public's observations on how they feel about driving during the school holidays as against term time. The benefits would go not only to the children, who would travel to school safely and accompanied, but to road users and to us all. We would all benefit from the lessening of pollution in the atmosphere as vehicles would not be used. Also, the strain on parents would be lessened as they would not have to accompany and drive their children to school twice a day, sometimes to more than one school.

I have seen figures for the number of children who travel by car, but I would estimate that the figure for junior and infant school children may be more than 50 per cent. Certainly, that is the estimate given by head teachers in the villages in my constituency of the number of children who travel by car to junior schools.

I hope that my hon. Friend the Minister, who has a great heart for these matters, will discuss with his colleagues how he can increase the use of free school transport and make it universal beyond the age of 16 to 18, when children go on to further education. The benefits of that would be remarkable and the comparative cost, I suspect, relatively small.

7.30 pm

Mrs. Christine Butler (Castle Point): I thank my hon. Friend the Member for Braintree (Mr. Hurst) for allowing me to make a short speech in his debate. May I also take this opportunity formally to thank my hon. Friend the Under-Secretary for his visit to my constituency some months ago? His attentiveness, his appreciation of the difficulties and his consideration of the possible solutions were much appreciated. I was delighted to see, probably for the first time, the words "Canvey island" shine out of a Government report. The local transport section of the east of England transport plan for 2010 features improved access to Canvey island as an area in need of regeneration. That buoyed me up for some hours—I did not need sugar in my tea all afternoon.

May I prevail on my hon. Friend's good humour a little further? First, I support the request made by my hon. Friend the Member for Braintree for a degree of free transportation within the overall transport budget, especially for home-to-school transport. Secondly, local authorities can apply their policies only under current legislation, which dates back some 50 years to 1944. When I was a member of Essex county council, I first had it explained to me that that was a prohibiting factor in getting more children on to school buses.

The 1944 legislation, and even the amended version in 1996, still prevents increased capacity for children who do not meet the eligibility criteria for free school transport—those with special educational needs, or those over and above a certain travel requirement, to which my hon. Friend referred. It prevents others from having access to contract buses unless there is spare capacity—there is then a cut-off point. Many parents regret that and are even willing to pay for such places.

I regret that this all falls within the education budget. Overall, local authorities transport more pupils and students than meet those statutory requirements. That significant figure shows the support on the supply side for increased capacity for bus travel. Local authorities can charge for travel where spare seats are available, and the vast majority do. However, parents want more.

I shall not just bleat on about buses, because I welcome the many initiatives that the Government have taken over the past two years, including walking, cycling, safe routes to schools, road safety strategies, school travel plans and car sharing. Those are all important. Furthermore, I appreciate the cost-cutting approach to this problem. I understand that funding is coming from the Department of Health, the Department for Education and Employment and the Department of the Environment, Transport and the Regions.

We should revisit the legislation, because it seems to hamper increased bus use by students and pupils going and coming from schools. We should relieve ourselves of that problem and start on a fresh page. The statutory requirements could be lowered to less than 3 miles and 2 miles, so that children could be picked up from where parents want and be delivered safely home. At the moment, local authorities cannot contract to provide such a service, which is a great shame. In 1944, the requirements were different from what they are now. We have a pressing environmental need, which should count for more in our legislation. I am afraid that the problem will require primary legislation, but we should deal with this matter soon.

7.36 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): I am grateful to my hon. Friend the Member for Braintree (Mr. Hurst) for raising the important issue of home-to-school transport. I know that it is of particular concern in his constituency, and he is a most assiduous Member. I have had the privilege of visiting him in Braintree to assist him in one of his many campaigns on behalf of his constituents.

I am also grateful to my hon. Friend the Member for Castle Point (Mrs. Butler) for her contribution to the debate. It was a pleasure to visit her constituency and join her in her indefatigable campaign on behalf her students. I am delighted that improved access to Canvey island is finally on the agenda. She has played a large part in raising the profile of Canvey island's transport needs. I hope that the press release was winging its way in no time at all after the statement of my right hon. Friend the Deputy Prime Minister earlier today.

The issue of home-to-school transport impinges on a range of other important and emotive issues. We want to be sure that children are safe from road traffic, and from

strangers. Children need to take more physical exercise for their health and long-term development. We know that children sitting in cars in congested, slow-moving traffic can be exposed to pollution levels three times higher than outside the car. If we reduce our reliance on the car for the journey to school as for other journeys, we will, as they say, be doing our bit for the planet.

We all notice how much clearer the roads are at half term and during school holidays. It is fair to say that that is to some extent attributable to a reduction in commuting associated with working parents taking time off during school holidays, rather than simply the absence of parents taking children to school. My hon. Friend the Member for Braintree was absolutely right to identify the statistics on school travel, which show that 18 per cent. of cars on the road in urban areas at the peak of the morning rush—which is at 10 minutes to 9—are taking children to school. The proportion of journeys to school by car has nearly doubled over the past 10 years to almost a third of all journeys, and 36 per cent. of primary pupils and over 20 per cent. of secondary pupils now travel to school by car. Bus use has remained relatively stable at around 20 per cent., walking and cycling have declined, although 55 per cent. of primary age pupils and 43 per cent. of secondary pupils still walk to school.

I understand the concerns that my hon. Friend has raised. I know that there is much still to do, but there is already a good deal going on, both nationally and locally. He wants an increase in home-to-school transport. The amount budgeted for and spent on statutory school transport by local education authorities has been increasing above the level of inflation in recent years. It is now a very substantial sum—around £450 million in 1998-99. It is true that some two thirds of that figure goes on pupils with statements of special educational needs. That leaves about £150 million for the 7.5 million pupils of compulsory school age without statements, giving LEAs little scope for additional, discretionary provision.

Let me remind the House of the real purpose and function of statutory school transport. It is not—and never was—designed as an all-inclusive school transport service. It is a safety net, to ensure that no child is denied the right to attend a suitable school because they live too far away, or have special needs, or face a dangerous journey.

Statutory school transport is not the only source of assistance. Local authorities have powers—but no duty—to establish concessionary fare schemes in their areas under the Transport Act 1985. About 40 per cent. of shire counties have a scheme for young people, though few are county-wide and some do not provide fare reductions in the morning peak. In the metropolitan areas, by contrast, all six passenger transport authorities provide either flat fares or half fares on local buses that are valid in the morning peak. Those schemes are supported by Government subsidy.

In the shire areas it is common for discounted fares to be offered commercially by private sector bus operators. There is no local authority involvement in such arrangements. The discount is usually half fare.

Here in London, Transport for London rather than local authorities operates a discount scheme for young people at roughly half fare. It is regarded as a commercial scheme, without Government subsidy. It covers the five-to-18 age group and is available in the morning peak.

Last summer, my Department commissioned consultants to review best practice in increasing bus use on the journey to school. They consulted widely with local authorities, schools and bus operators, and identified many examples of local action to promote bus travel for the home-to-school journey. The consultants have now reported, and are finalising a guide which draws together the main lessons from the study, illustrated with examples of successful initiatives, and we intend to publish it later in the year. We hope that it will stimulate other authorities in particular to consider what further measures they can take.

We are also planning a seminar with major bus operators later this year to discuss the scope for greater standardisation in the arrangements for child discounts on buses. I am sure that my hon. Friends the Members for Braintree and for Castle Point will welcome that.

My hon. Friend the Member for Braintree also said that he would like to see more walking buses and more safe routes to school for those buses to use. I can only say that I agree with him. We have been actively promoting such measures through guidance that we have produced for local authorities, parents, teachers and governors including a comprehensive school travel resource pack researched by Sustrans—the pioneer of safe routes to school. The resource pack was published by my Department in May to coincide with the launch of this year's walk-to-school campaign.

As my hon. Friend the Member for Braintree will also know, local authorities have been asked to prepare local transport plans setting out their strategies for tackling local transport issues, including school travel issues. We are providing more funds for the implementation of local transport plans.

As the House will be aware, my right hon. Friend the Deputy Prime Minister announced today details of our 10-year plan for transport which sets out a £180 billion spending programme—£132 billion from the public purse—to deliver the modern, integrated transport network that we all want to see. The funding for the implementation of local transport plans will almost double from £755 million provided for 1999-2000 to £1.3 billion for 2001-02.

In providing funds for local transport plans, we have given local authorities the discretion to utilise such funds from within a single block allocation—except for major transport schemes over £5 million—in accordance with their priorities and objectives set out in their local transport plans.

It is ultimately for local authorities to decide whether and how to take forward proposals for safe routes to school in their areas and to make the necessary running cost provision to support the development of walking buses, in the light of those local priorities.

My hon. Friend the Member for Braintree also said that he would like more work to be done to reduce car use for journeys to school. Again, I agree wholeheartedly, but we should not forget that much is already being done, not least under the auspices of the school travel advisory group—STAG—which was set up by my Department with colleagues in the Department for Education and Employment and the Department of Health in December 1998. The group brings together experts in education, road safety, child health and accident prevention, as well as transport co-ordination.

[Mr. Keith Hill]

STAG oversaw production of guides for local authorities and schools, and a resource pack. Following advice from STAG, my Department commissioned six research projects in spring 1999. Two have already reported, providing a comprehensive database of current levels of activity—which, I am pleased to say, is increasing—and an informative report on the wide range of factors affecting distance to school.

The other four projects are due for completion and will result in the production of a best practice guide on the provision of special educational needs transport; a guide on increasing bus use for the journey to and from school; a database of classroom materials relating to school travel issues; and the possible implementation of a national programme of site-specific advice for schools following the evaluation of a pilot in 37 schools.

The first STAG report, published in January, proposed an aim to return by 2010 to the level of walking, cycling and bus use in the mid-1980s. That would mean 80 per cent. for primary school children and 90 per cent. for secondary school children. The report also contained 11 individual recommendations for raising the profile of school travel and increasing travel choices for the journey to and from school. The Government welcomed the report. We are already taking action on some of the recommendations and are considering how to implement the others.

In the road safety strategy, published in March, we set out our detailed programme for taking action to improve child road safety, including better child road safety education, better enforcement and raising driver awareness of school travel issues such as road safety for child pedestrians and cyclists, the dangers of parking near schools and excessive or inappropriate speed.

We continue to work to raise awareness of school travel issues, through a series of regional seminars for local authorities, teachers, parents and governors; a communication strategy aimed at both the specialist press and the wider public; and national television and radio advertisements, promotions and publicity as part of the "Are you doing your bit?" campaign.

All health authorities are developing health improvement plans for the three-year period 2000–02, based on local consultation. There should be particularly strong links between health improvement programmes and local transport plans on school travel, and guidance on joint working was published in October 1999.

I am grateful to my hon. Friend for introducing this debate. I and my colleagues in the Department for Education and Employment and the Department of Health regard the issues relating to school travel as very important. As I hope I have demonstrated, this is an area in which we have been active—

The motion having been made after Seven o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twelve minutes to Eight o'clock.

House of Commons

Friday 21 July 2000

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Orders of the Day

Warm Homes and Energy Conservation Bill

As amended in the Standing Committee, considered.

New Clause 12

MEANING OF "FUEL POVERTY"

'.—(1) For the purposes of this Act a person is to be regarded as living "in fuel poverty" if he is a member of a household living on a lower income in a home which cannot be kept warm at reasonable cost.

(2) The Secretary of State (as respects England) or the National Assembly for Wales (as respects Wales) may by regulations—

(a) specify what is to be regarded for the purposes of subsection (1) as a lower income or a reasonable cost or the circumstances in which a home is to be regarded for those purposes as being warm, or

(b) substitute for the definition in subsection (1) such other definition as may be specified in the regulations.

(3) Before making regulations under subsection (2), the Secretary of State or the National Assembly for Wales shall consult—

(a) persons appearing to the Secretary of State or the Assembly to represent the interests of persons living in fuel poverty, and

(b) such other persons as the Secretary of State or the Assembly thinks fit.

(4) Regulations under subsection (2) shall be made by statutory instrument; and a statutory instrument containing such regulations made by the Secretary of State shall be subject to annulment in pursuance of a resolution of either House of Parliament.'.—*[Mr. Amess.]*

Brought up, and read the First time.

9.34 am

Mr. David Amess (Southend, West): I beg to move, That the clause be read a Second time.

Madam Speaker: With this it will be convenient to discuss the following amendments: No. 46, in clause 1, page 1, line 9, leave out from "practicable" to end of line 10 and insert—

'persons do not live in fuel poverty'.

No. 3, in page 1, line 10, leave out "on lower incomes" and insert "in fuel poverty".

No. 5, in page 1, line 10, at end insert—

'(1A) For the purposes of this section "households in fuel poverty" are those which need to spend 10 per cent. or more of their income to provide adequate heat and energy.'.

No. 33, in page 1, line 10, at end insert—

'(1A) For the purpose of this Act "households on lower incomes" means households with a household income which is less than half the current average.'.

No. 35, in page 1, line 10, at end insert—

'(1A) For the purpose of this Act "household income" means the combined income of all those living within the confines of a set dwelling.'.

No. 48, in page 1, line 18, leave out from "practicable" to end of line 19 and insert—

'persons in England or Wales do not live in fuel poverty'.

No. 13, in page 1, line 18, leave out "on lower incomes" and insert "in fuel poverty".

No. 14, in page 1, line 18, leave out "on lower incomes" and insert—

'in receipt of benefit payments'.

No. 17, in page 1, line 19, at end insert—

', and

( ) provide a definition of fuel poverty which will facilitate achievement of the objectives of section 1(1).'.

No. 51, in page 2, line 10, leave out subsection (7).

No. 31, in page 2, line 16, at end insert—

' "fuel poverty" means households obliged to spend 20 per cent. or more of their (after tax and benefits) income to keep acceptably warm, having regard to such factors as the age and medical condition of the occupants and the external ambient temperatures;'.

No. 39, in page 2, line 16, at end insert—

'"fuel poverty" means the inability of a household to keep warm at reasonable cost'.

Mr. Amess: Although we tend not to talk about such things, outside observers may sometimes be confused by our proceedings. There is no doubt that our customs are puzzling to those outside. However, I should say immediately that, as the promoter of the Bill, I have absolutely no complaints about the procedures and processes which others might describe as tortuous.

There is no point in entering the competition, as I did last autumn, knowing and understanding fully the rules of engagement, and then griping when things do not go as smoothly as one would wish. Although some hon. Members think that the Report stage of a Bill is a complete waste of time, I do not agree: I find it extremely valuable and I hope that this morning we will discover at first hand how the new clauses and amendments that I hope to persuade the House to accept result entirely from the taking on board of points that were made in earlier debates on the Bill.

I recognise the need to work with other parties and I have taken on board the concerns of other right hon. and hon. Members in order to obtain the widest possible support for the Bill. I am very grateful for the help and encouragement that has been offered by so many right hon. and hon. Members at every stage.

The amendments are very much a reflection of that spirit. I hope that the House will agree that the proposed changes are sensible and will benefit the people whom we are most concerned to help—our constituents—enabling them to afford to keep warm during the winter months.

Second Reading seems a long time ago, but at the time I told the House that I felt very uncomfortable with the term "fuel poverty". I was born and bred in the east end

[Mr. Amess]

of London and some people may have thought that I was poor, as my family did not have a bathroom, only an outside toilet; however, I, and other children like me, certainly did not feel poor. When we talk about fuel poverty, we have to be very careful about our language as "poor" may not mean the same thing to different people.

Without antagonising Labour Members, let me say as a Conservative that I felt that the term "fuel poverty" sounded rather socialist. Labour Members may say, "What is wrong with using socialist terms?", but having taken on board new Labour and everything it stands for, I felt rather uncomfortable with that term. As a result, I was happy when it was removed from the Bill in Committee and when the requirement on the Government changed from the requirement to end fuel poverty to the requirement to ensure that all lower-income households could keep their homes warm at a reasonable cost. That represents no change of substance to the Bill, as fuel poverty is simply the inability to keep a home warm at reasonable cost. I regarded it as indulging in semantics to talk about fuel poverty, but various concerns were raised and I revisited the drafting in order to address them and reinstate the term. The new clause defines fuel poverty as before, but with additional parts.

It is inevitable that certain terms in the definition, such as "reasonable cost", "lower-income" and even "warm", are somewhat subjective. We discussed those phrases in Committee. I am pleased that the Minister confirmed that "lower-income" is a wider term than "low-income" and includes more than just people on benefits, because hon. Members were worried about that.

We still face the dilemma of wanting clarity but not wanting the Bill to be so inflexible and narrowly defined that future improvements in measuring fuel poverty cannot be made without amending primary legislation. That is very important and it is why the new clause allows the finer points of the definition to be set by regulations. I hope that the House will agree that that represents a sensible balance.

The remaining parts of the new clause refer to consultation, and I hope that the House will accept my judgment on those matters.

Amendments Nos. 46 and 48 are consequent on the new clause, inserting the term "fuel poverty" as necessary. Amendment No. 51 is the final amendment that I hope hon. Members will support. It removes clause 1(7), which had initially been included so that, if a strategy for fulfilling the requirements of the Bill was published before it became law, we would not require it to be re-published needlessly, as quite enough documents are being published at great cost to the public purse. That subsection is no longer necessary because things have moved on in the Departments that work on the strategy, and it has become clear that no strategy will be produced before the Bill comes into effect.

My amendments deal with the legitimate concerns reflected in the amendments tabled by my right hon. Friends the Members for Penrith and The Border (Mr. Maclean) and for Bromley and Chislehurst (Mr. Forth), so I hope that they will not press their amendments and that my amendments and new clause will be accepted.

Mr. Eric Forth (Bromley and Chislehurst): The Bill has undergone an even more tortuous process than most Bills, so I want to explain where we are to those who may be mystified. The Bill started with high hopes and aspirations and wide support in the House, and about 140 hon. Members took the trouble to turn up and vote for it at an earlier stage.

When we discussed the money resolution, the Minister said that the Bill

> enshrines current commitments and mirrors measures that we already have in hand. For that reason, we do not believe that anything in the Bill would increase public expenditure above and beyond current commitments.—[*Official Report*, 4 April 2000; Vol. 347, c. 945-6.]

9.45 am

Does the Minister still believe that the Bill has no public expenditure implications? That was a mystery that arose at a very early stage, and then the plot thickened further, because in Committee, the Government, with the apparent connivance of Committee members—there were no Divisions—removed almost all the elements of the Bill that we had previously been told were vital, including the reference to fuel poverty.

That would have been mysterious enough, but a group calling itself Friends of the Earth conducted a very odd campaign, involving letters flying about all over the place. A leaflet appeared in my constituency in which that group claimed that the Bill, designed to save pensioners' lives, was being wrecked by me.

I shall quote from the leaflet—which, before you stop me, Mr. Deputy Speaker, is relevant to the Bill—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. It is not so much the relevance to the Bill that I am concerned about as the relevance to the amendments and the new clause. Some outside group accusing the right hon. Gentleman of wrecking the Bill has nothing to do with those.

Mr. Forth: That is fine. I shall come back to it later, Mr. Deputy Speaker. I shall find a way of getting it in, because in it will get. That was just a trailer.

Mr. Deputy Speaker: Order. At the moment, I am trying to find a way of keeping it out.

Mr. Forth: And you have succeeded for now, Mr. Deputy Speaker, but I shall give the matter further thought as we meander our way through. I know that you would not want to delay matters unnecessarily, so I hope that I can slip it in fairly quickly later.

There was an odd sequence of events: certain provisions were deemed essential on Second Reading; then the Minister said that they would not in fact change anything; and then they were systematically removed. In Committee, the hon. Member for Carshalton and Wallington (Mr. Brake) said:

> We need to know what definition of fuel poverty the Government intend to use. If amended, the Bill would cover only lower income groups.—[*Official Report, Standing Committee C*, 5 April 2000; c. 6.]

That illustrates the point that Committee members, and campaigning groups that I am not allowed to mention, did not lift a finger when the Government removed provisions

that they had previously called essential. At that point, my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) and I smelled several rats.

Mr. David Maclean (Penrith and The Border): My right hon. Friend is now on the key issue. The blame should not rest with members of the Committee. If members of Britain's foremost environmental campaigning organisation said that the gutting of the Bill was okay, I suspect that most Members of Parliament would initially believe that propaganda. Why does the new clause put back into the Bill those things that Friends of the Earth said could be taken out in Committee, although it thought that they were very important to begin with?

Mr. Forth: That poses a number of questions about these Friends of the Earth people, who seem to have taken some very peculiar attitudes, not to mention their systematic campaign of disinformation, to which, with your permission, Mr. Deputy Speaker, I may return later.

Under new clause 12, my hon. Friend the Member for Southend, West (Mr. Amess) proposes to reintroduce something that was originally deemed to be very important, but was then thought insufficiently important for people to bother much about it. About a month ago, my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) wrote to the Minister for the Environment to tell him that we thought that the Bill would have relevance and meaning if the original drafting were restored; that it could then deliver what it was always claimed it would deliver; and that it would therefore receive our support. A few days ago, the Minister for the Environment replied that the Government were prepared to support the reintroduction of virtually everything that they had removed from the Bill in Committee. I am very pleased about that. My right hon. Friend and I put that proposition to the Minister for the Environment, and he replied positively. I am sure that the Minister will confirm that when he catches your eye, Mr. Deputy Speaker.

In essence, my right hon. Friend and I believed that, if the Bill was to have any meaning, it should contain the provisions that it contained right from the start; we therefore insisted that they should be put back. No one else was involved. Friends of the Earth did not care whether or not those provisions were included. Its disinformation and its leaflets show that it did not give a damn what was in the Bill. All that it wanted was a Bill called "Warm Homes and Energy Conservation"; it was indifferent about the content. My right hon. Friend and I, taking our parliamentary duties seriously, persuaded the Minister for the Environment to provide the undertaking that is key to today's proceedings.

I do not want to delay the House. I hope that the Bill will proceed, with all the amendments tabled by hon. Friend the Member for Southend, West. My right hon. Friend and I will support those amendments. I hope that the Minister will confirm shortly that he will honour the commitment given by the Minister for the Environment. If so, the Bill may be able to deliver what it was intended to deliver; it cannot do that in its current form. If it is amended; if the Minister gives an undertaking; and if the House agrees with him, the Bill will emerge in a form that may genuinely provide help to those who need it in warming their homes. That is our hope. I do not want to prolong our proceedings, so I shall give my modest support to new clause 12. Perhaps, Mr. Deputy Speaker, I will be able to return to the matters that you discouraged me from mentioning.

Mr. Alan Simpson (Nottingham, South): I welcome new clause 12 and congratulate the hon. Member for Southend, West (Mr. Amess) on tabling it. I also welcome the movement that has taken place and the fact that we can still improve the Bill. I hope and trust that my hon. Friend the Minister will accept, with some grace, that the process of bringing the Bill back to the House on Report has involved several meanders. It is worth acknowledging how difficult it is to get a private Member's Bill through the House. Any Member who wants to introduce a Bill is told that civil servants will scrutinise the proposals and that the preference will be to cause the least disruption to departmental plans. Hon. Members are told in no uncertain terms that, if they aspire to get a private Member's Bill through the House, they should be modest in their expectations. A private Member's Bill can be blocked and obstructed in a variety of ways, so considerable skill and deftness of thought are required to get a Bill through the House.

I congratulate the hon. Member for Southend, West on achieving such broad consensus. I hope that my hon. Friend the Minister will recognise the role of the work done in Committee. The clauses and definitions that we discussed during the Committee's first sitting left a lot to be desired. The contribution that hon. Members made during that sitting was that they gave the Minister and his advisers time to reflect on some of the obvious gaps in the original definitions. To be fair, the Minister proposed a much improved set of definitions and clauses, which the Committee was able to consider. It has been helpful to recognise just how much movement has taken place in people's thinking on those definitions.

I welcome the proposed reinsertion of the term "fuel poverty". Hon. Members may recall that that phrase was used in Bills that some of us drafted early in our parliamentary days—I shall not rehearse them now. We have always talked about fuel poverty; it seems to be the most helpful peg on which to hang a definition of what the Bill should attempt to do. I am grateful to those who have helped in proposing the reinsertion of that phrase.

Mr. John M. Taylor (Solihull): Does the hon. Gentleman concede that the credit for reinstating the original gravamen of the Bill lies with my right hon. Friends the Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean)? They forced the issue.

Mr. Simpson: I am happy to acknowledge the role that the right hon. Gentlemen have played in proposing that the phrase should be reintroduced, especially as they played a principal role in removing them in the first place. I am all in favour of Pauline conversions. During the debate on the money resolution, the right hon. Member for Bromley and Chislehurst said:

> I refute the whole concept of fuel poverty. It is nonsense, as I tried to point out in some of my interventions in the debate. Unfortunately, we ran out of time before I could make the speech that was bubbling up inside me.

[Mr. Simpson]

In a way, I am pleased that it has had a chance to bubble a bit longer. He continued:

> Much nonsense is talked about fuel poverty; I am not convinced of it as a concept, so I do not feel that it is relevant.—[*Official Report*, 4 April 2000; Vol. 347, c. 937.]

I am grateful that, in the course of reflecting on the Bill, we have been able to construct a new consensus in which a recognition of the concept of fuel poverty is shared by the whole House.

Mr. Forth: Is the hon. Gentleman suggesting that I am so influential in the House that I had only to utter a few words in an intervention for the Government to act and remove that phase in Committee?

Mr. Simpson: I was praising my hon. Friend the Minister and his colleagues on the Treasury Benches. The right hon. Member for Bromley and Chislehurst had only to show a gap in his learning in an intervention to mobilise hon. Members on both sides of the House to explain the reasons why fuel poverty is a legitimate concept and why it is so important. I praise the House for successfully contributing to the education of the right hon. Gentleman and the right hon. Member for Penrith and The Border. I welcome the fact that that has taken place and that we can include the phrase "fuel poverty", because it clarifies the reality of the problems that beset our society, which are a scandal that needs to be addressed. I welcome new clause 12 and congratulate the hon. Member for Southend, West on all the work that he has done on reintroducing those words, and I celebrate the fact that we all recognise that fuel poverty is a legitimate problem that the Bill must address.

10 am

Mr. Maclean: I welcome the new clause and the fact that the Government will accept it. I am grateful that the Government have listened over the past few weeks to my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) and me. We wrote to the Minister to indicate that there were five essential things that we wanted put back into the Bill and that, in those circumstances, we would be happy for it to proceed. I am glad that the Minister, in discussion with my hon. Friend the Member for Southend, West (Mr. Amess), has conceded the point on fuel poverty.

I have before me a Bill proposed in 1997 by the hon. Member for Nottingham, South (Mr. Simpson): the Warm Homes and Energy Conservation Bill, as it was on Second Reading, and the Bill that we are debating today. There are considerable similarities between the 1997 Bill and my hon. Friend's Bill on Second Reading. I am glad to see the hon. Gentleman nodding. I am not accusing my hon. Friend the Member for Southend, West of plagiarism, but large parts of his Bill, as it was on Second Reading, are similar.

I have some concerns about the implementation and about costs but those are for the Government to explain to the taxpayer. I have greater concern about the deception that was wrought on Members of Parliament and the public not by my hon. Friend the Member for Southend, West, but by Friends of the Earth and others who pretended that my hon. Friend's Bill is the same as it was at Second Reading—or, more importantly, the same as the 1997 Bill proposed by the hon. Member for Nottingham, South.

Today, I have received my third letter from a Friends of the Earth supporter.

Mr. Forth: As many as that?

Mr. Maclean: I have had as many as three from my own constituency. However, the letters that I have received from the rest of the country on the Bill have been instructive, and that is why I was keen for the Minister to put the points back in the Bill. I had letters from home insulation contractors, saying that they would make a lot of money because the Bill contained specific clauses on cavity wall insulation and loft lagging. I looked at the Bill again and discovered that they were talking about the wrong Bill.

On fuel poverty, I have received letters from pensioner groups in other parts of the country, all saying that they would benefit because of the mention of fuel poverty in clause 3. When one studies the Bill as it is today, it becomes clear that they are talking about a totally different Bill.

Mr. Alan Simpson: I am sorry that the right hon. Gentleman has been neglected by his constituents and has received only three letters. There was a large gathering of pensioners in London this week.

Mr. Forth: How many?

Mr. Simpson: Probably about 50 people from different organisations. Importantly, people had come from the constituencies of the right hon. Members for Bromley and Chislehurst and for Penrith and The Border with a box of cards that they had tried to deliver to both of them. I have that box, which I will happily hand over to the right hon. Members.

Mr. Deputy Speaker: Order. I may have forgotten the hon. Gentleman's surname earlier, but I have not forgotten the rules on interventions. His is too long.

Mr. Maclean: If any of my constituents come to the House and let me know that they are coming, I will be available to meet them, if it all possible. None of them let me know they were coming. If the hon. Gentleman provides me with the names and addresses of those constituents, I will be delighted to have them. Now that I have managed to work my word processor, I have an interesting package of information on the Warm Homes and Energy Conservation Bill to send to all constituents.

The hon. Member for Nottingham, South is making my point. Many pensioner groups and other organisations believe that the Bill is somehow identical to that proposed by him, and to an earlier Bill proposed by the hon. Member for Halifax (Mrs. Mahon), which had even more targets and was more specific.

Mr. Forth: Is my right hon. Friend aware that it is worse than that? Some of the literature that I have received states that the Government will install home insulation and efficient heating systems, resulting in warm

homes. This sort of claim was made by Friends of the Earth, despite the Minister telling us that there would be no extra programmes and no extra money.

Mr. Maclean: We know that the Minister is a man of many talents; it is quite possible that he has his toolbox behind the Chair and is ready to install home insulation efficiency equipment. He would never do it on a moonlighting basis, because he does not believe in second jobs. My right hon. Friend makes the point that there is a huge misinformation exercise; not by the Government or my hon. Friend the Member for Southend, West. There is a vicious propaganda campaign led by Friends of the Earth for its own purposes.

The only purpose is that Friends of the Earth is keen to get a slogan. It wants to be able to say that it pushed through the Warm Homes and Energy Conservation Bill. It is happy to have the Bill gutted and have nothing in it, so long as it has the title. It will carry on pretending that the Bill is the same as those proposed by the hon. Members for Nottingham, South and for Halifax. I appreciate that Labour Members will not want to say anything about worthy environmental campaigning organisations and risk exposing their shoulder blades to them. However, I hope that Labour Members will agree with some of what I have said regarding Friends of the Earth.

I wanted to see the words "fuel poverty" put back in the Bill because I wanted to see how the Government deal with it. I am not sure about the concept of fuel poverty. I think food poverty is infinitely more important. If one looks at the statistics, one sees that many people are suffering because they do not have enough food or because they are not eating properly. There is a problem with elderly women whose husbands die, who decide that it is not worth cooking a meal and survive on a cup of tea and a biscuit. That problem desperately needs tackling by all Governments, and it is perhaps more important than the concept of fuel poverty.

Mr. Forth: On that point, is my right hon. Friend aware that the Bromley health authority has kindly provided me with some figures about deaths in the borough attributable to cold? Tragically, five people have died from cold in the last eight years and, in my constituency, there has been one death since 1997. That official figure contrasts with the claims made by Friends of the Earth that, on average, 150 Bromley pensioners die every winter because they are cold in their homes. That is the disgraceful disinformation being peddled in my constituency by a dishonest organisation. There was one death, tragically, in actuality; 150 deaths were claimed in the rubbish that has been put round my constituency.

Mr. Maclean: I have some slight sympathy for my right hon. Friend, but the figures attributed to him for mass murder are nowhere near as good as those attributed to me. I have been accused of killing 600 people in Cumbria. Until my right hon. Friend reaches that total, I do not think that he has much cause for complaint. Admittedly, he has real cause for complaint about any organisation that issues rubbish like that, but I have been accused of surpassing him. Unfortunately—or fortunately, of course—the statistics for my own patch are radically different. It is difficult to determine those who have died of cold in their own homes in Cumbria because the figures sometimes get mixed in with the figures for those who have died of hypothermia on the mountains.

Mr. John Austin (Erith and Thamesmead): Does the right hon. Gentleman agree that although "hypothermia" may have appeared on only one death certificate, cold exacerbates conditions such as influenza, bronchitis, asthma, cardiac problems, strokes, and so on? Cold can be a major contributory factor to the deaths of elderly people from other illnesses.

Mr. Maclean: Of course cold can be a contributory factor, but so can hot weather conditions and other aspects of our climate. *[Interruption.]* Ozone levels and fumes cause problems, too, and cause extra deaths at certain times of the year. It is utterly bogus, however, to attribute all excess winter deaths purely to lack of home insulation or to demand a comprehensive package to prevent excess winter deaths. It is an utterly bogus statistic.

Mrs. Margaret Ewing (Moray): I am very interested in the argument that the right hon. Gentleman is trying to propound. Does he not accept that in the context of eating and heating, we are talking about internal as well as external heating? Has he looked at the excess winter deaths in other countries which have a much colder climate than the United Kingdom? Surely he must accept that although hypothermia does not appear on death certificates, there are sensible reasons for accepting the statistics for these excess winter deaths. The problem must be addressed, which is why I support the new clause.

Mr. Maclean: Of course I have looked at the figures for other countries. In my piles of paperwork, there is a booklet that includes them. I am not completely rubbishing the concept of excess winter deaths. Nevertheless, the statistics are grossly exaggerated by certain organisations for their own purposes.

The point of the debate is to support the new clause tabled by my hon. Friend the Member for Southend, West. I hope that the Minister will accept it—I will be very surprised if he does not. The new clause meets my demand that the term "fuel poverty" be restored to various parts of the Bill. I want it restored not because I completely understand the concept, but because I want to see how the Government will deal with it. The Government were happy to go along with the concept and they must be judged on how successfully they deal with it over the next few years.

I also like the new clause because of its proposed power to make regulations that specify the definitions of fuel poverty and living on a lower income household. I was worried that after the Bill was gutted in Committee, it was rather vague on that aspect. The new clause would give it a bit more clarity and certainty.

10.15 am

What made me suspicious of the Bill initially was the money resolution and some of the things that the Minister said and did not say in the debate about it. I am not blaming him entirely—he had his brief, and he had to stick to it at the time. I was very suspicious that there might be a ploy under way and that the Bill would end up gutted, with the key elements taken out—the power to

[Mr. Maclean]

make regulations, references to fuel poverty and a comprehensive package. I suspected that all the outside organisations would be told by Friends of the Earth, "This is really the same Bill as we had in 1997, and nothing has changed." Those people would be deceived.

I do not want us to pass legislation that is hollow and merely aspirational verbiage, as my right hon. Friend said. Let us put the relevant terms back in and make the Bill what we say it is and what the organisations outside think it is. Then let us judge the Government on how well they do.

Mr. Tom Brake (Carshalton and Wallington): Does the right hon. Gentleman agree that we have an opportunity here, because the Secretary of State will be able to make regulations to enforce the toughest definition of fuel poverty?

Mr. Maclean: Exactly. That is one of the reasons why my right hon. Friend and I wrote to the Minister of State saying that we could do a deal. We said that the Bill was empty, hollow and rubbish, and that there was no point in passing it—it was nothing like the Bill introduced by the hon. Member for Nottingham, South. We said that if we could, with the agreement of my hon. Friend the Member for Southend, West, put in things by which the Government can be measured—such as a definition of fuel poverty and the power to make regulations—when the Minister brought those regulations before the House, both sides would know whether we were dealing with 50 people or 500,000.

The regulations will have to delineate those whom the Government consider live in lower-income households or in fuel poverty. At that stage we will be able to see whether the Government are trying to dodge their obligations by narrowing the focus of the Bill to dealing with a few thousand or a few hundred thousand people a year. If the regulations follow the spirit of the Bill introduced by the hon. Member for Nottingham, South, we know that it will have to catch 500,000 people a year. However, we will judge the Minister on that later—today is not the day. Today is the day to say that the new clause is an improvement, and I welcome it. It covers some of the amendments tabled by my right hon. Friend and me. We do not wish to push any of our amendments to the vote but will be happy to accept the new clause.

Mr. Andrew Dismore (Hendon): I support the new clause. It is interesting that the right hon. Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and the Border (Mr. Maclean) seem to have spent most of their speeches slagging off Friends of the Earth rather than addressing the issues in the Bill. I have found Friends of the Earth of great assistance, generally speaking, in preparing for the debates on the Bill, although I have one small criticism. I was surprised on 9 June to see that the Bill had disappeared, having spent some time preparing to debate it on that day. Having discussed the issue with members of Friends of the Earth on several occasions in the previous couple of weeks, I thought that it was, at the very least, somewhat discourteous of them not to let me know the change of tactics on that day.

I think that the way forward is that set out in new clause 12, which would provide for the Government to make regulations. When the right hon. Member for Penrith and The Border said that he was not sure about the concept of fuel poverty, I wondered when he would get round to the amendments that he and the right hon. Member for Bromley and Chislehurst had tabled. At the end of his speech, he said that they did not propose to press the amendments. Nevertheless, those amendments are part of the group before us, and are subject to debate today.

I intend to address those amendments shortly, because I think that the right hon. Gentlemen are trying to run with the hare and the hounds—perhaps to presage a forthcoming battle that we may have on the Floor of the House—in that they did not withdraw those amendments at an earlier stage, but left them on the Order Paper for today and available for selection. So although the right hon. Gentlemen may not press those amendments, they nevertheless form part of the first group of amendments on the selection paper.

Mr. Maclean: The amendments are on the Order Paper because that was part of the agreement I made with the Minister of State. I said that even if the new clause and the amendment were forthcoming from my hon. Friend the Member for Southend, West, I would still leave our amendments on the Order Paper in case of accidents. It has been known for new amendments not to get on to the Order Paper, by accident. Were that to happen, at least we would have something to debate. Now that my hon. Friend's new clause and amendment have appeared on the Order Paper, I will honour our commitment to the Minister that we will not force our amendments to a vote.

Mr. Dismore: I am grateful for that clarification. I can only assume that the amendments may have been put down on different days and that the right hon. Members for Penrith and The Border and for Bromley and Chislehurst had forgotten what they had tabled previously. They contain many internal inconsistencies as well as vague and woolly definitions of what fuel poverty or income may be.

Mr. Forth: I assume that the hon. Gentleman is not criticising the selection of amendments by Madam Speaker. My right hon. Friend the Member for Penrith and The Border and I may have wanted—

Mr. Deputy Speaker: Order. The hon. Gentleman would not be suggesting that.

Mr. Dismore: Thank you, Mr. Deputy Speaker. Of course I would not question Madam Speaker's selection of amendments, which has highlighted the difficulties in the amendments. On the one hand, the right hon. Gentlemen put themselves forward as great champions of the poor and people who need warmer homes. On the other, their amendments are internally inconsistent, displaying a complete lack of thought about the issues. If anyone deserves criticism, it is those who see it as their business to scupper the Bill rather than working constructively with those of us who want progress.

Mr. Damian Green (Ashford): If the hon. Gentleman is interested in the Bill's progress, how will he aid it by debating amendments that he has been told will be withdrawn?

Mr. Dismore: The answer to that is straightforward. The amendments are before us for debate. The right hon.

Members who tabled them may not press them, but other hon. Members may speak about them. We should discuss the issues, criticise the amendments for their poor drafting and highlight the tactics that may lie behind them. As they were selected for debate, I am right to spend a few moments highlighting the inconsistencies in the positions adopted by the right hon. Members for Penrith and The Border and for Bromley and Chislehurst so that I can say why their approach is misguided. I make that point in the spirit of the Friday team: Bromley has the most pensioners in London and my borough, Barnet, has the second most, although we pip Bromley on pensioners in the older categories.

In amendment No. 5, to clause 1, the right hon. Member for Bromley and Chislehurst would define "households in fuel poverty" by reference to income, but offers no definition of whether that means gross or net income, includes savings income, or means only earned income. In amendment No. 33, for the whole Act, the right hon. Member for Penrith and The Border offers a different definition—household income at "half the current average". The average of what he does not say.

Amendment No. 35 refers to the

combined income of all those living within the confines of a set dwelling,

but the right hon. Gentlemen must be aware of significant problems arising for the administration of housing benefit from a similar definition. That requires frequent recalculation of benefit because of the need to aggregate household income under present rules.

Amendment No. 14 substitutes for people "on lower incomes" people

in receipt of benefit payments.

There are three types of benefit: universal, contributory and means-tested. The bulk of households, including those that do not consider themselves to be low-income, receive some benefit, such as child benefit, which is paid to tens of millions of families. The definition proposed by the right hon. Member for Bromley and Chislehurst would, as they are in receipt of benefit, include everyone from a duchess to a lone parent living in poverty on one of my council estates. Contributory benefits are paid as of right, and many people who receive them do not consider themselves poor. Does the right hon. Gentleman mean only means-tested benefits? The amendments are not clear, and even if the right hon. Gentlemen do not intend to press them, I urge hon. Members not to support them.

In amendment No. 31, the right hon. Member for Bromley and Chislehurst makes a series of vague suggestions. He says that homes should be "acceptably warm". Acceptable to whom? He has had one person die of hypothermia in his constituency, so should it be acceptable to him? Or should it be acceptable to the pensioners who need and benefit from the winter fuel payment—soon to rise to £150—which is a vital contribution to dealing with fuel poverty and heating homes, and which the Conservatives intend to abolish should they win the next election?

One of the Government's first acts was to reduce value added tax on heating bills, which was of great importance to those who need to keep their homes acceptably warm. We cut VAT to 5 per cent.—the lowest amount permitted by law—from the horrendous rate levied by the Conservatives on those who need to pay their fuel bills to keep themselves warm and fend of hypothermia.

Mr. Forth: As he gives his list, I am sure that the hon. Gentleman will mention the benefits of global warming as well as the home warming packages inherited from the previous Government. Will he also mention the consistent fall in domestic fuel prices since privatisation of the energy industry? That continues to this day and my constituents and his gain from it. That would give the full picture of the extent to which people can already enhance the warmth of their homes.

Mr. Dismore: The right hon. Gentleman makes his point. On privatisation, I can say only that I have had many complaints from people, particularly pensioners, who have been doorstepped by spurious salesmen trying to persuade them to sign over their fuel contracts. People have been harassed and browbeaten into changing contracts without realising what they are signing, and I have had to make more complaints to the various regulators about that than about anything else. The right hon. Gentleman may have a point about bills—he has, perhaps, studied that more closely than I have—but I know that complaints have arisen against the plethora of companies vying dubiously for contracts, particularly among pensioners confused by what is going on.

We do not know what "acceptably warm" means. Nor did the right hon. Gentleman say whether he would, should the Conservatives win the next election, vote to abolish the winter fuel payment. I hope that he never has the chance, because pensioners tell me how valuable it is in keeping homes acceptably warm and dealing with fuel poverty.

The amendment also refers to "external ambient temperatures". I am not sure whether that is some obtuse reference to global warming. *[Interruption.]* The right hon. Gentleman nods and says that it might be. That is a peculiar position to take. It would return us to the inadequate attempts of the cold weather hardship payments to deal ex post facto with keeping people's homes warm. That was a terrible way to deal with the problem. Homes had to be cold for days on end, and the money could be claimed only retrospectively. If on only one day the temperature went a degree above the limit, the pensioner received nothing. If the right hon. Gentleman wants to return to that, rather than having £150 paid in the autumn before the cold weather, he will not find favour with many pensioners. I am also worried that there may be different rules for people in the south and in the north, as there were under the old system.

I hope that I have highlighted the lack of thought behind the attacks mounted by the right hon. Members for Bromley and Chislehurst and for Penrith and The Border during the Bill's passage through the House. The solution proposed by the hon. Member for Southend, West (Mr. Amess), presumably after discussions with the Government, is the way forward. In the regulations, the Government will be able to provide sensible answers to questions about income levels, acceptable warmth and so on. They will be able to use objective criteria such as temperature, and I see that later amendments contain suggestions in that regard.

10.30 am

The organisation Friends of the Earth has made a major contribution to the Bill and has been unfairly traduced this morning. The hon. Member for Southend, West deserves congratulation on his constructive work with the Government. The Bill will help to tackle fuel poverty and ensure that pensioners do not have to suffer from hypothermia and cold homes. The winter fuel payment and the cut in VAT on fuel show that progress is being made, but if we make sure that homes are warm as a result of insulation, for example, that money will go a lot further.

Mr. Green: The Bill has benefited from detailed scrutiny in the House, and also in the exchange of letters between the Minister and my right hon. Friends the Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean). To keep up that level of scrutiny, I have a few practical questions that arise out of the amendments.

However, I shall begin by dealing with the extraordinary speech by the hon. Member for Hendon (Mr. Dismore). I assume that he is happy with the Government's miserly pensions increase this year, which would be massively improved by the consolidation of various benefits proposed by my hon. Friend the Member for Havant (Mr. Willetts). I also assume that Labour Members are happy with the way in which the Government fiddle the inflation figures. The calculation of the rate of inflation is lower when it comes to determining the increase for pensioners than it is when the Government wish to raise petrol prices. If the hon. Gentleman is happy with both those things, he will have some explaining to do to pensioners in his constituency.

Mr. Kevin Barron (Rother Valley): Many pensioners receive occupational pensions, and so pay tax. Does the hon. Gentleman accept that paying the £150 winter fuel allowance weekly would have attracted tax, and that pensioners would have received less of the money?

Mr. Green: I note that Labour Members do not want to deal with the amount of the increase introduced by the Government, or with the fact that the Government offer no guarantee about how they will calculate inflation next year. However, I suspect that you, Mr. Deputy Speaker, might consider a wider debate about the Government's miserliness towards pensioners to be out of order.

The second extraordinary point about the speech by the hon. Member for Hendon was that he devoted almost all of it to a discussion of amendments that my right hon. Friend the Member for Penrith and The Border had said that he intended to withdraw. The suspicion is that that was the performance of an hon. Gentleman trying to talk out a Bill. I genuinely hope that that was not the case.

Mr. Dismore: I assure the hon. Gentleman that if I intended to talk the Bill out, I could speak for more than 10 or 15 minutes.

Mr. Green: I am happy with that confirmation, but there are other groups of amendments. If all the hon. Gentleman's speeches are as irrelevant to the Bill as his first, we may well be in trouble with time later. However, I am pleased to accept the hon. Gentleman's assurance about his intentions, as I was wondering whether he was obeying an order from his Whips. No doubt we shall find out the truth of that later.

In Committee, there was a long debate about the central issue of who should benefit from the Bill. I expect the Government to support the new clause and associated amendments, but I hope that the Minister will explain what attitude the Government will take towards the important definitions arising from them.

How many people will benefit from the definitions that will appear in the regulations—a few thousand, hundreds of thousands or millions? The definitions so far set down are loose enough to encompass both large and small programmes. I appreciate that the Minister will not want to go into detail about the regulations that will emerge from the Bill, but a general indication would be useful.

Similarly, if the amendments are accepted the term "lower income" will have to be defined. Will the Minister say what percentage of households will be covered? Will the threshold be defined as a percentage of average income, or will an absolute income level be set out? If I read aright what the Minister said in Committee, the definition will cover a wider group than people receiving certain types of benefit.

If the Government choose a definition based on an absolute income figure, pensioner groups and others will want to know whether they intend to index-link the figure, to leave it as it is, or to increase it regularly.

Mr. Brake: Does the hon. Gentleman hope that the Minister will bear in mind the comments of the Minister for the Environment, who said that 8 million UK households suffer fuel poverty, and that as many as 3 million to 4 million elderly people are at risk of hypothermia?

Mr. Green: The hon. Gentleman is right. I am sure that hon. Members will be aware that, over the course of the past year, the Government have changed the definition of fuel poverty in a way that severely reduced the numbers of people said to be suffering from it. The Bill was watered down in Committee at the Government's behest, so the House is right to be moderately sceptical about the Government's true intentions.

Mr. Maclean: I am pleased that my hon. Friend is pressing the Minister to explain how the measure will define lower income households. The new clause would provide for that. One of the reasons that my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) and I tabled amendments was to try to tease out from the Government the meaning of the phrase "lower income households" and to offer alternatives. The Minister was not forthcoming on that matter, but the new clause would enable us to arrive at a definition, and we shall be able to judge whether the Government are trying to dodge their obligations.

Mr. Green: I am grateful to my right hon. Friend, who makes a powerful point.

Given the tenor of the discussions on the Bill, hon. Members have some reason to be a touch sceptical about the Government's true intentions. I hope that the Minister can reassure us by offering general guidelines as to his

approach to those important definitions. I support the proposals of my hon. Friend the Member for Southend, West (Mr. Amess).

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Chris Mullin): As hon. Members noted earlier, progress on the Bill has been somewhat convoluted. However, if I judge correctly the sentiments expressed by Members on both sides of the House, we seem to have reached a consensus. I hope that no one regards that as provocation.

The new clauses and amendments deal with definitions of fuel poverty and related regulations. New clause 12 gives a broad definition of fuel poverty and would provide the necessary power to make regulations for a closer definition of the term for the purposes of the Bill. In that respect, it differs from new clause 9, which would require regulations to implement the strategy. That is not necessary because such powers already exist; for example, the home energy efficiency scheme under social security legislation.

Several people suggested that fuel poverty should be defined in the Bill. The hon. Member for Southend, West (Mr. Amess) obviously listened to them. The Government have pointed out constantly that we cannot tie the inter-ministerial group on fuel poverty to a once-and-for-all definition. That is why we accepted the wording proposed by the hon. Gentleman in Committee and now included in the Bill—it provided the necessary flexibility for a strategy to define and target the fuel poor.

We have considered the new clause carefully and have taken into account the views expressed by hon. Members in Committee and in correspondence. The provision offers a new general definition of fuel poverty that parallels the text that emerged in Committee and allows for a more detailed definition in regulations, following consultation. That is an adequate compromise.

For the reasons we gave in Committee, we cannot and should not provide an absolute and final definition of fuel poverty in the Bill. To do so would require consultation that would fatally delay the Bill. The new clause takes a more circuitous route than we anticipated a few months ago, but it addresses our concerns by allowing further definition in regulations. In a spirit of co-operation, I shall accept the new clause.

Amendments Nos. 46 and 48 are consequential on the new clause and reflect the position that would apply if it were accepted.

Mr. Brake: Can the Minister suggest how many people he thinks might be caught under the definition of fuel poverty?

10.45 am

Mr. Mullin: I was about to touch on that point. There are many definitions and I am aware that in the fuel poverty industry—if that is the correct phrase—the matter is hotly contested and there is no agreement. Several million people will probably be affected. As I noted in Committee, the definition will extend beyond those who are on benefit. I do not want to comment further on that matter at present.

Amendment No. 51 would remove subsection (7) of clause 1. That subsection would have made it possible for any strategy that complied with the Act, and was published by the Secretary of State within the six months before the Act was passed, to be counted as a strategy prepared under the Act. That was a sensible solution for England, where the proceedings of the inter-ministerial group on fuel poverty might have enabled it to publish a strategy before the measure came into force.

However, following consultations, the final strategy will not be produced until after the measure becomes law, thus rendering the subsection unnecessary. As there is little point in retaining a provision that serves no useful purpose, the hon. Member for Southend, West has tidied up the Bill.

The remaining nine amendments in the group were tabled by the right hon. Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean). I hope that they agree that the provisions tabled by the hon. Member for Southend, West deal with the issues that they raised. I thus ask them not to press the amendments. I see that the right hon. Gentlemen are nodding graciously.

I propose that new clause 12 and amendments Nos. 46, 48 and 51 be accepted.

Mr. Amess: I have listened carefully to the points that have been made. If humble pie should be eaten, I am delighted to eat it in abundance. As I listened to the debate, I was not sure whether I was the criminal or the victim. I do not know whether I was naive because I allowed myself to be completely rolled over in Committee.

I paid close attention to the points made by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) on public expenditure and other matters. As he is aware, I genuinely wanted him and my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) to join us in the Committee. Former Ministers, such as my right hon. Friends, have great experience in dealing with such matters. I am sure that the Committee would have benefited from their input. I am sorry if my obvious incompetence has protracted our proceedings.

I thank the hon. Member for Nottingham, South (Mr. Simpson) for his valuable contributions. My right hon. Friend the Member for Penrith and The Border made a telling point on food poverty; without food, obviously one dies. Perhaps, on another occasion, the House might turn its attention to that matter, although I shall certainly not volunteer to pilot a private Member's Bill on it. Indeed, I wonder whether I should ever again promote a private Member's Bill on any issue.

The hon. Member for Hendon (Mr. Dismore) referred to the events of a few weeks ago. I had not intended to mention that point. I shall allow no person or organisation to be blamed for what happened; I take full responsibility. The House is a dynamic place—although it does not always seem to be—and it is difficult to judge its mood. I fully understand that hon. Members give up their time and cancel constituency arrangements to attend the House on Fridays, and we do not get any thanks from our constituents unless we make speeches on the Floor of the House and vote for measures. On that Friday, it was my judgment that the Bill was unlikely to make any further progress and, with hindsight, that judgment was right. Indeed, we would not be debating it this morning if I had been wrong.

[Mr. Amess]

I thank my hon. Friend the Member for Ashford (Mr. Green) for his support. Irrespective of whether the Minister thinks that I have made a Pauline conversion, I am only too delighted that he thinks that new clause 12 moves in the right direction.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

Clause 1

STRATEGY RELATING TO FUEL POVERTY

Amendment made: No. 46, in page 1, line 9, leave out from "practicable" to end of line 10 and insert—

'persons do not live in fuel poverty'.—*[Mr. Amess.]*

Mr. Amess: I beg to move amendment No. 47, in page 1, line 13, after "specify" insert "a comprehensive package of".

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 10, in page 1, line 14, leave out "appropriate equipment or" and insert—

'a comprehensive package of home'.

No. 16, in page 1, line 19, at end insert—

', and

( ) provide a procedure for differentiating the characteristics and requirements of different regions.'.

No. 21, in page 1, line 19, at end insert—

'(2A) For the purposes of section 1(2)(b) above "comprehensive package of home insulation" shall include the installation of—

(a) cavity wall insulation;

(b) loft insulation;

(c) under-floor insulation;

(d) draught-proofing.'.

No. 44, in clause 2, page 2, line 16, at end insert—

'"appropriate equipment or insulation" means works which qualify for grant under regulation 5 of the Home Energy Efficiency Scheme Regulations 2000, namely—

(a) insulation of any accessible roof space in the dwelling, including the insulation of any cold water tank and any water supply, overflow and expansion pipes in such a space;

(b) insulation between the internal and external leaves of cavity walls of the dwelling;

(c) draught proofing to or in the dwelling together with additional means of ventilation for any rooms which would otherwise be inadequately ventilated after such provision;

(d) insulation to any water heating system or to provide any part of such a system with insulation incorporated in it;

(e) gas room convector heaters with thermostat control;

(f) electric storage heaters;

(g) electric dual immersion heaters with foam insulated tank;

(h) timer controls for electric space and water heaters;

(i) improvements to the energy efficiency of, or replacement of any part of, or repair to any space or water heating system installed in the dwelling;

(j) installation of a mains gas central heating system with no more than six radiators;

(k) conversion of open solid fuel room fires to closed solid fuel room fires;

(l) provision of a central heating system connected to the local community heating grid with no more than six radiators.'.

Mr. Amess: Amendment No. 47 changes the description of the measures required to be specified in the strategy. It would ensure that "a comprehensive package" of measures would lead to the efficient use of energy. However, amendment No. 21 would require a strategy to specify measures such as a

comprehensive package of home insulation

rather than the measures in clause 1(2)(b), which refers to the installation of appropriate equipment or installation.

Amendment No. 21 would specify what the comprehensive package of home installation should include.

As with the first group of new clauses and amendments that I moved, I propose the changes in amendment No. 47 to ensure the widest possible support for the Bill. Again, it deals with concerns raised by my right hon. Friends the Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean). My aim has been to ensure that people can keep their homes warm at reasonable cost. I have therefore ensured that the measures taken must result in people being able to keep them warm at reasonable cost. Whatever we call the measures used, that is what the Bill would require.

Others have felt that the Bill would be improved by amending the description of the measures so that it refers to "a comprehensive package". My right hon. Friend the Member for Penrith and The Border has already told the House that he intends to take full advantage of such a measure—he referred to loft insulation. Therefore, I have proposed the change in amendment No. 47 to ensure the widest possible support for the Bill.

I am afraid that I cannot support amendments No. 10 and 21, and I hope that my right hon. Friend the Member for Bromley and Chislehurst will not press them. As I understand it, they would exclude the installation of efficient heating equipment or heating controls. That may force a strategy to require the installation of insulation in situations in which other equipment would be cheaper and more effective in eliminating fuel poverty.

Amendment No. 44 specifies a list of measures that could not be updated without returning to amend primary legislation. If a new, cheap and effective insulation product were developed, the amendment could prevent its use.

Another problem is that amendment No. 21 states that the package provided "shall include" certain measures whether they are required or not. That could be particularly problematical with the fitting of cavity wall insulation, because many properties do not have cavity walls. The amendment is, therefore, unworkable.

I hope that my right hon. Friends will not press amendment No. 16. They have made the point that people in colder areas lose out under the usual definition of fuel poverty, but I do not think that that is so. Even if two identical homes in the cold north and the warmer south were occupied by families with identical incomes, the heating would need to be turned up higher in the north to reach the same temperature in the house. Therefore, the

bills would be higher in the north and make up a higher proportion of the family's income. As the House has already agreed, the family in the cold north are therefore more likely to be in fuel poverty. The example illustrates that no regional variation to the definition is required. I hope that the amendment will not be pressed.

Mr. Barry Gardiner (Brent, North): I had not intended to speak, but I am slightly concerned by the remarks of the hon. Member for Southend, West (Mr. Amess). His interpretation of amendments Nos. 21 and 10 does not correspond with mine.

Why does the hon. Gentleman believe that the inclusion of the words "cavity wall insulation" in amendment No. 21 would counter his requirements for the Bill? It is my understanding that the provisions in paragraphs (a), (b), (c) and (d) of the amendment for "cavity wall insulation", "loft insulation", "under-floor insulation" and "draught-proofing" are simply examples of what might be part of a comprehensive package of home insulation measures for the purposes of the proposed section 1(2)(b). Of course, as the hon. Gentleman suggests, some homes do not have cavity wall insulation, but the amendment is not prescriptive. It merely provides examples of what a comprehensive package might include. Amendment No. 47 would add the words "a comprehensive package" to the Bill and the hon. Gentleman said that he had tabled it to garner the widest possible support. Amendment No. 21 would also achieve that aim.

For the sake of clarity, may I also ask the hon. Gentleman about his objection to amendment No. 10? He appears to be relying on the argument that only insulation and not other measures, such as timing devices, might be used. However, I support the amendment because other equipment has a role to play in ensuring that homes have the most efficient insulation and are kept warm. I am slightly concerned by the hon. Gentleman's interpretation of the amendments.

Mr. Brake: Although I do not exactly support amendment No. 47, because it would not greatly amend the definition in the Bill, I shall acquiesce to it.

I oppose amendment No. 10. Hon. Members may be aware of a UK company that produces a special electronic black box that can be attached to boilers. The company tells me that the box can reduce significantly boilers' cycling, which is extremely energy inefficient. It would be a great pity it the option to fit that sort of equipment to existing boilers was not available as part of a fuel poverty reduction strategy.

11 am

Mr. Gareth R. Thomas (Harrow, West): I support the amendment tabled by the hon. Member for Southend, West (Mr. Amess). The hon. Member for Carshalton and Wallington (Mr. Brake) was uncharacteristically unkind in suggesting that it does not materially assist the Bill, as I think that it does.

I shall give two examples to support the amendment, which will allow enlightened Ministers, such as those on the Front Bench today, and others in the Department of the Environment, Transport and the Regions and the Department of Trade and Industry, to find further ways to support renewable energy options. I am thinking especially about the case for installing solar panels on roofs. Greenpeace, an environmental organisation that does not always get support and recognition from the Opposition, did sterling work in May 1997 with low-income homes in Silvertown in London, installing solar panels on their roofs. Each home was projected to save a third of its electricity bill, or £60 a year, which, at a stroke, helped to tackle the problem of fuel poverty.

We need to widen the definition and encourage Ministers and officials to examine the widest possible range of measures to tackle fuel poverty. In an Adjournment debate on 25 May 1999, my hon. Friend the Member for Southampton, Test (Dr. Whitehead) highlighted the enormous potential of solar panels, especially in urban areas, where, as we all know, the largest proportion of low-income households are located. Clearly, they are not located there exclusively, and I recognise the problem of rural fuel poverty. However, the vast majority of low-income households are in urban areas, and clearly, other forms of renewable energy are not appropriate for those areas.

Mr. Brake: I wonder whether, like me, the hon. Gentleman regrets the departure from the DTI of a key civil servant who dealt with renewable energy?

Mr. Thomas: I think that I am aware of the case, and I think that that civil servant has been replaced by someone who is equally enthusiastic about renewables, so I do not think that there has been an adverse effect.

I shall develop the point about the opportunities that the amendment offers for solar panels. We must recognise that traditional forms of renewable energy, such as hydro power or wind power, are clearly inappropriate for urban areas. However, some 80 per cent. of us who live in towns and cities have roofs on which solar panels could be situated.

Mr. Maclean: The hon. Gentleman is right to say that wind power may be inappropriate for urban areas. Does he accept that it is also inappropriate in many of our finest mountain areas, such as the Lake district?

Mr. Thomas: I think that I would—

Mr. Deputy Speaker: Order. The hon. Gentleman is not the only Member to have strayed this morning. We are talking not about renewable energy, but about the amendment on fuel poverty. The hon. Gentleman must speak to the amendment before the House.

Mr. Thomas: I am grateful for that guidance, Mr. Deputy Speaker, and certainly do not intend to go down the route suggested by the right hon. Member for Penrith and The Border (Mr. Maclean), because I know that if I did, I would be severely outwith the reach of the amendment.

Solar panels offer the Government an opportunity to address the problem of fuel poverty. I should perhaps restate a point made by my hon. Friend the Member for Southampton, Test, who said that the average south-facing roof can sustain photovoltaic tiles

that can generate upwards of 2,000 units of electricity per annum.—[*Official Report*, 25 May 1999; Vol. 332, c. 262.]

[Mr. Thomas]

Bearing in mind the fact that average household consumption runs only to about 2,500 units a year, and that 80 per cent. of our fuel costs could therefore be met by the provision of solar panels, surely the inter-ministerial group could usefully consider that.

The amendment offers a cloak to enlightened officials and Ministers who support the concept of net metering, which has met with opposition. Imagine the delight of a low-income household when, in periods of great sunshine, its solar panels export to the grid electricity surplus to its individual requirements. Not only does that household get a low-cost option with solar panels, but has some of the bills that it may have to pay in winter covered by the money that it gets back by exporting electricity to the grid. The concept of net metering is very much welcomed and supported in America, where 22 states, including Wisconsin, Idaho, California and Washington, have adopted various net metering regimes. The amendment, which suggests that a comprehensive package of measures is needed, holds out the prospect that the inter-ministerial group, which would presumably draw up the strategy outlined in the Bill, could consider net metering.

I hope that in the cause of renewable energy, as well as the wider and more important cause of tackling fuel poverty, hon. Members on both sides of the House will support the amendment.

Mr. Maclean: It is a pleasure to follow the hon. Member for Harrow, West (Mr. Thomas). I shall not go down the windmill route again now, but if a suitable opportunity arises, I shall again drop into the debate my concern about the proliferation of such elements of renewable energy in the wrong places.

The amendment is important. My hon. Friend the Member for Southend, West (Mr. Amess) was too harsh on himself and too self-deprecating when he wound up the previous debate. If an ordinary private Member on a Committee with a huge Government majority is faced with the prospect of a Minister and a majority of Committee members either removing parts of the Bill or, with the wonderful back-up of our excellent civil service, suggesting that something is not necessary, and that something else should be redrafted, he cannot be expected to stand up to that. My hon. Friend understood perfectly well that he had to take the best possible deal on the Bill that he felt he could get.

As a result of our parliamentary procedures, we have found an opportunity to put back into the Bill those things that, in Committee, my hon. Friend was forced to accept had to be deleted. We can now corner the Government a little, and hold them to account. The inclusion of the term "a comprehensive package", as proposed in the amendment, is important. Some say that it makes little difference, and ask what is the difference between a package and a comprehensive package.

The term "comprehensive package" relates to the Bill promoted by the hon. Member for Nottingham, South (Mr. Simpson). One of my key concerns, which is as relevant to this debate as it was to the previous one, is the need to ensure that all the people out there, whether councils, lobby groups, pensioner groups or others, are not deceived into thinking that the measure that we would have passed today, had the amendments not been tabled, was the same as the Bill proposed by the hon. Member for Nottingham, South or even the one preceding it, which was proposed by the hon. Member for Halifax (Mrs. Mahon). The same terminology was used in their proposed legislation, and I think that it appeared in this Bill when it was given a Second Reading. Some of the letters that I have received—I received one from a pensioner group in Nottingham—say that this Bill must be passed because people are looking forward to a "comprehensive package" of measures for home insulation. If the term "comprehensive package" is deleted from the Bill, we will have misled those people.

The hon. Member for Brent, North (Mr. Gardiner) was slightly concerned about the amendment. He favoured some of those tabled by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) and myself. I rather liked them at the time; they sought to define the term "comprehensive package". Amendment No. 44 is specific in setting out what I consider to be a very comprehensive package—I lifted it from the Government's home energy efficiency regulations—but I now accept that if it were accepted, whenever someone invented a new gadget that was good for home energy efficiency, or a new item of insulation, the Bill would need to be amended.

I am happy not to move my amendment, provided that the Minister assures me in his reply that the term "comprehensive package" will be reinserted in the Bill, so that all the items that we have discussed, such as cavity walls, loft insulation and appropriate equipment, will be included. I shall accept the Minister's assurance that the term covers everything listed in amendment No. 44, which would naturally wrap up everything in amendment No. 21.

Mr. Gardiner: I should hate to suggest that the right hon. Gentleman had misinterpreted the amendment tabled by the right hon. Member for Bromley and Chislehurst (Mr. Forth). However, amendment No. 21 says that

> For the purposes of section 1(2)(b) above "comprehensive package of home insulation" shall include the installation of—

cavity wall insulation, loft insulation and so on. The word "include" cannot be taken to be exhaustive. That is why I disagree with the right hon. Gentleman's interpretation.

Mr. Maclean: I am grateful to the hon. Gentleman, but the Minister can be advised by the excellent lawyers in the civil service. I think that the rule is called the sui generis rule—the hon. Member for Liverpool, Garston (Maria Eagle) might be able to advise him on that as well. If one gives a list of items for exemplification in an Act of Parliament, the only other items that may be considered to be included, if they are not mentioned, are those of the same category or type. Amendment No. 21 gives specific examples of cavity walls, loft insulation, underfloor insulation and draught proofing, which are all types of insulation. If a new electronic boiler meter that would drastically cut emissions or save fuel were invented, it would not be included because it is not a form of insulation, and thus it is not part of that generic list. Therefore, although the items in the list are merely examples, the fact that they are forms of insulation means that, by implication or by parliamentary interpretation, other items would automatically be excluded if they were not types of insulation.

If the amendment is accepted, however, that argument is academic. If the Minister stands at the Dispatch Box and says that he will accept the amendment, as I understand he will, and that the term "comprehensive package"—in its normal interpretation and according to the Government's understanding of the strategy to be followed—will include the items in amendments Nos. 21 and 44, and other things beside, we will have made considerable progress. I have detected no hon. Member on either side of the House who opposes the amendment. Everyone agrees that it is a good idea.

As everyone concluded that the previous amendment was a good idea, and everyone appears to conclude that this one is a good idea, too, it is a pity that I have just received a note from Friends of the Earth saying that the last amendment was totally and utterly unnecessary, and so is this one. One must ask whose side that organisation is on.

11.15 am

Mr. Forth: My right hon. Friend is absolutely correct. For some bizarre reason, so-called Friends of the Earth has been writing to everybody. Someone kindly wrote a note to me enclosing the rubbish that they had received from Friends of the Earth. One extraordinary statement that that organisation has made is that this part of the Bill is completely unnecessary. It had to say that, because although it supported—indeed, probably wrote—the original Bill, it was indifferent to its content being removed by the Government in Committee, and was urging right hon. and hon. Members and people outside to pay no attention to that process but to sign up to almost anything entitled "warm homes".

One thing that we have managed to do in these proceedings is expose Friends of the Earth for what it is: a dishonest organisation that peddles disinformation to innocent and vulnerable people, worries them unnecessarily, encourages them to write form letters to Members of Parliament, and generally wastes everybody's time. I am glad that that has emerged from these proceedings, and that we have exposed Friends of the Earth as a disgraceful, dishonourable and dishonest organisation. If we have done nothing else, at least we have achieved that.

There is ample evidence of that in writing. Leaflets circulated in my constituency made completely wrong assertions, not least about death. That is a disgraceful and disgusting thing to do. Imagine putting through the doors of elderly people leaflets making false claims about their vulnerability to death. That is the sort of disgusting disinformation with which we have had to deal.

We can now put all that to one side, because the House has agreed that the term "comprehensive package" contained in the amendment is essential to the Bill. The hon. Member for Harrow, West (Mr. Thomas) made that point eloquently. Thus we all recognise the importance of that term, even if those disgraceful organisations do not. It endorses the parliamentary process when these matters are properly dealt with by Members of Parliament and Ministers, rather than by well funded, misdirected outside organisations that try to intimidate Members of Parliament by telling them, as Friends of the Earth did on a previous occasion, to turn up and shut up. That showed its contempt for the parliamentary process as well as for everything else.

Friends of the Earth also gets people to write letters to Members of Parliament. I have received a number of letters on this subject because Friends of the Earth has spent a lot of subscribers' money on getting people to write letters to my right hon. Friends and me.

Mr. Gardiner: But turning to the amendment . . .

Mr. Forth: One of those who wrote included a piece of paper referring to the amendment, and said how unnecessary it was. I am grateful to the hon. Member for Brent, North (Mr. Gardiner)—any such prompts are always welcome.

I shall not detain the House at length today. Suffice to say that despite all the misdirected activity outside the House, Members of Parliament are focused; we deal with these matters responsibly and properly. Today's short debate has illustrated that Members who take an interest in these matters and scrutinise them carefully fully understand the difference between the original Bill, the Bill as gutted by the Government in Committee, and the Bill that we are now restoring.

We can do that thanks to the fact that my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) and I persuaded the Minister of State that the Bill should be restored to its original state in order to deliver what it purported to deliver in the first place. The only surprise was that so many people were apparently prepared to accept an inadequate Bill with little substance. That is for them to explain. My right hon. Friend and I took a different view. I am happy to say that the Minister of State shared that view, which is why today we can make this amendment and others, which give the Bill a degree of substance. With a bit of luck, and with the Government's support and good will, that will help to achieve what was originally intended.

I am happy to support the amendment, and I do not propose to press any further amendments standing in my name. I look forward to the Minister's reassuring us that the Government support the amendment in letter, in spirit and in substance and that we can expect the Government to take up the Bill in its restored form so that something of substance is done. If we can achieve that today, the House can be pleased with itself.

Mr. Mullin: The amendments propose that appropriate measures to tackle fuel poverty be defined in the Bill, that the strategy specify what a comprehensive package of measures might be, and that the requirements of different regions be differentiated.

Amendment No. 47, in the name of the hon. Member for Southend, West (Mr. Amess), proposes that the Bill should require the strategy to specify a comprehensive package of measures. There is no harm in including that in the primary legislation. We always intended that our strategy should specify the means, including the measures that would be used, to bring about the efficient use of energy, and the amendment will ensure that the commitment is enshrined in law.

Amendments Nos. 10, 21 and 44 deal with definitions of measures to be installed in vulnerable households. As the right hon. Member for Penrith and The Border (Mr. Maclean) conceded, those amendments have been superseded by amendment No. 47. In addition, defining measures is unwise: we do not want to tie the hands of

[Mr. Mullin]

those preparing the strategy to any particular kind of measure; we want the strategy to include the most appropriate and most cost-effective energy efficiency and other measures to deal with the problems that are identified.

The methods used to tackle fuel poverty have to be wide-ranging. They can take the form of measures that are physically installed, or they can take the form of advice, grants or income benefits, none of which is included in the list in one of the amendments. In addition, we need to take account of the fact that technology moves on, and that in future there might be other measures that we wanted to employ but could not, because they were not on the defined list. If the list were partial, as the list in amendment No. 44 is, there could be serious repercussions affecting the usefulness of the Bill. We need to keep the Bill flexible, so that it covers all the appropriate measures, both those that are available today and new measures that may become available in future, if and when technological advances allow the inclusion of new or alterative measures. Amendments Nos. 21 and 44 do not allow for that because they are too restrictive.

As we said in Committee, the Government want to avoid a comprehensive package of measures being deemed necessary for every household, regardless of whether or not that household needs one or more of the measures specified. That could be the outcome of accepting amendment No. 10. As for amendment No. 16, although the idea of setting out the regional picture of fuel poverty in developing the overall strategy is welcome, it is not necessary for such a provision to be spelled out in legislation.

Therefore, the Government can accept amendment No. 47, but we ask the right hon. Members for Penrith and The Border and for Bromley and Chislehurst (Mr. Forth) not to press amendments Nos. 10, 16, 21 and 44.

Amendment agreed to.

Mr. Forth: I beg to move amendment No. 11, in page 1, line 17, leave out "a target date" and insert "target dates".

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 41, in page 1, line 17, after "date", insert—

', which shall not be later than 15 years after the relevant commencement.'.

No. 49, in page 1, line 19, at end insert—

'( ) The target date specified under subsection (2)(d) must be not more than fifteen years after the date on which the strategy is published.'.

Mr. Forth: If one had to identify such a thing, one would say that this amendment is probably the most important today. The House need not take my word for that. In its leaflet, Friends of the Earth said of the 15-year target:

> This is the only change that would really toughen up the Bill, but unfortunately the Government has made it clear it would oppose the Bill if this target is included.

Friends of the Earth, having said that the target was a key element, had capitulated and were happy for it to be sacrificed, merely because the Government had said that they would oppose it. Happily, thanks to the letter that my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) and I wrote to the Minister for the Environment—and, even more happily, thanks to the reply that we received from the right hon. Gentleman—we are about to put the provision back into the Bill. I think that we can take a small measure of satisfaction—no, a large measure of satisfaction—from the fact that a key element is to be restored to the Bill.

Friends of the Earth is not the sole supporter of the provision—and why should we accept anything that that organisation says? The hon. Member for Carshalton and Wallington (Mr. Brake) said:

> We need to know . . . how long the programme will take. The hon. Members who signed those early-day motions, many of whom are here today, signed up to a 15-year programme.—[*Official Report, Standing Committee C*, 5 April 2000; c. 6.]

He obviously felt strongly about the matter, but apparently not strongly enough to vote against its removal in Committee. The hon. Member for Stoke-on-Trent, North (Ms Walley), who is not present today, but who takes a strong interest in these matters, said:

> If my hon. Friend the Minister does all that he can to ensure that we implement the Bill over 15 years instead of 10 years, he will have done a good job.—[*Official Report, Standing Committee C*, 5 April 2000; c. 15.]

The Minister did not do so: he went on to remove the 15-year target from the Bill and, regrettably, the hon. Lady did not oppose that. However, the world turns, people's attitudes change, and, thanks to our letter to the Minister for the Environment and his reply, here we are, gathered together, on the verge of restoring the 15-year target to the Bill.

Right from the start, it has been acknowledged that if the Bill was to mean anything at all, it had to contain such a framework. I know that the hon. Members who have always been enthusiastic about it took such a view. It is sad that although the Bill that returned to the House today contained no such reference, many hon. Members were prepared to accept it in that form. However, that is all behind us and we now have the opportunity to restore to the Bill a provision that everyone said was essential. Well, my right hon. Friend the Member for Penrith and The Border and I do not merely say things—we act, and I am happy that our action has now enabled the House to restore the measure to the Bill.

I do not think that I have to say any more or do any persuading. I hope that the House will accept the amendment standing in the name of my hon. Friend the Member for Southend, West (Mr. Amess), which would have the desired effect. If the Under-Secretary of State, the hon. Member for Sunderland, South (Mr. Mullin), indicates, as he has done so far, that the Government are prepared to support the amendment, I am sure that the House will follow suit and we shall then be able to make swift progress.

Mr. Alan Simpson: I should like to express my support for amendment No. 49, standing in the name of the hon. Member for Southend, West (Mr. Amess); he deserves my vote of thanks, because he has got me off the hook. The House will know that I have long been associated with previous forms of the Bill, which set out a 15-year programme, and that I have participated in campaigns in support of that. The hon. Member for Moray (Mrs. Ewing) and I took a person in a polar bear suit with

us to lobby the Department of the Environment, Transport and the Regions—we have tried to get Departments as well as individual Members of Parliament on board. Unfortunately, the weather was like today's and the person in the suit lost several pounds as a result.

Mr. Forth: When he met the 50 pensioners he told us about earlier, did the hon. Gentleman urge them to support the Bill as it stood this morning, or as it will be after we make the amendments?

11.30 am

Mr. Simpson: In truth, I was probably urging the pensioners to support the Bill that I originally tabled. We had an inkling that the Bill's promoter would move the amendment, and I acknowledge that it gets me off the hook. I want to be honest with the House. In the process of education to which the House contributes, we have learned that we were wrong when we originally wrote into the Bill a 15-year programme. During the past year, the all-party warm homes group has held hearings on how we could deliver a comprehensive programme to eliminate fuel poverty in Britain. We were persuaded, mainly by representations from people in the city of London, that 15 years was far too modest, and that we should be thinking of ways of achieving that goal within 10 years. I found myself in the embarrassing position of advocating a time frame that was likely to be in excess of what was within both public policy reach and public expectations of the Government.

I am grateful that the words "within 15 years" are to be inserted into the Bill. I welcome that, as it removes some of my embarrassment. A considerable time before I entered Parliament in 1992, I was involved in the "old and cold" campaign run by the Nottingham *Evening Post*, my local paper, which called for the elimination of fuel poverty within 10 years. The amendment allows us to catch up with the sense of urgency felt by the public about Government policy to tackle the problem, and with our parties' goals.

I say with wry satisfaction that my hon. Friend the Minister will be aware of discussions in the inter-ministerial group about how far ahead a target date could be set, and will know that in the Labour party, our own recent policy forum suggested that in the forthcoming manifesto we should commit ourselves to a target date of 10 years. There is nothing less career-enhancing for a Minister than to propose a time frame commitment that is five years behind what his party is likely to propose.

The scope for achieving the goal within 15 years would allow the Minister to be ahead of the time frame, ahead of the game and in line with the party's expectations.

Sir Sydney Chapman (Chipping Barnet): I feel impelled to comment briefly on the remarks of the hon. Member for Nottingham, South (Mr. Simpson) on amendment No. 49, tabled by my hon. Friend the Member for Southend, West (Mr. Amess). I spoke on Second Reading and I had the privilege of serving on the Committee, so some personal explanation is required of why I supported the withdrawal of the time limit and now support my hon. Friend's amendment.

The reason is that there is such all-party support for this vital measure that when, as I hope, the Bill is enacted, Parliament itself will keep Ministers of whatever hue up to the quickest possible programme to achieve the Bill's objectives. I was relaxed about leaving out the specification of not more than 15 years because I was confident that hon. Members of all parties would keep the Government of the day on their toes to achieve it.

Of course, I am equally happy now to support my hon. Friend's amendment, which specifies that the target date must be not more than fifteen years.

I hope that it will be understood that the objective must be achieved in the quickest possible time, which I hope will be much sooner than 15 years.

Mr. Brake: I welcome the fact that the specification of 15 years is to be put back in the Bill and regret that it was taken out. In response to the point made by the right hon. Member for Bromley and Chislehurst (Mr. Forth), I have learned a useful lesson: that what the Government say they will or will not do may be open to interpretation, and that within a matter of weeks the Government can prove to be quite flexible.

It is important to stipulate an end date, otherwise there is no guarantee that the programme will be completed. However, as has been said, I hope that 15 years will be taken as the final end date, and that the Government, local authorities and others involved in the programme will do everything possible to ensure that it is completed well before that date. Although there is some debate about how many people are affected by fuel poverty and the risks to their health, there is no doubt that the longer it takes to roll out the programme, the more people will suffer from hypothermia and other cold-related illnesses.

Mr. Amess: Again, I thank hon. Members for their support.

Amendment No. 11 requires the setting of target dates, rather than a target date, for eradicating fuel poverty, and amendment No. 41 requires that to be not more than 15 years after the relevant commencement.

On amendment No. 49, it is known that I wanted to include a 15-year target in the Bill when I originally adopted it. I recall as though it were yesterday the meeting with Lord Whitty in the other place, when I and other hon. Members discussed these matters at length with him and his officials. I shall not dwell on that, but at the time it seemed to be a sticking point for the Government.

I believe that politics is the art of the possible. I decided, and I know that sponsors and supporters of the Bill agreed with me, that it was still worth while having a Bill that required the Government to set their own target, for two reasons. First, we would have been establishing in law the responsibility to end fuel poverty, which is extremely important. We would have had to argue about how to do it and how quickly, but no longer about whether we should do it.

Secondly, my judgment was that the Government would find it very difficult to set a target further ahead than 15 years. About 300 Labour Members had supported the target date. The Minister for the Environment has answered parliamentary questions claiming that the vast majority of fuel poverty could be eradicated not in 15 years but in 10. A few weeks ago in Exeter the Labour national policy forum decided that the aim should be a 10-year programme to end fuel poverty.

My judgment appears to have been correct. We are almost eight months on from the time when I first adopted the Bill, and the Government have continued to examine

[Mr. Amess]

fuel poverty policy during that time. That is to their credit, and I hope that they will not regard it as damning if I say so. Their further investigations have clearly led them to the view that 15 years is a sensible longstop, and I understand that they intend to support the amendment. I pay tribute to the Government for that decision, and I am grateful to them for reconsidering the matter.

I am not being churlish, but I have a slight concern about the 15-year strategy, which is shared by the hon. Member for Plymouth, Sutton (Mrs. Gilroy), and which I hope the Minister will address in his response. I would like the programme to be implemented a great deal faster, as the hon. Member for Nottingham, South (Mr. Simpson) said. The amendment states only that the programme should not be longer than 15 years. I know that all right hon. and hon. Members hope that we can deal with the matter much more quickly than that.

Mr. Maclean: I want to speak about amendments No. 41 and 49, which refer respectively to a date of

not later than 15 years

and to the 15-year strategy. They are two of the most important amendments to the Bill. Rather than restoring a provision that was in the original Bill promoted by my hon. Friend the Member for Southend, West (Mr. Amess), they would incorporate into it a time scale from the Bill that the hon. Member for Nottingham, South (Mr. Simpson) promoted.

My hon. Friend the Member for Southend, West did not need to apologise to the House or be self-deprecating about the fact that he did not include the concept in the original Bill. That was perfectly understandable. In promoting the Bill, my hon. Friend had to negotiate with the Government at the beginning of the Session and ascertain what was acceptable. If the Government said that the inclusion of such a provision was unacceptable, my hon. Friend was right to proceed without it.

Six months of parliamentary process have passed in the meantime. Changes in the parliamentary timetable and the progress of Bills meant that my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) and I were able to make the Government an offer that they could not refuse. We were dealt a lucky hand of cards, and it was a bit cheeky of my right hon. Friend and I to write to the Minister to say that we wanted to incorporate provisions to lift the 15-year target. We were worried that we might have been asking for too much, and that the Minister would say no and reject everything. Had that been the case, we would be debating amendment No. 41 at this moment, and I suspect that hon. Members from all parties would deplore it and not want to accept it; it would have been regarded as a wrecking amendment.

A month ago, when I tabled amendment No. 41, which states that the target should

not be later than 15 years after the relevant commencement,

my right hon. Friend the Member for Bromley and Chislehurst and I were accused of attempting to wreck the Bill, not by any hon. Member but by outside organisations. They regarded amendment No. 41 as a ghastly wrecking amendment, and said, "How dare you table that; we all know that the Government can't accept it. You'll ruin the Bill."

The Government have sensibly concluded that it is possible to accept such an amendment. That is a tribute to our parliamentary procedures and to hon. Members from all parties. I pay tribute to my hon. Friend the Member for Southend, West and to Labour Members who follow such matters and understand parliamentary procedures. Today, hon. Members from all parties are able to improve the Bill because our parliamentary procedures allow that to happen and because ordinary Back-Bench Members were able to negotiate sensibly with the Under-Secretary and the Minister for the Environment, who was also gracious, courteous and willing to listen and incorporate such a provision in the Bill. My only worry is that if a Government accept a 15-year target, they know that they can achieve it in 12 years. The Government are unlikely to accept a target that they know they cannot fulfil. But perhaps that is unkind.

We have given the Bill greater integrity. I do not say that it did not have integrity before, but I suspect that the majority of people believed that the target would be achieved in 15 years. All the propaganda from environmental organisations mentions the 15-year programme Bill, which refers to an earlier measure. By incorporating a target, we have also introduced some integrity to this Bill. We will thus not deceive the public. We have set an ultimate target date, which is important. However, the important point about the 15-year target is that this Government and any future Government will do their utmost to beat it. The Government will not want to fail to meet a target, no matter what it is—15 years, 10 years or 25 years. Our incorporation of a target means that the Government will want to try to show how good they are and bring the date forward.

Without a target in the Bill, there would be less pressure on any Government—Tory or Labour—to perform. Governments wish to succeed, but events can affect that wish. For example, an international oil crisis could crop up. I can imagine the Minister being advised, "Well, Minister, there's an awful crisis. It may mean we have to let the target slip. There is no target date, of course, so you won't be criticised in Parliament if the plan takes 17 or 20 years. There's no firm date." If the Bill contains a firm date, which we will insert today, all Governments will be under a greater obligation to perform.

11.45 am

I welcome the fact that my hon. Friend the Member for Southend, West has tabled an amendment that is similar to mine. I accept that amendment No. 49 is better drafted, and technically and legally correct. It would have essentially the same effect as amendment No. 41, but I am willing not to press amendment No. 41. I shall be happy for amendment No. 49, on the 15-year target, to be included in the Bill. That is the will of the House. I am also grateful to play a small part in saving the hon. Member for Nottingham, South (Mr. Simpson) embarrassment.

Mr. Green: I do not want to interrupt the flow of harmony that seems to be spreading across and along Benches. I will simply ask the Minister for some clarification of the Government's intentions. First, I want to ask a simple question about the strategy's publication date. Amendment No. 49 sets a 15-year target from the date of the strategy's publication. In my more suspicious

moments, I realise that the only remaining chink of opportunity for delay is in the publishing of the strategy. Perhaps the Minister will tell the House when the Government propose to publish the strategy, given the usual parliamentary processes that the Bill still has to undergo.

Other hon. Members from all parties have already mentioned my second point, which concerns the practicality not only of a 15-year target but of a possible target of less than 15 years. It has been suggested in the large amount of correspondence that has been exchanged in the past few weeks that one reason for the Government's reconsideration of the 15-year target is that, through the inter-ministerial group that has been working on such subjects for some time, the Government have a greater feel for the practicality of the measures that they need to take. They have presumably considered the public finance consequences of those measures and their ability to achieve them.

Will the Minister tell us whether the inter-ministerial group has changed the Government's overall thinking about the practicality of a 15-year target and, if so, whether there is a possibility of not only hitting the target but of improving on it? I do not expect the Minister to commit the Government to another target this morning, but it would be valuable if he could say whether it is practical even to think that we might be able to hit a target that is less than 15 years.

I am sure that the House is grateful not only to my hon. Friend the Member for Southend, West (Mr. Amess) for tabling amendment No. 49, but also to my right hon. Friends the Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean) for the pressure that they brought to bear on Ministers to make a significant concession. It is probably the most significant concession that the Government have made during the passage of the Bill. I urge and expect the Minister to support amendment No. 49.

Mr. Mullin: As you know, Mr. Deputy Speaker, we are a listening Government. We have thought long and hard about the amendments in the group that we are considering. The inter-ministerial group on fuel poverty, about which the hon. Member for Ashford (Mr. Green) asked, has been working on its remit in recent weeks. Although much remains to be done, there is consensus that a target date will have to be set for the time when, as far as reasonably practicable, vulnerable persons no longer have to live in fuel poverty. Although we are not yet in a position to provide a formal date for achieving that objective, which applies to the Secretary of State in respect of England and to the National Assembly in respect of Wales, we are confident that it can and should be achieved within 15 years of the publication of the strategy.

The hon. Member for Ashford asked me about the timing of the publication of the strategy. As clause 1(1) of the Bill says, we intend to publish strategies within 12 months of commencement. The dates might be different for England and for Wales but that is the plan.

The hon. Gentleman asked me whether we could achieve the objective in under 15 years. We may do, but as he knows, we are a prudent Government as well as a listening Government, so we have set what we consider to be a prudent target. Given that I have just conceded the 15 years, the hon. Gentleman would not expect me in the next breath to offer another figure, so, if the hon. Gentleman will forgive me, we shall stick with the 15 years.

As hon. Members recall, in Committee I expressed concerns about committing this and subsequent Governments to long-term spending plans by specifying a target date in the Bill. The amendment says that the strategy must in effect set a target date. We maintain that the Bill is not the appropriate place for an end target date, as I explained in Committee, but we are prepared to commit to the strategy of providing an end target date of 15 years after the publication of the strategy. This is not the same as specifying a date in the Bill.

I believe that we can live with the amendment and I ask the House to accept it. I am grateful to the right hon. Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean) for indicating that they intend to withdraw their amendments.

Mr. Forth: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 48, in page 1, line 18, leave out from "practicable" to end of line 19 and insert—

'persons in England or Wales do not live in fuel poverty'.

No. 49, in page 1, line 19, at end insert—

'( ) The target date specified under subsection (2)(d) must be not more than fifteen years after the date on which the strategy is published.'.—*[Mr. Amess.]*

Mr. Amess: I beg to move amendment No. 50, in page 1, line 21, at end insert—

'( ) local authorities or associations of local authorities,

( ) persons appearing to the appropriate authority to represent the interests of persons living in fuel poverty,'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 22, in page 1, line 23, after "Council,", insert—

'( ) domestic energy providers,'.

No. 23, in page 1, line 23, after "Council,", insert—

'( ) domestic energy appliance and insulation providers,'.

No. 24, in page 1, line 23, after "Council,", insert—

'( ) local authorities and housing associations,'.

No. 25, in page 1, line 23, after "Council,", insert—

'( ) persons in fuel poverty,'.

No. 42, in page 1, line 23, leave out "and" and insert—

'(aa) local authorities,

(ab) persons in fuel poverty, and'.

No. 52, in clause 3, page 2, line 31, at beginning insert—

'( ) In this Act "local authority" means—

(a) in relation to England, the council of a county, district or London borough, the Common Council of the City of London or the Council of the Isles of Scilly, and

(b) in relation to Wales, the council of a county or county borough.'.

Mr. Amess: Amendment No. 50 requires the Government or the National Assembly for Wales to consult local authorities or

> persons appearing . . . to represent the interests of persons living in fuel poverty

on drawing up a strategy to end fuel poverty. Amendment No. 52 clarifies exactly what is meant by local authority.

As drafted, the Bill requires the appropriate authority to consult on a strategy with such persons as he or she thinks fit. My right hon. Friends have raised concerns that the provision is not specific enough and that the two categories ought to be defined more precisely in the Bill.

My own feeling is that it is inconceivable that any Secretary of State would take the view that local authorities and persons in fuel poverty should be excluded from such consultation. Local authorities have a very important role to play both as major landlords and as organisations already involved in many schemes to reduce fuel poverty. However, I am only too pleased to move the amendments to clarify matters further and I hope that they will meet with the approval of right hon. and hon. Members.

Mr. Forth: I understand my hon. Friend's argument, but it worries me when anyone says that it is surely inconceivable that the Government would not do something and then gives the Government the benefit of the doubt. I understood that a large element of the legislative process was designed precisely not to give the Government the benefit of any doubt whatever, and that is very much the thrust of this morning's proceedings.

When the House takes decisions in making the law, we seek to strike a balance between not putting an undue amount of detail in the Bill—we had that argument on a previous group of amendments—and doing what we consider necessary to guarantee as far as we can that the Government will follow the aim and the spirit of the Bill. This is a very good case in point. Although my hon. Friend may be prepared to give the Government the benefit of the doubt, it is important to put matters beyond doubt and to specify in the Bill that the Government will undertake a process of consultation in order so that we can be satisfied that all those who are properly concerned are properly listened to.

Although we may all believe that the Minister, the Minister for the Environment and, indeed, the entire ministerial team can be relied on to undertake consultations, it is in the way of things—regrettable though it may be—that they may not be in post for the 15 years that it may take to complete the programme, although we all hope it will be sooner. Labour Members referred to a period of 10 years. Although this is only a guess, I doubt whether the ministerial team will be intact in 10 years' time. Therefore, it is prudent that the Bill should include a degree of specificity about consultation. The amendment would not alter the thrust of the Bill in any important way; indeed, it adds to and strengthens it.

This morning, we have been attempting to put the Bill in a state in which it can deliver what it was intended to deliver and meet the aspirations of people throughout the country—although I fear that, to some extent, their aspirations have been raised a little too high. Perhaps that is a matter for Third Reading. I am happy to endorse the amendments and I hope that the House will accept them.

Mr. Gareth R. Thomas: I, too, support amendments Nos. 50 and 52, which are entirely sensible. Does the hon. Member for Southend, West (Mr. Amess) envisage housing associations coming within the terms of the second element of amendment No. 50? Just as local authorities are key delivery mechanisms for tackling fuel poverty, so too are housing associations.

Local authorities and housing associations have both pioneered the development of residential combined heat and power schemes, which have helped to tackle fuel poverty. The excellent Combined Heat and Power Association suggested that a residential CHP scheme in Chesterfield has halved heating costs. St. Pancras Housing runs one of more than 60 residential CHP schemes around the country. It is pioneering a project next to Euston station. The energy bills of about 100 tenants have been cut by 20 per cent. Three years ago, the project was able to get rid of standing charges, and its advanced metering system has helped to get fuel bills down.

Residential CHP schemes and, more importantly, the involvement of housing associations in the delivery of the strategy to tackle fuel poverty should be promoted.

The hon. Gentleman was absolutely right to focus on the contribution that local councils can make. It would have been somewhat surprising if the Government had chosen not to accept the amendment, given the support that they have already offered to residential CHP schemes in Southampton, Manchester and Tower Hamlets that have been developed—pioneered, indeed—by the local authorities, which have formed effective partnerships with the private sector, which in turn has helped to deliver the finance.

I want to highlight the scheme that Tower Hamlets council has developed on the Barkantine estate, in partnership with London Electricity. It is a good example of how local councils can contribute to the delivery of our strategy to tackle fuel poverty.

12 noon

Mr. Mullin: This group of amendments deals with issues of consultation in relation to the fuel poverty strategy and the definition of fuel poverty.

We want to ensure that all the appropriate people are consulted. That was achieved by the Bill as amended in Committee. We would in any case have consulted local authorities or associations of local authorities and those representing the interests of those in fuel poverty. Amendment No. 50 makes it a requirement to do so. The amendment is not really necessary, but the requirement will not hinder or hamper the consultation process in any way. It is very similar to amendment No. 42, but extends the requirement to include local authority associations, which the Government think sensible.

Amendments Nos. 22 to 25 and 42 list in detail groups that must be consulted. It is always a bit unwise to have such a list, as one frequently finds, when it is too late to make a change, that someone has been missed out. We do not believe that it will be absolutely necessary to consult all those listed in the amendments on every occasion—for example, domestic energy providers, those providing appliances, housing associations, insulation companies or persons in fuel poverty.

I do not want to get drawn into a debate on numbers, but—for example—the last group probably consists of more than 4 million households. Consulting all those

would pose some technical difficulties, which I am sure the right hon. Member for Penrith and The Border (Mr. Maclean), even in his new-found enthusiasm for consultation, would not necessarily want, especially as he is an opponent of unnecessary bureaucracy.

If particular circumstances require consultation with those groups or organisations, or their representatives, we will consult them, but we will do so under the requirement in clause 1(3)(b), as it emerged from Committee, to consult

such other persons as the appropriate authority thinks fit.

Amendment No. 50 effectively renders amendments Nos. 22 to 25 and 42 unnecessary, and I believe that the right hon. Members for Penrith and The Border and for Bromley and Chislehurst (Mr. Forth) have indicated their intention not to press them to a vote.

Mr. Brake: Can the Minister confirm that one of the effects of amendment No. 50 will be to make it plain that it will be appropriate for the authorities to consult organisations such as Friends of the Earth on fuel poverty strategies?

Mr. Mullin: That is very possible, but I do not think that it was what the right hon. Gentlemen had in mind when they compiled their list.

Amendment No. 50 will require a consequential amendment later in the Bill. If we are to require consultation with local authorities, we must, for completeness, define what a local authority is for the purpose. The hon. Member for Southend, West recognises that, and deals with it in amendment No. 52. That is a fairly straightforward procedure and a standard definition is proposed.

The Government are happy to accept amendment No. 50. I should be grateful to the right hon. Members for Penrith and The Border and for Bromley and Chislehurst if they did not press the amendments that they tabled to a Division.

Mr. Amess: I am pleased that the hon. Member for Harrow, West (Mr. Thomas) made the point about housing associations. I am delighted with the Minister's response. Although my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) gently chastised me for being too trusting of the Government in my injudicious remarks, I am happy to rest with the case that the Minister has made.

Amendment agreed to.

Amendment made: No. 51, in page 2, line 10, leave out subsection (7).—*[Mr. Amess.]*

Clause 3

SHORT TITLE, COMMENCEMENT AND EXTENT.

Amendment made: No. 52, in page 2, line 31, at beginning insert—

'( ) In this Act "local authority" means—

(a) in relation to England, the council of a county, district or London borough, the Common Council of the City of London or the Council of the Isles of Scilly, and

(b) in relation to Wales, the council of a county or county borough.'.—*[Mr. Amess.]*

Order for Third Reading read.

12.6 pm

Mr. Amess: I beg to move, That the Bill be now read the Third time.

This is an historic and wonderful moment for all those who will benefit from the Bill now and in future. We began our deliberations in the winter. We are now enjoying glorious sunshine, but it will soon be winter again, and that is when people will really benefit from the Bill.

I dedicate the Bill to the memory of Mr. Joe Kracy—a constituent who died in a cold home. I also dedicate it to the memory of my former colleague, Michael Colvin, and his wife Nichola. They died in dreadful circumstances. He was a sponsor of the Bill and felt very strongly about the plight of senior citizens.

My role has been very small. I explained ad nauseam on Second Reading how I came to adopt the Bill. I am only too delighted that I have been able to fulfil the dreams and aspirations of those who have worked on the matter for a very long time. I wish to thank a long list of people, but I shall be quick about it. I would be churlish not to thank the Minister. He has been delighted to respond to the various points that have been made during the past eight months. I particularly want to thank the Minister for the Environment, the right hon. Member for Oldham, West and Royton (Mr. Meacher), who has been very supportive of the Bill, and I am grateful to him for that.

Although I referred to the discussions with Lord Whitty, I thank him, too. I thank all the officials at the Department of the Environment, Transport and the Regions. They have worked very hard in drafting Bills and in helping me with this measure.

I am particularly grateful to the hon. Member for Nottingham, South (Mr. Simpson), who has been championed today by my right hon. Friends the Members for Penrith and The Border (Mr. Maclean) and for Bromley and Chislehurst (Mr. Forth), but he is no less a man for that. I thank him and congratulate him on the fact that his original Bill has come to fruition in this measure. The hon. Member for Plymouth, Sutton (Mrs. Gilroy) has been very supportive throughout.

I wish to thank many of my right hon. and hon. Friends, especially my hon. Friends the Members for West Chelmsford (Mr. Burns), for Chipping Barnet (Sir S. Chapman), for South Cambridgeshire (Mr. Lansley) and my right hon. Friend the Member for Wokingham (Mr. Redwood). I am sure that I have missed out some hon. Friends, but I do not wish to cause offence. I thank also my hon. Friend the Member for Ashford (Mr. Green), who has been supportive from the outset.

I wish to thank Mr. Martin Williams and the campaign for the warm homes Bill, who have been magnificent throughout the Bill's passage. I wish to thank Jenny Saunders for her wonderful support and briefing. I wish to thank Help the Aged, Age Concern and the National Pensioners Convention; I had the privilege of meeting the 50 senior citizens recently. I wish to thank also the Association for the Conservation of Energy.

I wish to thank a number of companies, such as N-Power—a subsidiary of National Power—which recently set up a private sector initiative to address fuel poverty. I thank Transco—and I suppose that if I waited a little longer, there would be another company; but under no circumstances do I wish to delay the Bill.

[Mr. Amess]

I wish to thank all hon. Members, particularly the hon. Member for Moray (Mrs. Ewing), who has not been well recently but has been a great supporter of the Bill. I am glad to see my hon. Friend the Member for East Antrim (Mr. Beggs) in the Chamber also, as he has been a great supporter. It would be churlish not mention the hon. Member for Carshalton and Wallington (Mr. Brake) and his Liberal Democrat colleagues, who have been supportive as well.

Mr. Ivor Caplin (Hove): In his long list of thank-yous—which sounds more and more like an Oscar speech—will the hon. Gentleman, given the comments of his right hon. Friends the Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean), include Friends of the Earth?

Mr. Amess: I think that the hon. Gentleman has done that for me.

As with all Members of Parliament, I came into politics to make a difference. We have made a difference with this Bill today. I do not always think that the House does the right thing, but it has today and I am delighted.

12.12 pm

Mr. Barron: I congratulate the hon. Member for Southend, West (Mr. Amess) on, I hope, getting the Bill on to the statute book. I have had an interest in energy for a long time, even before I came to this House. I think that the United Kingdom is so energy-rich that it feels it can waste energy at an enormous rate. We are often described as an island built on coal and we are surrounded by oil and gas, but we use energy so wastefully.

One area of concern is the interpretation of fuel poverty. Who are the fuel poor? Poverty in this country will never go away because it is a relative measure between rich and poor. To anyone who says that they will eradicate poverty, I say "Good luck—you will probably be chasing your tail."

I was pleased that the Minister approved earlier when someone said that this was not simply an issue of those who were on certain state benefits. For decades now, we have tried to deal with the fuel poor by schemes such as the home energy efficiency scheme. However, its application on the ground has been directed mainly to people on state benefits or other means-tested benefits and not at the overall problems of fuel poverty. Home insulation is a very effective way of saving on domestic fuel bills, but past schemes have been targeted at households according to income. I hope that we will have a more efficient interpretation of who the fuel poor are; as a consequence, we can be more effective in intervention.

It is time we considered energy conservation more seriously. My hon. Friend the Member for Harrow, West (Mr. Thomas), who is no longer in his place, referred earlier to solar heating. Insulation is probably the most cost-effective way of saving on fuel bills, but solar energy could be used to alleviate fuel poverty in years to come. As for photovoltaic cells on domestic homes, I have not yet progressed that far. The problem of storing the energy gained from the sun and using it when we want it in domestic households has not quite been solved yet.

I have had solar panels on my home for nearly a decade. In July and August in particular, we rarely—if ever—use any energy source from fossil fuel for our domestic water needs. In July and August—although this July has been an exception—all our water is normally heated by the sun. There is quite a large capital outlay at the beginning, but afterwards, other than the small cost of an electricity motor, quite large savings can be made on energy costs. In addition, as most of it is renewable energy, there is a big saving in terms of conservation.

We may be energy-rich for the present, but gas and oil will not always be around. The Bill is a way forward. It will bring energy conservation into the debate in a way that has been lacking for a long time in this energy-rich country.

I congratulate everyone who has been involved in the Bill. I hope that when the Minister—it may be a different one, but I hope that it will still be a Labour Minister—considers the potential of this measure, the timetable will be much shorter than 15 years.

Ms Debra Shipley (Stourbridge): The commission for architecture and the built environment was set up by the Government under the chairmanship of Stuart Lipton. Does my hon. Friend agree that it would be a very good idea if it was in CABE's brief to look closely at initiatives to do with energy efficiency in homes wherever public money is being spent in large amounts? Does he agree that there should be a provision in all new measures to include such consideration by CABE?

Mr. Barron: That is absolutely true. In northern European countries such as Denmark, where new buildings are situated is taken into account, as is whether windows or doors on a gable end get the north wind. Such considerations are important when it comes to keeping a home warm.

Finally, I congratulate the hon. Member for Southend, West and the House as well. I sincerely believe that the Bill has great potential for energy conservation and for alleviating fuel poverty. I am not sure about the measurement of fuel poverty. Twenty years ago, it was quite easy to know whether people's gas or electricity supply was cut off. Indeed, there was—and, in theory, still is—protection for households with young children so that they were not cut off. With the advent of credit meters in the past decade, however, we do not know who the fuel poor are, or whether homes with small children are being cut off by self-cut-off. We must do something to protect those families and children. There is plenty that we can do, and the Bill is a good way to start.

12.20 pm

Mr. Brake: I have a few points to make. It is worth remembering why the Bill is needed, and we have heard of the 45,000 extra winter deaths that may arise as a result of fuel poverty. Deaths rise by 30 per cent. in the United Kingdom in winter, which compares badly with a 10 per cent. increase in some Scandinavian countries.

It is also worth outlining what we hope the Bill will achieve. After perhaps 10 rather than 15 years, we hope for an end to unnecessary deaths. We expect to save the national health service £1 billion through reduced cold-related illnesses. The Bill will clearly assist the Government in achieving their climate change targets and

reducing CO_2 emissions. In the long-term, there is potential for 30,000 jobs, and the savings to the Exchequer will be in the order of £300 million.

I welcome the changes that the hon. Member for Southend, West (Mr. Amess) has made to accommodate other hon. Members and to win support from both sides for his important Bill. Congratulations are due to him—he has perhaps been a little too self-deprecating—and to others, including the hon. Members for Nottingham, South (Mr. Simpson) and for Plymouth, Sutton (Mrs. Gilroy), who played key roles in the warm homes campaign, and Friends of the Earth and other organisations.

The degree of civilisation of any society can be measured by a number of yardsticks. How we treat asylum seekers, how we treat senior citizens and how tolerant we are of different beliefs are among them, and we may add to that list how we deal with fuel poverty. All hon. Members should be proud to be associated with a Bill that will, we hope, within 10 years—perhaps a little longer—provide everyone with a warm home. I urge all hon. Members to support it.

12.23 pm

Mrs. Rosemary McKenna (Cumbernauld and Kilsyth): I support this important Bill. One of the first things that new Members learn is how difficult it is to put a private Member's Bill through the House. We should therefore congratulate the hon. Member for Southend, West (Mr. Amess) and the House on a superb Bill.

I was interested in this issue throughout my many years in local government. Many reports were published during the 1980s, and it is sad that it has taken so long to address the problem. It is good to see it addressed today. Given the consensus in the House, I shall suspend my cynicism by welcoming the conversion to the cause of the right hon. Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean).

In the 1980s, I read a report by Strathclyde regional council—as it then was—on the domino effect of poverty. Fuel poverty seriously damages people's health and education. As a former teacher, I can say that we never know how difficult it is for children who live in damp, cold homes to spend any time studying their books. Things got much worse between 1979 and 1997. Many more people in local authority homes suffered from the problems inherent in the systems building of the 1950s, '60s and '70s.

Fuel poverty is suffered by people unable to afford to keep their homes adequately warm. It is often a result of inadequate insulation, and poor people become even poorer because they pay more for heat that leaves through windows, walls, doors and floors. The Bill should help tackle that.

As a result of fuel poverty, an average 30,000 more people die each winter than would normally be expected, and 90 per cent. of them are over 60. The hon. Member for Carshalton and Wallington (Mr. Brake) noted that the figure was lower in Scandinavian countries, where homes are better heated and insulated.

Fuel poverty is a major problem in Scotland, but the housing committee of the Scottish Executive will address the issue over the next few months. I hope that it will adopt the approach exemplified in the Bill.

The consequences of fuel poverty are misery, discomfort, ill health and debt. Pensioners, lone-parent families, the long-term ill or disabled and people on low incomes and in poor housing are the most vulnerable, but I welcome and support the comments made by my hon. Friend the Member for Rother Valley (Mr. Barron). The problem is not confined to people on benefit. Many others spend a great proportion of their income on fuel costs, and that is one reason why the Bill is so important.

The Government have done much already to tackle fuel poverty. Legislation is one approach, but other options exist. A great deal of money has been given to housing associations, through local authorities, for housing investment. The winter fuel payments have been increased, and the new guidelines have been issued to ensure that the provisions of the Home Energy Conservation Act 1995 are implemented and monitored. Without such monitoring, it is impossible to know how successful legislation is.

Sir Robert Smith (West Aberdeenshire and Kincardine): Is not the great advantage of the Bill that every penny will go into heating homes, rather than the atmosphere?

Mrs. McKenna: That is right, and it will also help to achieve the Government's Kyoto targets.

Mr. David Stewart (Inverness, East, Nairn and Lochaber): For many years, my hon. Friend was president of the Convention of Scottish Local Authorities. What was her experience of fuel poverty at that time?

Mrs. McKenna: I remember that I visited the House for the first time in connection with a Bill on housing. In the 1980s, COSLA pleaded with the Conservative Government to recognise the importance of fuel poverty and to make available the resources needed to tackle it. I was housing convener in my local authority, and my top priority was to get homes heated. Giving people who cannot afford them warm, energy-efficient homes changes their lives dramatically, by reducing the proportion of income spent on heating. The effect is huge.

Mr. David Drew (Stroud): Does my hon. Friend agree that energy efficiency is an important factor in allowing older people to stay longer in their homes? Is not the Bill part of an important overall strategy?

Mrs. McKenna: My hon. Friend makes an important point. As I quickly found out when I was a housing convenor, many older people want to remain in their own homes. They do not all want smaller houses or sheltered accommodation, but are happier staying in the family home. This important measure will help such older people. We need greater flexibility in tackling the problems of housing for the elderly.

The inter-ministerial group on fuel poverty is extremely important. If we are serious about dealing with issues across the spectrum, we need groups such as that. The group's terms of reference are to take a strategic overview, to ensure that policies and initiatives with a bearing on fuel poverty are co-ordinated across Government and integrated with the activities of relevant external bodies, such as regulators and the energy industry.

[Mrs. McKenna]

Those initiatives, and measures such as the Bill, will ensure that we really tackle fuel poverty in this country.

Mr. Forth: The hon. Lady used the words "in this country". She is presumably aware that clause 3(3) states:

This Act extends to England and Wales only.

The measure thus has nothing to do with Scotland. I am sure that the hon. Lady understands that, and that all her comments are directed wholly to England and Wales.

Mrs. McKenna: The right hon. Gentleman might have noticed that I pointed out that the Scottish Executive was looking into the matter. I also said that I hoped that it would take the measure on board when it was deciding how to tackle fuel poverty in Scotland. I am certainly well aware of the Bill's provisions.

I am not as sensitive as the right hon. Gentleman. When I say "this country", I am talking about Great Britain, of which Scotland, England, Wales and Northern Ireland are integral parts, although there is devolved government. I do not have a problem with that. I hope that when we have regional government in England, regional bodies will be able to address fuel poverty in their areas.

I again congratulate the hon. Member for Southend, West on this excellent Bill. Much can be achieved without legislation, but this measure will be important in tackling fuel poverty in the country.

12.33 pm

Mrs. Ewing: I thank the hon. Member for Southend, West (Mr. Amess) for his kind comments earlier. I hope that he, his colleagues and other hon. Members will support the all-party warm homes group, of which I had the pleasure to be a member. I was the first convenor of the group and have been succeeded by the hon. Member for Nottingham, South (Mr. Simpson). The group has gleaned much information and gives great support to Members. Hon. Members will be glad to hear that the Scottish Parliament is setting up a similar group—as, no doubt, will the Welsh Assembly.

I remember the polar bear incident at the Department of the Environment, Transport and the Regions, and the occasion when we delivered hundredweights of ice cubes to the Department of Health. The issue crossed many departmental boundaries. Incidentally, the young man in the polar bear suit lost two or three pounds in weight on that day.

It is appropriate that we are discussing this subject on a hot day—some people are probably thinking about air conditioning. However, we should not discuss fuel poverty only during the winter months, when Ministers and politicians are more acutely aware of the problems faced by so many of our people. We should not think about such matters only when Jack Frost blows a chill through the hall; the issue should be addressed every day and never allowed to leave our consciences.

I am delighted that the definition of fuel poverty has been reinserted into the Bill today. Fuel poverty is a scourge for far too many of our citizens, affecting, in particular, the elderly and the disabled. When I was first elected to the House in 1974, I began to pursue the issue. Like others, I have consistently striven to heighten awareness of the problem. When I first raised the issue of excess winter deaths in the period from 1974 to 1979, I was publicly accused of scaremongering because it was said that elderly people were frightened to turn on their electric fires. It has taken a long time in the development of the psyche of the political body to absorb the realities of what we have said for many years. It is not a new issue and it did not come in with any particular Government. The problem has existed for a very long time.

When I first asked questions about excess winter deaths, the problem was defined as hypothermia and I was told that only people who had died on Snowdon, the mountains of Scotland and in the Lake district were recorded as dying from the cold. However, we know from the death certificates of the elderly and the hatches, matches and dispatches columns of any newspaper that, in January and February, the lists of people dying get longer and longer. It is usually the elderly that are affected. As the hon. Member for Rother Valley (Mr. Barron) said, we live in an energy rich country, but such deaths are the stark reality.

It has been a fair fecht for the hon. Member for Southend, West and the sponsors to get the Bill to this stage. I congratulate everyone who has worked with passion and determination to help to eradicate such a terrible blight on our social conscience. I also thank all the voluntary, statutory and private organisations that have worked behind the scenes for many years and supported our efforts and supported the Bill.

I say to the right hon. Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean)—they are sitting on my right, and probably my extreme right—that one does not always have to accept the advice that is given by organisations. Such advice is offered, but we have a responsibility, as Members of the House, to analyse information carefully and to carry it forward into the legislative programme. The right hon. Gentlemen have not examined the problem of excess winter deaths throughout the United Kingdom. I have supported the Bill even though I realise that it does not apply to Scotland.

Mr. Roy Beggs (East Antrim): Nor to Northern Ireland.

Mrs. Ewing: As the hon. Gentleman points out, it does not apply to Northern Ireland, either.

We now have our own way of doing things in Scotland, but it is my sincere hope, as someone who has served in the House for a long time, that we shall exchange ideas and co-operate on matters that affect all our citizens. I have never wavered in my principled belief that legislators throughout the United Kingdom have a huge responsibility on our shoulders to address this issue.

I sat through the statement on the comprehensive spending review. Nothings spilled out of the Chancellor's mouth and I found it very difficult to understand the figures that he gave. Talking in billions does not mean much to people who are not economic experts. We have to take the numbers that emerge and turn them into reality for our people. Although we have financial obligations to everyone who pays tax, there are moral obligations on those of us who are elected to serve.

I congratulate the hon. Member for Southend, West and his sponsors on bringing the Bill to fruition. It is not the end of the story, but it is part of a process and a good beginning.

Mr. Alan Simpson: I add my congratulations to the hon. Member for Southend, West (Mr. Amess) on getting the Bill to this stage. He has been generous in his thanks to other people, but we should not kid ourselves about the part that he has played. The truth of the matter is that the Bill was almost dead in its tracks on at least two occasion in the process of getting to the House. To a large extent, it is down to the hon. Gentleman's skill, diplomacy and commitment to steering between competing interests, fishing the Bill out from the sidelines of the political process and putting it back in the mainstream that we have the opportunity to turn the Bill into legislation today. The whole House owes him a debt of gratitude for his persistence in refusing to allow the Bill to be sidelined, as it might have been.

The hon. Gentleman deserves the right to have the Bill go on to the statute book in his name, and it is proper that he should give credit to those who played a part in bringing it to this stage. However, perhaps he ought to have added one or two names to his list. My own involvement in the parliamentary campaign goes back to the work of Sir John Hannan, a Conservative Member who first drew the hon. Member for Moray (Mrs. Ewing) and me into the all-party warm homes group, and who was already campaigning for such a measure when I came to Parliament. An important role was also played by Baroness Maddock, who was successful in a ballot and took the matter forward a further stage. It is a tribute to the persistence and commitment of Members of different parties that we have kept the issue here and, hopefully, will see it through to the statute book.

The real ownership of the Bill will belong not to the House, but to the people whose lives are saved and extended and whose quality of life is improved by the measures that will be set out in the programme that will follow the Bill. I will not add more plaudits to those that have been given to Friends of the Earth, as I understand that its phone lines are already jammed with new subscribers. However, I want to thank those who have pestered us, as excess deaths from fuel poverty have been—and continue to be—a scandal that should have been removed from the UK's political landscape long ago.

In my own case, more than 20 years ago I was waylaid by a young reporter working for the Nottingham *Evening Post* called David Lowe, who dragged me around houses where people were leading impoverished lives in the most miserably poor conditions. Almost single-handedly, he took up the old and cold campaign for the *Evening Post* and bombarded politicians with stories of outrageous housing neglect and housing poverty that demanded answers. The *Evening Post* has continued that campaign and, almost every week, politicians of all parties within its circulation area have a sense of being pestered by the question "When are you going to come up with the comprehensive programme that will deal with fuel poverty and eliminate it as a scar on the social landscape?"

Ms Linda Perham (Ilford, North): Does my hon. Friend agree that the issue has fired our constituents, if I can use such a term? I have continued to receive representations about supporting the Bill. After a meeting at 10 o'clock on Wednesday evening, someone even came up and urged me to support the Bill today. In England, Wales and throughout the country, people have taken an interest in the matter and are pleased that the Bill is going through today.

Mr. Simpson: Absolutely. I would just add that my own experience is in precisely that context. Councillor Brian Parbutt, the deputy leader of Nottingham city council, said to me this morning, "For goodness' sake, get the Bill through today." Almost every local authority in the land is waiting for the House to give a green light for a remit-cum-instruction so that they can go ahead and address the problem comprehensively and so improve considerably the quality in life of people in their own constituencies and local areas.

Mr. Jim Cunningham (Coventry, South): I am sure that my hon. Friend is aware that, just like Nottingham, parts of Coventry have had the experiences that he described. Does he agree that the Bill is vital, given the fluctuations in fuel prices in this country and across the globe?

Mr. Simpson: I agree that the Bill is vital in terms of fuel prices, but it will also allow a massive release of imagination. Houses have been built in Newark and Sherwood with an annual fuel bill of no more than £17 a year. That is warm homes by design, not by changing the price of fuel. In south London, houses have been converted so that they now receive net cash payments from the grid because they put more energy back into the process than they take out.

The Bill gives us an incredible opportunity to put energy conservation alongside the elimination of fuel poverty and the blighting of people's lives, and it does so in ways that will create jobs, save energy and save lives. It will allow young people to become part of the solution to energy and fuel poverty problems. For that we should all be grateful.

Mr. Maclean: I congratulate my hon. Friend the Member for Southend, West (Mr. Amess) on getting his Bill to the Third Reading stage. It has not been easy for him, and I am one of those who have not made it easy for him. I hope that he agrees that he now has a better Bill, which exceeds his expectations. He has not had an easy time today because he has had to move amendments and accept other amendments. He has done so graciously, given the circumstances.

I also congratulate the Minister on being gracious at the Dispatch Box. This might not have been the best day for him, as he has had to perform a few somersaults. I am not gloating about it—at least not until I issue the press release. The Minister and the Minister for the Environment graciously accepted the suggestions that my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) and I made to improve the Bill. The Minister has had to put back in the Bill things that he took out in Committee, and he has done that remarkably well.

[Mr. Maclean]

Exactly a month ago, on 21 June, my right hon. Friend and I, having looked at the Bill again, concluded that because of the changes made in Committee the Bill was a sham. We decided to write to the Minister for the Environment and offer him a deal. I shall not quote from the letter that we sent to him, but a statement that we issued on that day said:

> The Government have a simple choice—either it can discuss with us—

my right hon. Friend and I—

> sensible amendments to the Warm Homes Bill or it can wreck this Bill on Friday 21st July

and, with it, the following Bill. The press statement went on:

> Our amendments seek to restore integrity to the Bill and people in cold homes . . . will not understand it if the Government stubbornly refuses to find a middle way.

We said that the items that we would like to see restored in the Bill were

> the term "comprehensive package" in relation to the measure to be taken to reduce cold homes . . . references to fuel poverty . . . a specific reference in the Bill to consultation with (a) Local Authorities and (b) Those . . . believed to be in, fuel poverty . . . a power . . . to make regulations.

A key amendment—we thought that the timing might be a bit tricky but I am grateful that the Minister accepted it—was to put back in the Bill the 15-year target date. That is the offer that we made to the Government and I am pleased that they accepted it. My hon. Friend the Member for Southend, West was also keen that that should happen.

That process shows this House of Commons at its best. Simply because of how private Members' legislation had gone during the year, my right hon. Friend and I knew that we had a strong negotiating position with the Government—well, we hoped that we had. We have therefore managed to put back into the Bill those items that had been deleted, and one that had not been included, by making the Government an offer that they could not refuse: either accept the proposals, which would put teeth back into the Bill, or lose the Bill. Make no mistake, I would have been happily on my feet blocking the Bill if it had not had restored to it the 15-year target date and the other essential provisions that we have sensibly restored today, because I would have considered it to be a sham Bill.

Mr. Forth: Having said that, is my right hon. Friend puzzled that Friends of the Earth was apparently prepared to accept the Bill without it containing anything of substance? How does he explain that?

Mr. Maclean: I was going to conclude my remarks by dealing with that subject.

After my right hon. Friend and I wrote to the Minister for the Environment and issued a statement saying that we wanted to do a deal with the Government to restore the provisions, a remarkable thing happened. In my surgery, way up in Carlisle, 300 miles from London, a representative of Friends of the Earth arrived to see me. During our discussion, she revealed that, if I would do a deal with Friends of the Earth and enable it to hitch a ride on the back of our amendments, it would run a campaign urging people not to let the Government off the hook and switch its attack entirely to the constituency of the Minister for the Environment, the right hon. Member for Oldham, West and Royton (Mr. Meacher). She said, "We will switch our people into Meacher's constituency and try to make sure that he backs down."

Perhaps I should have taken up the offer, but I was so taken aback that I declined. My main reason for doing so was that if the organisation was so ready to stitch up a reasonable man like the Minister for the Environment, I stood little chance of being able to trust it. I share that account with the House because it is one of the reasons why I have been mentioning Friends of the Earth so much today, and other hon. Members might not have been aware of that organisation's role.

The Minister present today and his right hon. Friend the Minister for the Environment are decent people and good parliamentarians. More than anything else, that episode convinced me that, if we were to change the Bill, it had to be done in the House, with the agreement of Ministers, Government Back Benchers and Opposition Back Benchers. This is our Parliament: if we let Bills be changed by outside organisations, no matter how well-meaning they are, we give up our parliamentary rights. Today, in the agreement between parliamentarians from the Labour party, the Conservative party, the Scottish National party, the Ulster Unionist party, and even the Liberal Democrat party, we have seen Parliament doing its job. We, the parliamentarians, with the Ministers' agreement, have decided what goes into the Bill.

All the measures that we have put into the Bill today have been welcomed by Members on both sides of the House, yet, in respect of every single one of those measures, I have a letter telling me not to do it. Friends of the Earth told me that if we moved any of our amendments restoring the provisions that Parliament has welcomed today, it would be a wrecking move—it was not necessary and it should not be done. That is the other reason why I have mentioned that organisation so extensively today: it has not helped us at all in our efforts to restore to the Bill those measures that we thought essential. I do not know what Friends of the Earth's agenda is: I suspect it wanted the headline, "We have a warm homes Bill", but did not care about the content.

I congratulate Government Members, my hon. Friend the Member for Southend, West, my right hon. Friend the Member for Bromley and Chislehurst, my Front-Bench colleagues and the Minister, because Parliament has cared about the Bill's contents. When I spoke to the first group of amendments, I took the number of Government Back Benchers who were nodding to be a good sign. Colleagues on both sides do not want a sham Bill: we want it to contain figures and targets so that we can judge what the Government have achieved and whether or not they have succeeded. Our changes are not merely semantic improvements; they put into the Bill provisions that everyone outside thought were already in it—provisions that had appeared in the Bills promoted by the hon. Member for Nottingham, South (Mr. Simpson) and the hon. Member for Halifax (Mrs. Mahon) and had once been in the Bill introduced by my hon. Friend the Member for Southend, West.

I conclude that today has been a good day for parliamentary democracy and it has shown the House at its best. Once again, I congratulate the Under-Secretary for his manner at the Dispatch Box, which has been extremely gracious considering the way in which we have made him go through a few wee hoops. I am grateful.

12.54 pm

Mr. Austin: I add my congratulations to the hon. Member for Southend, West (Mr. Amess) and pay tribute to the way in which he has guided the Bill through Parliament.

It is not an easy task to get a private Member's Bill through. In the previous Parliament, when there was a Conservative Government, I managed to get a private Member's Bill through, with the support of that Government. The hon. Member for Southend, West acknowledged the support that he has had from the Government in getting this Bill through. I should add that my task was somewhat easier, as the right hon. Members for Penrith and The Border (Mr. Maclean) and for Bromley and Chislehurst (Mr. Forth) were members of the Conservative Government, so I did not face the same difficulties as some of my hon. Friends have had in trying to get their Bills through in this Session.

I also pay tribute to those who pioneered similar Bills previously, such as my hon. Friends the Members for Nottingham, South (Mr. Simpson) and for Halifax (Mrs. Mahon). I should mention the former hon. Member for Ceredigion, Cynog Dafis, for the work that he did in this regard.

I am sorry that other Bills dealing with energy conservation, such as those of my hon. Friend the Member for Eltham (Mr. Efford), which appear later on the Order Paper and which will not be reached, have not had such an easy passage as this Bill. I hope that those Bills will return to us in the next Session.

I shall deal with the comments that have been made about Friends of the Earth, as I regard some of those remarks as scurrilous. If it had not been for organisations such as Friends of the Earth campaigning out there in the community, outside Parliament, we may not have been where we are today.

On the subject of misleading information, I believe that to suggest that there has been only one death in Bromley because of cold is misleading. It ignores the fact that cold is a contributory factor to deaths from respiratory illnesses—asthma, influenza, pneumonia, bronchitis—and heart attacks, strokes and many more.

As the hon. Member for Moray (Mrs. Ewing) pointed out, there are 30,000 more deaths in this country in the winter than in the summer. That is a frightening statistic, which should be compared with other statistics that have been quoted from colder climates than ours, including Scandinavia. I draw attention to the statistics cited by my hon. Friend the Member for Norwich, North (Dr. Gibson) on Second Reading, which show how the excess of winter deaths increases with age.

My hon. Friend the Member for Cumbernauld and Kilsyth (Mrs. McKenna) spelled out the package of measures that the Government have introduced to tackle fuel poverty—the reduction in VAT, the expansion of the home energy efficiency scheme, the fuel allowances, and housing investment. All those are good measures.

I particularly welcome the HEES programme. I visited the 5,000th home in my constituency to be insulated last year. It happened to be on the hottest day of the year, but Mr. and Mrs. Baker have been back to the House to visit since the winter, and I know the benefits that they have derived from sound insulation measures. The expansion of that programme will bring about cost savings and warm homes, and will create jobs as well.

We had a discussion on Second Reading about whether the wind chill factor was important. The draught chill factor certainly is important. Anyone who has ever lived in a draughty home will know that no matter how high one turns up the heating, one still does not get warm.

The debate has concentrated on the elderly, but I believe that this is a children's Bill, too. If my hon. Friend the Member for Preston (Audrey Wise) were present, she would agree, as she has campaigned on the issue. I hope that all hon. Members will join me in saying that we hope to see my hon. Friend back after the recess, restored to good health.

My hon. Friend the Member for Rother Valley (Mr. Barron) mentioned disconnections and self-disconnections through fuel poverty, which affect many families with young children. As a grandfather of three children under five—two in the south-east and one in the frozen north—I am aware of the importance of the Bill to children.

The hon. Member for Southend, West is right—there does not need to be a regional definition built into the Bill, because fuel poverty is a combination of fuel costs and income. The Bill will go a long way towards reducing waste, helping energy conservation, and contributing to a reduction in the unnecessary generation of greenhouse gases. I hope that the inter-ministerial group will consider seriously the issues raised by my hon. Friend the Member for Harrow, West (Mr. Thomas) with regard to solar energy and renewable energy.

Hon. Members have mentioned expenditure; the Bill is a spend and save measure. It may mean expenditure, but it will contribute to great savings in energy consumption and pollution. Most of all, it will contribute enormously to the quality of life and to reductions in unnecessary burdens on the national health service.

1 pm

Sir Sydney Chapman: When I had the privilege of speaking on Second Reading on 10 March, I said that we seemed to be indulging in an all-party love-in because there was so much support for the Bill from all parties. Like the new footbridge across the Thames, that love has seemed to wobble a little in the past four months. However, I am glad that we are now back on track.

I join other hon. Members in paying tribute to my hon. Friend the Member for Southend, West (Mr. Amess) for piloting the Bill—I hope successfully—through the House and on to the statute book. I also pay tribute to the hon. Members for Nottingham, South (Mr. Simpson) and for Halifax (Mrs. Mahon), who promoted similar Bills in previous Sessions or Parliaments. I am pleased that the hon. Member for Nottingham, South referred to Sir John Hannam, our former colleague, and his great interest in the subject.

[Sir Sydney Chapman]

I have been immensely impressed by and supportive of the Bill since I read several articles by Mr. Andrew Warren, the director of the Association for the Conservation of Energy. I first took an interest in the matter when, many moons ago, I was a practising chartered architect.

We can treat statistics however we want, but a cursory examination of mortality figures shows that in our country, there are 30 per cent. more deaths in the winter months than in other months. Those excess deaths must be partly caused by cold. It is interesting to observe that in Scandinavian countries, which have a colder climate, there are far fewer excess deaths. It is therefore apparent to many hon. Members from all parties that the problem must be tackled.

We now realise that Parliament can and should tackle the problem. I am proud to support the Bill; I hope that it will reach the statute book. I am proud that we will have been able to do so much to tackle the inequalities of health. Although the Bill will be costly—so costly that it is good that precise figures have not put on it—I believe that the money will be well invested for the people of our country.

1.3 pm

Mr. Owen Paterson (North Shropshire): I congratulate my hon. Friend the Member for Southend, West (Mr. Amess) on promoting the Bill, and on his work to create warmer homes in this country. He was a high profile supporter of the previous Government's policy on privatising our energy suppliers, and thanks to his support and that of other hon. Friends, there has subsequently been a 29 per cent. drop in electricity and gas prices.

Promoting a private Member's Bill is difficult; it requires tact and diplomacy, and I congratulate my hon. Friend on his achievement. He has high hopes for the Bill, which has been greatly improved by the efforts of my right hon. Friends the Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean). I wish the Bill well, and I hope that it achieves its high aims.

1.4 pm

Mr. Forth: I endorse the comments of my right hon. Friend the Member for Penrith and The Border (Mr. Maclean), but I shall not repeat them. It is important that people know how the Bill came about, and I thoroughly endorse my right hon. Friend's remarks about the importance of the parliamentary process and his injunction that we should not pay too much attention to single-interest, well financed groups outside the House.

When the Minister winds up, will he tell us whether he stands by his words during the money resolution debate? He said:

> The Warm Homes and Energy Conservation Bill . . . enshrines current commitments and mirrors measures that we already have in hand. For that reason, we do not believe that anything in the Bill would increase public expenditure above and beyond current commitments.—[*Official Report*, 4 April 2000; Vol. 347, c. 945-6.]

The Minister said that on 4 April, and of course I believed him. This morning the Bill was amended on Report and now, on Third Reading, we are considering a measure remarkably similar to the one that we discussed on 4 April.

I would be interested—and I am sure that other right hon. and hon. Members and people outside the House would be interested—in whether the Minister stands by what he said on 4 April about the Bill in its then form, or whether he would like to alter anything that he said on that day. That would be extremely useful, as it would put his remarks in context. I hope that the Minister will respond to that question when he replies to the debate.

Let me repeat what my right hon. Friend the Member for Penrith and The Border said. I too am grateful to the Minister, and the Minister for the Environment, for taking such a positive attitude and for responding to proper parliamentary process—or indeed, pressure—in the context of this private Member's Bill. I should like the Minister to say that he has not been remotely impressed by outside pressure but took due account of parliamentary pressure—but that might be asking a little too much, and I am not over-optimistic. However, I leave him with that thought. Having said that, I am happy to support the Bill on Third Reading and to acknowledge the proper parliamentary process that has brought it here.

1.6 pm

Mr. Beggs: I add my congratulations to the hon. Member for Southend, West (Mr. Amess) on the way in which he has handled the Bill. From the outset he sought widespread support for it in the House, and he achieved that. As has already been said, the way in which he has managed the proceedings throughout has been extremely diplomatic, and I express my appreciation to all right hon. and hon. Members who served on the Standing Committee, participated in the debates in the House and helped to strengthen the Bill so that we now have something of which we can all be proud.

But for devolution, I know that the hon. Gentleman would have included Scotland and Northern Ireland, making the measure apply throughout the United Kingdom. No doubt our colleagues in Northern Ireland and Scotland will learn from the Bill and apply the excellent measures that it provides for. I wish it well.

1.7 pm

Mr. Michael Connarty (Falkirk, East): This is the fourth Friday on which I have come down from Scotland to lend my support to the Bill. In recognition that it covers a devolved matter, will my hon. Friend the Minister ask his officials to get involved in dialogue with the Scottish officials who, I hope, will be dealing with a similar measure, and give them the information that led him to agree to the amendments that have been made today, so that Scotland will get a scheme at least as good as this one, if not better?

1.8 pm

Mr. Green: I add my congratulations to the many that have rightly been given to my hon. Friend the Member for Southend, West (Mr. Amess), not only for his skill and fortitude in piloting the Bill through its various stages, but for his generosity in spreading the thanks around liberally, showing a great graciousness of purpose. Congratulations are also due to right hon. and hon. Members on both sides of the House who have taken a close interest in the progress of the Bill. At times some of them have been regarded as its enemies, but one thing that we have learned during its progress this morning is

that the proper use of parliamentary proceedings can and should improve and strengthen legislation as it goes through the parliamentary process.

The principles behind the Bill command widespread support throughout the House, but I take some quiet pride in the fact that it has been piloted to the next stage by someone on the Conservative Benches, and that the most significant change that has been achieved between Second and Third Reading—nailing down the Government to a 15-year target—also came from pressure from this side. This is not a partisan point, and those of all parties who have taken the closest interest in the Bill will be pleased that the target has been restored. It will prevent this or any future Government from weaselling out of their obligations under the Bill.

That is the best guarantee that we have that the Bill will make a difference. My hon. Friend the Member for Southend, West made the point that everyone enters the House hoping to make a difference. He has made a difference with the Bill, but it is important to ensure that it makes a difference for millions of people in practice.

The Bill is a significant, positive step. Within the envelope of the attack on fuel poverty, we have heard a lot about the social angle—the obvious improvement to the quality of life of people whose income has forced them to limit the amount that they spend on fuel. That includes not only the elderly but quite often the young, as has been said.

Alongside the direct social benefit of making people's homes warmer, there is an environmental benefit for future generations. The better we insulate our homes, the less we contribute to climate change.

Will the Minister give us some idea about the financing? Various ideas have been suggested, not least by the all-party group, on how to involve private finance in funding the work that will be needed to implement the Bill.

This is a victory for Parliament and its procedures. Our scrutiny revealed some imperfections that have been significantly addressed. One subtlety that has not yet been mentioned is the fact that the time pressure on private Members' Bills allowed my right hon. Friends to put legitimate pressure on Ministers and, as my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) so eloquently said, to make them an offer they could not refuse.

Without that time pressure, there would have been less incentive for the Government to accede to my right hon. Friends' suggestions. To those who are so keen on modernising the procedures of the House, I gently make the point that changes that would let the Government off the hook of having to get legislation through in a certain amount of time could result in less rigorous scrutiny and less effective legislation. I hope that, in the pleasure that is suffusing the whole House because of the practical effects of the Bill, we can also reflect on the lessons that we should learn from its successful improvement between Second and Third Reading.

I hope that the Government will learn another gentle lesson. Clearly, Labour Back Benchers welcome the Bill as much as Opposition Members do, so we can pass legislation that is relevant to the needs of millions of people. Perhaps the Government should concentrate a little less on their more peripheral legislation.

This is an important, well supported Bill, and it is better than it was two months ago or on Second Reading. I supported it on Second Reading, and I am happy to do so again. I fully expect that the Government will do the same and that the Bill will make successful progress.

1.15 pm

Mr. Mullin: I am pleased to support the motion that the Bill be read the Third time. I, too, congratulate the hon. Member for Southend, West (Mr. Amess) on piloting the Bill with such skill, common sense and patience. I thank everyone associated with the Bill. In particular, I acknowledge the contribution of my hon. Friend the Member for Nottingham, South (Mr. Simpson), who was here until a moment ago. He has taken a long-term interest in the issue.

Tackling fuel poverty is a priority for this Government. The Bill will help us to carry forward our work in tackling it in England and Wales. My hon. Friend the Member for Falkirk, East (Mr. Connarty) asked about Scotland. My Department already co-operates with officials from Scotland, and we shall gladly continue to do so if our help is required. I am sure that the Scots take the issue at least as seriously as we do in England, not least because their weather is somewhat harsher than ours.

The right hon. Member for Bromley and Chislehurst (Mr. Forth) asked whether I stood by what I said in the debate on the money resolution—that the Bill by itself is unlikely to impose an additional charge on public funds. I do stand by that. The Bill will help us to focus attention on what everyone agrees is a very serious problem. It will speed up the way in which we address the problem, and oblige us to set a timetable and a strategy that will make that problem easier to deal with. That is the Bill's strength. Much money is already being spent on combating fuel poverty, but the Bill by itself does not commit us to further funding. We are already spending a great deal on such matters.

Mr. Forth: In that sense, anyone who claims that many extra homes will be heated because of the Bill is obviously not correct.

Mr. Mullin: A good deal of work is already under way, and many extra homes will continue to be heated. My hon. Friends the Members for Cumbernauld and Kilsyth (Mrs. McKenna) and for Erith and Thamesmead (Mr. Austin) referred to some of the work that the Government have already done or have under way. The best known example is the new home energy efficiency scheme, which provides comprehensive packages of heating and insulation improvements to the households most at risk from cold-related ill health—those of the elderly, families on low incomes and the chronically sick. In England, the scheme has cost £260 million in its first two years and is likely to help 460,000 households. Serious money is being spent on a serious problem.

In addition, the Government are spending record sums on tackling the backlog of renovation work needed in social housing. That will provide the opportunity to make a significant impact on tackling fuel poverty. We have increased the winter fuel payments for pensioners by 400 per cent. All these matters—and there are others, too—are relevant to the Government's serious effort to tackle fuel poverty.

[Mr. Mullin]

I hope that the Government's stance today confirms again that we are serious about the issue. We have shown that we are willing to compromise on the Bill, which we hope becomes law. It demonstrates the constructive and sensible way in which all parties have approached this issue, and that co-operation, for a worthwhile and valuable cause, is gratifying. The Bill will now pass to another place for further consideration in a clear and concise form. I wish it well, and I look forward to its taking its rightful place on the statute book.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Protection of Animals (Amendment) Bill

Not amended in the Standing Committee, considered.

Clause 1

APPLICATION OF ACT

1.26 pm

Maria Eagle (Liverpool, Garston): I beg to move amendment No. 27, in page 1, line 6, leave out from "person" to "(referred".

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss the following amendments: No. 28, in page 1, line 15, leave out subsection (3).

No. 10, in page 1, line 18, after "department", insert "or agency".

No. 11, in page 1, line 20, after "person", insert—

'with such experience, training or qualifications as may be prescribed and'.

No. 12, in page 1, line 24, after "person", insert—

'with such experience, training or qualifications as may be prescribed and'.

No. 30, in page 1, line 27, at end insert—

'(g) any person having laid an information in the magistrates' court.'.

No. 2, in page 1, line 27, at end insert—

'(4) The Minister of Agriculture, Fisheries and Food shall only enter into agreements in accordance with subsection (3)(e) or (f) with individuals whose names for the time being appear on a register, kept by him for the purpose, of qualified veterinary surgeons who have satisfied him that they have the appropriate experience to act as prosecutors in accordance with this Act.'.

No. 29, in clause 5, page 4, leave out line 3.

Maria Eagle: I congratulate my hon. Friend the Member for Crosby (Mrs. Curtis–Thomas), the promoter of the Bill, and assure her that I wish her Bill well and am not intending to prevent it from proceeding. However, I have some concerns in respect of prosecutors, what they do and who they will be.

I have a long-standing interest in animal welfare and have promoted Bills on that subject in this place. I congratulate my hon. Friend also on spotting and seeking to put right a long-standing loophole in animal welfare legislation which appears to have existed since 1911 and which the House is at last getting round to putting right. I mean no ill to her Bill.

Amendment No. 27 is consequential upon amendment No. 28, as is amendment No. 29. The House may detect that amendment No. 28 is the significant one in the group. Amendment No. 28 would leave out clause 1(3), which defines prosecutors in relation to the Bill. Given the purposes of the Bill, it is important that prosecutors are defined.

Clause 1(1)(a) states that someone will be able to make use of the provisions only if they are mentioned in subsection (3), referred to as "the prosecutor". In subsection (3), we see those who are allowed to make use of the provisions in the Bill. In paragraphs (a) and (b), we are told that they are the Director of Public Prosecutions or a Crown prosecutor; effectively, that means the state

or the Crown Prosecution Service. In paragraphs (c) and (d), we are dealing with private prosecutors such as Government Departments or local authorities—again, people who normally prosecute in our criminal courts and have statutory powers to do so.

In paragraphs (e) and (f), however, we see some strange provisions which I, as a former private prosector, have not come across before. Perhaps my experience as a private prosecutor was not sufficiently long or extensive for me to have seen such a provision before—or perhaps it did not cover as wide a range of subjects as it might have done. The Minister or the Bill's promoter, my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas), will no doubt be able to tell me whether I have this completely wrong and whether this is a standard procedure.

Paragraph (e) states that a prosecutor is, in relation to a prosecution in England,

a person who, at the request of the Minister of Agriculture, Fisheries and Food, has entered into a written agreement under which he may perform the functions conferred on a prosecutor by virtue of this Act . . .

That appears to be almost like licensing private prosecutors. It is a strange concept, and not one that I have come across before. Paragraph (f) makes a similar provision for Wales, and is substantially the same.

The provisions excited my interest because they seemed unprecedented. Perhaps the Minister will correct me if I am wrong. I thought that they might have their origin in the Protection of Animals Act 1911, so I looked at that. It seems to me, from my reading of Halsbury statutes, that the 1911 Act enables any person to prosecute. It seems from clause 1(1) that the Bill is intent not on licensing certain organisations by written agreement to prosecute cruelty offences, but on licensing certain people by written agreement to use the provisions that close the loophole.

It seems that any person will still be able to prosecute for cruelty under the 1911 Act, but under this Bill, any person would not be able to prosecute unless they were a state prosecutor, a local authority prosecutor—a private prosecutor, in other words—or had a written agreement with the Ministry of Agriculture, Fisheries and Food. It is strange, when we are attempting to use a piece of legislation to get rid of a loophole, that the people who will be allowed to prosecute and to use the new provisions are different from those who are allowed to prosecute for cruelty in the first place.

Mr. Ivor Caplin (Hove): Given my hon. Friend's knowledge of these matters, has she had an opportunity to talk to the Law Society about its views on whether the provisions would compromise the usual role of the legal profession?

Maria Eagle: I am not necessarily against compromising the usual role of the legal profession. I certainly would not ask the Law Society for its views. The Law Society tends to write to me, because I am on its list of lawyers; it sends me unsolicited mail, which is always interesting. However, the Law Society would not be the first body that I would turn to—I normally turn to my own experience and, as it happens, I do have some experience as a private prosecutor. That is why I became alerted to these provisions.

I thought that the explanatory notes might assist me about why the discrepancy exists. Paragraph 5 on page 2 states:

The power of the court to make an order under the Bill—

I call it an interim order; it is an order before a conviction rather than at the end of a case—

for the care, disposal or slaughter of animals applies only in proceedings brought by one of the prosecuting bodies identified in clause 1(3) of the Bill . . .

There is a clear intention that any person who does not fit into that category is to be excluded from using these provisions but is not to be excluded from being able to prosecute for cruelty.

I then thought that the Committee stage might be a good place to look to establish whether anyone else had thought the provisions somewhat strange. I had a look at the proceedings of Standing Committee C for 21 June. I am not, I am glad to say, the only person to hold this opinion. I noticed that the right hon. Member for Bromley and Chislehurst (Mr. Forth), who is in his place as always on a Friday, had also tabled amendments that sought to probe what my hon. Friend the Member for Crosby was getting at with these provisions. He said of the provision in paragraphs (e) and (f):

That provision might be far too permissive . . . it appears to allow almost anyone . . . to act as the prosecutor.—[*Official Report, Standing Committee C*, 21 June 2000; c. 6.]

My concern is the opposite: I believe that the provision does not allow enough people to act as prosecutors. He wants only certain people to prosecute, but it has always been the case that anyone can, and I shall seek to persuade him that that should remain so.

1.30 pm

Later in Committee, the hon. Member for Beaconsfield (Mr. Grieve), who is a practising lawyer, helpfully commented:

Under the system of prosecution set out in the 1911 Act the prosecuting individual is acting as an individual. I believe that I could prosecute somebody under that Act, if I so wished.

He was quite right. He went on:

If my neighbour were ill treating his dog and the police were not prepared to do anything about it, I could lay a summons at the magistrates court, summon the neighbour and conduct the case.

Again, the hon. Gentleman was quite right: that is what I used to do as a private prosecutor. Although my experience was in environmental protection matters rather than animal welfare, which I left to the Royal Society for the Prevention of Cruelty to Animals, the principle was the same.

The hon. Gentleman went on:

I would have to bring in legal representation. That is usually a condition.

Again, he is right, although he would not have to instruct a solicitor since, as a practising barrister, he could do the job himself. He continued:

I could not represent myself as the prosecutor. I could prosecute him, get him convicted and recover my costs . . .

The hon. Gentleman then asked the Minister why the provisions were being included in the Bill. The Minister replied that

the clause is intended to act as a filter to stop vexatious prosecutions from people who have an axe to grind. It aims to ensure that those who are authorised are reputable organisations and are bringing the prosecution for the welfare of animals.—[*Official Report, Standing Committee C*, 21 June 2000; c. 9-11.]

[Maria Eagle]

Those are laudable aims, and we have all heard of or dealt with vexatious litigators. I appreciate the concern, but can my hon. Friend the Member for Crosby or the Minister say, given that it has been possible since 1911 to prosecute an offence for cruelty, whether there is a flood of vexatious prosecutions of those who own or control animals in our courts? Is that what has led the Minister's Department or the Bill's promoter to require a change to who can or cannot prosecute?

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): I may be able to reassure my hon. Friend. Nothing in the Bill alters the rights of individuals to bring prosecutions under the 1911 Act. People have the right to do that. The Bill provides new powers on care orders, and the restrictions of approval apply only to the new powers, not to the right to bring prosecutions, which is unchanged.

Maria Eagle: I am grateful to my hon. Friend for that helpful intervention, which may curtail my speech significantly. I did not think that the Bill would prevent anyone from prosecuting, but I thought that it would prevent them from applying for interim orders. It seems slightly odd for the Bill to get rid of a loophole for most people but not for everyone. A private prosecutor under the Protection of Animals Act 1911 who is not covered by clause 1(3) could prosecute but not secure the interim orders, so the loophole would still exist.

That possibility is not merely theoretical. I know of a current case being conducted against a mink farmer by a private individual. The case is sub judice so I cannot go into detail, but unless that individual could get one of these written agreements, he would not fall into any of the categories in clause 1(3). I believe that the written agreements are designed primarily to help organisations such as the RSPCA to do their work, and that the private individual to whom I have referred would be unlikely to secure such an agreement.

I am worried that the Bill will not in all cases fill the loophole that I have identified, but my hon. Friend the Minister has reassured me somewhat and I shall not press the amendments. I do not wish the Bill ill on account of its strange provisions about who may prosecute. I hope that it does not represent a reversion to the 1911 Act procedure, and that no future amendment to it will prevent individuals from bringing prosecutions. From my experience of environmental protection, I know that allowing any person to prosecute can mean that good and deserving cases are brought to court, and that the law is rigorously and vigorously upheld. I certainly would not want to lose the provision that any person may bring a prosecution.

There is no need to worry about vexatious litigation in the criminal law, as other safeguards exist to prevent it. Most cases of vexatious litigation arise in the civil courts, where people have no problem issuing a writ and getting it served. It is not like that in the criminal courts, where laying an information is not an administrative procedure. The clerk to the justices must be convinced that a case has some merit before allowing an information to be laid. Moreover, one would expect such malicious prosecutions to be spotted in the criminal courts, which are not stupid, and to fail. Prosecution costs could not then be recovered from central funds, and the resulting order to pay costs could be enough to bankrupt most vexatious litigants.

The issue that I have highlighted is not fatal to the Bill, and I do not intend to cause any real problems over it. I merely wanted to probe my hon. Friend the Minister and the promoter of the Bill about their intentions.

Mr. Eric Forth (Bromley and Chislehurst): The debate on this Bill presents an interesting contrast to the debate on the previous Bill, and it tests the flexibility of the House. I calculate that we have about 50 minutes to deal properly but succinctly with six groups of amendments.

Like the hon. Member for Liverpool, Garston (Maria Eagle), I have no intention of delaying the House. The Minister has a few important questions to answer to satisfy the House, but as usual the hon. Lady has been very helpful. In giving us the benefit of her experience, she has dealt with many of my anxieties about the Bill.

Given the debate in Committee and what the hon. Member for Garston has said, I hope that the Minister will respond to my amendment No. 2 and reassure those whose everyday lives and livelihoods cause them to have dealings in this area. I would prefer the hon. Gentleman to adopt the wording of my amendment but, failing that, I hope that the reassurances that he will give will achieve the same effect—that only those who are properly qualified are able to take part in the procedures set out in the Bill.

I suggest that there should be a register, although that may be a little over-bureaucratic. However, if the Minister is unable to accept that suggestion, and given the comments made by the hon. Member for Garston, I should be grateful if he would reassure the House that this aspect of the Bill can be pursued and—literally—prosecuted by appropriate people. If such reassurance cannot be provided through my amendment, will the Minister suggest another way?

Mr. Andrew Dismore (Hendon): I shall speak to the amendments that I tabled, which are on similar lines to the proposal of the right hon. Member for Bromley and Chislehurst (Mr. Forth), although they are a little less bureaucratic. They suggest that the problem could be dealt with by orders setting out the qualifications that should be required of individuals; for example, the normal experience and qualifications of an inspector of the Royal Society for the Prevention of Cruelty of Animals. I thus favour my amendments rather than those of the right hon. Gentleman.

I echo the interesting point made by my hon. Friend the Member for Liverpool, Garston (Maria Eagle). When we debated the Medical Treatment (Prevention of Euthanasia) Bill, we explored at some length the issue of private prosecutions. There is not enough time to repeat those arguments, but I draw the attention of the House to the Law Commission's report on that matter. That report stressed that it was undesirable for any but the most necessary restrictions to be placed on private prosecutions.

My hon. Friend has done the House a service by drawing attention to the issue. When my hon. Friend the Parliamentary Secretary responds to the debate, will he confirm whether he has consulted the Law Commission paper? It is an extremely full piece of research and deals at length with the issue.

Amendments Nos. 27 and 30 may be mutually exclusive. I favour amendment No. 30 because, as my hon. Friend the Member for Garston explained, if a person had to lay information, a check would be provided by the clerk to the court. There would be severe cost sanctions for any abuse.

In case we do not have time for Third Reading, I congratulate my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) on seizing this important loophole by the scruff of the neck and giving the House an opportunity to deal with the matter.

Mr. Morley: I am pleased that the Bill promoted by my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) has reached Report stage. I shall try to deal with some of the points that have been raised, as the Ministry of Agriculture, Fisheries and Food would have to deal with them if the measure were enacted.

My hon. Friend the Member for Liverpool, Garston (Maria Eagle) has great legal experience of these matters and I listened carefully to her comments. I have already assured her that nothing in the measure would change the prosecution system. However, the measure would introduce new provisions on the care of animals through orders that can be applied for through the courts.

As we do not want to create opportunities for malicious or vexatious applications, the Ministry will have an element of approval as to who can initiate applications. On the example given by my hon. Friend, I assure her that the wording of the Bill is such that anyone who has appropriate and relevant experience can be approved. That does not narrow the measure; those who meet the criteria that will be set by the Ministry will be approved. In statute, there are frequently consent provisions for prosecutions, so such a provision would not be unique to this measure.

The amendments tabled by my hon. Friend the Member for Hendon (Mr. Dismore) dealt with some good points, but they would broaden the measure by altering the criteria for entering into written agreements with non-Government departments or local authority prosecutors, such as the RSPCA. The amendments would make an identical change to the written agreement provisions covering England and Wales. They would require MAFF and the National Assembly for Wales to prescribe the experience, training and qualifications required for a person or body with whom the Minister or the National Assembly could enter into an agreement.

1.45 pm

To some extent, the amendments reflect the assurances that were given on Second Reading and in Committee. They would be less restrictive than the corresponding amendment, No. 2. None the less, the criteria that we will apply to the qualification for entering into an agreement is a matter that we shall cover by administrative means. I think that that deals with the concerns of the right hon. Member for Bromley and Chislehurst (Mr. Forth).

Amendment No. 2 would dramatically restrict the category of persons who could enter into written agreements. In effect, it would limit approved prosecutors to qualified veterinary surgeons with appropriate experience who are registered with MAFF and the National Assembly for Wales for that purpose. As the right hon. Gentleman rightly suggested, it would create a duty to maintain a register of individual prosecutors and that would have significant implications for resources and bureaucracy. That would restrict the category of persons who could conduct prosecutions—and not merely give evidence—to a very narrow group.

I assure the right hon. Gentleman that there is no good reason to take such an approach to those who might apply for care orders. The administrative criteria for those whom we shall invite to enter written agreements will offer adequate and transparent safeguards, because those who apply for them will have to meet the criteria for experience.

The right hon. Member for Penrith and The Border (Mr. Maclean) raised the concerns of the Pet Care Trust. He might be interested to learn that I wrote to the trust and invited it to come to the Ministry to talk to officials. We believe that we can reassure the trust that some of its concerns do not relate to the Bill. I am only too pleased to make that facility available to the trust.

Mr. David Maclean (Penrith and The Border): I might not have another opportunity to speak in the debates on the Bill, so I thank the Minister now for extending that invitation. If the Pet Care Trust has other concerns, I am sure that he will address them in his office and reassure it that the Bill will present no threat to its livelihood and interests.

Mr. Morley: Following the detailed discussion that we had in Committee, I have gone through the concerns that were raised with MAFF officials, experts and lawyers. We have tried to ensure that they are addressed by the Bill. As I said, I have formally invited the Pet Care Trust to come to the Ministry to talk about the issues in detail.

Maria Eagle: In view of the assurances that my hon. Friend the Minister has been able to give, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 2

ORDERS FOR THE CARE, DISPOSAL OR SLAUGHTER OF ANIMALS

Mr. Dismore: I beg to move amendment No. 13, in page 2, line 4, leave out "may" and insert "shall".

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 14, in page 2, line 12, after "(d)", insert—

'or if (a), (b) or (c) are not practicable'.

No. 3, in page 2, line 13, at end insert—

'(2A) The court shall not make an order under this section until it has heard the evidence of the owner of the animal in question or the prosecutor has presented evidence to the court that the owner has been properly notified of the intended application and the opportunity to present evidence and has declined to do so.'.

No. 15, in page 2, line 15, after "including", insert—

'the extent of the animals' suffering'.

Mr. Dismore: I shall be relatively brief. Amendment No. 13 embodies a criticism that I have frequently made in the House. As we have said on many previous occasions, the word "may" is somewhat ambiguous. If, under clause 2, a court believes that the evidence exists

[Mr. Dismore]

about which it is necessary to do something, it should do something about it. It should not operate on the basis that it thinks that something should be done without its doing anything. I would substitute the word "may" with "shall" so that a court acts if the evidence exists.

Amendment No. 14 considers the remedies that are available to the court under clause 2(2)(a) to (d). The option in paragraph (d) is obviously the last one that should be considered, but it is not ranked in that way. The clause is phrased in such a way that the options appear on an equal footing. If the animals are to be slaughtered, that should be the last resort. Under the amendment, that option would be available only if the other alternatives are not practicable. A court should not take the easy option of slaughtering the animals when the other options might take a little longer, might be a little more inconvenient or troublesome, but would be far more appropriate. The other three options should be considered before slaughter. If the animals are slaughtered and a case is ultimately decided in favour of the owner, the damage will already have been done.

Amendment No. 15 would alter clause 2(3), which lists the factors that the court should take into account, including the owner's interests in the animals' value and the costs that he must bear. There should be a balancing provision, as the Bill is about the protection of animals and it is rather surprising that the factors that a court should take into account do not include a reference to animals' suffering. As we are looking at the protection of animals, I believe that their suffering should be paramount in such a list, and should certainly be taken into account. With those few brief words, I commend the amendments to the House.

Mr. Forth: My right hon. Friend the Member for Penrith and The Border (Mr. Maclean) and I tabled amendment No. 3, which illustrates the extent of anxiety in some quarters about the possible ramifications of the Bill's provisions. I hope that the Minister will tell me that its wording is otiose, and will reassure me that, in all conceivable circumstances, what the amendment proposes will happen anyway. The amendment is probing, and is designed to record anxiety about the process it describes not taking place. Hopefully, it will enable the Minister to put on the record the reassurance that, in every case, the owner will be given a proper opportunity and evidence will be properly heard. The amendment is tabled in that spirit and, if the Minister can easily reassure the House on the matter, I shall not press it.

Mr. Maclean: May I support my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) in what he said about our amendment?

At the moment, there is no requirement for the owner of the animals to have the right to plead his or her case at the time a court order for possession is sought. There is a worry that that might offend against natural justice and infringe civil liberties. Of course, I have read the Minister's statement that the Bill complies with the Human Rights Act 1998. However, an animal organisation has told me that a case might just come to court some months after an order is made to take possession of the animals. The difficulty is that it is possible that specialist breeders of reptiles, snakes, alligators and other funny specialised things may have more knowledge of the needs and care of those animals than those making the order.

I am not sure whether I have passed those representations on to the Minister, although I hope that I have. In those specialist cases, is the Minister satisfied that there is no need for a right of reply at this stage or for the people affected to be notified, go to court and make representations? Is the matter already taken care of?

Mr. Morley: I understand the point that my hon. Friend the Member for Hendon (Mr. Dismore) made about "may" and "shall". When considering legislation, the point about replacing "may" with "shall" is often made. People think that "may" is some kind of weasel word that people can use to escape a commitment. I assure my hon. Friend that although, in theory, the amendment would remove discretion and make the matter mandatory in all cases, it would also restrict the court's discretion to an unacceptable extent. There is therefore a problem.

Mr. Kevin Barron (Rother Valley): My hon. Friend the Minister is quite right. I do not know whether he was a Member of Parliament in 1984, when the Bill that became the Water (Fluoridation) Act 1985 went through Parliament. The Act contains a section stating that, after consultation and so on, water companies may intervene to put fluoride into public water supplies. It does not say "shall" and, although there was no debate about that wording, water utilities and their lawyers have been hiding behind the provision for years. We are still unable to get fluoride into public water supplies where consultation has taken place under the Act and permission has been sought.

Mr. Morley: I understand the point that my hon. Friend makes. I imagine that, at the time, that was done deliberately to allow local people to decide. I understand the sound science of that action in those circumstances. That issue should have been dealt with, depending on how people felt about it, when the Bill was under consideration.

In this case, the use of the word "may" is a standard legislative term that allows discretion and flexibility, which are important for the operation of the Bill. It is not used so that people can get out of their responsibility to take action. I give my hon. Friend that reassurance. I also want to emphasise that this Bill is all about the welfare of animals.

I understand the point that my hon. Friend the Member for Hendon made about not slaughtering animals as a last resort. However, discretion is needed here, too, because it depends on how the word "practical" is interpreted. It might be too inflexible. In some cases, such as farm animals, there is an optimal time in which animals must be slaughtered. That applies to pigs and to cattle with the over-30-months scheme. There are also weight penalties. Slaughtering for commercial purposes sometimes has to be carried out fast, so I do not want to remove that flexibility from the Bill.

On amendment No. 3, I assure the right hon. Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean) that animal owners involved in these circumstances already have an opportunity to present to court any relevant evidence.

That covers the point about specialist breeders, who may be willing to do that. Amendments of this kind simply provide scope for delaying tactics on the part of owners seeking to avoid care orders. The whole point of care orders is to take action quickly to deal with animals in need of food, care or veterinary attention. If the amendment were accepted, any owner who did not want an order to be applied simply would not turn up at court, and nothing could happen until he or she did so. It would therefore fatally weaken the Bill.

On that basis, I would argue against the amendment, but assure hon. Members that anyone affected has the right to attend court and present his or her side of the case.

Mr. Dismore: In view of the assurances given by the Minister, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 3

POWERS OF ENTRY, ETC.

Mr. Maclean: I beg to move amendment No. 5, in page 2, leave out lines 22 to 28.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 16, in page 2, line 24, at end insert—

'either—

( ) he is of the opinion that a veterinary surgeon needs to examine the animal to treat it or to determine the extent of its suffering for evidential purposes; or'.

No. 19, in page 2, line 42, leave out subsection (4).

No. 6, in page 2, line 45, at end insert—

'( ) produce to him a sealed copy of the notice to the court of his intention to apply for an order or a copy of the order made under section 2;'.

No. 20, in page 3, line 1, leave out paragraph (5)(b) and insert—

'(b) state orally or in writing his reasons for entering, and if reasons are given orally confirm those reasons in writing within 14 days of entering'.

Mr. Maclean: The amendment seeks to limit the powers in clause 3 by removing subsection (1). The other part of the clause allows a right of entry to a prosecutor, once he or she has a court order. However, subsection (1) gives the prosecutor, who may be any designated organisation or private person, the right to enter private premises even before he or she has a court order.

There may be practical reasons why the Minister will say that people must be given that power of entry to prevent those concerned from evading the law or covering up malpractice or abuse. However, I believe that it may be an excessive power to grant to private individuals in advance of a court order. It is one thing to go to court, get an order to enter premises and then take the action specified in the Bill, but the Bill empowers someone who merely notifies the court that he or she intends to apply for an order. They then have the right to enter any premises in which animals are kept and to mark them.

The explanatory notes say that the Bill complies with the European convention on human rights. May I press the Minister on that? I know that he cannot reveal his legal advice—that is not Government convention—but I hope that he has with him a note from his civil servants in which legal advice is paraphrased, saying that on this specific point, the power of entry granted to a private prosecutor in advance of a court order is allowed under the European convention. Even if that is okay under the convention, I do not regard the convention as the guardian of our fundamental freedoms; that responsibility belongs to the House and our own courts. Therefore, can the Minister tell us in what circumstances the power is likely to be used? Does he think that there will be many cases of its being used; and how can we reassure the organisations that have written to us that the power is not slightly excessive and will not be abused?

2 pm

Mr. Dismore: My first amendment addresses a lacuna in clause 3. Clause 2 refers to the evidence of a veterinary surgeon being presented to the magistrates court. That evidence is at the heart of the Bill, but to provide it, the vet would have to examine the animal—it would be hard to base that evidence on a photograph, for example. Clause 3 gives the prosecutor the power to enter premises, but for the purposes of marking or identifying the animal, not for the purposes of examining the animal to obtain the evidence needed under clause 2. I therefore propose that one of the reasons for entry can be to examine the animal, if necessary to treat it as a matter of urgency, and thereafter to determine the extent of its suffering, so that the vet can ultimately provide evidence to the magistrates court.

Another amendment would remove subsection (4). I can see why people are reluctant to grant prosecutors the power to enter a dwelling house, but I am concerned that the owner of a mistreated animal might simply pick it up, run into house, shut the door and thus foil the attempt of the prosecutor to gain access to the animal to determine its state of welfare, to examine it or to identify it. That is a loophole, especially because the sort of people who will be affected by the legislation are likely to try to find ways around it. Most people who own animals know that it is in their interests and those of the animals to look after them properly, but the Bill will deal with the few people who fail to do that, and people so despicable are likely to do all they can to avoid the impact of the law.

My next amendment would slightly alter clause 3(5)(b) and provide that the prosecutor need not state his reasons for entry in writing. We are considering an emergency power and I am anxious to ensure that we do not get bogged down in bureaucracy and red tape. If the animal needs to be looked after, the prosecutor should be able to give his reasons orally, go and care for the animal, and thereafter, if necessary, follow that up in writing. Obviously, if there is time to give written reasons in advance, so much the better, but I can envisage cases in which there is no time to do that. It strikes me that such matters can be followed up afterwards: as long as the owner of the animal gets a written explanation in the long run—a couple of weeks strikes me as fair—that should be satisfactory.

Mr. Morley: The amendments express contrasting objections. I can provide some reassurance about entry into private property. Such entry is limited to marking animals for identification purposes, which is necessary for an application to be determined or for the care order to be made in a sensible form. For example, on some holdings

[Mr. Morley]

there may be animals belonging to people or companies that are not involved in the action; therefore, animals so affected must be marked. In addition, certain disease control and animal movement measures also require marking to comply with the law. That is why the power is in the Bill.

With regard to the European convention on human rights, the test for granting powers to enter private property is that that power should be proportionate and necessary. The amendments moved by my hon. Friend the Member for Hendon (Mr. Dismore) are too broadly drawn and would fall foul of the convention. The powers specified by the Bill are proportionate and meet the case in point.

It is reasonable that those acting on the measure should have written evidence with them. I know that my hon. Friend considers that too restrictive, and that the right hon. Member for Penrith and The Border (Mr. Maclean) and his colleague, the right hon. Member for Bromley and Chislehurst (Mr. Forth) think that the provision on written evidence should be tightened up. I make it clear that the people approved by the Ministry to do such work would carry written evidence with them as a matter of routine. That is not unreasonable and would demonstrate that they had the authority of the court and were acting on the authority of the Ministry. For that reason, I consider the amendments unnecessary.

Mr. Maclean: In view of the Minister's assurances, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 4

OTHER SUPPLEMENTARY PROVISIONS

Mr. Maclean: I beg to move amendment No. 7, in page 3, line 9, at end insert—

'and the prosecutor shall be under a duty to maximise the proceeds of any such disposal in each case.'.

Mr. Deputy Speaker: With this it will be convenient to discuss amendment No. 8, in page 3, line 12, at end insert—

'(2A) Where an order has been made under section 2 and the owner successfully defends the proceedings under section 1 of the 1911 Act, the court shall have power (in addition to the power to award costs) to require the prosecutors to recompense the owner a fair value for the loss (including economic loss) he has suffered as a result of the exercise of the powers conferred upon the prosecutor by virtue of the order.

(2B) Any amount for which the owner is entitled to be reimbursed or compensated for under subsection (2A) may be recovered by him from the prosecutor summarily as a civil debt.'.

Mr. Maclean: I shall speak briefly, without recycling the amendments, as the Minister has had a chance to consider them. They put an obligation on the prosecutor to maximise the proceeds of any disposal or sale of the animals. Amendment No. 8 would further ensure that if the prosecutor fails to bring a prosecution or does not bring a prosecution successfully, he should compensate the owner whose animals he has confiscated at a fair value for the loss, including the economic loss.

Just as clause 4 perfectly legitimately entitles the prosecutor to recover his costs and expenses from the person who owns or controls the animals, if the prosecutor gets it wrong and fails to win his case, it seems fair that the person who owns the animals and from whom they were confiscated should get full compensation.

Mr. Morley: The topic generated some discussion in Committee, and I understand the concerns that were raised about owners who may be acquitted and what they may get back if the animals are sold. I have consulted in detail and I shall try to respond in detail.

With reference to the provision allowing the defendants when acquitted to recover any costs suffered, the application for a care order and a subsequent trial are separate procedures, as the right hon. Gentleman will recognise. The care order provides urgent protection for animal welfare at the time that information is laid before the court. The test for a care order is different from and less stringent than the test applied for a subsequent trial.

That ensures that the process of securing a care order does not pre-judge the trial. No attempt to establish a defendants's guilt or innocence will be attempted when a care order is sought. In deciding when to grant a care order, the court must consider the welfare of the animal, as well as the interests of the owner. Whether it is beyond reasonable doubt that an offence of cruelty has been committed is not an issue at that stage. That would have implications for human rights legislation and would impose an unnecessarily demanding test before action could be taken to protect animal welfare. The object to take action quickly to ensure that the welfare of animals is not compromised.

Acquittal in a subsequent trial does not mean, therefore, that the care order should not have been granted. There is no connection between that and the trial. The process is reinforced at each stage by safeguards to prevent malicious prosecutions resulting in care orders, and to protect the interests of the owner. The prosecutor must decide whether to bring a prosecution and must apply for a care order under the Protection of Animals Act 1911, which contains safeguards, as the right hon. Gentleman knows. On application, the court will consider whether a care order was required for the good of the animals. If so, action must be proportionate, and the owner's interests will be considered in court.

A further stage-by-stage safeguard deals with the point about the expenses that are incurred by prosecutors, who subsequently try to recover them, and whether those expenses can be limited to reasonable amounts. The safeguard involves a calculation, when applicable, of the difference between the amount of the reasonable expenses and any proceeds from sale or slaughter. The approved prosecutor recovers reasonable expenses after deducting the proceeds of any sale, or the owner recovers the net proceeds. The court decides whether the steps taken and the costs incurred were reasonable. The court can also take into account whether the price of any sale was fair. That double checks the process that takes place during the application for a care order under clause 2(3).

The court's authorisation of the order must take into account any avoidance of increased costs. Each part of the invoice can be scrutinised to ascertain whether that has happened. In the event of an acquittal, I am advised that it would be legitimate for the defendant to ask the court to

take the acquittal into account when assessing reasonable costs. Whether the owner has been acquitted or not, he has recourse to appeal if he is not satisfied with the result. On that basis, I invite the right hon. Member for Penrith and The Border (Mr. Maclean) to withdraw the amendment.

Mr. Maclean: The points that the Minister made are entirely reasonable. When the debate is over and the Bill progresses, and representatives of the Pet Care Trust—or any other organisation that has anxieties—visit the Minister, and he has the opportunity to explain matters to them, they will probably be satisfied. As the Minister has satisfied me today, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Dismore: I beg to move amendment No. 21, in page 3, line 16, after "owner", insert "or keeper".

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 22, in page 3, line 21, after "owner", insert "or keeper".

No. 23, in page 3, line 23, after "owner", insert "or keeper".

No. 24, in page 3, line 26, after "owner", insert "or keeper".

No. 25, in page 3, line 36, at end insert—

'and "keeper" means the person against whom the proceedings were brought with care and control of the animal'.

Mr. Dismore: I shall speak briefly because the amendments make the same point. I am worried about the absentee landlord. What happens if it is difficult to track down the owners of the animals when they are being looked after by someone else? It is easy to envisage circumstances in which someone might say, "Well, they're not mine; they belong X or Y." Similar problems can occur with motoring legislation; measures sometimes refer to the "owner or keeper" of a vehicle. Such problems have also arisen with licensing legislation, and some measures consider who looks after a shop rather than who owns it. People can use all sorts of devices to avoid responsibility if legislation refers simply to "the owner". I have tabled the amendment to probe the Government's views and ascertain the way in which the lacuna can be tackled.

Mr. Morley: My hon. Friend makes a reasonable point, and the Government have no objection to the main thrust of his argument. There is a slight drafting problem with the definition of "keeper" in amendment No. 25. It could be confusing and is therefore unacceptable. There is nothing wrong with the principle, which is a matter for the promoter. However, parliamentary time is limited and the amendment would not add a great deal to the Bill, although there is nothing wrong with my hon. Friend's suggestion.

The Bill places an obligation on registered keepers to produce the relevant documents. If they do not, they are committing an offence. If someone was trying to be obstructive, the court would take action against that person. If we had more time, we could consider amendment No. 21 favourably. I am sure that my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) would be sympathetic to it. However, given the pressures of time, and the fact that the amendment is not vital, I suggest that it be withdrawn.

Mr. Dismore: I am grateful for that assurance. As my hon. Friend the Minister accepts the principle but questions the wording of the amendment, it might be picked up in another place. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Order for Third Reading read.

2.14 pm

Mrs. Claire Curtis-Thomas (Crosby): I beg to move, That the Bill be now read the Third time.

I am delighted and relieved that hon. Members from all parties have decided to support the Bill. I thank all hon. Members who have been actively involved in all stages and have engaged, through discussion and in writing, with officers and servants of the House, the general public and animal welfare organisations. They have also been kind enough to provide advice and extensive support to me.

My Bill is a sensible development of existing animal welfare legislation. On Second Reading, my hon. Friend the Member for Basildon (Angela Smith) said that the purpose of a private Member's Bill was to fill loopholes in existing law. That is precisely what I am seeking to do.

My Bill will fill a loophole in the Protection of Animals Act 1911. It will allow those prosecuting cases of cruelty under the Act to apply to a court for a care order to protect the animals concerned. That is important. At the moment, animals that are the subject of cruelty or neglect proceedings can be left to suffer while the law takes its course.

I recognise that there are limited powers in the 1911 Act to allow police constables to intervene in such cases, but, as hon. Members recognised during earlier stages of our discussions, such an arrangement is hardly suitable for the 21st century. So my Bill will put right that anomaly and ensure that, where necessary, it is possible to act much more quickly in the interests of animals.

My Bill will provide proper, much needed protection for animals. In promoting it, I am conscious of the fact that for some 200 years the House has concerned itself with providing legislative protection for animals. It is right that we maintain that responsibility by continuing to improve and update the legislation.

Of course hon. Members have, properly, been concerned about the rights of individuals. I am very much aware of the need to ensure that the rights of the owners of animals are protected, and my Bill is carefully crafted to reflect that. As my hon. Friend the Parliamentary Secretary said, the Bill balances the need to improve the protection afforded to animals in the 1911 Act with our obligation to respect the rights of individuals, particularly in the context of the European convention on human rights.

I do not want to detain the House unduly, but I wish to make one final point. I have received representations—indeed, we have heard this point during the discussions on amendments—that we need new law to cover not just animals kept for a commercial purpose, but pets kept in people's homes.

[Mrs. Claire Curtis-Thomas]

I recognise that there are huge numbers of pet animals in this country, and I am sure that although the vast majority are properly looked after by caring owners, welfare problems may arise. My Bill, however, is not the vehicle to address that issue.

On Second Reading, the right hon. Member for Bromley and Chislehurst (Mr. Forth) was kind enough to describe the Bill as

"important, but modest in scope . . . the ideal formulation for a private Member's Bill".—[*Official Report*, 19 May 2000; Vol. 350, c. 625.]

I am so sorry that the right hon. Gentleman is not in his place to hear these words. His contribution has been greatly illuminating and very helpful.

I am well aware of the need to ensure that my Bill remains closely targeted. To amend it to cover the keeping of pets would vastly extend its scope, and would raise serious questions about the impact that that would have on the individual rights of owners.

I am therefore clear that the wider issue needs to be addressed another day. The very specific amendment that I wish to make to the 1911 Act is the limit of my ambition, and will address the significant concerns of animal welfare organisations and the millions of people in this country, and the thousands of people in my constituency, who care passionately about the welfare and well-being of animals.

2.18 pm

Mr. Maclean: I congratulate the hon. Member for Crosby (Mrs. Curtis-Thomas) on getting the Bill to this stage. I hope that it will receive a Third Reading and proceed to another place. I caution Labour Members against asking for amendments in another place. That would not be wise if the hon. Lady's Bill is to be successful.

My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) sends his apologies. He will be back in the Chamber in a few minutes. He has been in his place for almost exactly five hours, and I think that at this moment he is giving commercial business to Mr. Heinz and his beans—on toast. My right hon. Friend is a modest eater.

My right hon. Friend was right to say that this is a perfect measure for a private Member's Bill. It is modest in scope, but it makes an important change. The hon. Lady is to be congratulated on the way in which she has piloted it through the House. I also congratulate the Minister on the style that he has adopted at the Dispatch Box today. We did not have much time, but we dealt with the important issues. I am grateful to him for having a word with me beforehand on the amendments that I passed to him for consideration.

When a Bill has almost reached Report stage, there is always some organisation that suddenly discovers something about it that it wants to change, but by then it is often too late. My appeal to organisations such as the RSPCA and other single-issue pressure groups is, for goodness' sake, consult the other organisations. I am not sure whether the RSPCA consulted the Pet Care Trust or the International League for the Protection of Horses, which wrote to me, but it is my experience that it has tended not to do so. It takes the view, "We're the RSPCA, we'll do what we like and draft the whole Bill, and tough luck on all the small fry."

Sometimes the other organisations have legitimate points, and I am glad that the Minister promised that he would meet them and try to reassure them. If we took on board their concerns today, we would wreck the Bill. Perhaps the Bill needs some improvement, but it does not deserve to be wrecked, because it will do good. I appeal to those who may be involved in private Members' Bills in future: please, please consult all the other organisations and try to get them on board. It makes life easier and avoids the position whereby we cannot take a valid point on board because, by the nature of our procedures, we would end up destroying the Bill.

I congratulate the hon. Lady once again, and I wish the Bill well in another place.

2.21 pm

Maria Eagle: I have a long-standing interest in animal welfare and have braved the storms that can fly around when a Bill is high enough in the ballot to get time in the House. I congratulate my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas), my Merseyside neighbour, on the way in which she has stuck to her task. She did not have an especially propitious place on the list, being about 20th, so it is even more remarkable, and perhaps lucky, that she has managed to have the Bill considered fully, if succinctly, by the House.

I have followed the proceedings carefully, and I know that my hon. Friend has fully taken on board issues raised by right hon. and hon. Members of all parties and by outside organisations. I offer my good wishes to the Minister, too. I had some contact with him in relation to the Fur Farming (Prohibition) Bill, and I know how carefully he and his officials consider these matters, trying to help in every way possible.

It is certainly an achievement for my hon. Friend the Member for Crosby, having been so low on the ballot, to be the promoter of what may be the last Bill to be considered this Session under the private Member's Bill procedure, as we are running out of time. Anyone who manages to close a loophole that has existed since 1911 has something to be proud of.

I hope and trust that the other place will take note of the consensus here that this is a worthy Bill that will enable those who deal with the animals owned by commercial organisations that are prosecuted for cruelty to ensure either that they are safe and sound or that they are disposed of and their suffering is ended before the court case is over.

I commend the Bill to the House.

2.24 pm

Mr. Owen Paterson (North Shropshire): I congratulate the hon. Member for Crosby (Mrs. Curtis–Thomas) on her luck in the ballot, on rising to this position and on coming through in the final minutes. The Bill closes a loophole in the 1911 Act in a very useful manner. I am thinking in particular, given the other pressures in the countryside, of people looking after ponies and horses who find that they are not profitable, and mistreat them not through malice but through sheer ignorance, because they lack the skills to look after them. I hope that the Bill will work as intended.

2.25 pm

Mr. Morley: I, too, congratulate my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) on her hard work on the Bill. I have been involved in many private Members' Bills since being elected in 1987, and few reach Third Reading. The Bill is a tribute to all those hon. Members on both sides of the House who have worked hard and supported my hon. Friend. We have had the opportunity to deal with the Bill in detail, and interested organisations have been reassured. As with many matters, some organisations and individuals think that such measures should go further, and others are concerned about the provisions as they stand. That is the balance that we always seek to achieve.

I have looked forward to such a measure ever since I became a Minister in 1997. Its importance has been brought home to me, because for the past three years I have had an annual opportunity to attend some of the training courses for the dedicated people in the state veterinary service. Vets have made it clear that some cases involve difficult problems. I am glad that cases of animals being abandoned, abused or not cared for are not that common.

There are many reasons why such abuse takes place. It is sometimes deliberate, sometimes accidental. Sometimes the reasons are to do with health and sometimes they are commercial. Nevertheless, the common factor in every case is that animals are not being cared for and are suffering. In some cases, organisations such as the RSPCA, local authorities, our own vets and, indeed, adjacent farmers—concerned people—have stepped in to feed and care for the animals concerned, but no finances or other resources have been available to assist them. Technically, there was never any right to step in and care for animals.

As my hon. Friend the Member for Crosby rightly said, the Bill will plug the loophole in the Protection of Animals Act 1911. I am sure that all those concerned with animals will warmly welcome the Bill. Some groups said that the measure should go wider than applying only to commercial animals. As my hon. Friend said with reference to pets, that is a very big issue. Perhaps powers to take care of mistreated pets, beyond those that are already available under various Acts, should be considered. That matter is outside the scope of the Bill, but other hon. Members may like to raise it with the relevant Departments in future.

The Bill has received the support of both sides of the House and has had proper scrutiny. I have tried to explain the mechanics and details of how the measure will be applied, how the value of animals will be taken into account and how people's rights will be recognised under human rights legislation. We have increasingly to take account of how such legislation is applied, to ensure that people are not disadvantaged and that their individual rights are protected, but the welfare of the animal must take precedence.

I am delighted that the Bill has been supported by so many hon. Members with a long-standing interest in animal welfare who have been involved in other animal welfare Bills, such as my hon. Friend the Member for Liverpool, Garston (Maria Eagle). They have tried to ensure that the Bill will achieve the results that are so important to them. For all those reasons, I thank all those who have contributed.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

RECYCLED CONTENT OF NEWSPRINT BILL

Order read for resuming adjourned debate on amendment No. 26 proposed [9 June] on further consideration of Bill, as amended in the Standing Committee.

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed on Friday 3 November.

Remaining Private Members' Bills

MEDICAL TREATMENT (PREVENTION OF EUTHANASIA) BILL

Order read for resuming adjourned debate on new clause—Consent of the Director of Public Prosecutions—proposed on further consideration of Bill, as amended in the Standing Committee.

Hon. Members: Object.

Mr. Deputy Speaker (Sir Alan Haselhurst): Debate to be resumed what day? No day named.

ENERGY EFFICIENCY BILL

Order read for resuming adjourned debate on Second Reading [10 March].

Hon. Members: Object.

Debate further adjourned till Monday 13 November.

ENERGY CONSERVATION (HOUSING) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Monday 13 November.

DANGEROUS PEOPLE WITH SEVERE PERSONALITY DISORDER BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

SEX DISCRIMINATION (AMENDMENT) (No. 2) BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

HEALTH CARE STANDARDS FOR ELDERLY PERSONS BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

EXPORT OF FARM ANIMALS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 November.

WELFARE OF BROILER CHICKENS BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

SCOTTISH ADJACENT WATERS BOUNDARIES (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 November.

RETAIL PACKAGING RECYCLING BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 November.

PARLIAMENTARY COMMISSIONER (AMENDMENT) BILL [*LORDS*]

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 November.

RENEWABLE ENERGY BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Monday 13 November.

ORGANIC FOOD AND FARMING TARGETS BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

SEX DISCRIMINATION (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 27 October.

JUVENILE JUSTICE BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

ARMED FORCES (MINIMUM AGE OF RECRUITMENT) BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

BUILDING SOCIETIES (TRANSFER RESOLUTIONS) BILL

Order read for resuming adjourned debate on Second Reading [19 May].

Hon. Members: Object.

Mr. Deputy Speaker: Debate to be resumed what day? No day named.

SCHOOL ADMISSIONS (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 November.

CONTROL OF HEDGEROWS IN RESIDENTIAL AREAS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 November.

HEALTH AND SAFETY AT WORK (OFFENCES) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 27 October.

FOOD LABELLING BILL

Order read for resuming adjourned debate on Second Reading [3 March].

Hon. Members: Object.

Mr. Deputy Speaker: Debate to be resumed what day? No day named.

MISUSE OF DRUGS (AMENDMENT) BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

RESIDENTIAL CARE HOMES AND NURSING HOMES (MEDICAL RECORDS) BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

LICENSING (CANNABIS) BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

MARINE WILDLIFE PROTECTION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 November.

PROPERTY TRANSACTIONS BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

CORPORATE HOMICIDE BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 27 October.

ZOO LICENSING (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 November.

HUMAN FERTILISATION AND EMBRYOLOGY (AMENDMENT) BILL

Order for Second Reading read.

Mr. David Maclean (Penrith and The Border): Beg to move.

Mr. Deputy Speaker: The Question is, That the Bill be now read a Second Time.

As many as are of that opinion say Aye . . .

To the contrary No . . .

I think that I can clearly rule that it is not the will of the House that the Bill be read a Second time.

DISCIPLINE OF HOSPITAL MEDICAL PRACTITIONERS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 November.

REPRESENTATION OF OVERSEAS TERRITORIES BILL

Order for Second Reading read.—[Queen's Consent, on behalf of the Crown, signified.]

Mr. Deputy Speaker: Not moved.

STRATEGIC EXPORT CONTROLS (BREACH OF EMBARGO) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 November.

WEIGHTS AND MEASURES (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second reading what day? No day named.

AGE EQUALITY COMMISSION BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

DIVORCE (RELIGIOUS MARRIAGES) BILL [*LORDS*]

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 27 October.

DELEGATED LEGISLATION

National Curriculum

Ordered,

That the Education (National Curriculum) (Attainment Targets and Programmes of Study in Citizenship) (England) Order 2000 be referred to a Standing Committee on Delegated Legislation.

Ordered,

That the Education (National Curriculum) (Attainment Targets and Programmes of Study in History) (England) Order 2000 be referred to a Standing Committee on Delegated Legislation.

Rutland Sixth Form College

Ordered,

That the Rutland Sixth Form College, Oakham (Dissolution) Order 2000 be referred to a Standing Committee on Delegated Legislation.

Dangerous Substances

Ordered,

That the Dangerous Substances and Preparations (Nickel) (Safety) Regulations 2000 be referred to a Standing Committee on Delegated Legislation.—*[Mr. McNulty.]*

Rural Post Offices (Lincolnshire)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McNulty.]*

2.37 pm

Mr. Edward Leigh (Gainsborough): Yesterday was my birthday, and as a present I was given that very interesting book by Simon Jenkins on England's 1,000 best churches. It contained the usual comment about Lincolnshire, which one reads so often, to the effect that the county is full of gems but is too little visited. I hope that after this debate Lincolnshire will no longer be a forgotten county, at least as far as rural post offices are concerned.

The Minister and the House need not rely on my inadequate efforts to explain what is going on in Lincolnshire post offices. Important as they are, they are perhaps not as fine architecturally as Lincolnshire's churches, but they are as vital a resource in the local community. I am very fortunate—indeed, honoured—that the key document in this debate is a Cabinet Office report entitled, "Counter Revolution" and subtitled, "Modernising the Post Office Network". One of the very few case studies mentioned in the report is a trip that the Cabinet Office researchers made from the villages of Saxilby to Corringham in my constituency. That is a very pleasant trip, which I recommend to the Minister. I would be delighted to accompany him, introduce him to the local sub-postmasters and give him an opportunity to find out for himself what is going on.

In a few well chosen words, the performance and innovation unit report describes the 10 villages and settlements along the seven-mile route, which have no less than five post offices. The report says:

> Looking at these offices confirms the ubiquity of the Post Office network in rural areas.

It goes on:

> Two of the five post offices co-exist with the last grocery shop. And one other helps keep open a general store in a village with only one other shop. One post office sells stationery rather than groceries and another is a stand-alone post office.
>
> Only the post offices at Saxilby and Sturton-by-Stow are busy—the others each do relatively few transactions.
>
> Villages without a post office tend to be hamlets—four of the five villages without a post office have less than 100 residents.
>
> Willingham is the only village with a significant population without a post office—almost 500 people. But here the post office closed when it proved impossible to find a replacement sub-postmaster.
>
> The five post offices and the mobile bank which visits Saxilby three times a week are the only places to take out cash along this route.
>
> This small stretch of road represents only a tiny part of rural Britain, and the five post offices only a tiny part of the rural post office network. But this part of Lincolnshire is typical of most parts of rural Britain. What is most striking is the way that post offices remain in villages which have very few other services, giving post offices a special place in the hearts of villagers.

That is not me talking: it is the Government's own report. I give credit to those who went to rural areas to find out what was going on.

I was slightly alarmed, however, when we talked to the sub-postmaster at Sturton this morning, to find that he had no knowledge that the Cabinet Office had visited his post office. He knew of it only when the *Lincolnshire Echo* alerted him to the fact. The mind boggles: mighty panjandrums from central Government have descended on a small part of Lincolnshire, and a photograph of the interior of Sturton post office appears in the report, but the sub-postmaster was not even aware that they had visited. No one talked to him, but I make no complaint about that as there was, no doubt, some reason for it. Perhaps the Minister will tell us the reason later if there is time for that information to reach him.

I have spoken to sub-postmasters along the route and others in order to get a feel of what is happening on the ground. We have had many debates about the post office network and rural post offices. It is useful, as the report makes clear, however, to try to find out more detail. Yesterday, I talked at length with Mr. Wright, the Lincolnshire secretary of the National Federation of Sub-postmasters, who made many interesting remarks. Knowing that the debate would occur, he had spoken to his members. He was pleased to have received the PIU report, but was desperate for more information on exactly how the £270 million subsidy would be spent. The money could be spread very thin if it goes evenly across the whole country.

Mr. Wright was delighted to hear of the proposal to set up a universal bank, but too few facts and figures are percolating down to sub-postmasters about how that will work. He made the point that someone receiving £60 or £70 a week on income support or other benefits can cope only with an extremely user-friendly bank. How will that make a profit for the Post Office? Some 3.5 million people have no bank accounts. I welcome the initiative to try to bring them within the banking system, but the concerns of local sub-postmasters are understandable.

Rural post offices are barely profitable, and village shops even less so. As Mr. Wright made clear, there is the question of footfall through the shops. Take benefits away from the post office and the post office will fail. Take away the post office and the village shop will fail.

In all our many debates, we have not often heard mention of the mechanics of how postmasters are paid. Typically, they might receive 13p for each pension transaction. There may be only 200 of those in a week. The amount of money coming in would not, therefore, be much. The Government constantly tell us that it costs 49p to deliver a benefit through the post office or a giro, and only 1p through a bank. One can immediately grasp what concerns sub-postmasters in Lincolnshire—what will happen once the 49p is converted to 1p? It will mean that the 200 pensions transactions worth 1p each will not keep a rural sub-post office in business.

The sub-post master at Saxilby, a village on the route taken by the Cabinet Office researchers, said:

> Even if the Post Office is still involved the payment to individual post masters will be considerably less—about one third of that for existing benefits payments. This will inevitably reduce the profitability of rural shops that rely on the post office network to cross-subsidise other activities. More proprietors of village shops will call it a day and the Post Office will not be able to find replacements. The business as a whole will close completely.

Another sub-postmaster on the route taken by the Cabinet Office report compilers was Chris Cope, of Sturton. He said that the Post Office was like the BBC, and that it needed to relax restrictions a lot more. He would have liked to have a cash point in his sub-post office, but was not allowed to have one. He said:

> The Post Office have had their way too long. There's too much sentimentality. The local post office needs to be on the ball in providing new services.

The sub-postmaster at Saxilby was also quoted in the local newspaper as saying:

> The Government seems to be using its weight to take business away with one hand and then try to make the banks put business our way with another.

The village of Upton is also on the route taken by the Cabinet Office investigators. The sub-postmaster there said:

> At the end of the day the Government might not want to close post offices down, but the owners will have to if they are not making enough money to pay the bills.

A comment to the local newspaper about the sub-post office in Stow is revealing:

> It would be awful if the post office had to close because a lot of the old people can't get into town and others are frightened of bank accounts. I got a computer from the Post Office just three weeks ago. I know it's a thing of the future but it's jolly hard to get into when you have done everything by hand before and used your brain. The other day a customer came in and bought a one penny stamp and I even had to tap that into my computer. It seems like a waste of time.
>
> The locals like to come here for a chat and to pay their bills, but nowadays there are a lot of new people in the village and a lot of new houses. Those people work in the city and leave home before I open and return after I've closed.

That vox pop survey of a rural area gives some idea of what the people who run the vital social network of the sub-post offices are saying, and it shows that they are concerned and frightened.

The Government's proposals for sub-post offices leave the job very far from done. I am not trying to make party political capital, but I have some serious questions about a matter in which I have long taken an interest. I was a junior Minister in the Department of Trade and Industry under my right hon. Friend the Member for Henley (Mr. Heseltine) and we wrestled with the same problem. Contrary to folklore, our plans were not heartless and they did not undermine the social role of post offices.

We made no secret about the fact that we preferred proper privatisation of the mail delivery service, but we made a conscious decision to continue the subsidy to which paying benefit through sub-post offices amounts. We recognised that the rural network was sustained by cross-subsidy from the urban network.

The Minister for Competitiveness has said, very unfairly, that my right hon. Friend the Member for Henley wanted to privatise the Post Office lock, stock and barrel. We must slay that dragon, and establish that there was no such intention. We always realised, as do the Government, that the social role of what is a unique network is vital.

The Post Office provides 170 different postal, Government and commercial services. Staff in rural offices provide intimate contact for customers, and they offer help and advice with regard to filling in forms. The network offers the potential for first-name relationships. Most people will have used a post office, but their most frequent customers are older and poorer people. That personal, intimate, first-name contact, and the help and advice on offer can be very important, especially to older people, and beyond monetary value. Who provides this

[Mr. Edward Leigh]

essential community service in Lincolnshire, and elsewhere? Only 600 outlets—some 3 per cent. of the total—are run by people directly employed by the Post Office. About 17,000 outlets—or 97 per cent. of the total—are run by private business people. There are about 17,000 sub-postmasters, who, in turn, employ 40,000 sub-postmaster assistants. Many sub-postmasters run their post office business under the same roof as another retail outlet. Most important, a sub-postmaster's wife is likely to be employed as an assistant. More than half of all sub-postmasters are aged over 50.

In Lincolnshire, there are more than 300 post offices—more than 250 in rural areas. Sixty have closed during the past 10 years and the pace is accelerating—10 closed last year. A typical comment was made by the sub-postmistress at Welbourn. She said:

> I've owned Welbourn post office for 16 years and have worked hard to build up the business, which is now at the heart of the community.

I hope that the Minister will agree that we should be committed to the survival of all such businesses.

Rural post offices, by the nature of the communities they service, tread a fine line between profitability and bankruptcy. According to the Post Office, 45 per cent. of all post offices in Great Britain or 7,890 from a total of about 17,635 depend on benefits agencies for at least 40 per cent. of their work. As a result, an estimated 8,000 rural post offices could become non-viable from 2003, when automated credit transfer comes on stream.

The chief executive of the Post Office, John Roberts, was reported as saying that he has grave concerns as to the future of Britain's 19,000 post offices because of Government plans. He said:

> No business can replace that in two years . . . You are either looking at slowing the process down, subsidising the sub post office network or seeing up to 8,000 of them close.

The risks of removing benefit payments from the post office without significant new and established income streams is considerable. Equally serious is the danger that people losing 35 per cent. of their incomes will find themselves unemployed in their 50s and unable, because of their locality, to find employment.

Furthermore, the majority of sub-post offices are owned by independent small business men. The PIU report states:

> Typically the amount they will have paid for the post office business is around two and two and a half times the annual payment that they would get from the Post Office for running the office. They will also have paid for any other business and property. The value of the allied retail business is partly dependent on the existence of the post office business.

The sub-postmaster is responsible for paying for any refit. Even more importantly, on retirement, a sub-postmaster will typically sell the business and his investment and use the proceeds to fund a pension.

If the new income streams do not come on line as quickly as the Government predict, not only is the rural sub-postmaster in danger of losing a large chunk of his income, which he cannot easily absorb, there is also the danger that the resale value of the business will be damaged. Consequently, sub-postmasters in their 50s—as many of them are—who are planning their retirement may find that their pension is underfunded.

If the Government are determined to speed up the move to ACT ahead of the natural evolutionary development of the Post Office, they must accept responsibility for the reduction not only in the income of sub-postmasters but of their pension expectations.

The risks to the community are equally great. The post office may be the only amenity left in a village and may well be coupled with a retail outlet. The loss of the post office could lead to the loss of that outlet, so rural communities could face the removal of all village amenities.

The Government's constant refrain is that the Post Office must modernise. We all accept that. It is clear that the post office network is already under considerable pressure to modernise. Currently, about 200 post offices are closing—1 per cent. of the network—every year, and have been doing so for the past 20 years.

Like many people who are directly and indirectly involved with the Post Office, I welcome—to a degree—the recommendations of the PIU report. However, the report and the Government's response are significant not for the breadth of ideas proposed—although some of them are fine—but for the significant questions that are unanswered. It is clear that the Government are attempting to speed up the course of evolution in the postal services by withdrawing benefit payments. They have put their faith in a considerable number of maybes, possibles, and perhapses regarding future income streams. That is what concerns sub-postmasters.

The Government think that the use of post offices as village banks will provide suitable replacement income as well as introducing increased IT services—turning post offices into one-stop-shop advice centres. However, they have put no figures to the levels of income that that might generate nor have they put a figure to the level of financial support in the form of subsidies from the Government to be handed out to those post offices that are not in the short term viable. One of the most common words bandied about by the Government is "billion", but it is conspicuously absent in discussions on this problem. The Government's report mentioned the figure of £50 million and that is way short of the £400 million needed to fill the gap.

I have a few questions for the Minister. The Village Retail Service Association is a charitable trust dedicated to helping rural communities to keep their village shop and post office. Like many vested interests, it is concerned about this issue and it has asked some particularly good questions. It asks whether the time available to set up the alternative income streams is too short because the call on IT-based transactions by rural residents during the next six years may never be sufficient to produce significant income. How are the training standards, IT proficiency, financial expertise and marketing requirements to be installed? Where will the subsidies for the sub-post offices fall—on council tax payers? Are the Government really saving money on the one hand to give it away with another? The impact of Government policy is seriously affecting market conditions for rural retailers at present, and no one perceives any change in that as 2003 approaches. It is essential that wider banking provisions are introduced into the Post Office system as soon as possible and it is true that the universal bank will, to some extent, fill a void. However, where will the costs fall for the banking provision?

The sub-postmasters and sub-postmistresses of Lincolnshire have expressed to me and to others similar concerns. The Minister must remember that we are dealing with genuinely frightened people. In a message to the No. 10 website, the sub-postmistress for Welbourn says:

first of all you say that post offices will become "universal banks". What you fail to say is when this will happen, how this will happen and will it cost us anything?

Mr. Wright says:

The report guidelines are good news . . . But it's all pie in the sky at the moment.

By refusing to give solid figures to such people and not providing them with hope, the Government are doing something that will threaten the survival of their businesses. The Government want to get their hands on the £400 million saving, but, as someone told me, they have shot themselves in the foot. The changes were coming anyway; they only had to wait. They have speeded up natural evolution causing a crisis and they know that they may have to embark on a programme of subsidies to maintain their commitment of access to a nationwide network.

I ask the Government to give postmasters what they are crying out for: not subsidies, but guarantees of business so that they can make their own business viable in the long term and can continue to provide the unique community service that should be the prime concern in any alteration to the arrangements for sub-post offices. We are dealing with frightened people who provide an essential service. The Government need to answer their concerns.

2.57 pm

The Minister for Trade (Mr. Richard Caborn): I congratulate the hon. Member for Gainsborough (Mr. Leigh) on securing this debate on the future and provision of post offices in Lincolnshire, including his constituency. I listened carefully to his remarks and welcome the opportunity to respond to the points that he raised.

The concerns voiced by the hon. Gentleman centre around the future of the rural post office network and the current and future provisions of the Post Office in predominantly rural areas and counties such as Lincolnshire. I listened with interest to the anecdotal evidence, as he called it, that has been provided.

However, I am sure that the hon. Gentleman remembers that, when I was the Chairman of the Select Committee on Trade and Industry and he had a ministerial portfolio, we spent many hours considering the Post Office. The right hon. Member for Henley (Mr. Heseltine) was then the President of the Board of Trade. I do not know whether the hon. Gentleman recalls giving evidence to the Select Committee when we were pressing hard to enable post offices to issue fishing rod licences. Over many months, about 27 letters passed between the Department of Trade and Industry and the Treasury before it was concluded that post offices could sell fishing rod licences.

Contrast that with the statements made by the organisations to which the hon. Gentleman has just referred in response to the PIU report and its 24 recommendations. Stuart Sweetman of the Post Office said:

We are delighted that the Government recognises the network's strength and is determined—as the Post Office is—to harness the full potential of the network.

Mr. Peter Jones of the Village Retail Services Association said:

It is not only a well composed comprehensive report but also very positive. I am pleased that the Government has accepted the recommendation without reservation.

Helen Carey of the Women's Institute said:

We congratulate the Government on commissioning the PIU report and on not only agreeing to implement its recommendations in full but also promising to back this up with funding.

An ex-chairman of the Post Office who is known to the House, Lord Dearing, said:

I congratulate the Government on their immediate and positive response to the PIU report. It is such an excellent report in its recommendations on rural sub post offices that it would be well to see the Government's wishes incorporated into legislation.

That contrasts just a little with the anecdotal evidence that the hon. Gentleman has given the House this afternoon. I am sure that he will repeat those comments to Mr. Chris Cope, whom he quoted on the subject of giving the Post Office freedom. I am sure that when he next discusses the PIU report with Mr. Cope, he will tell him about his experience as a Minister, when he had the power to liberalise the Post Office effectively. He will probably remind Mr. Cope about the fishing rod licence escapade, which is well documented in evidence given to the Select Committee a few years ago.

I turn now to the PIU recommendations, to which the hon. Gentleman paid credit. I do not know whether members of the Cabinet Office went incognito to his beautiful constituency, but I had the privilege of visiting it, as I have done many times, when I had responsibility for regeneration. I went to Saxilby. A number of schemes that we have introduced in rural areas, particularly on transport, will have helped the constituency considerably.

The PIU report on the future of the post office network, "Counter Revolution—Modernising the Post Office Network", published on 28 June, set out 24 proposals and measures to modernise and maintain the network, to protect the rural network in particular and to maintain convenient access and improve the quality of urban post offices. Unlike the hon. Gentleman's party when it was in office—I have referred to some of that Government's inaction—this Government are taking positive steps. We have been commended for that, almost universally, with the obvious exception of the official Opposition.

In accepting all of the report's 24 conclusions and recommendations, the Government have clearly demonstrated our continuing commitment to maintaining a nationwide network of post offices. Among the key elements, to which the hon. Gentleman has referred, is the proposal that a formal requirement will be placed by the Government on the Post Office to maintain the rural network and to prevent any avoidable closures of rural offices for a period of six years in the first instance. That will protect nearly 10,000 post offices in all communities of fewer than 10,000 inhabitants.

[Mr. Richard Caborn]

Today, my Department has issued a press release to explain how we are making positive moves to modernise the post office network. Half the network has been equipped to meet the challenges of the 21st century in line with the Government's schedule for full network automation by spring 2001. This week, the number of post offices to have Horizon installed reached slightly more than 9,100. As the hon. Gentleman indicated, there are about 18,000 post offices altogether.

Subject to evaluation of detailed business cases, financial support will be made available for a range of measures. As the first stage of our programme of modernising the post office network, we have ring-fenced funding for new investment of £270 million over the next three years to start the implementation of the PIU recommendations. I am sure that the hon. Gentleman took note of that when my right hon. Friend the Chancellor announced it in the spending review earlier this week.

We have also made it clear that we are prepared to add significantly to this investment over the next few years through support for the development of the universal bank and the extension of the Government's general practitioner and internet learning and access programmes, following satisfactory evaluation of the pilot trials. The amount of new financial support will be determined once viable proposals have been drawn up and approved.

The hon. Gentleman has been in a position of responsibility, so he will understand that bringing the various parties together to deliver some of the recommendations cannot be done overnight. In many instances, commercial negotiations are going on as well, and they take time to feed through. However, one thing is absolutely clear: the direction laid out by the 24 recommendations in the PIU report give a firm future to all our post offices. These measures will help to develop the new business opportunities identified in the PIU report: the universal bank facilities; facilitation of e-commerce services; access to Government general practitioner and internet learning; and access services. The Post Office, too, must seek out and develop new commercial opportunities, as the previous Government also tried to encourage it to do.

These new and improved services will utilise and build on the Horizon automation platform, to which the Government are contributing almost £500 million, being installed in every post office throughout the country. Installations have now been made in some 50 per cent. of post offices.

Ring-fenced funding has been set aside in the spending review for new investment of £270 million over the next three years to start the implementation of the PIU recommendations. That was universally welcomed this week. Even Opposition Members welcomed the further investment in the post office network. Subject to validation by robust business cases—

The motion having been made after half-past Two o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at seven minutes past Three o'clock.

House of Commons

Monday 24 July 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Asylum Seekers

1. **Dr. Brian Iddon** (Bolton, South-East): What progress he has made in arranging suitable accommodation and services for dispersed asylum seekers. [130322]

The Minister of State, Home Office (Mrs. Barbara Roche): To date, the national asylum support service has entered into contracts to provide accommodation and services for dispersed asylum seekers with a number of local authority, voluntary sector and private sector providers. As the House will be aware, from today, NASS takes responsibility for the support of all new asylum seekers who claim in London.

Dr. Iddon: In the past three months, 90 asylum seekers have been rehoused in 30 properties in Bolton—some of which were in poor condition. My main concern is that environmental health officers have reported to me that that has created houses in multiple occupation that do not conform to the statutory requirements. Will my hon. Friend tell us whether the agreement with the north-west consortium of local authorities is likely to be signed in the near future? Does she agree that it is important that the agreement include preferred provider status for those local authorities?

Mrs. Roche: My information is that no asylum seekers supported by the NASS scheme have been held in my hon. Friend's constituency. Those who are there will have been under the previous or the interim arrangements.

A specification about the standards for accommodation has been agreed with organisations such as the Refugee Council and has been placed in the Library. The conditions are stiff and we hold regular inspections. Of course, we will look into the facts mentioned by my hon. Friend.

I hope that a contract will be signed shortly. We certainly look to local authorities to be our key partners in this enterprise.

Mr. Ian Taylor (Esher and Walton): The Minister was right when she stressed, last week, that economic migrants and asylum seekers can play a positive role in this country. I hope that she will give up eye-catching initiatives and concentrate instead on the real plight of people who desperately want to come to this country and who can make a positive contribution to our life in many respects. We are a generous nation; this is a human problem.

Mrs. Roche: I was going to start off by thanking the hon. Gentleman for his comments—indeed I do thank him; I agree with him about the nature of the British people. We are a very generous country indeed. However, he makes the classic mistake of confusing asylum with migration. Asylum is for people who seek refuge from political persecution. We have honourable commitments in that regard under the 1951 convention and we shall continue to meet them. There is, however, some debate to be held over migration—I should like to see that happen during the next few months.

Mr. Gordon Marsden (Blackpool, South): I am well aware of my hon. Friends' efforts to get the NASS system off to a flying start, because I have held discussions with her on the matter. Does she agree that there is concern about people who are currently settled inappropriately under the interim or the previous arrangements? Will she do whatever she can to encourage colleagues in NASS to assume some of those responsibilities as soon as is practicable? Failing that, the well-meaning initiatives of NASS are likely to be compromised by inappropriate settlements under the previous conditions.

Mrs. Roche: We have held good and constructive discussions on this matter. We managed to ensure that the NASS roll-out took place more quickly than we thought possible. That was a success and I congratulate the officials who were involved.

As for the wider picture, we urge local authorities to ensure that, when they place people, they hold full consultations so that local communities are well prepared to deal with what is required.

Mr. David Lidington (Aylesbury): I suppose that we can, at least, give some welcome to the extension of the NASS scheme to the London authorities, albeit four months later than the Government promised us. If everything in the garden is so lovely—as the Minister says it is—why do we constantly hear complaints from local authorities such as Blackpool, and from voluntary organisations such as the Refugee Council, to the effect that the dispersal programme is being carried out in a shambolic fashion? Many people are not given adequate accommodation and access to legal advice and interpreters, despite the Government's continual promises. Why is there a steady flow of people back from the areas of dispersal to London and the south-east, as the *Evening Standard* reports only today? Is that not the clearest evidence that the Government's policy is not working in the way they promised us?

Mrs. Roche: What is absolutely clear is that the programme that was inherited from the previous Conservative Government—whom the hon. Gentleman supported—was not well administered. The hon. Gentleman refers to a shambles. There was indeed a shambles; if he reads the report of the Audit Commission

on the matter, he will find that all the research was conducted on the old arrangements—those set up by the previous Tory Government. Even to call them arrangements is a misnomer; they were organised chaos, from which local authorities—Labour and Tory—are still suffering.

Sunday Dancing

2. **Mr. John Grogan** (Selby): What progress he has made on deregulating Sunday dancing. [130323]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): We are seeking to resolve an issue with a House of Lords Committee in order to make progress.

Mr. Grogan: Given that, this year, new year's eve falls on a Sunday and that Sunday dancing has long since been deregulated in Scotland, does my hon. Friend agree that it is a matter of frustration that the Deregulation Committee in another place, many of whose members' dancing days have probably long since gone, has declined to give an expeditious passage to this modest but necessary deregulation?

Mr. O'Brien: I agree with hon. Friend. The ban on Sunday dancing is antiquated and should have gone years ago. We certainly do not want it to interfere with people celebrating new year. The ban was introduced in the Sunday Observance Act 1780 by probably the worst Tory Prime Minister, Lord North. Our proposals will give freedom of choice to people as well as remove unnecessary regulation on business. The hospitality and leisure industry estimates that the changes could generate up to 3,000 new jobs. I am saddened that Conservative Lords are preventing progress at the moment. I hope that they will change their minds, because this is another example of the forces of conservatism opposing deregulation for business and freedom of choice for ordinary people.

Mr. Desmond Swayne (New Forest, West): Does the Minister not share my concern that it is the speed at which people might drive to dances on Sunday that is the principal concern? If we could be assured of a policy of zero tolerance in that respect, the proposition might be more acceptable.

Mr. O'Brien: I am afraid that, in my current state, I will not be driving or hobbling to dances—and I certainly will not be dancing.

Mr. Gordon Prentice (Pendle): Is not the law on this issue a complete shambles? It does not just affect dancing on Sunday. Is my hon. Friend the Minister aware that the Barrowford agricultural show in Pendle next month will, for the first time in about 100 years, take place on a Sunday? It will use only part of the local park, because if it used the entire park it would run counter to the Public Health Acts Amendment Act 1890 and the organisers would not be able to run their show. The issue is not just about Sunday dancing and what happens in another place, but about a whole raft of antiquated laws and anomalies that need to be addressed quickly.

Mr. O'Brien: We certainly want to make sure that we address a range of deregulation matters. It is regrettable that, at the moment, the Lords Deregulation Committee has proved somewhat obstructive on some issues, but we hope that it will change its mind. The archaic 18th century legislation prohibits discos and charity dances on Sundays. If such events were open to the public and run on a commercial basis, the position would be far better. All these Lords a'leaping could then begin to leap.

Press Office

3. **Mr. James Gray** (North Wiltshire): What the cost was to public funds of the recent expansion of his Department's Press Office. [130324]

The Secretary of State for the Home Department (Mr. Jack Straw): To date, approximately £82,000 has been spent on recruitment advertising and an external consultant's report, which recommended that the press office be restructured and expanded by between eight and 10 press officers.

The external recruitment process is still under way and the new press officers have yet to take up their positions. This expansion has been caused primarily by increased external demands on the Home Office press office. Calls have risen from 100,000 to 150,000 in the past three years.

The estimated total cost of the new staff, once in place, will be up to £400,000 per year, bringing total costs to £1.6 million per annum.

Mr. Gray: From 31 March 1997 to 31 March 2000 the number of police officers in the United Kingdom fell by 2,740, but now we hear, with a straight face from the Home Secretary, that he intends to spend up to £1.5 million on increasing his press office. Is he not slightly embarrassed by this conclusive evidence that he thinks that spin doctoring is more important than anything else, and that he would rather have press officers than police officers?

Mr. Straw: That was a silly point. As the hon. Gentleman wants to intertwine the issue of police officers with the number of press officers, he knows very well that, for the first three years of this Administration, the police authorities had to follow budgets either set or proposed by the Conservative Government. The difference between us and the Opposition on police numbers is that the right hon. Member for Maidstone and The Weald (Miss Widdecombe) promised an additional 500,000 officers—*[Laughter]*—and secured only a reduction in numbers whereas, on 27 January 1997, we proposed giving police authorities money for additional police officers, which will now happen.

As for the issue of press officers, the only spinning in which I am ever involved is a spinning class at the House of Commons gymnasium every Monday morning. Indeed, I was there this morning. The increase in the number of

press officers is entirely the result of the increased demand placed on the press office by journalists of all kinds and of the expansion in the number of media outlets.

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush): Does the Home Secretary agree that the importance of those people has been demonstrated over the weekend by the story in the *News of the World*? Is it not right that we need press officers to make it clear that releasing names in the way the *News of the World* has done puts children at risk? I am pleased to say that Opposition Front Benchers agree with that. Perhaps we ought to send a strong message through the press offices that the *News of the World*'s action, whether well intentioned or otherwise, is profoundly dangerous.

Mr. Straw: The Minister of State, my right hon. Friend the Member for Brent, South (Mr. Boateng), made our position very clear, and I am glad to note that the right hon. Member for Maidstone and The Weald shares our concerns that, in these matters, the press should act above all on the advice of the police, who deal with the concerns of public safety.

Getting back to the issue of press officers, the simple truth is that the huge expansion in the number of media outlets and a considerable expansion in the work of the Home Office since 1997, especially in race relations, the constitution, family policy and the voluntary sector, has resulted in an increase in demands on the press office to which we are now responding.

Sir Michael Spicer (West Worcestershire): When the right hon. Gentleman sorts out the press office, will he get it to issue a cheap press release explaining the Home Office's plans for the future of the three dangerous, empty tower blocks on Marsham street for which his Department has responsibility?

Mr. Straw: We have already done that.

Closed Circuit Television

4. **Mr. Colin Burgon** (Elmet): What assessment he has made of the impact of CCTV systems funded under the crime reduction programme. [130325]

The Minister of State, Home Office (Mr. Paul Boateng): Schemes funded under the first round of the initiative are now being implemented and it will be at least 12 months before the impact of CCTV in those areas can be fully evaluated. The Home Office will fund in-depth and independent evaluations of 15 schemes and less detailed evaluations of a further 100. The crime and disorder reduction partnerships will also evaluate local schemes.

Mr. Burgon: I thank the Minister for that reply. In my constituency, the *Wetherby News* has led a high profile campaign to install CCTV in the town centre. I very much support that campaign and have been in talks with Leeds city council to progress matters. Will the Minister look sympathetically at any well researched bid from Wetherby councillors and the business community that illustrates their willingness to give the scheme meaningful financial support and which clearly shows how CCTV fits into the overall strategy of crime reduction in Wetherby town centre?

Mr. Boateng: I would be happy to do that. The good news about the second round announced on 31 March is that it will take the form of a rolling programme of bids, so with my hon. Friend's encouragement it will be possible for his local council to get in a well evaluated and targeted bid that is linked to local crime reduction targets. That is the key, as all the evidence so far suggests that such schemes make a substantial contribution to reducing crime in local areas.

Mr. John Bercow (Buckingham): How many CCTV schemes are there in the constituencies of Home Office Ministers, and what provisional assessment has been made of their efficacy?

Mr. Boateng: I have no idea about arrangements in my colleagues' constituencies. However, under the previous and present Administrations, my local borough of Brent was able to put in well funded CCTV schemes that commended themselves to Ministers and civil servants alike. I recommend that approach to the hon. Gentleman.

Local Elections

5. **Mr. Peter L. Pike** (Burnley): If he will make a statement on his plans for the extension of different methods of voting in next year's local elections. [130326]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): Thirty-eight pilot schemes to test new voting arrangements took place in 32 local authority elections last May. Each authority is preparing an evaluation of the effectiveness of their pilot projects, but these are not due until the beginning of August. When we have seen the evaluations we will be able to decide whether any extension is justified.

Mr. Pike: Will my hon. Friend confirm that while we all want an increase in the number of people who are able to vote in local elections, we want also to ensure the integrity of the vote and make sure that people's votes are cast correctly? What will happen to the pilot schemes next year if the general election falls on the same date as the county council elections?

Mr. O'Brien: We certainly want to ensure the integrity of any pilot schemes. Of course, if there were a general election at the same time as local elections, the arrangements that operate during a parliamentary election would apply in both cases.

Mr. Dafydd Wigley (Caernarfon): When considering new voting methods, will the Minister bear in mind the needs of disabled people, particularly those with sensory disabilities, to ensure that any new methods take their requirements into account? We must ensure in particular that we do not lessen the pressure on authorities to maintain conventional voting methods that are open to disabled people.

Mr. O'Brien: I entirely agree with the right hon. Gentleman that we want to ensure greater access not only

for those with physical disabilities but for those with learning disabilities. We have done a great deal to provide that access under recent legislation, and we have recently published guidance for electoral registration officers and returning officers to ensure that, wherever possible, there are obligations on them to provide access for disabled people to polling stations or to other forms of voting such as postal votes, so that they can play their full part in society.

Mr. Nigel Evans (Ribble Valley): I welcome some of the pilots that took place in May, particularly on earlier postal voting, but does the Minister accept that people fail to vote not simply because they cannot vote at weekends or over extended periods, but because they feel that the local government for which they are voting does not have the powers they want it to have? For example, when councillors vote against planning applications, their decisions are often referred to an independent inspector, who may overturn the wishes of local elected councillors. Will the Minister talk to his colleagues in the Department of the Environment, Transport and the Regions to find out what measures may be introduced to ensure that local democracy means what it says?

Mr. O'Brien: As I understand it, the legislation under which local government operates was introduced by the previous Government, whom the hon. Gentleman no doubt supported. We are ensuring that we give local authorities greater freedom and greater powers so that we restore local democracy after the damage done by the Conservatives over 18 years.

Mr. Phil Woolas (Oldham, East and Saddleworth): In his deliberations, will my hon. Friend look into the important problem of voter impersonation? He may be aware that in the Coldhurst ward in Oldham there is a police investigation into what appears to have been widespread abuse of the voting system by people apparently voting twice.

Mr. O'Brien: Personation is a serious offence, and I will ask the police for their view on that matter when they have completed their inquiries.

Metropolitan Police Authority

7. **Mr. John Wilkinson** (Ruislip-Northwood): When he last met the Commissioner of Police of the Metropolis to discuss arrangements for transferring responsibility for policing in London to the Metropolitan police authority. [130328]

The Secretary of State for the Home Department (Mr. Jack Straw): I regularly meet the Metropolitan police Commissioner to discuss policing issues. The launch of the Metropolitan police authority was one of the issues discussed at our meeting on 22 June 2000.

Mr. Wilkinson: Did not the Home Secretary hand a poisoned chalice to the Metropolitan police authority on 3 July, inasmuch as during his tenure of office, he has presided over a diminution of police manpower of no fewer than 1,200 in the metropolitan area? Furthermore, in the past year no fewer than 588 officers have left the service, while recorded crimes have risen by over 100,000.

Not only do the Metropolitan police feel "battered"—to quote incoming Commissioner Sir John Stevens—but the general public are getting a raw deal, with the precept going up, crime going up and police numbers going steadily down. Is it not lamentable that under the current Government police numbers are no fewer than 1,500 below the minimum number declared acceptable by the previous Commissioner, Sir Paul Condon?

Mr. Straw: The chalice is far from poisoned. The establishment of a democratic and representative Metropolitan police authority has been widely welcomed by all parties and is something that, in my view, should have been done many decades ago. What is lamentable is the fact that, year after year under the previous Administration, there were mounting reductions in the number of police officers in London—155 in 1995 and 400 in 1996, rising to 700 in 1997–98, under a budget set by the previous Administration—yet Conservative Members of Parliament did not protest about that serious reduction in police manpower in Greater London. It has taken changes to the financial arrangements for the Metropolitan police service that I have made, including a significant increase in the special allowance, to ensure that, at long last, numbers will stabilise and then start to rise. The one thing above all that made life so difficult for the Metropolitan police service was the abolition of the housing allowance under the Sheehy proposals, which the hon. Gentleman supported and we opposed; we are now repairing that damage.

Mr. Oliver Heald (North-East Hertfordshire): Even if he would not describe it as handing over a poisoned chalice, surely the Home Secretary would agree that he has transferred the policing of London to the Metropolitan police authority in a pretty sorry state? How can he say that the drop in police numbers that occurred under the Conservatives is the problem when, during his years in office, the number has fallen by 1,581, at a time when crime is rising by 12.6 per cent., emergency calls are not answered and police stations are closing? Is he aware that Sir John Stevens has said that he needs 25,600 officers in London to police the capital properly, that numbers are currently lower than that and that even the mayor of London is now calling for urgent increases? Will the right hon. Gentleman tell us when numbers will return to the safe level of 25,600 that has been set by the Commissioner? Now, they are considerably lower than that, which represents an abdication of the Home Secretary's responsibilities.

Mr. Straw: As the hon. Gentleman knows, we are now putting money into the Metropolitan police service and other police services to ensure that numbers start to rise. In addition, already in payment is a £3,500 increase in the London allowance for Metropolitan police officers. What is absolutely certain, following last week's announcement by the shadow Chancellor, is that under the Conservatives the sums available for policing in London and the rest of the country would be significantly less than they are under the Labour Government.

Police Recruitment

8. **Mr. Derek Twigg** (Halton): Which police forces find it *(a)* most difficult and *(b)* easiest to recruit officers; and what mechanisms exist to attract potential recruits from the latter to the former forces. [130329]

12. **Mr. Jim Cunningham** (Coventry, South): If he will make a statement about those police forces which are experiencing recruitment difficulties. [130333]

The Secretary of State for the Home Department (Mr. Jack Straw): The Metropolitan police service and the City of London police are finding it the most difficult to recruit police officers; a few other forces, including Essex, Hampshire, Hertfordshire and Thames Valley also report recruiting difficulties, but most forces, including Cheshire, West Midlands and Lancashire, are having no difficulty—indeed, the Sussex force in the south of England has reported considerable success in attracting recruits.

As I have just told the House, to alleviate the recruitment problems in London I announced that, from 1 July, there would be a £3,327 increase in the London allowance for those Metropolitan or City of London officers who joined on or after 1 September 1994. Later this summer, the Home Office will launch a national police recruitment campaign, and I am confident that the campaign will help those forces that are experiencing recruitment difficulties. Potential recruits responding to the campaign will be directed toward forces that are recruiting, with an emphasis on those in greatest need.

Mr. Twigg: I thank my right hon. Friend for that answer. The extra resources for more policemen and women are clearly much welcome. However, cannot more be done for areas such as mine in Cheshire, where there are more applications than positions, to give people incentives to go to forces such as those in the Metropolitan areas? Is there not a case for police forces doing more to retain officers and to stop the haemorrhaging in certain areas?

Mr. Straw: I hope very much that, following the very substantial increase in the London pay lead, which brings it to £6,000 a year above forces outside, many applicants who might previously have wished to join forces such as Cheshire's will be attracted to applying either to London forces or to those in the south-east.

Mr. Cunningham: Can my right hon. Friend say how the west midlands compares with other areas on recruitment? Secondly, what proportion of the 9,000 new officers proposed over the next three years will be allocated to the west midlands; more importantly, what will be Coventry's share?

Mr. Straw: My understanding is that recruitment in the west midlands is going well. I hope very much that it will be even more satisfactory following my announcements last week of significant increases in funding for the police service. I understand that total profile recruitment for 2000–01 for the west midlands is 555. Profile recruitment to the end of June was 149, and that was being met. Of those, 51 are officers provided under the crimefighting fund.

Mr. Simon Hughes (Southwark, North and Bermondsey): The Home Secretary announced that last year's growth was just short of 3 per cent., and we saw over the year a drop across the country of 1,700 officers—not a recruitment figure—which accelerated in the last six months, with a loss of about 1,000 officers. Given his answers in the House last week, when does he expect net recruitment to produce a police service across England and Wales of the 1997 size? Does he expect in the coming year a net increase in officers in every force? Will he give a guarantee that, unlike last year, every force will receive a net real-terms increase in the money that it receives after pensions moneys have been taken out?

Mr. Straw: As I told the House last week in answer to the hon. Gentleman, we anticipate that numbers should return to the April 1997 level some time in 2002, and then rise, on the funding that we have already provided, to their highest ever. Without notice, I cannot give him the detailed information for which he asked, but I shall certainly be happy to write to him.

Miss Anne McIntosh (Vale of York): The Home Secretary gave the figures for recruitment of regular police officers. Are those for the recruitment of special constables broadly similar? Will he give an indication of which counties have the greatest difficulty with early retirement and the retention of police officers over a longer period?

Mr. Straw: The figures that I gave were for full-time police officers and not for special constables, who are of course unpaid. I cannot give the hon. Lady detailed information about variations between forces in retention and retirement rates, but I am happy to write to her about that. I can tell her, however, that there are significant variations between otherwise similar forces on retirement, retention and sickness rates. Those illustrate variations in the performance of management. That is why, with Her Majesty's inspectorate of constabulary, we are expecting forces greatly to improve their performance. In London, improvements in sickness management have put hundreds of officers back on the beat.

Mr. Hilary Benn (Leeds, Central): Does my right hon. Friend agree that one thing that police officers who are also community constables find so frustrating about the job is the extent to which they are taken off their community duties for other duties, as demand requires? To what extent does he expect the additional police officers whom he announced last week to change that practice? Does he intend to monitor the application of those additional officers to ensure that more community constables can do the job for which they are employed?

Mr. Straw: My hon. Friend is right. An Audit Commission report about two years ago showed that at any one time, only about 5 per cent. of the total strength of police services was available for general patrol. There has been a habit in many police services of giving higher priority to all other activities than to general patrol. I do not believe that that order of priorities is supported by the public. Yes, we will monitor the degree to which the

additional officers are used on general patrol community duties and in the front line in fighting crime. We are providing the services with a great deal of back-room assistance, including an expansion in the number of scenes of crime officers. I very much hope that hon. Members in all parts of the House will monitor, in their own police forces and police districts, the effectiveness of the additional funds that we are providing.

Miss Ann Widdecombe (Maidstone and The Weald): Can the Home Secretary now answer the question that I put to him when he announced his public spending, and which he was then unable or unwilling to answer: after he has taken away from his projected £1.6 billion for police over the next three years the £500 million that he announced for the radio, the cost of salary rises and the cost of the pensions bill, how much will be left?

Mr. Straw: That was an extraordinary performance from the right hon. Lady. The simple fact is that police spending will rise by well over 6 per cent. in real terms next year and by almost 4 per cent. in real terms the following year. That contrasts extraordinarily well with the fact that when she was a Home Office Minister, police spending in real terms fell in one year by 0.9 per cent.

Miss Widdecombe: Clearly, the right hon. Gentleman cannot answer the question. May I ask him an easier one? Given that the number of police constables was rising when he took over, and given that the number has fallen consistently ever since, can he say whether he expects that by the time the Government leave office at the end of this Parliament, the number of police constables will be greater, smaller or the same as the number that he inherited?

Mr. Straw: Before the right hon. Lady devises her questions, it would be helpful if she could work out the difference between figures that are rising and figures that are falling. It was she who recommended the budget for 1997–98 to the House on 27 January 1997 and had the House approve it, and she who, during that debate, promised that there were funds available for police numbers to rise over the following three years by 5,000. In the year in which she laid down the budget, police numbers did not rise. They fell from 127,158 in March 1997 to 126,814 in March 1998. That was one more of the thousands of promises that the Conservatives failed to fulfil.

Miss Widdecombe: Clearly, the right hon. Gentleman does not know the answer to that question, either. May I throw him an even easier one? As a result of the spending plans announced last week, does he expect that the crime figures for 2000-01 will show a fall?

Mr. Straw: That depends on the criminals. Is the right hon. Lady saying, and will she go into the general election promising, that if people vote Conservative, crime will rise, year on year on year? *[Interruption.]* Oh, she is not saying that. She is inviting us to say it. What we are promising and what we are doing is putting in place the biggest-ever investment in police and crime reduction that the country has ever seen. Already, our programme of crime reduction is driving burglary and car crime down.

If the right hon. Lady wants to swap figures, let me give them to her. Under her, when she was a Home Office Minister, there was an increase in police spending in real terms in 1995–96 of 0.49 per cent., in 1997–98 of 0.12 per cent. and in 1996–97 a decrease of 0.91 per cent. That compares with an increase this year of 1.47 per cent., an increase next year of 7.4 per cent. and an increase the following year of 3.5 per cent.

Will the right hon. Lady ever come to this Bench—[HON. MEMBERS: "Yes!"] I meant the Opposition Bench. Will she come to that Bench to tell us where and when Conservative budgets would make cuts following the single pledge of the shadow Chancellor? One pledge would definitely be fulfilled: police budgets would decline again in real terms under any Conservative Government.

Asylum Seekers

9. **Helen Jones** (Warrington, North): What assessment he has made of the effect of the employment concession on the total number of applicants for asylum in the UK. [130330]

The Minister of State, Home Office (Mrs. Barbara Roche): We believe that the concession, which has operated since 1986, acts as a pull factor for applicants who wish to find work in this country but do not qualify for asylum. Several other European countries have no such concession to allow asylum seekers to work. We are keeping the need for the concession under review, especially in the light of the substantial progress we are making on speeding up asylum decisions.

Helen Jones: I thank my hon. Friend for that reply. Does she agree that, while the employment concession can operate in favour of traffickers by allowing people with unfounded claims to work—often to pay their debts—it is also true that there are many genuine refugees, who need help and support to find work? They have valuable skills that they can contribute to this country. Will she ensure in any review she undertakes that their interests will be protected and that their skills will not be lost to the nation?

Mrs. Roche: I agree with my hon. Friend. We must ensure that we have a firm response to those who, by trafficking and other means, try to undermine the honourable concept of asylum. My hon. Friend is right to mention refugee integration. Later in the year, I hope to announce a full programme for that and to illustrate the wonderful contribution that refugees have made to this country over the decades.

My hon. Friend is also right to highlight the contribution that those seeking to migrate legally to the United Kingdom may make. I am happy to say that tomorrow I shall announce a new innovator scheme to attract people with creative business ideas to the United Kingdom. The scheme will create a route of entry for

individuals who can bring economic benefits to our country, but do not qualify for entry as entrepreneurs under the existing rules.

Mr. Andrew Robathan (Blaby): I am interested in what the Minister has said because it seems to fly in the face of what the Government are pleased to call joined-up government. My constituents are worried about congestion on our roads, the number of houses that will have to built on the green belt, the great pressure on hospitals—*[Interruption.]* I am glad that Labour Members find pressure on the hospitals interesting.

Madam Speaker: Order. Let us have the question.

Mr. Robathan: My constituents are worried about the great pressure on hospitals and schools and that, if they are over 45, they cannot get a job. I do not understand how letting more economic migrants into the country is likely to change my constituents' perspective. Will the Minister comment on that?

Mrs. Roche: Clearly the hon. Gentleman came into the Chamber without reading the question, which is about the work concession for asylum seekers. I respectfully remind him that the concession was introduced in 1986.

European Convention on Human Rights

10. **Mr. Harry Barnes** (North-East Derbyshire): What assessment he has made of the impact the incorporation of the European convention on human rights will have on political parties in the United Kingdom; and if he will make a statement. [130331]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): We do not anticipate that political parties will be covered by the definition of public authorities for the purposes of the Human Rights Act 1998.

Mr. Barnes: Is the Minister aware that many United Kingdom citizens, who are correctly on electoral registers, can neither vote for nor join the major political party in this country—the Labour party? I am referring to Northern Ireland. Will not those rights, which the citizens of Northern Ireland lack, be affected, at least indirectly, by the human rights convention? Is not it a good idea for the Labour party to organise in Northern Ireland? That might begin to end some of the sectarian nature of politics in the Province.

Mr. O'Brien: We do not believe that the way in which a political party allocates its membership or decides to organise itself internationally will come under the Human Rights Act.

Mr. Geoffrey Clifton-Brown (Cotswold): Can the Minister tell us how the Political Parties, Elections and Referendums Bill will square with freedom of expression—the fundamental tenet of the European Commission of Human Rights—given that, under the Bill, the composition of a Parliament will determine the funding and, therefore, the Labour party could currently spend £9 million on a referendum on the euro, but the Conservative party could spend only £5 million? How does that square with the fundamental tenet of freedom of expression and fundamental democracy?

Mr. O'Brien: Legislation has shown that it is possible to regulate the financial operation of elections and that that does not contravene the European convention on human rights. The legislation is clear on such matters, and it also deals with the transparency of the financial affairs of political parties. We want to ensure that we comply with the European convention on human rights—indeed, we will be obliged to do so—and nothing in the legislation to which the hon. Gentleman refers will cause us to breach it.

Hilda Murrell

11. **Mr. Tam Dalyell** (Linlithgow): Pursuant to his answer of 6 July 2000 to my hon. Friend the Member for Shrewsbury and Atcham (Mr. Marsden), *Official Report*, column 299W, on the death of Hilda Murrell, when he expects the investigations by the Forensic Science Service into the remaining forensic evidence in the Hilda Murrell case to be complete. [130332]

The Minister of State, Home Office (Mr. Paul Boateng): The progress of the investigations by the Forensic Science Service into the remaining forensic evidence in the Hilda Murrell case is a matter for the Forensic Science Service and, of course, the West Mercia constabulary to whom it will report its findings. I understand that the West Mercia constabulary would be happy to brief my hon. Friend on the progress of the investigation.

Mr. Dalyell: I would like to meet them.

Mr. Boateng: I will ensure that such a meeting takes place.

Madam Speaker: That is the sort of exchange I like.

Police Numbers

13. **Mr. Owen Paterson** (North Shropshire): If he will make a statement on his projections for police numbers on 1 March *(a)* 2001, *(b)* 2002, *(c)* 2003 and *(d)* 2004. [130334]

The Minister of State, Home Office (Mr. Charles Clarke): My right hon. Friend the Home Secretary announced the outcome of Spending Review 2000 for Home Office services on 19 July. We are currently discussing the detailed implications of that announcement for police numbers with the police service. However, we expect that the number of police in March 2002 will exceed that which we inherited in March 1997. Moveover, we expect that, in March 2003, there will be the highest ever number of police officers in this country.

Mr. Paterson: I hope that the Minister is right because, in April 2000, the West Mercia force was 101 policemen down compared with April 1997. Who will train those policemen? West Mercia could recruit 200 officers, but it

could find only 40 places in the national training college. How does the Minister plan to increase capacity and when will those places be ready?

Mr. Clarke: Places are ready at the moment, but that is precisely the issue that we are discussing with the police service. I am slightly disappointed that the hon. Gentleman did not acknowledge the fact that, last Thursday, West Mercia received £1.158 million of the £15 million special funding for rural areas this year. That will help to increase police numbers.

Gillian Merron (Lincoln): My hon. Friend will be well aware that a further reduction in crime figures in Lincolnshire was announced this month. That, together with the considerable amount of extra Government resources, including extra moneys for rural police forces, will make a career in the police force ever more attractive. Will he consider developing a national strategy of work in schools so that young people consider a career in the police force as a more attractive option to provide a greater number of recruits?

Mr. Clarke: I am grateful to my hon. Friend for asking that question. I congratulate the Lincolnshire force on beginning to decrease the figures. That is, of course, the test. It is a tribute to all those involved. We shall launch a major national recruitment campaign later this year, including close work in schools of the kind that she recommends. I am glad that we agree with the approach that she suggests.

Mr. David Heath (Somerton and Frome): I welcome the additional money for rural policing that will come to Somerset, but why was Somerset not included in the first place? How will the Minister monitor the adequacy of police resourcing for rural areas in police forces where there are also large urban areas?

Mr. Clarke: Monitoring is an important part of the statistics that we published a week ago. For example, there is a wide variation in crime against the person and so on in the districts in Avon and Somerset. I have the figures in front of me, and the hon. Gentleman has them at his disposal. The purpose of publishing figures at the crime reduction partnership level and at basic command unit level is to allow the kind of informed debate about performance—which is key—to which he refers. I hope that he will join us in trying to drive standards up in the way in which we seek to do.

Asylum Seekers

14. **Ms Christine Russell** (City of Chester): If he will make a statement on the number of applications for asylum from Chinese nationals in the past 12 months. [130335]

The Minister of State, Home Office (Mrs. Barbara Roche): Compared with the first quarter of 1999, applications from Chinese nationals have increased by 180 per cent. in the first quarter of this year.

Ms Russell: I thank my hon. Friend for that reply. Earlier this year, I visited China with a number of parliamentary colleagues and, at first hand, we heard from our embassy and consular staff of the amazing demand for visas among young Chinese who want to improve their quality of life in the west. In the light of the appalling tragedy at Dover, does she agree that the civil penalty is fully justified and what discussions, if any, has she had with the Foreign and Commonwealth Office to try to get the Chinese authorities to tackle at source the evil trade of trafficking in impressionable young Chinese?

Mrs. Roche: We are having continuing discussions with our colleagues in the Foreign and Commonwealth Office, but, as the House will know, there are difficulties with the way in which the Chinese Government carry out redocumentation. My hon. Friend is absolutely right to refer to the civil penalty, which has been very successful, and the appalling tragedy at Dover. We must make a concerted effort to combat that evil trade and the civil penalty is playing its part: since implementation, the number of clandestine entrants arriving through south-east Kent has dropped by 23 per cent. Perhaps the right hon. Member for Maidstone and The Weald (Miss Widdecombe) will now drop her opposition to the civil penalty.

Mr. Michael Fabricant (Lichfield): The Minister will be aware that Britain is being promoted in China as a soft touch for asylum seekers, who receive free national health service treatment and social security, neither of which are available in France. What is she doing to have the Chinese authorities place under arrest those gangsters—those facilitators—in China who promote Britain as a destination? It is no good her talking to the Foreign and Commonwealth Office, which is patently doing nothing. When will her Department actively ensure that those facilitators in China are arrested?

Mrs. Roche: I would take the hon. Gentleman a lot more seriously if he agreed to support our civil penalty, which gets to the heart of the matter, and if he had not backed the right hon. Member for Maidstone and The Weald when she opposed our plans to withdraw social security benefits and introduce the national asylum support service. Once again, the Tories say one thing and do another.

Mr. Dale Campbell-Savours (Workington): Are Ministers seriously considering the benefits that would arise in the management of asylum seekers—whether from China or elsewhere; whether legal or illegal—were the United Kingdom to introduce a national identity card system? When one begins to analyse that approach, does not the message come through that such a system would greatly reassure the wider public?

Mrs. Roche: With the greatest respect to my hon. Friend, I do not think that that is the issue and we have no plans to introduce such a system. We must deal with those who seek to undermine the asylum system. Like many Members of the House, I owe a great deal to the stance taken by this country over the centuries on giving protection to refugees. I do not want anything to undermine that. Let us continue to provide sanctuary for those genuinely fleeing persecution.

Police Numbers

15. **Ms Claire Ward** (Watford): What representations he has received from the chief constable of Hertfordshire regarding police numbers in Hertfordshire and pay levels; and if he will make a statement. [130336]

The Minister of State, Home Office (Mr. Paul Boateng): The Hertfordshire constabulary had 1,767 officers on 31 March 2000, which is 43 more than it had 12 months earlier. I understand from the chief constable that he is projecting a further increase in police numbers this year and that the force target for the constabulary is 2,083 officers by 31 March 2001.

The chief constable has written to my right hon. Friend the Home Secretary about pay levels and the force's concern that the cost of living in Hertfordshire may have an adverse impact on the recruitment and retention of police officers.

Ms Ward: I thank my right hon. Friend for that reply. Is he aware that many Metropolitan police officers live in Hertfordshire and that as a result of the pay increase for Met police officers serving since 1994 there is now a differential between those officers and Hertfordshire officers of £6,000 a year? That is obviously encouraging many Hertfordshire officers to consider transferring to the Metropolitan police service. Will my right hon. Friend consider these issues and ensure that the police negotiating board deals with them with some urgency?

Mr. Boateng: I understand my hon. Friend's point. The police negotiating board is considering this and a range of other issues in relation to pay and conditions. I will ensure that my hon. Friend's concerns are drawn to its attention.

Mr. James Clappison (Hertsmere): Given the pay differential between officers in Hertsmere and Hertfordshire and those in the Metropolitan area, will the Minister bear in mind the need for more police officers in Hertfordshire, especially in view of the growth of offences in violence? There has been an increase of 15 per cent. in such offences; and robberies have increased by 68 per cent. Hertfordshire is rapidly becoming a much less safe place in which to live. Will the right hon. Gentleman consider the reliance that he has placed on crime and disorder strategies, and especially the anti-social behaviour order, of which only one has been issued in Hertfordshire in response to all the violence that has taken place?

Mr. Boateng: The level of crime in Hertfordshire is still lower than the national average. Crime is at a lower level now than it was at the time of the general election. There are more serving police officers in Hertfordshire now than when the Conservative party had stewardship of these matters.

Anti-social Behaviour

16. **Maria Eagle** (Liverpool, Garston): What measures he is taking to encourage local partnerships between the police and local authorities to make better use of orders available under the Crime and Disorder Act 1998 to prevent anti-social behaviour. [130337]

The Minister of State, Home Office (Mr. Charles Clarke): My right hon Friend the Home Secretary recently published guidance in the form of a booklet entitled "Anti-Social Behaviour Orders: Guidance on drawing up Local ASBO Protocols", and a copy has been placed in the Library. That guidance is supported by training seminars and a variety of other means.

Maria Eagle: I welcome the fact that an increasing number of local authorities and local crime partnerships are making use of these orders. However, does my hon. Friend agree that it is not enough to have one or two orders per local authority area? They should be used where appropriate, and they should be seen by local crime reduction partnerships as a tool of early intervention and not as a last resort.

Mr. Clarke: I entirely agree with my hon. Friend. I take this opportunity to pay tribute to the work done by her city council, Liverpool, which I have visited. It has developed co-ordinated work between a variety of different agencies, which delivers in that way. There is a need to examine the range of orders that is available, and not only the anti-social behaviour order, in taking the action that my hon. Friend recommends.

Mr. Tim Collins (Westmorland and Lonsdale): Does the Minister accept that one of the issues relating to the use of these orders is the overall level of police resources? In that context, will he tell us when he expects to be able to announce final conclusions on the overall element of rural sparsity funding in the police funding formula?

Mr. Clarke: I refer the hon. Gentleman to the announcement that we made last Thursday. I do not know whether the hon. Gentleman is aware of it. The announcement included about £650,000 for Cumbria, which I think will be well appreciated.

Asylum Seekers

17. **Mr. Paul Clark** (Gillingham): How many applicants for asylum have permission to work under the terms of the employment concession. [130338]

The Minister of State, Home Office (Mrs. Barbara Roche): We estimate that about 30,000 port asylum applicants at present have permission to work. In the case of in-country applicants, the available information indicates that about 14,000 applicants have been given permission to work in the past 12 months.

Mr. Clark: I thank my hon. Friend for that response. As a new Member, I was appalled by the time that was taken before decisions were made. Many families lived their lives in suspension, being unable to make any plans. I recognise that the time taken for initial decisions has been reduced, but what further steps are being taken to increase the speed of decisions?

Mrs. Roche: My hon. Friend highlights an important point. We are recruiting many more asylum case workers

to quicken decision making. We are working hard with the Lord Chancellor's Department to ensure that we are quickening the appeal process as well.

Closed Circuit Television

21. **Mr. Phil Hope** (Corby): What assessment his Department has made of the effectiveness of town centre CCTV systems in reducing crime and nuisance. [130342]

The Minister of State, Home Office (Mr. Charles Clarke): A number of research studies show that closed circuit television can have considerable success in reducing crime and anti-social behaviour in town centres and elsewhere. We have the largest scheme in the history of this country, and it is delivering substantial reductions in crime in many different ways.

Mr. Hope: I thank my hon. Friend for that reply. Without wishing to pre-empt further research, he may like to know that, since CCTV cameras were introduced in Corby, 1,000 arrests have been directly attributable to them and crime has reduced by 32 per cent. Will he therefore consider sympathetically the application for extending CCTV in Corby to the town of Raunds in the rural part of my constituency and to the business watch schemes on industrial estates in Corby?

Mr. Clarke: I am grateful to my hon. Friend for that information. I am glad to say that it is typical of what has been happening. The guidelines that we published last February gave priority, in the CCTV bidding process, to three areas: first, rural areas, which my hon. Friend specifically mentioned; secondly, transport to help promote our integrated transport strategy; and, thirdly, out-of-town estates and business parks of the type that he mentioned. If he can get his local council and police to look at the Home Office website, they will find detail that will provide further opportunity for reducing crime in Corby.

G8 Summit

3.31 pm

The Prime Minister (Mr. Tony Blair): With permission, Madam Speaker, I should like to make a statement about the G8 summit that I have just attended in Okinawa, Japan. Copies of the communiqués that we issued, and the accompanying Okinawa charter on the global information society, have been placed in the House Library. I give thanks to Prime Minister Mori, who hosted the occasion with great skill.

We discussed, first, the state of the world economy, which is now recovering well from the financial crises of 1997 and 1998. The reform of the international financial architecture that we set in hand when the UK chaired the G8 is firmly on track. Thirty countries have now signed up to International Monetary Fund assessment of their compliance with the new international codes and standards. The IMF's new contingent credit facility for countries in crisis is in place. We have established a financial stability forum to look at weaknesses in the global financial system, and taken action to involve the private sector more effectively in resolving crises.

We agreed at Okinawa that the next priority is to improve the existing mechanisms for crisis prevention by strengthening IMF surveillance, to reform the multilateral development banks to strengthen their focus on poverty, and to promote improved co-operation and co-ordination between the IMF and the World Bank. Although the worst of the financial crises is behind us, there is no room for complacency. Above all, there was clear recognition at the summit that we must try to launch a new World Trade Organisation trade round this year. Nothing is more important for the world economy than the early and successful conclusion of a new comprehensive trade round.

Secondly, prior to the summit, Prime Minister Mori of Japan chaired a discussion with representatives from the G7, the Organisation of African Unity, the Non-Aligned Movement and the Association of South-East Asian Nations, which underlined once again the immense problems faced by many of the world's least developed countries, particularly Africa—a debilitating, self-reinforcing cycle of conflict, poverty and weak governance.

The G8 agreed to make a renewed effort to implement the Cologne agreement on debt relief. Already, nine countries receive additional relief under the heavily indebted poor countries scheme, worth more than $15 billion. We agreed to quicken the process to get another 11 countries through to decision point by the end of this year—a further $20 billion of debt relief—and to reach out to the countries currently in conflict to see how they can be brought into the process.

We agreed to go further and faster on trade. The European Union is committed to giving the least developed countries duty-free, quota-free access to our markets for almost all products by 2005. We agreed to strengthen the effectiveness of our development assistance and, after years of wrangling, we finally secured a firm timetable for untying aid from January 2002 based on recent progress in the Organisation for Economic Co-operation and Development.

We also agreed to support concrete quantitative targets for reducing deaths from AIDS, malaria and tuberculosis by 25 to 50 per cent. over the next decade and backed those up with a strong commitment to provide increased resources. We are doubling our support for international efforts to develop new drugs and technologies for priority diseases.

The G8 also agreed to take forward the UK initiative on conflict diamonds. Britain and Russia will now chair an international conference to consider an international agreement on a certification scheme for rough diamonds and to tackle the link between the trade in illicit diamonds and the conflicts in Sierra Leone and other diamond-producing countries in Africa.

At present, it costs far more to access the internet in Uganda or Kenya than it does here or in the United States. We therefore agreed a series of measures set out in the charter to close the digital divide between the developed and the developing world, with huge potential for delivering educational and medical services cheaply or free across the internet.

That comprehensive programme of action reflects the real sense at the summit that, with our own economies in good shape, the time has come to devote more attention and give a higher priority to the plight of the world's poorest countries. That is not only a matter of solidarity and justice, but a hard-headed economic investment in the markets of the future.

Third on the agenda was the enormous problem of drugs and organised crime. With the global market for drugs now estimated at up to $500 billion a year, we need to see the international cartels for what they are: major international businesses with the same need for banking facilities, working capital and investment funds as any other business. The G8 therefore agreed to a further clampdown on money laundering, tax evasion and banking secrecy. That will be underpinned by the eight standards developed by G7 Finance Ministers in a new report that we published, setting out the measures that financial centres will need to comply with to avoid sanctions in the future.

Fourthly, we discussed the issues raised by genetically modified foods and crops. Obviously, there are still differences of view within the G8 on the risks associated with the new GM technologies, but we all agreed on the need to work harder to establish a clearer scientific consensus and to base policy and trade decisions on science.

Fifthly, on the environment, we agreed to tackle illegal logging and to encourage renewable energy in developing countries, where 2 billion people still have no electricity, and we pledged to work harder on the early entry into force of the Kyoto protocol on climate change.

In addition to the formal business of the summit, I had bilateral meetings with the other G8 leaders. My meeting with President Putin was especially valuable. I also had useful discussions with President Clinton on the middle east, the Balkans and Africa.

People will, of course, always find plenty to criticise when international leaders gather, but it is worth remembering a few points. It was the decisions made following the Birmingham summit two years ago that led to a new global financial architecture that has brought greater stability to the world economy. That is good for jobs and good for living standards. It was at Cologne last year that we made a substantial breakthrough on debt and contributed substantially to ending the conflict in Kosovo.

[The Prime Minister]

As a result of the decisions made this year at the G8 summit, over time fewer children will die of killer diseases such as AIDS, tuberculosis and malaria; more children will be lifted out of poverty; more children will get access to basic education; more people in the developing world will get access to computers and electricity; and the measures agreed on crime and drugs will make a real difference in a fight that can be won only at the international level.

Britain played a leading role both in shaping the agenda and in the main outcomes of the summit. Both on the world stage and in Europe, the Government are standing up for Britain and standing up for what is right.

Mr. William Hague (Richmond, Yorks): We welcome much of the summit communiqué, including the commitment to maximise the benefits of information technology in developing countries; the recognition of the importance of universal primary education; the plan to combat disease such as AIDS, malaria and TB; the renewed effort to combat international crime and drug trafficking; and the measures to prevent conflict, including those to stop the illicit trade in diamonds. We especially welcome the recognition by the G8 of the need to provide improved access for developing countries to the markets of the developed world, and the firm commitment to a new round of World Trade Organisation trade negotiations, if possible this year.

Free trade is the greatest engine of prosperity and progress that there has ever been in developing and developed countries alike. The vacuum left by the failure of Seattle will be filled one way or another. Is it not vital that it be filled by renewed momentum towards free trade? Is there not an overwhelming necessity for the UK Government to renew the commitment of the previous Government to the completion of tariff-free global free trade by 2020 to help to provide that momentum?

I agree with the Prime Minister that it is right for the richer countries to focus on what can be done to help the poorer countries, and, in particular, to free them from crippling debt repayments. The House will welcome the progress made by the United Kingdom in writing off bilateral debt. As has been made clear, some of the delays in debt relief result from developing countries being involved in military conflict, but the many campaigners who have worked tirelessly on the issue have found the lack of progress at the summit deeply disappointing.

The firm commitment to debt relief, which both sides of the House welcomed after the Cologne summit last year, has not yet been matched by firm action. Is the Prime Minister concerned that Jubilee 2000 labelled Okinawa "the squandered summit" and said that

the world's leaders have blown it?

Is he concerned that a Tear Fund spokesman referred to statements on debt relief as

potentially the most lethal triumph of spin over substance?

The Prime Minister's statement did not refer to missile defence, but newspaper reports suggest that he discussed it with President Putin in connection with North Korea. Has the right hon. Gentleman yet resolved the Government's position on that issue? The Minister of State, Foreign and Commonwealth Office, the hon. Member for Neath (Mr. Hain), labels the national missile defence system untested and vulnerable, while the Ministry of Defence has let it be known that it supports it.

Are the reports correct in suggesting that the Prime Minister hinted at unease over the project in discussions with President Putin? Should not the Government be making the case in Europe for working closely with the United States on that issue? Is it not time to make it clear to the United States that Britain would respond positively to any proposal for the upgrade by the United States of Menwith Hill and Fylingdales as part of a United States-NATO ballistic missile defence, should that be necessary?

Will the Prime Minister confirm reports this morning that he took a relaxed stance on the issue of genetically modified foods, this time siding with the United States? How does he square that with his much-vaunted article in *The Independent* four months ago, in which he emphasised his cautious approach? He said:

compare that with the position in the United States.

He said then that he was

leading the way in Europe

on GM labelling. Does his visible support for the American line on GM crops mean that he has pre-judged the outcome of the British GM crop trials years before they have been completed? Will he ratify the biosafety protocol without delay and insist that the Americans do the same?

Bearing in mind the failure to agree concrete progress on debt relief, will the Prime Minister comment on reports that the cost of the summit was half a billion pounds, a figure that for everyone is hard to believe? Did the items of expenditure include the construction of a replica of President Clinton's Arkansas home? While recognising that such decisions are for the Japanese Government to make and to defend—*[Interruption.]* Yes, of course they are. Does the Prime Minister acknowledge the widespread unease that such a sum, or anything like such a sum, should have been spent, when it could have been used to fund the combined debt repayment of up to 17 developing countries for a year—or even another millennium dome?

The Prime Minister: That is what passes for the right hon. Gentleman's statesmanship, I think.

On the costs of the summit, the right hon. Gentleman is right in saying that that is a matter for the Japanese Government. I would simply point out however, in fairness to them, that they also made a statement at the time of the summit that they intend to offer some $18 billion worth of aid to developing countries. We should give them credit for that.

As for the GM foods position, I do not know what the right hon. Gentleman means by that. I simply restated the position that I have stated throughout. It is not a question of backing the stance of the United States—we have a very cautious approach. Despite the position that he now takes on GM foods, I remind him that we have not licensed a single additional GM food in this country. It is this Government who have acted on labelling: the Government of whom he was a member refused to act on labelling.

What we have said—and where I strongly agree with what President Clinton said yesterday—is that it is important that we take decisions on the basis of science and evidence. That is what is important and I hold to that entirely.

On the point about national missile defence, we have made it clear throughout that we understand exactly why the United States is concerned about the possibility of rogue nuclear states. We are trying to ensure that the fear that the United States has—perfectly legitimately and justifiably—is taken account of in a way that does not put at risk the substantial progress that has been made on nuclear disarmament over the past few years. It is vital, therefore, for us to continue a dialogue on what will be one of the most important issues that we shall have to face over the next few years.

I entirely agree that it is very important for us to push ahead with the WTO round. I think that Seattle was a serious failure. We must recognise that the single most important thing for many of the poorest countries in the world—as important, indeed, as many of the things that we are discussing in relation to debt—is to gain access to the richer countries markets. It cannot be justified that wealthy countries keep out the goods of poorer countries, when such access is the very best way in which those countries can have a secure future without having to depend on aid and development assistance from the wealthier countries. I cannot say that we made as much progress on that as I would wish, but the position of the United Kingdom Government, at any rate, is very clear.

As for debt relief, the money is there—that is, the $100 billion target that was set at Cologne. What we need to do is get the countries through the decision point process. Nine have already gone through, and a further 11 should be through by the end of the year. We recommitted ourselves to that at Okinawa. However, we must also deal with the countries that are currently in conflict and cannot get through the decision point process for that reason. There is a clear need for us to renew our efforts, which is why we have agreed to send delegations from countries such as ours to countries that are in conflict to tell them, "If you want to take advantage of debt relief, you must resolve some of the basic issues of conflict; otherwise, the money will simply be wasted."

The UK has a very good record of writing off debt and of debt relief initiatives. I should point out, however, that when we came to office not one country had received the debt relief. Those countries are now receiving it, very much as a result of the work done by my right hon. Friends the Chancellor of the Exchequer and the Secretary of State for International Development. I agree that we must go much further. We are very much in the forward advance, but we are having to act after several years during which not a great deal happened.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): As I think all hon. Members on both sides of the House recognise, a welcome feature of the summit—however frustrating the rate of progress may be—is the developing recognition among wealthier nations that collectively we must do more for the poorer nations.

Let me ask the Prime Minister a couple of specific questions arising from his statement. One concerns his discussions with President Putin, which he described in his statement as "especially valuable". That is an especially interesting statement; I think we would all like to know why the discussions were so valuable. For instance, did the Prime Minister have—and did he take—the opportunity in those bilateral discussions to tackle Mr. Putin on the continuing problems and oppression that afflict Chechnya in particular?

My second question concerns the report, not referred to in the statement—it may be accurate, or it may be inaccurate—that the Prime Minister was at pains to reassure his Japanese hosts that he intended, in a future Parliament, to move as quickly as possible towards a referendum on the issue of a single European currency and to take a positive stance on such a referendum. Is that report accurate? If so, what comments did the Prime Minister's opposite numbers make?

Finally, given the emphasis placed by the summit on the need to help the developing and the underdeveloped world, and given the fact that some of us were either at school or at university when the Brandt report, for example, was under way, does the Prime Minister agree that here we are, an entire global political generation later, yet we have still made pathetically inadequate progress in the attitude of the developed world to the underdeveloped world?

The Prime Minister spoke of writing off $100 billion of debt—which was agreed at last year's Cologne summit—but only $15 billion of that debt has been cancelled. Given what he just said in response to the Leader of the official Opposition about the other countries involved, does he think that that remains a realistic target? If it is, what is the time scale for achieving it?

Does the Prime Minister agree that more work needs to be done to ensure that the heavily indebted poor countries do not have to meet such stringent economic criteria to qualify initially for eligibility for debt relief? Many hon. Members on both sides of the House have signed up to that cause with Jubilee 2000. The more that the Government can do on behalf of everyone in this country to give an impetus to achieving that goal internationally, the better.

The Prime Minister: On the issue of my bilateral talks with President Putin, we discussed the Russian economy and issues such as North Korea. We did indeed, however, also discuss Chechnya, and we made clear our concerns about human rights there. In turn, President Putin made very clear his commitment to finding a political solution. As for the euro, the position that I set out to the Japanese Prime Minister is precisely the position that I always set out. I really cannot help how that position is interpreted, although it seems to be interpreted in different ways depending on which day of the week it is. Perhaps what the Japanese emphasised to me in return was more important—that for Japanese inward investors, the important thing is that a decision on the euro is taken on economic grounds. In other words, the question is whether the decision is taken on the basis of what is right for the British economy. Of course, the position that we have set out allows us to do just that.

The Japanese are not saying that we should join the euro tomorrow. They are saying that, when the decision is taken, as investors in our economy they want to know that we will have the interests of the British economy—British jobs and investment—as our highest priority.

As for debt and debt relief, it is important that we do not put over-stringent hurdles in the way of the heavily indebted poor countries. However, it is not only a matter of economic hurdles; it is also important that we have systems of governance in those countries that make it clear that any money that is put in will go to those who really need it. That is not an unreasonable precondition. The right hon. Gentleman mentioned the $100 billion

[The Prime Minister]

Cologne target. However, only £50 billion of that is the HIPC initiative, with the rest being commercial debt and so on. I shall break down that $50 billion. Currently, with the nine countries that have gone through the process, there has been $15 billion of debt relief. If the 11 other countries get through the process by the end of the year, $35 billion of the $50 billion will be used for relief. That is very much approximating what we said at Cologne we would do. The other $15 billion is really to do with the countries that are in conflict.

Therefore, although I understand the frustration of all the campaigners on the issue and support very much the work of organisations such as Jubilee 2000—as the right hon. Gentleman knows, we have been at the forefront on these issues for the past couple of years—we have to make it clear that in some countries there are problems which prevent us from getting that money through.

I should like to take this opportunity to set out what the United Kingdom has done. We are increasing our aid budget by 20 per cent. in real terms in the next three years, with our aid:gross domestic product ratio rising to 0.33 per cent. We have already written off almost £250 million of debt, and we have made a commitment to write off a total of £1.7 billion of debt to the HIPC countries. We have pledged a bilateral contribution of $375 million for the HIPC trust fund, which is another important part of the process. We have announced a doubling of the amount that we are prepared to make available to improve access to drugs and medicines in developing countries. We have also led the way in tackling the problem of conflict, and particularly of conflict diamonds. We are also establishing with other countries a new taskforce on renewable energy, to help to bring clean electricity to 2 billion people who are currently without it.

If we add up all those sums, with the additional money that we are providing to fight AIDS, malaria and tuberculosis in Africa, it becomes clear that we have made more progress on the issue in the past three years than the United Kingdom has made for many decades. I think that we can be proud of that achievement.

Mr. Tam Dalyell (Linlithgow): It was welcome that in his opening statement my right hon. Friend referred to tackling illegal logging. However, will he say what concrete measures will be taken to deal with this very difficult issue? Will the summit's hosts do anything about their position as recipients of many of the destroyed rain forests of Indonesia? Will Britain put its house in order in relation to the Amazonian rain forests?

The Prime Minister: That is a perfectly fair point. The most that I would say about the measures taken at the summit is that we have started a process. The matter was not even an issue at last year's summit, but it is now. All the countries involved in the summit are obliged to report back on what they are going to do to try to curb illegal logging.

That is a desperately important issue because at present we are despoiling vast amounts of the world's environment. There have already been serious consequences, and there will be more unless we take action. I do not pretend that we have done more than begin a process, but, partly as a result of UK initiatives, we have at least got the issue on to the agenda. The obligation on individual countries to report back about what they are doing means that we have a better chance of at least getting the process properly under way.

Mr. Crispin Blunt (Reigate): As the Prime Minister has shared with the world his appreciation of President Clinton's qualities, will he share with the House his appreciation of the contribution at the summit of President Putin?

The Prime Minister: Yes, I would be pleased to do that. I thought that President Putin made an outstanding contribution, not only in his description of the reforms in the Russian economy, which are immensely important for us, but in his description of the talks that he has held recently in North Korea, China and elsewhere. Overall, he was extremely impressive at the summit.

One of the most important elements of summits such as the one that has just been held is the opportunity to build relationships, trust and confidence between leaders. That can be vital. As happened in Kosovo, countries' interests can be in conflict, and the ability to speak openly and frankly to people is a very important part of getting such a conflict sorted out.

Ms Joan Walley (Stoke-on-Trent, North): May I thank my right hon. Friend for his continuing efforts on debt relief, which will be welcomed by my constituents? However, with a new round of world trade talks about to begin, a new financial architecture is needed. What are my right hon. Friend's proposals for putting environmental issues at the very heart of the new trade agenda?

The Prime Minister: I shall deal first with the process of debt relief. Nine countries have now gone through the process. In Bolivia and Uganda, projects are under way and spending has been put in hand on schools, hospitals, infrastructure and jobs. The help for people in those countries is already visible as a result of the cancellation of debt. That shows how important it is to get the other countries through the process.

The WTO round will include environmental issues, but it is important that we ensure that questions to do with the environment and labour standards do not become a covert way of keeping out developing countries' goods. Therefore, I think that we must take account of the concerns that my hon. Friend raises, but we must do so in a way that is sensitive to the worry of developing countries that such concerns are merely back-door forms of protection.

I can tell my hon. Friend that there needs to be a big push to start the WTO round again. Whether or not that happens by the end of the year, the European Union has set a good example by stating that it will open up market access for the majority of its goods to the developing countries by 2005, and I urge other countries to take a similar lead.

Sir Peter Tapsell (Louth and Horncastle): Further to one of the questions asked by the leader of the Liberal Democrat party, the right hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy), will the Prime Minister explain what he really meant when he said to the Japanese Prime Minister that a British decision on the

euro would not be taken on political grounds? Does he think that the biggest constitutional upheaval in this country since the revolution of 1688 could be a non-political event?

The Prime Minister: Let me explain to the hon. Gentleman again, because I am often asked that question, or a similar one, by Conservative Members: I am not saying that political and constitutional issues are not involved—of course they are. However, in relation to the Government's position, we have resolved those issues. We believe that the essential issue, therefore, is whether the euro is in the national economic interest. Let me point out to the hon. Gentleman—*[Interruption.]* I wish that hon. Members would listen. I have said that of course there are important political and constitutional questions, but the issue is whether there is a constitutional barrier to joining. The right hon. Member for Richmond, Yorks (Mr. Hague) would say that there was, and so would many other Conservative Members. If that is the case, his policy of ruling out joining for five years only is absurd. If there is a constitutional barrier, then rule it out for good. It is the Conservatives who need to resolve this constitutional question rather more than us.

Mr. Harry Cohen (Leyton and Wanstead): While I had my doubts about the leisure shirt in which my right hon. Friend the Prime Minister was photographed, I was pleased, overall, with the outcome of the summit. Will he give more detail about what was proposed for tackling the AIDS epidemic sweeping Africa? Are there practical proposals to enhance public health provision, have cheaper drug costs, enhance the village hospitals in Africa and, equally importantly, get African leaders on side so that they do not say that it is all just about poverty?

The Prime Minister: My hon. Friend makes a series of justified points. The target has been set for the reduction of AIDS. It is important, however, that that is backed up by concrete measures. We, for example, are increasing the amount of support that we are giving to AIDS programmes in Africa. What my hon. Friend refers to in respect of education and local hospitals is vital. I also agree with him that it is important to have a serious and open discussion on AIDS so that the measures that we are taking will be effective. At the Durban conference a short time ago, representatives from all over the world discussed the issue.

The poverty in which people live makes it more likely that they will get the AIDS virus. That is absolutely true. What is also undeniably true is that unless we take preventive and educational measures, we have little chance of dealing with this issue properly. I hope very much that having set a specific target, and put in place the process to follow it up, we will be able to take the action necessary.

Mr. John Redwood (Wokingham): Will the Prime Minister tell us how many children in the poorest countries of Africa could have been educated in a primary school for a year with £450 million? Would that not have been a better use of most of the money spent on the summit? It would, after all, still have left £50 million to spend on a good few bottles of a very good wine so that delegates could get to know each other.

The Prime Minister: I have already explained the position on the cost of the summit. To ignore the additional effort that has been put into debt relief in this country and elsewhere, and to ignore the £18 billion to which the Japanese have committed themselves, is rather silly. Least credible of all is the Conservative party posturing as the friend of the developing world.

Mr. Steve McCabe (Birmingham, Hall Green): Is it not wonderful to know that Jubilee 2000 is so capturing the public imagination that it is winning new friends all over the place?

When the Government set targets in domestic politics, there are usually incentives or penalties to encourage Departments or agencies to achieve them. What steps will the world leaders take to make sure that their intentions are translated into action?

The Prime Minister: There are a variety of things that we can do, although it is obviously not the same as in domestic government. For example, on money laundering and the fight against organised crime and drugs, if we proceed on the current basis, the eight new measures that have been agreed by Finance Ministers will be implemented by each of the countries involved. There will then be a report back throughout the course of the next year on how that process is proceeding. The result of that will be substantial changes to the laws of various countries. That is an example of what we can do.

In respect of the targets on AIDS, malaria and tuberculosis in Africa, again there is a process in place. In a sense, the best thing is for us to be called to account for that. I think that, partly because of the Cologne process on debt, there is an obligation upon us to go further on debt. Even though people want us to go far faster and further, if we had not had that Cologne summit I do not think we would have even made the progress that has been achieved so far. Under a domestic Government, the matter is different, but there are none the less political incentives built into the process.

Mr. William Cash (Stone): Does the Prime Minister accept that there are Conservative Members who have taken a great interest in third-world debt? Indeed, I have done so since as long ago as 1989. I am also chairman of the all-party group on Jubilee 2000.

Which countries are holding back the process and why? Is there any truth in the suggestion, which I heard recently at a conference, that it is to do with the reforms demanded by the World Bank and the IMF? As it is absolutely essential that there is immediate relief for people who are living in degrading and impossibly poverty-stricken circumstances, will the right hon. Gentleman do what he can about evening out the conditionality imposed on the current debt relief proposals?

The Prime Minister: On the whole, most of the countries want the process to succeed. There are obstacles—for example, the attitude of some members of the US Congress has been a problem in getting the US to do what President Clinton wants it to do.

Some other countries are—let us say—slower than us on untying aid, which is also extremely important. Other countries are hesitant about opening up their markets to the goods of the least developed countries. However, we are making progress on all those issues.

[The Prime Minister]

I am happy to pay tribute to the work done by the hon. Gentleman and, indeed, individual Conservative Members on third-world debt, but I am afraid that I have to remind him that when his Government were in office for 18 years, they reduced substantially the proportion of national income going to overseas aid and assistance. This Government are raising that again. As a result, I am afraid, of decisions taken by the shadow Chancellor, the amount of money that we are now committed to putting into aid and assistance would, of course, be cut.

Mr. Ronnie Campbell (Blyth Valley): I hear what the Prime Minister says about AIDS and diseases in Africa. Can he give a Labour guarantee—although I do not like to use the word—that that money, or that programme, will start this very moment, this very year? I have been to Africa. I have seen the carnage and the millions of kids who are dying of AIDS and disease. Something needs to be done now—not years later, but now.

The Prime Minister: I can tell my hon. Friend that we are indeed—now—putting in the additional money to fight those killer diseases in Africa.

Mr. Nicholas Soames (Mid-Sussex): In welcoming the right hon. Gentleman's frank talks with President Putin, may I ask whether he had a chance to raise with him the question of Russian organised crime and its serious effect on many countries in western Europe? Does the right hon. Gentleman agree that the Russians need to tackle that problem? It greatly damages the credibility of a country that we need as a strong and sensible country in the world community.

The Prime Minister: We did, of course, talk about the need to have political and economic reform in Russia. One of the problems that Russia has faced is the high level of organised crime, and I agree that it is important that it deals with that. It is a threat that crosses its borders into the rest of Europe. The single most important thing we can do is to support a process of economic and political reform in Russia that puts in place a proper tax code, a proper commercial system and a proper legal system that together allow the problems to be dealt with. Of course I agree that the problem is huge.

Mr. John McAllion (Dundee, East): Fifteen billion dollars of debt relief to just nine poor countries represents an abject failure to deliver on the commitment made at Cologne of $100 billion to 40 countries this year. Given that the Prime Minister himself said that the G8 economies are in good shape, does he agree, in principle, that the priority is not closing the so-called global digital divide, but delivering on comprehensive debt relief—now? If the problem with that is conflict in the poor countries themselves, can he tell us what discussions took place at the G8 summit on how limits and controls might be placed on the arms industries—including the arms industries in the G8 countries, which, by and large, fuel those conflicts?

The Prime Minister: Let me explain again to my hon. Friend about the $100 billion. We are supposed to put three quarters of $50 billion through by the end of this year, so he can work out the figures. We have put $15 billion through and if we get the next 11 countries through, it will be $35 billion out of the $50 billion. I am not saying that we do not want to go faster and further—we do. Indeed, we would have gone further, but to describe what we have done as an abject failure is unfair.

Debt relief is important, but I am completely convinced of one thing—unless all the problems are tackled together, debt relief on its own will not do the business and will not produce the goods in Africa. We need to deal with the problems of health, trade and untying aid. We also need to deal with the problems of information technology. The truth is that if some of these countries were given access to information technology, it would have a fantastic benefit for them. We should not simply say that such an aim is pie in the sky from the richer countries. Potentially, many countries are crying out for access to information technology and it is a scandal that it costs more to access the internet in Uganda than it does in Britain or the United States of America. That issue is important, too.

The reasons for conflict in such countries have far less to do with the international arms trade than, I am afraid, the attempt by certain factions in those countries to seize control of wealthy natural resources. The dispute in Sierra Leone has one very simple basis: it is to do with the diamond industry. The Revolutionary United Front in Sierra Leone got the conflict going again over the past few months because the United Nations threatened to take over the diamond industry. Therefore, we need to put in place a proper system that ensures that if diamonds come from an area of conflict, they are not sold on the international market. Dealing with basic questions of conflict prevention is immensely important.

I emphasise to my hon. Friend that I do not believe that debt relief, in itself, is enough. Another issue is the system of governance in those countries, and all the issues have to be dealt with to provide a solution to the problems.

Dr. Jenny Tonge (Richmond Park): Does the Prime Minister realise what enormous targets the summit leaders have set themselves? They have set targets to reduce the number of cases of TB and malaria by 50 per cent. and the number of cases of AIDS by 25 per cent. in 10 years. Those targets are quite extraordinary. Does he realise that the summit leaders have already slipped on their targets for debt relief and that the World Bank's recent report, "Can Africa claim the 21st century?" has shown that many more people are living in poverty now than there were 40 years ago? Are not such targets just a lot of hot air?

The Prime Minister: No—that is unfair and wrong. If, in fact, we get the additional 11 countries through by the end of this year, we will have very nearly met the target that we set in Cologne last year. *[Interruption.]* If I could just get the hon. Lady to understand my argument, she will see that as a result of that, we will have achieved more debt relief in one year than we did in virtually a decade before. It is always possible to say, "You should have done more and you should have done this or that." I agree that we need to do more, but to say that we have done nothing is wrong.

On the targets for AIDS, malaria and TB, let us take Uganda as an example—it has virtually halved its rate of AIDS. It is possible to take action, but only on the basis of targets that are put in place to act as a spur to countries to ensure that they do their utmost.

Mr. Harry Barnes (North-East Derbyshire): I shall ask only for an investigation. When the G8 countries consider the weaknesses of the global financial system, will they examine currency speculation, which has an horrendous impact on third-world nations? One option is the Tobin tax, which is a tax on currency speculation that the G8 could use to handle the massive problem of poverty in the third world. No Government are in a better position than this Government to take a lead on the issue, given the position they have taken on debt.

The Prime Minister: I do not think that I can offer my hon. Friend much comfort on the issue of a tax on the financial system. Part of the work that has been done by the financial stability forum is to do with highly leveraged institutions, hedge funds and so on. However, my own view is that proper systems of transparency and proper accounting standards are the most important issues for the international financial system.

A crisis develops when a financial system is not properly transparent and does not work according to established accounting standards. Dealing with that is the single most important thing that we can do, together with helping some of the poorest countries in the world to put their financial houses in order, which does not always need to be done in the old way of imposing very stringent conditions that they cannot meet unless they cut spending on basic services. However, it does mean working with those countries to make it clear, for example, that people who invest in them are investing in a robust commercial and legal system, and that the money that they put in goes to those for whom it is meant, not into the pockets of leaders or their friends.

We have made a lot of progress in the global financial system. However, our single biggest task is to get more countries to sign up to the transparency and accounting standards that are at the heart of a decent global system.

Rev. Martin Smyth (Belfast, South): We understand the Prime Minister's reticence about giving all the answers that some of us would like. We all congratulate him and those who have been doing positive work in debt relief and care, including an education programme in Nigeria, Kenya and Uganda which is largely led by a nurse from Northern Ireland and the Fellowship of Christian Students.

What steps does the Prime Minister think will be taken to quicken the approach of the 11 countries that could have been in the programme, as there seems to be a delay somewhere along the line, as was obvious from his statement? Does he agree that perhaps the most wealthy country in the world could do more? Allowing for the fact that individuals have done wonderful things, quite frankly there is something wrong when newspaper reports say that America will not be able to meet the Kyoto targets because of its own industrial needs.

The Prime Minister: The hon. Gentleman is right: a lot more could and should be done. To be fair to America, it is rarely President Clinton who blocks progress, but elements in Congress and the Senate.

There is a good chance that we can get the 11 countries through by the end of the year. We are working closely with those countries to get in order all the bits and pieces that need to be in order, so that the decision point can be reached. As I said, debt has been relieved in the first nine countries, and people going to Bolivia, Uganda and so on are already seeing the difference that that makes. Incidentally, the hon. Gentleman is quite right to pay tribute to the programme led by the nurse from Northern Ireland. It is one of the best programmes that we have, and she has done a fantastic job.

Spending Review (Defence)

4.17 pm

The Secretary of State for Defence (Mr. Geoffrey Hoon): My right hon. Friend the Chancellor of the Exchequer announced substantial additional provision for defence in his statement to the House on 18 July, which marked the end of a long period of decline in the size of the defence budget, following the end of the cold war. For the first time in almost 15 years, the Ministry of Defence is committed to modest real-terms growth in each of the next three years.

The settlement provides substantial additional funding for defence in the current year. There will be an extra £200 million from the reserve to help meet pressures on the defence budget, and in particular to help address the main equipment lessons learned from the Kosovo campaign. For the next financial year, the Ministry's budget will increase by £427 million over the level previously planned, which means an increase of some 1.9 per cent. Overall, the settlement will provide £1,250 million of new money for defence, on top of an allowance for inflation.

This substantial injection of additional cash ensures that we will have the amount needed to deliver the major programme of modernisation set out in the strategic defence review, to invest in the new equipment required to ensure that our armed forces build on their enviable record of professionalism and success, and to improve their living and working conditions.

The settlement sends an important signal about the Government's intention to sustain the capabilities of the armed forces. This country has taken a leading role in NATO adaptation and in arguing for the development of European defence capabilities. The additional provision demonstrates that we continue to take those responsibilities seriously.

The settlement shows that we are also serious in our determination to look after service personnel and their families. I was delighted to be able to announce last week, with my right hon. Friend the Secretary of State for Social Security, a new policy on pensions for life, ensuring that in future war widows who remarry will retain the attributable benefits that they receive from the armed forces pensions scheme.

On the equipment front, I made a statement to the House on 16 May about the Government's plans to acquire new strategic lift aircraft and air-to-air missiles for Eurofighter. With this settlement, we will be investing in further new capabilities, not only increasing our own defence capacity but contributing to the improvement of those of NATO and Europe. In particular, our analysis of operations in Kosovo identified a number of important equipment capability lessons. The highest priority among those is the need for improvements in our ability to attack targets with precision, to bomb in all weather conditions and to improve the security of our communications.

In March I announced trials to integrate Maverick anti-armour missiles on Harrier GR7 aircraft, and for enhanced security for air-to-air communications on key aircraft types, including the Harrier GR7 and the Tornado GR4. Those trials have been progressing well. Subject to their satisfactory conclusion, and to satisfactory contract negotiations, we will therefore be proceeding with the procurement of Maverick missiles. Maverick is a proven, off-the-shelf precision guided missile that will greatly improve our capability to attack both mobile and static targets by day and by night. We can procure those missiles quickly and we expect to have an operational capability by the end of the year.

The air-to-air communications trials are almost complete. We will now go ahead with fitting the systems to a range of aircraft. Additionally, we have decided to procure as soon as possible a new precision guided all-weather bombing capability for the RAF. Global positioning satellite technology will allow us to overcome problems such as those caused by poor weather during the Kosovo campaign.

Early action on those decisions has been made possible by the provision of new money for defence. Let us be clear why the country is now able to invest more in defence: it did not come about by chance, but because the Government kept to tough spending limits while we stabilised the economy, sorted out the public finances, helped people back to work by a process of welfare reform, made tough choices and saw them through. All that helped to create the platform of stability on which we can now build the necessary investment for the future.

The settlement also confirmed another key element of our previous plans. Subject to the satisfactory conclusion of the public-private partnership for the Defence Evaluation and Research Agency, the defence budget will benefit from the receipt of a further £250 million in the next financial year. I can confirm today that we have decided to proceed with that public-private partnership.

In July 1998, as part of the strategic defence review, the Government concluded that the future for DERA could best be secured by harnessing the opportunities offered by a public-private partnership. That approach will give DERA the freedom to flourish, to develop its business and to exploit the wealth of knowledge that it has built over the years to the benefit of the wider UK economy. Those new opportunities should have a positive impact on job prospects, and the organisation will be capable of attracting and retaining staff with expertise in areas that are also in demand from other private sector companies.

On 17 April, I announced a period of consultation on a document describing our proposals. Stakeholders, including the Defence Committee, have acknowledged the improvements that we have made over earlier proposals. They have welcomed our willingness to listen to their views. The overall response has been positive, with the majority of stakeholders recognising the need for change and endorsing our proposals as a sensible way forward. The US Administration have also welcomed our new approach.

Consequently, we have concluded that we should proceed with the core competence model set out in the consultation document, separating those functions that are best performed within a private sector company and those that are best performed wholly within government. About three quarters of the current DERA will be moved to the private sector through a flotation that we will try to achieve in 2001. The terms and conditions of staff will be protected by the TUPE—transfer of undertakings and protection of employment—regulations.

Just under 3,000 staff will be retained within the Ministry of Defence to carry out research in key areas and provide a high-level overview of defence science

and technology, in-house impartial advice and the management of international research collaboration. The elements retained will include sensitive programmes and sectors such as the chemical and biological defence sector based at Porton Down, most of the Centre for Defence Analysis and the defence radiological protection service.

The retained DERA will therefore continue to perform a number of critical functions for the Government. It will be a world-class organisation offering rewarding career opportunities within the Ministry of Defence and the wider civil service. We envisage that retained DERA will continue, for the time being, under the existing trading fund arrangements.

We are confident that the principles underlying core competence are right, but we also recognise that there is more detailed work to be carried out during implementation. We will continue to consult our stakeholders closely, to ensure that any concerns are fully considered. Our timetable envisages that separation between the two parts will be achieved by the end of the year; we will then conduct a rigorous period of shadow operation to demonstrate that both organisations and their supporting infrastructure are robust and will perform as expected. As we identified in the consultation document, our preference is to seek a flotation on the stock market as soon as its potential is suitably developed and we can ensure best value for the taxpayer. We will keep open the option of seeking a strategic partner for the business as an intermediate step.

DERA is also home to the Defence Diversification Agency, which was established to take forward our commitment to strengthening links between civil and military technology. We remain fully committed to ensuring that the objectives set for the DDA are met, and we are currently reviewing how best to take forward its role in the light of the PPP process. Throughout that process, we have remained committed to the objective of ensuring the best possible future for DERA and for defence science and technology. We now have a way forward that is both workable and good for DERA, for the Ministry of Defence and for the wider UK economy; it will offer value for money to the taxpayer while ensuring that the Government and our armed forces retain access to leading edge technology.

The spending review was good for defence, good for the armed forces and good for the country. Our decision on DERA will build on that to ensure that we capitalise on a vital national asset, both ensuring the maximum benefit for defence in future and allowing our scientific expertise to develop and flourish in the wider market. I commend those decisions to the House.

Mr. Iain Duncan Smith (Chingford and Woodford Green): I thank the Secretary of State for his courtesy in allowing us early enough sight of the statement to prepare a response. I shall deal with the spending figures at the end of my questions, but let me start by welcoming the announcement of the settlement regarding war widows, which will be received with gratitude by hon. Members on both sides of the House. The right hon. Gentleman is to be commended for that.

My first question is about Maverick. I am intrigued by the fact that although the right hon. Gentleman said that he would go ahead and purchase Maverick, he added that neither the trials nor the negotiations were yet complete. Therefore we do not know whether he will make the purchase, because one of the latter processes might fall down. It seems strange to announce the purchase of Maverick before knowing exactly what will happen.

If the RAF wants the missile, the lessons of Kosovo leave me in no doubt that it should get it, but will the Secretary of State confirm that the decision on Maverick raises questions about Brimstone? Is he aware of any delay in Brimstone's coming into service? We have talked about the first missiles being due in March, with an in-service date in October; is there to be some delay? If not, why is Maverick being introduced slightly more than a year before Brimstone, which I understood would do the same job, is likely to be introduced? Does the order indicate concern about a shortfall in Brimstone's capability that the RAF needs to plug?

When Brimstone finally enters service, will the RAF run two missile systems, with all the problems involving spares that that will engender? Will the right hon. Gentleman explain how he intends to resolve that problem, which will tend to make life more expensive and more complicated? Is it not true that he has let it be known that there will be a 25 per cent. reduction in the Brimstone order; and is it not that reduction in Brimstone numbers, not extra money, that makes available the sum needed to purchase Maverick?

I welcome the Secretary of State's announcement of the order for the global positioning satellite system, but what impact will that have on the implementation of JTIDS—the joint tactical information and distribution system? In addition, what impact will his new proposals for DERA have on that agency's involvement in the process?

Today's announcement focused on DERA. I confess that reading and hearing the statement made me think that I had read the wrong report from the Select Committee on Defence. The report I read struck me as one of the most damning I had ever read on a so-called privatisation. The Conservatives remain in favour of privatisation, provided that a case can be made, and the case of DERA is no different. The previous Government turned down the proposals on DERA, because they did not believe that the case could be made. The Defence Committee said—and I agree with it:

> In our judgment the current risks of proceeding with the public-private partnership—even in its new and improved format—continue to outweigh the still hypothetical benefits.

It bases that opinion—again, I agree with it—on three main areas. The first is the relationship with the United States.

The Secretary of State said some warm words about the US relationship, but below the level of politicians discussing things with politicians, are not serious problems emerging at the working level? Owing to their fears about what is happening, British people working at DERA are being excluded from discussions with US defence companies. Practically, they are being locked out. The Secretary of State needs to give us an answer.

The second concern is what might happen to Boscombe Down, about which we heard no word. Will the Secretary of State confirm that the MOD still requires an in-house capability for aircraft testing and evaluation? Will he clarify that? If not, will he indicate the possible implications for serving RAF officers who will be forced to work in private companies? How will they be dealt with, and how will their future be secured?

[Mr. Iain Duncan Smith]

On intellectual property rights, again the Defence Committee was clear, and questions remain. Private companies to which I have talked—big and small—raise exactly the same point. They have put a lot of money into such developments, but are likely to see things going against them. They are deeply unhappy about the process of ownership. The Secretary of State did not give any explanation of how the Government will resolve that big issue.

Under the Secretary of State's plans, not just units, but some of the people in them, will be put into the private sector. When the units are divided up, some people will be trespassing on both sides of the line. What will happen to them? That issue is highlighted by the question of provision for employee share ownership in the new private company. For example, the people working for the public body will not be able to own shares, but those who have been transferred to the private sector may be able to do so. How do we sort out that mess?

On DERA, it seems that the Secretary of State has determined to be indeterminate. He says that the Government will try to privatise by 2001, and a shadow organisation will be set up. If the shadow organisation highlights the problems identified by the Defence Committee, will he kill the process? Or is he driven by the Treasury to return the money, regardless of what the shadow organisation says? It is no good just saying that an organisation will be world class. Having worked in the private sector, I know that companies are world class not because the managing director says so, but because of their reputation for the quality both of the people who work for them and of the stuff that they do.

I return to the issues surrounding the budget. I wish the Secretary of State would just tell the truth about the settlement, rather than presenting it with smoke and mirrors, as is so typical of this Government. He knows very well that this is not the first real-terms increase in the defence budget in the past 15 years. I checked with the Library, just out of interest, and it pointed out that in 1996-97 there was a 0.6 per cent. increase in the defence budget. So, straight off, the right hon. Gentleman's statement was incorrect. *[Interruption.]* Hang on; he is to respond to these points—no doubt with yet another puff of smoke.

Three simple matters arise in connection with the budget. First, it has been falling since 1997, and is still falling. The Secretary of State inherited a budget of 2.9 per cent. of GDP, and if he is lucky, he will leave it at 2.4 per cent. of GDP. Secondly, does not the strategic defence review set a spending target of 2.4 per cent. of GDP? Even with the cash settlement, as the House of Commons Library kindly tells us, by 2003–04 the budget will fall to 2.3 per cent. of GDP—below the Government's target. The third and main point is that, as the Library's extrapolated figures show, without the panicky cash increase, the budget would have fallen to 2 per cent. of GDP by 2003–04.

The reality is that the Government have slashed defence spending to a much lower level than they inherited. That is the real reason why the Secretary of State screamed in panic at the Chancellor, "Save my life"—which he has tried to do. With the defence budget now lower than that which he inherited, the Secretary of State will have decimated our defence forces by the next election. That is the real record.

Mr. Hoon: I am sure that the House will be intrigued by the final comments of the hon. Gentleman, who speaks for the Conservative party on defence. This is the first time that an extra £1,250 million has been described as slashing a budget. That indicates the depth of his difficulty in dealing with this matter.

The hon. Gentleman concluded with a number of comments about gross domestic product. Perhaps he has not kept up with all that his leader has been saying recently about GDP. In case he is not a regular reader of *The Daily Telegraph*, I will remind him. The Leader of the Opposition said:

> We are making it clear that a Conservative Government will increase public spending by a smaller proportion than the growth of the economy as a whole.

That is a clear lesson, which the hon. Gentleman ought to have learned.

If the hon. Gentleman is planning to increase spending on defence, he had better say so. He had better tell the House what the Conservative party's plans are. If he has plans to increase the size of the defence budget—we have not seen any evidence of that—he needs to tell the other members of the shadow Cabinet whose budget will pay for it. If the Conservative party gets its way, the budget will be slashed right across public spending. That is clear from all that the Opposition have said in recent days in response to the Government's announcement of extra money.

If we cut the budget by the amount proposed by the Conservative party, there would be a reduction— *[Interruption.]*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I understood that the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) wanted a reply from the Secretary of State.

Mr. Geoffrey Clifton-Brown (Cotswold): He is not getting one.

Mr. Deputy Speaker: Order. It is a reply, so far as I am concerned.

Mr. Hoon: To achieve the boasts of the shadow Chancellor, there would have to be a cut of 1.3 per cent., or £900 million, in the defence budget. That represents a real cut in the amount spent on defence.

We understand that the hon. Gentleman wants an increase in the amount spent on the Territorial Army. We have estimated that such an increase would cost £150 million, even without the loss to the budget if surplus equipment and property could not be sold off. That is a gap of more than £350 million in the hon. Gentleman's spending figures. If we add to that the £250 million that he wants to forgo from the proceeds of the DERA privatisation, he should tell the House how his figures add up.

In the promises made by the Conservative spokesman there is a huge hole, of the order of £1.3 billion, which is roughly the extra sum that the Government propose to spend on defence in the next three years. The hon.

Gentleman has not done his sums properly. He is promising the country that the Conservatives will spend more on defence, but the shadow Chancellor's proposals mean that they would cut the amount spent on defence.

The Opposition must tell the country what they will cut. If they intend to cut the budget, it is no good making vague promises about improving the Territorial Army, and about equipment. We need to know what they would cut. Are they proposing to cut Meteor? Are they proposing to cut Type 45? Are they proposing to cut provision for the future large aircraft, or the new carriers? I should welcome a proper explanation of the Conservatives' intentions.

When it comes to defence, the choice between the Labour party and the Conservatives is clear: the first real-terms increase in defence spending since the end of the cold war, or massive cuts in defence under the Conservative party.

Mr. Christopher Leslie (Shipley) *rose—[Interruption.]*

Mr. Deputy Speaker: Order. An hon. Member is trying to address the House and cannot be heard. I cannot tolerate that situation.

Mr. Leslie: I welcome the settlement for war widows. That was an important announcement, as was that of the extra money for defence spending. My right hon. Friend explained that defence spending has received its first boost for more than a decade. Will he comment on the shadow Chancellor's statements on the spending review? Does he believe that the Conservative cuts guarantee would imperil the defence of the realm?

Mr. Hoon: I am grateful to my hon. Friend for his observations, especially those about war widows. Instead of making vague promises, Conservative Members should set out their precise intentions for defence. The Government are committed to spending extra money on defence in each of the next three years. Conservative Members are traipsing round the country telling everyone that they intend to cut public spending. Either they would cut public spending and defence provision or they would cut taxes. Which is it?

Mr. Menzies Campbell (North-East Fife): Does the Secretary of State understand that in spite of his assurances, more than residual discomfort remains in the House about what appears to be a doctrinaire drive towards the privatisation of part of DERA? What is the Secretary of State's response to the report by the Select Committee on Defence, which says:

> the . . . risks of proceeding . . . outweigh the . . . hypothetical benefits.

It continues, more colourfully, to say that the Secretary of State's proposals rely on

> a wing and a prayer.

It is true that there will be an increase in projected defence spending, but in 2003–04 we will spend only 2.3 per cent. of GDP on defence. Some argue that that is the lowest level of defence spending since the Napoleonic wars. How will the figures assist the Government to persuade European allies to spend more on defence to achieve the European security and defence policy, which both the Secretary of State and I support? Do the figures depend on maintaining the so-called efficiency saving of 3 per cent., the continuation of land sales, and the sale of DERA achieving the predicted £250 million?

Will the figures that the Secretary of State announced allow for the maintenance of the Eurofighter programme in numbers, delivery dates and service date? Will they allow for the continuation of the aircraft carrier replacement programme? Will they also allow for the replacement of the light machine gun, which the Director of Infantry seems to regard as a matter of some urgency?

Mr. Hoon: I am sorry that the right hon. and learned Gentleman believes that we have been doctrinaire about DERA. We underwent a completely new consultation process, precisely to demonstrate that we were not doctrinaire. I cannot imagine the reason for the accusation that we are doctrinaire, after we said that the results of one consultation process had not been satisfactory and that we would reconsider the position. The right hon. and learned Gentleman's criticism does not stand up.

Those who have considered the revised proposal have largely welcomed it. I accept that we will not please all of the people all of the time. I realise that that is a trait that Liberal Democrats try to display, but in government it is sometimes necessary to make a decision. We have made a decision that was strongly supported by the United States as recently as this morning. Senior United States officials who are in the United Kingdom said that they were pleased with the proposals.

As for the right hon. and learned Gentleman's suggestion about GDP, we are talking about a substantial amount of extra money—an extra £1,250 million, over and above inflation, to spend on defence. That allows us to say to our European partners and allies that they should increase their defence budgets. We are spending more money, which will allow us to fulfil the programme that we set out under the strategic defence review.

Mr. David Winnick (Walsall, North): In view of—*[Interruption.]* I shall begin when the interruptions have stopped.

In view of my right hon. Friend's welcome statement today, will he say when a statement will be made about compensation for former prisoners of war of the Japanese? Does my right hon. Friend realise that the Prime Minister's welcome remarks have raised expectations among those very brave people—now far fewer in number—who suffered so terribly from starvation and torture at the hands of the Japanese? We must bear in mind the fact that 25 per cent. of British prisoners of war of the Japanese never returned—and we know why.

Mr. Hoon: My hon. Friend has quite properly pursued that matter with a great deal of commitment and effort, and I entirely share his sympathy. All I can say now is that the matter is still being considered by the Government.

Mr. Julian Brazier (Canterbury): Will the Secretary of State answer just two of the questions that my hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) asked about DERA? First, which features of the trial involving the shadow DERA organisation will determine whether it is a success and whether the privatisation should proceed? Secondly, what

[Mr. Julian Brazier]

will happen to the intellectual property rights that DERA holds, many of which are of such enormous concern to small and medium-sized defence businesses throughout the country?

Mr. Hoon: The answer to both those questions will be established precisely in the process that I have set out. We shall carefully consider which intellectual property rights should remain with which organisation according to the functions that are divided. We shall certainly make a robust assessment during the shadow working of the two separate organisations, and we shall learn from that process how best to achieve our aims. There are no blueprints. That is precisely why we are not being dogmatic about the process.

Mr. Andrew Mackinlay (Thurrock): Full marks to my right hon. Friends the Secretaries of State for Defence and for Social Security for remedying the wrong in relation to war widows, but in his discussions with the Secretary of State for Social Security, did my right hon. Friend tackle the outstanding and irritating anomaly, which involves considerable injustice, whereby some local authorities decide not to exercise their discretion to disregard war disablement pensions in dealing with matters such as housing benefit?

Mr. Brazier: Hear, hear.

Mr. Mackinlay: Indeed, that anomaly is a cause of constant irritation to all hon. Members, and I am astonished that neither the previous Government nor this Government have addressed the issue. That would cost the Exchequer nothing, it would make local authorities face their responsibilities, and it would mean parity of treatment and value throughout the United Kingdom. Can we do it now?

Mr. Hoon: I am grateful to my hon. Friend for making the point about war widows. He says that a wrong is being done, but I should explain that most pension policies had such a provision in the past. We have been able to change an anomaly in the war widows pension scheme, but other pension schemes will need to be altered in future to try to provide consistency. That is relevant to my hon. Friend's second point. Certainly, we should like local authorities to adopt a more sympathetic attitude towards those with whom they deal, but above all, we should like them to adopt a consistent approach.

Sir Teddy Taylor (Rochford and Southend, East): The Secretary of State says that the new DERA company will have the freedom to flourish, but does that mean that it will have the freedom to take its own commercial decisions without direction or guidance from Ministers? If that is the case, is he aware that unlike all the others, those in DERA at Shoeburyness would greatly welcome the fact, because, rightly or wrongly, they think that the guidance that Ministers have given has resulted in work being shifted from Shoeburyness to Eskmeals against the wishes of customers and against all the merits of common sense and economic judgment?

Mr. Hoon: I have heard similar arguments from others who represent areas where there are ranges, but they have put them exactly the opposite way round. There is clearly already competition between the ranges, and the commercial freedom that we expect to be extended will be of benefit to them. The fact that the new DERA will have commercial freedom is one of the reasons why we think it important to put the organisation into the private sector.

Mr. Stephen Hepburn (Jarrow): May I remind my right hon. Friend that the average age of skilled workers on the Tyne is now 50, and rising? When will he make a decision on the placement of roll on/roll off ferry orders? If newspaper articles are correct—they are not always—I urge him to tell the European Parliament to keep its hands off British Government contracts for British workers. He will be aware of the concern that once again, Tyneside might lose out on a Government contract, and he knows about the importance of the decision to the future of shipbuilding on Tyneside, so I ask him to give more information.

Mr. Hoon: I am grateful to my hon. Friend for his concern. The matter is being considered carefully by the Government, and he will know that a determined effort has been made to ensure that appropriate decisions are taken on placement of the order for ro-ro ferries. His concern would more properly be directed to the European Commission rather than the European Parliament, but a constraint under which we operate is that placement must be wholly consistent with European law.

Mr. Clifton-Brown: What implications does the right hon. Gentleman's statement have for the overstretch of our troops, and what effect will it have on troop numbers in the three armed services—not only regulars, but reservists and territorials—over the next three years?

Mr. Hoon: I am grateful to the hon. Gentleman for his genuine concern about a real issue. On overstretch, we have managed to reduce our commitments. Towards the end of last year, 47 per cent. of the Army was deployed or on exercise, which caused significant overstretch. The figure is now a more manageable 27 per cent., but I recognise that we have a continuing problem with retention, which he is right to raise. Recruitment figures in recent years have been excellent, but the retention figures are somewhat disappointing. As I said in my statement, the accommodation that we make available to members of the armed forces is a cause for concern, and appears to have implications for retention. Many of those who leave the armed forces earlier than we might like cite the poor quality of some of the accommodation, so I hope that some of the extra money that we have available as a result of the Chancellor's settlement can be used to improve some fairly poor accommodation.

Mr. Syd Rapson (Portsmouth, North): I add my congratulations on the issue of war widows, whose position was severely undermined by Margaret Thatcher when she was Prime Minister. My hon. Friend the Minister for the Armed Forces and I represented thousands of people who were made redundant under the previous Government, who nigh on destroyed the basis of the Ministry of Defence. On DERA, the trade unions have lobbied many of us about consultation. If the decision is

positive, will full consultation be available to them during the changeover from Government service to the private sector?

Mr. Hoon: I can certainly give that assurance. A careful programme of consultation with all those affected will be undertaken to ensure that we have the right people in the right organisations.

Mr. William Ross (East Londonderry): It was evident from the right hon. Gentleman's statement that he intends to remedy some of the equipment defects that have shown up in recent conflicts. However, will he go further and tell us exactly how many extra soldiers, sailors and airmen there will be? Equipment is not much use if we do not have the men to wield it. Above all, what steps will he take to ensure that the soldiers on the ground have decent rifles?

Mr. Hoon: I am grateful to the hon. Gentleman for raising the question of numbers. We are committed to carrying through the decisions of the strategic defence review, and this money will allow us to do that. The SDR set out a target for armed forces numbers and aimed at a particular provision for the Army. That remains our objective, but, as I said to the hon. Member for Cotswold (Mr. Clifton-Brown), achieving it has been made more difficult by the retention problems that we have experienced. Poor accommodation is often cited as a reason for people leaving the Army earlier than we might like, so I hope that addressing that issue will have consequences for improved retention, and therefore for the size of the armed forces.

Mr. Harry Cohen (Leyton and Wanstead): I judge from an earlier reply that the Secretary of State is content for existing patents to go across to the privatised DERA, but will a thoroughgoing assessment be made of each patent's value and implications for national defence? Will the privatised DERA play any role in advising the MOD on contract preparation and allocation?

Mr. Hoon: Certainly a vigorous determined assessment will be made of which intellectual property rights will go to which organisation, not least because that will have significant consequences for the valuation of the new company. We will ensure that a proper assessment is made of the value of each element of intellectual property transferred to the private sector. I made it clear in my statement that giving the Government objective impartial advice will continue to be part of retained DERA's function.

Mr. Crispin Blunt (Reigate): Will the Secretary of State confirm that the cash increases that he has announced do not even go as far as reversing the cuts imposed under the last comprehensive spending review two years ago? Secondly, will he confirm that the 3 per cent. efficiency savings target remains in place, which puts enormous pressure on the base level and the bottom level of staff officers who have to implement it? If the right hon. Gentleman does not understand the pain caused by that target—which was imposed under his predecessor when he was mugged by the Chancellor of the Exchequer two years ago, when the target increased from 2 per cent. to 3 per cent.—he is not doing his job properly.

Thirdly, will the right hon. Gentleman confirm that it is a bit rich to try to claim that the Select Committee on Defence is in support of the transfer of DERA? When I was a member of it, it was—and according to the reports that I have read since, it still is—opposed to the proposed transfer of DERA. He talks about £250 million having to be found if the transfer does not go ahead, but the Treasury will be taking £500 million anyway from the sale of DERA, and that will not benefit the defence budget.

Is it not a sad state of affairs that the Secretary of State has to be rescued by the Chief of the Defence Staff, who had to see the Prime Minister? That is the equivalent of the Ministry of Defence's nuclear bomb. The Secretary of State is leaving the defence budget in precisely the same precarious condition. No wonder we are reading in the diary columns that he wants to go to the Department of Trade and Industry.

Mr. Hoon: I am surprised that the hon. Gentleman did not learn more about the processes of government when he was advising a previous Conservative Government. Perhaps the nature of his advice was such as to lead that Government to continue to cut the defence budget, as they did year on year for 15 years. It is astonishing to hear the hon. Gentleman, when he is supposed to know something about this issue—*[Interruption.]*

Mr. Deputy Speaker: Order. The hon. Member for Reigate (Mr. Blunt) asked about four questions when he should have asked only one, and now he is shouting from a sedentary position.

Mr. Hoon: The hon. Gentleman is complaining about the fact that extra money will be spent on defence, over and above inflation. That was never achieved by Conservative Governments while he was giving them advice. I do not know how he manages to reconcile the two. Perhaps that is why he is now a Conservative Member rather than a defence adviser. Clearly, he was a disaster as a defence adviser. Unless he improves the quality of the advice that he gives the House, he will be a disaster in his current job, too.

The reality is that—irrespective of a 3 per cent. efficiency target—we are spending extra money. Whatever level of efficiency is achieved, the benefit will accrue to the defence budget. The more efficient the armed forces—each of the three services—are, the more will be available for spending. That will be a considerable advantage for defence.

Mr. Tam Dalyell (Linlithgow): Patchy though the circumstances may be, the view of the Royal Scots Dragoon Guards, with whom I stayed, was that their accommodation in Kosovo was excellent, and that the contractors should be congratulated on the efforts that they have made. Could something be done to relax the rules on the buying of local produce, so that fruit and other items do not have to come frozen from Britain?

On the crucial issue of retention, is not one of the problems that the families of the Royal Scots Dragoon Guards, and there are other examples, have been in Fallingbostel for eight long years? The retention problem would be somewhat eased if only the regiment could have a home posting. If we are to go on and on in Bosnia

[Mr. Tam Dalyell]

and Kosovo year after year—four months next year and, heaven help us, six months the year after that—the retention problem will become acute.

Mr. Hoon: I am extremely grateful to my hon. Friend for his helpful and constructive suggestions, and especially for his observations about the temporary field accommodation in Kosovo. Notwithstanding the difficulties that we had in ensuring that it was available, that accommodation is now the envy of every other armed force in the theatre.

I shall look at the question of improving local purchasing, especially of fresh food, and shall write to him in due course about the result of my inquiries. I have considerable sympathy with his point about home posting. It is sensible to try to find more satisfactory ways of ensuring that members of the armed forces retain a base in the United Kingdom. That will have beneficial consequences for retention.

Points of Order

5 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): On a point of order, Mr. Deputy Speaker. Have you had any approaches from the Minister of Agriculture, Fisheries and Food? I understand that the Ministry's regional offices, including the one in my constituency, are closed this afternoon in order that staff can be told of considerable job cuts. Such a major announcement should have been made in the House, because it has significant implications, not just for the civil servants concerned, but for the quality of the Ministry's work and its response to the agricultural sector. Has the Minister asked to make such a statement?

Mr. Deputy Speaker (Mr. Michael J. Martin): I must tell the hon. Lady that I have had no such information. It really is not a matter for the Chair, but the hon. Lady's words and concerns will have been heard by those on the Front Bench.

Mrs. Alice Mahon (Halifax): On a point of order, Mr. Deputy Speaker. I realise that we have just had a statement on defence, but it was not appropriate to raise this matter in a statement on spending.

The Select Committee on Foreign Affairs recently stated that the action in Kosovo was almost certainly illegal under international law. A senior ex-Defence Minister has now stated:

> If you ask my personal view, I think the terms put to Milosevic at Rambouillet were absolutely intolerable; how could he possibly accept them;

and he said that NATO was almost certainly spoiling for a fight. More than 250,000 ethnic minorities have been expelled from Kosovo and, in the past 14 months, more than 1,000 people have been killed or kidnapped under the very nose of KFOR, yet we have had no statement on the situation in Kosovo for more than 14 months. You will recall, Mr. Deputy Speaker, that during the bombing we had a statement almost every week. Is there any way in which we can get a Defence Minister to the House before the recess to tell us about the situation in Kosovo and to give us an honest appraisal of how long our forces will be there?

Mr. Deputy Speaker: The hon. Lady has made her point. It is not a matter for the Chair. She knows her way around the House and how to ask for a Minister to make a statement, and I have no doubt that those on the Front Bench will have heard her concerns.

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Deputy Speaker. I gave notice of this matter to the Speaker's Office.

I refer to the point of order raised by the right hon. Member for Bromley and Chislehurst (Mr. Forth) on 20 July about how a Speaker is selected or elected. The Deputy Speaker in the Chair said:

> I have been asked to assure the House that Members will be given clear advice in good time about the procedures to be used on 23 October.—[*Official Report*, 20 July 2000; Vol. 354, c. 567.]

What is meant by "in good time"? Bluntly, if it is after Wednesday, it is not in good time; that is insufficient time. Given the entirely novel circumstances, we should have the opportunity at least to discuss the procedures for the selection of a Speaker.

I go back a long way to the election of Mr. Speaker King following the death of Sir Harry Hylton-Foster, and the election of all subsequent Speakers—Selwyn Lloyd, George Thomas and Jack Weatherill. The present circumstances are entirely different and it really is not satisfactory that we should return on 23 October having been told in the recess what the procedure is to be, or perhaps presented with a fait accompli. There are various rumours going around about how it will happen, some of which are, frankly, appalling. We should have the letter before Wednesday.

Mr. Deputy Speaker: I am grateful to the hon. Gentleman for having raised this matter and I am sure that his concerns have been heard, but all I can say is that my colleague made a statement on behalf of Madam Speaker and it would not be proper for me to elaborate on it.

BILL PRESENTED

Crimes Against Humanity and War Crimes

Mr. Andrew Mackinlay, supported by Dr. Norman A. Godman, presented a Bill to provide for the implementation of the Rome Statute of the International Criminal Court respecting genocide, crimes against humanity and war crimes; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 28 July, and to be printed [Bill 166].

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael J. Martin): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Patents

That the draft Patents Regulations 2000, which were laid before this House on 3rd July, be approved.

Consumer Protection

That the draft Consumer Protection Act 1987 (Product Liability) (Modification) Order 2000, which was laid before this House on 3rd July, be approved.

Constitutional Law

That the draft Scotland Act 1998 (Consequential Modifications) Order 2000, which was laid before this House on 7th July, be approved.—*[Mr. Clelland.]*

Question agreed to.

Broadcasting

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation) and Order [7 July],

That the Amendment (Cm. 4797), dated 3rd July 2000, to the Agreement (Cm. 3152), dated 25th January 1996, between the Secretary of State for Culture, Media and Sport and the British Broadcasting Corporation, a copy of which Amendment was laid before this House on 4th July, be approved.—*[Mr. Clelland.]*

Question agreed to.

Orders of the Day

Child Support, Pensions and Social Security Bill

Lords Amendments considered.

Clause 1

Maintenance calculations and terminology

Lords amendment: No. 1, in page 2, line 34, leave out from beginning to ("and") in line 39

5.5 pm

The Parliamentary Under-Secretary of State for Social Security (Angela Eagle): I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this we may discuss Lords amendments Nos. 2 to 14, 64 to 66, 68 to 72, 78, 79 and 84.

I remind the House that privilege is involved in Lords amendments Nos. 17, 18, 26 and 39. If the House agrees to any of those, I shall ensure that the appropriate entry is made in the Journal.

Angela Eagle: This is a large group of minor amendments and I do not intend to speak to each one in turn, although if hon. Members have specific points on the detail, I shall be happy to try to deal with them. The amendments are technical and are necessary to ensure that the Bill, as drafted, achieves what is intended. They make a number of minor improvements or clarifications to the text or remove unnecessary duplication.

Amendments Nos. 1 and 2 avoid duplication by removing unnecessary definitions. Amendments Nos. 8, 9 and 11, relating to the new civil penalty of disqualification from holding a driving licence, are necessary because of changes currently being made to the Powers of Criminal Courts Act 1973.

The group of amendments relating to clauses 16 and 17 contains technical changes to remove duplication in the Bill as currently drafted. Amendment No. 69 is a technical amendment intended to put the intention of the Bill beyond doubt in relation to the means by which a non-resident parent must meet his child support liability.

Lords amendment agreed to.

Lords amendments Nos. 2 to 14 agreed to.

Clause 25

Regulations

Lords amendment: No. 15, in page 23, line 40, leave out ("10") and insert ("10(1)")

Angela Eagle: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may discuss Lords amendments Nos. 62, 63, 67 and 77.

Angela Eagle: This group of amendments sets a maximum level of income to be used in the child support

[Angela Eagle]

maintenance calculation. The effect is to cap child support liability at a high level, which will vary with the number of children for whom a non-resident parent is responsible.

Amendment No. 62 sets the maximum net income for child support purposes at £2,000 per week, which represents a gross income of around £170,000 per annum. The normal child support rates and the adjustment for children living with the non-resident parent will apply to that maximum to produce a cap on liability for one child of £300 per week. The maximum liability for two children will be £400 and, for three or more, £500. Those figures will be reduced proportionately if there are children in the non-resident parent's second family and adjusted to reflect shared care.

Amendment No. 63 provides that the maximum level of income for that purpose can be changed by affirmative regulations should that prove necessary. Amendments Nos. 67 and 77 provide for the courts to award top-up child maintenance should child support liability be capped.

As I made clear during the debate on the issue in Committee, we believe that children should come first, whatever the non-resident parent's income. Children should be able to benefit from a non-resident parent's wealth in the same way as they should if they lived with the parent.

The argument advanced by Opposition Members that maintenance should in some way be related to the subsistence needs of the child only—the need to be clothed, fed and housed—is not only impracticable, but wrong. However, as my right hon. and noble Friend Baroness Hollis said in another place, we accept that the arguments on a maximum level of liability are finely balanced. There is a respectable case to be made in favour of a cap on maintenance, based in particular on the argument that, because the financial affairs of the very wealthy are often much more complicated than those of the average earner, a simple formula-based approach to setting child support liability may not always produce a just outcome.

We remain convinced that court-based agreements should, in the main, be settled in line with Child Support Agency rates. That will avoid fluctuations in the level of maintenance where the parent with care moves on or off benefit. That is why, under the reformed child support scheme, we propose to open access to the CSA for "private" non-benefit cases where parents are unhappy and the new court order has been in place for at least a year.

Mr. Steve Webb (Northavon): For information, can the hon. Lady give the House an idea of the number of cases that will be affected by the cap?

Angela Eagle: The hon. Gentleman has asked that question before. We had debates about that in Committee. I made it clear that the number of people likely to be affected by a change was very small—in this case, about 120 people, and we think that that might be an over-estimate.

We have been persuaded, however, that, in the case of very high earners, the courts are better placed to unravel their financial affairs and to come to a sensible conclusion about the proper allocation of property, spousal maintenance and child maintenance. Without a cap on child support liability, the courts might find it impossible to settle the family's financial affairs properly. With a cap, the courts will be able to work from a fixed maximum child support liability while settling other financial arrangements.

That is why we have agreed to set the cap at a high level, so long as the child or the parent with care can go back to the court for "top-up" maintenance. That means that, where child support liability is capped, parents with care or the children concerned will be able to seek additional maintenance from the courts.

Mr. Eric Pickles (Brentwood and Ongar): On the affirmative resolution, will the hon. Lady give some guidance on whether the figure of £170,000 may be moved in either direction—either up or down?

Angela Eagle: I assume that it would be up to the Government of the day to put anything in regulations and for the House to debate and to consider them. However, I have emphasised that we think that it is important that the cap be set at a very high level; thus, we have set it at such a level. I assume that, in the more general use of that power, the level would be moved up to take account of prices and general movements in prices and earnings. *[Interruption.]* Is the hon. Member for Brentwood and Ongar (Mr. Pickles) seeking to intervene?

Mr. Pickles *indicated dissent.*

Angela Eagle: I thought that the hon. Gentleman was hovering.

We have agreed to set the cap at a high level, and agreed that it is appropriate that it should be at that level, so long as the child or the parent with care can go back to the courts for "top-up" maintenance. That means that, where child support liability is capped, parents with care or the children will be able to seek additional maintenance from the court. In that way, children will still be able to share in the wealth of very wealthy parents, but the way in which that takes effect will be for the courts to determine in the light of broader considerations than the CSA could countenance.

In practice, a cap set at the levels that we propose will have little effect in child support terms; this comes on to the point raised by the hon. Member for Northavon (Mr. Webb). Currently, there are very few non-resident parents on the CSA's books with income at levels which could mean that their maintenance liability under the new scheme would be capped. The effect will rather be on the way in which the courts divide up capital, property and income in cases in which substantial sums are at stake, and in which the CSA is unlikely to be involved.

The amendments will allow the courts, in establishing financial arrangements for very wealthy parents, to work from a fixed maximum child support liability—the most that could be required if either parent came to the CSA. That should make it easier to establish the other aspects of the financial package.

5.15 pm

Mr. Pickles: I must confess to having been concerned about the Minister's health a few moments ago. Something seemed to be sticking in her craw when she made those magnificent statements about looking after very wealthy parents.

We debated the matter at length in Committee. I shall spare the House quotations from what the Minister said then—unless she insists—but in fact she said the opposite of what she has said today, and said it quite forcefully. Instead, let me quote something else. As I began my Second Reading speech with a quotation from P.G. Wodehouse, I think it only right now to give another, which strikes me as entirely apposite.

I think it was in "The Code of the Woosters" that Bertie, trying to get a point across to Jeeves, spoke of a man walking in the fog one night with his dog. The dog kept pulling at his trousers, trying to stop him. At every tug, the man got angrier—until the fog cleared, and he found that they were standing on the edge of a precipice, looking down. I feel that the Government have at last seen the fog clear, and have realised that they were standing on the edge of a precipice. Without this upper limit, the CSA would be swamped with cases.

The hon. Member for Northavon (Mr. Webb) made a good point. It matters not a jot that we are talking about 120 people now; my point in the amendments that I tabled in Committee and on Report was that the CSA would be swamped. It is, however, a little disappointing that the measure relates only to the very rich, and thus has the potential to bring about what would be nothing short of spousal dispersal.

I think it wrong of the Minister to reject the idea that the Child Support Act 1995 was about supporting children, because that is exactly what it was about. Even with the concessions that were wrung out of the Minister in the other place, there is no mechanism in the Bill allowing the child to benefit directly. I am surprised that the Minister looks surprised at what I have said, because it has been made clear in all our debates. Under the Bill, the resident parent with care could use the sums for any purpose.

Nevertheless, the Government have made a concession—owing mostly, we understand, to the tenacity of Lady Hollis, who argued strongly against the Minister and in favour of the amendment. We are glad that Lady Hollis won, and grateful to the Government for putting a reasonable face on their defeat in the Commons. However, I shall make a prediction. I think that, as the number of cases for the CSA start to increase because of the £170,000 upper limit, the Minister will be very grateful for an affirmative resolution procedure that might change that limit. I suggest that she bring a large bottle of water to the appropriate Committee, because more things will stick in her craw.

Mr. Webb: There is rejoicing on the Liberal Democrat Benches as well, but for a rather different reason. The amendments show that the Government have finally accepted our arguments about the essence of their CSA reforms. This group of amendments recognises the principle that the formula will not fit certain cases. People involved in those cases will be able to go to the courts, and the courts will be able to examine the individual circumstances of those cases and get the answer right. It is the first breach in the armour, and the first concession to the argument that we have maintained all along—that the formula is too rigid, that individual circumstances vary greatly, and that cases have to be considered by the courts on a case by case basis.

We very much welcome the chink in the armour—the concession that the very rich are a special case. However, I hope that—as new Labour is for the many, not the few—not only the rich are made an exception and get the benefit of a court examining their individual circumstances, but that, one day, that special treatment is given also to the poor.

We very much welcome Lords amendment No. 15, and we commend the Government on accepting the principle of our argument.

Angela Eagle: I welcome the widespread acclamation for the Government on making the concession. We listened to the arguments, and we recognised that they were finely balanced. Opposition Members should, however, realise that the change will affect very few people. I wonder whether the prediction made by the hon. Member for Brentwood and Ongar that the CSA will be swamped with such cases is part of an economic prediction that the United Kingdom will continue to do extremely well under a Labour Government and that vast numbers of people will be earning well over the maximum of £170,000 annually, so that they will be affected by the cap. If that is his prediction, I agree with him.

Mr. Pickles: The hon. Lady is living in a parallel universe if she thinks that I was suggesting that. I am simply suggesting that, now that she has looked after the rich, lots of middle class people who would not have been affected by the measure will be drawn into the CSA and that the CSA is not capable of treating them. The Government will find that they have to reduce the £170,000 cap simply because of the sheer injustice being inflicted on those who have much more modest incomes.

Angela Eagle: We all have to remember—this partly addresses the issues raised in his brief speech by the hon. Member for Northavon—how the CSA developed. It was created initially because the court system completely failed parents with care and their children. The Bill, from start to finish, has been about creating a CSA that works, so that we can ensure that maintenance goes to parents with care and their children. Many of those children are living in poverty because they do not receive the support that is due to them from their non-resident parent. Achieving that objective is at the centre of the Bill.

In the past, the courts have been an expensive failure. As the Bill nears the completion of its passage, we all have to work together to ensure that the CSA is properly equipped to do its job—to get maintenance flowing to the many children who are currently without it.

Lords amendment agreed to.

New Clause

Lords amendment: No. 16, before clause 36, to insert the following new clause—*Report on cost of pension uprating in line with general earnings level—*

" . The Government Actuary or the Deputy Government Actuary shall report to the Secretary of State his opinion on the effect on the level of the National Insurance Fund, and the effect which might be expected on the rates of contributions, in each year up to and including 2005–06 of annual increases in the basic pension by the percentage increase in the general level of earnings; and the Secretary of State shall lay a copy of the report before Parliament."

The Minister of State, Department of Social Security (Mr. Jeff Rooker): I beg to move, That this House agrees with the Lords in the said amendment.

[Mr. Jeff Rooker]

Lords amendment No. 16 requires the Secretary of State to lay before the House a report from the Government Actuary setting out medium-term projections of the effect on the national insurance fund, and contribution rates, of uprating the basic state pension in line with earnings. The Government have no objections at all to publishing the figures as requested. Indeed, the information is effectively an amalgamation of the figures that are already contained in two reports that the Government Actuary publishes.

The first is the uprating report which is published early each year. That report contains information showing the effect on the balance in the national insurance fund, in the current and forthcoming year, of the Government's proposals for uprating of benefits and re-rating of national insurance contributions.

The second is the quinquennial review, which shows longer-term projections. That report gives snapshots up to 2060–61 and includes a table showing the level of contributions required to keep the national insurance fund in balance. The figures are given both for earnings and for price upratings.

The information is therefore not new, but I caution the House that there are all sorts of caveats on projections for more than a couple of years ahead. The surplus is the difference between two huge figures each year, but, subject to the normal caveats that I have mentioned, the Government are happy to accede to the amendment and to ask the House to accept it.

Mr. Webb: The background to the amendment is the long campaign by Baroness Castle to persuade the Government to restore the link with earnings. During this Parliament, the noble Lady has pressed the Government hard, and the Government have twice attempted to buy her off. The first occasion was under the previous Secretary of State, when she threatened troublesome amendments at a Labour party conference. She was told then that there would be a review, and she withdrew her plans. The review duly came and went, yet there was no significant change to the basic state pension, which retained its link to prices.

Baroness Castle then tabled an earnings-link amendment in proceedings on this Bill in the House of Lords. I am not an expert on the finer points of procedure there, but Labour peers said that the noble Lady had been "mugged". I am not sure what that means, but there was clearly some attempt to block that amendment. Later in the proceedings, this rather modest amendment was accepted.

In debate with Baroness Hollis, Baroness Castle said that

> the Minister's total indifference to the strengthening of the basic pension arises from the fact that not only she, but also the Government, abandoned the principle of state insurance altogether.

There has been plenty of evidence of that this year. In April, the Government raised pensions by 75p. Last week, in his comprehensive spending review, the Chancellor of the Exchequer handed out £43 billion yet did nothing for the basic state pension, and this amendment should be seen in that context. The Government were elected on a manifesto pledge that pensioners would share fairly in the rising prosperity of the nation. The CSR was about carving up that prosperity, but not a penny could be found for pensions.

The amendment provides that, until 2005–06, the Government should publish estimates of the effect on the national insurance fund of earnings linking as well as price indexation, and Baroness Castle made a passionate speech about the Government's disregard for the principle of social insurance. However, the Government accepted the amendment, which should have made us suspect that it would have no effect. Baroness Hollis gave the game away when she said that

> the Government have accepted the amendment and are happy to do so . . . we are just splicing together two sets of reports.—[*Official Report, House of Lords*, 19 July 2000; Vol. 615, c. 1097-1102.]

The Minister of State said the same thing when he moved the amendment—that two bits of information would be placed between one set of covers. That will not change the fact that the Government do not believe in the long-term future of the basic state pension as a true foundation for income in retirement.

What will be the effect of the annual report provided for in the amendment? A copy of the report will be placed before Parliament, but does that mean that there will be a chance every year for the House to debate the level and uprating of the basic state pension? I suspect that it does not. I suspect that the report will simply disappear into the Library of the House after publication and that it will not change any element of the Government's policy. I am sure that Baroness Castle intended the amendment to secure a real change in what the Government are doing with the values of the pension.

5.30 pm

We are concerned that the amendment does not go far enough. It requires information that is currently published to be published under a single cover instead of two. I am disappointed that Baroness Castle was unable to go further and table an amendment that would not merely have required the reporting of information on the level of the basic state pension, but would have put pressure on the Government to increase it forthwith.

The Liberal Democrats have advocated specific rates of increase, which the Chancellor should have brought forward in the comprehensive spending review last week. We have argued that there should be an across-the-board increase of £5 for all pensioners but that the older pensioners, who have suffered the most from the breaking of the earnings link, should see larger increases. We have suggested £10 at the age of 75 and £15 at the age of 80. That is a structural idea, which would go beyond the amendment and would involve the Government in not merely reporting facts but doing something about the real value of the state pension.

When Baroness Castle said in the Lords that the Government had abandoned the principle of state insurance altogether, she was right. The Government argue that anything except money on the state pension is acceptable. When we said that we would increase the pension for the older pensioners, Baroness Hollis responded in another place that that would not be well targeted; yet the winter fuel payments are even less well targeted than any addition to the basic state pension, which is the subject of the amendment.

We are disappointed that Baroness Castle was able to get only this amendment through in another place. We believe that the amendment was accepted by the Government only because it lacks any teeth. We hope that

we will get some assurances from the Government that although the Chancellor may have wanted to keep his powder dry in the comprehensive spending review, we will see not just a few extra reports under a single cover but some serious increases in the basic state pension. Pensioners not only expect that, but have a right to it.

Mr. Deputy Speaker: I remind the House that we are debating the amendment before us, not amendments that were tried in another place and did not succeed.

Mr. Paul Flynn (Newport, West): I am baffled by the speech of the hon. Member for Northavon (Mr. Webb), because I have no idea why the Liberal Democrats did not table their own amendment if they thought that the one selected was not strong enough. Baroness Castle's amendment went through on Wednesday, and there has been plenty of time since then to table others.

I applaud the Government for accepting the original new clause in the other place and for accepting the strengthening of the new clause by adding the words

and in order to enable Parliament to determine the introduction of such annual increases.

To me, that means that we will have a chance to debate—and, I hope, to vote on—the level of the basic pension.

Mr. Rooker: Just so that I can disabuse my hon. Friend of that idea, let me remind him that amendment (a) to amendment No. 16 has not been selected.

Mr. Flynn: I accept what my right hon. Friend says. Life is full of disappointments. We must go back to our original position—the Government are at least accepting what was moved in the other place, which is something of a breakthrough.

We already know what the Government Actuary will say. He gave evidence on 28 June to the Social Security Committee inquiry into pensioner poverty. When asked to express his view on the result of restoring the link with earnings, he said that it could be increased for up to the next five years without any additional increase in national insurance contributions. The money is already there.

Other evidence has been given in answers to the written questions tabled by my hon. Friend the Member for Bethnal Green and Bow (Ms King), to the effect that without any increases in national insurance contributions beyond inflation, the link can be restored up to 2011. Not only would that not require any additional contributions—

Mr. Deputy Speaker: Order. I think that the hon. Gentleman is going so far that he is about to start, or has already commenced, debating an amendment that has not been selected. He cannot do that. He has given a little background as to why the Lords amendment is before us; now he must speak to the Lords amendment.

Mr. Flynn: Thank you, Mr. Deputy Speaker.

The acceptance of the amendment will give new heart to the 106 Members who signed early-day motion 1 and to those who signed early-day motion 985, which relate specifically to pensions. The fact that money has been sprayed in all directions is an act of gross injustice to pensioners, if there is no remedy for the insult of the 75p increase on the basic pension. That must be put right. I believe that the Government are moving in that direction. I cannot imagine why they hesitate for a second to announce that, for the foreseeable future, the link with earnings will be restored. It is affordable, it is justified and it would be hugely popular.

Mr. John McDonnell (Hayes and Harlington): I welcome the amendment. Like my hon. Friend the Member for Newport, West (Mr. Flynn), I too almost got excited because I thought that amendment (a) to amendment No. 16 had been accepted—but such is life.

The amendment will allow us to debate, at an early date, the earnings link with pensions. Although Baroness Castle was thwarted in her attempt to restore the link—as were several Members of this place—she managed to secure that fundamental report, which, I hope, will be made in the autumn. That will enable us to compare the costs of the Government's current array of benefits for pensioners with the restoration of the link for which we have argued for so long.

Previous debates have made it clear that many pensioners welcome the litany of improvements—the increased fuel allowance, free eye tests and the reductions in VAT—and the benefits that they would provide. However, the demand from all the pensioners organisations is for an increase in the basic pension and for that increase to be protected in the long term by a link with earnings in future. They argue that that is the only way to ensure that pensioners share in the growing wealth of the country.

Mr. Dafydd Wigley (Caernarfon): Does the hon. Gentleman agree that the pressure is to make up for the loss since 1981? That would now amount to £30 a week. The report would provide yearly information, but not a means to make up that loss.

Mr. McDonnell: Clearly, the information in the report would enable us to calculate the loss, but it might go further. A report issued by the Department of Health this month showed growing inequality, both in general and because of increased pensioner poverty. More than 30 per cent. of pensioner households have incomes that are below half average earnings. A fifth of pensioners live in dire poverty—in unsatisfactory housing or in houses that have been condemned as unsuitable for human habitation.

The report proposed in the amendment should highlight such matters. However, unless it is followed by action—by which I mean an order enabling Parliament to determine the restoration of the earnings link—pensioners will be disappointed.

Recently, there has been much reporting about memos to the Prime Minister on how to get the Government back on track and how to ensure a place in history for the Prime Minister and the Government. One way to restore the Government's record among pensioners is through the proposed report. It will show that we can restore the link with earnings, which can be afforded by the national insurance fund. Pensioners would not only be lifted out of poverty but out of continued dependence on means-tested benefits. I urge the Government not only to accept the amendment but to think again about its implications for long-term policy.

Mr. Frank Field (Birkenhead): I welcome the amendment. Given that the House can guess where the

[Mr. Frank Field]

sympathies of my right hon. Friend the Minister of State lie on the issue, I hope that, before the provisions of the amendment are effected, an announcement will be made to the House that there will be an increase in the national insurance pension, weighted to older pensioners. Those of us who canvassed in the local elections realise what a hiding we received because of this matter. I hope that the Government will not merely issue a report, but will take action before it is published.

Mr. Rooker: I am grateful for the contributions of my hon. Friends—I also consider the hon. Member for Northavon (Mr. Webb) to be a friend.

Anyone would think that the Government did not accept amendments in the House of Lords, but we did. There is no argument about that. However, at the risk of upsetting noble Lords, especially Lord Higgins and Lord Goodhart, I think that the comments that they made last week at columns 1101–02 of Lords *Hansard* after my noble Friend Baroness Hollis had accepted Lady Castle's amendment were impolite and insincere—and I mean that. If I were a little less diplomatic, I would probably say that those comments were outrageous but one does not say that about Members of the other place.

Given the remarks of the hon. Member for Northavon, I want to make one point clear so that there is no ambiguity. I do not want to sound pompous, but we are making law by accepting amendments to the Bill. We have accepted the amendment that has come from another place. The actual words on the amendment paper—not what people think they mean—will go on to the statute book.

It will not be an annual report, because the amendment does not call for that. There will be a report at the earliest available opportunity, which is likely to be in January. That is when the normal report on uprating appears and it is based on the uprating statement. The figures will be amalgamated from the quinquennial report and that is the earliest opportunity that the House would normally have to see those figures. The amendment calls for a report up to 2005–06, and we have accepted that. It is not practical to produce a report for when we return from the recess.

The hon. Member for Northavon can rattle on all he likes about the Government's action but I remind him that, when push came to shove, he and the Liberal Democrats even voted against the 75p increase this year.

Mr. McDonnell: Although it is true that we are debating the words that will appear in the Bill, is my right hon. Friend also clear that we are sending a message to pensioners that the Government have not closed their mind on the restoration of the earnings link with pensions?

Mr. Rooker: We are sending out all kinds of messages. By the time the report is published—the earliest available opportunity would normally be in January—the Government will have fulfilled the commitment that we gave on Budget day to put forward our proposals for consultation on the pension credit. That will be a radical departure from the status quo arrangements. Although there is still much work to be done over the coming weeks, we will keep that commitment and thereby enhance the debate and send all sorts of signals to pensioners. I assure my hon. Friend of that.

I do not want to digress, but, as one of my hon. Friends said, simply restoring the link would not, of itself, help the poorest pensioners. Hon. Members who simply advocate restoring the link as a mantra must also have the courage to say, "But this will not get any more money fast to poorer pensioners. They won't gain from that of itself." That is why we need the pension credit.

Mr. Webb: Is the Minister saying that the amendment means that we shall have a report in January that will include figures that we would have had anyway, together with figures from the quinquennial report that would also have been available? What additional information will the amendment produce next January that we would not have had anyway? Will he clarify that point?

Mr. Rooker: I made it clear that the information requested in the amendment is already available from two different sources, and I explained what they were. We will make sure that that information is pulled together in one of the publications. I do not want to be hung out to dry on this, but, in the normal process, the earliest opportunity—the one that is of most use to the House—to publish the information would be in January. The information requested in the amendment is already publicly available. There is nothing new about that at all.

Mr. Flynn: If the information is available, why did the Department of Social Security refuse to give me information about the state of the national insurance fund in 2003 and 2004, which it has done twice in response to parliamentary questions in the last six months? Does the Minister agree with Baroness Castle that targeting sounds like a good idea, but in fact is another way of describing means testing?

5.45 pm

Mr. Rooker: I do not accept that, and I am not going to get into a row with the goddess of the Labour movement in an argument between the two Houses. She knows that, and I have told her on more than one occasion that I am not going to do that.

Without the details, I cannot respond fully to my hon. Friend's question. It may be that he was referred to the Government Actuary's report. As I said, there are big caveats on the figures published years in advance, which may be why Ministers chose not to give what could have been a misleading answer to my hon. Friend's question. However, it is open to him to come back and ask the question again.

Lords amendment agreed to.

Clause 38

PRESERVATION OF RIGHTS IN RESPECT OF ADDITIONAL PENSIONS

Lords amendment: No. 17, in page 34, line 22, at end insert—

("(4B) The regulations shall be based on the presumption that claimants have received incorrect or incomplete information unless the Secretary of State provides proof that the information the claimant received was correct and complete.")

Mr. Rooker: I beg to move, That this House disagrees with the Lords in the said amendment.

The amendment relates to inherited SERPS, and I have to say that I do not believe that it is appropriate to have a debate on the issue at this point. I do not think that any hon. Member could accept the other place tabling amendments that could lead to substantial additional spending of public money running into billions of pounds, which is the implication of the Lords amendment. However, I accept why the Lords did that. We made an announcement about inherited SERPS and explained what we planned to try to do, following reports from the Parliamentary Commissioner for Administration and the National Audit Office. As I said before, the matter is probably the single greatest example of public maladministration since the war and is a major problem. We accept that putting it right, however one chooses to do so, will cost billions of pounds.

Since we made the announcement in March, we have not been able to put any more flesh on our plans. Indeed, we said that we would not and explained that we hoped to come back before the end of the year with proposals for regulations for an inherited SERPS scheme. People are working on the issue, and the Social Security Advisory Committee has issued a consultation paper, responses to which are due in August. We shall examine those responses carefully. The Select Committee on Social Security and the Select Committee on Public Administration have taken evidence on the issue as well, so we have to have draft regulations for them to consider. In the meantime, many people at the Benefits Agency headquarters in Leeds are working to prepare the scheme.

We have to look at all kinds of matters, such as how many people might apply. We do not know whether there will be 50,000, 5 million or 10 million applications, or even more. When we do not know how many people will apply, it takes an awful lot of background work to work out the parameters of the scheme so that it will have the capacity to deal with telephone and other inquiries. Just because we have not given any details does not mean that we are not doing anything about the situation. For example, we have to cover an issue raised in the other place, which is what kind of appeals will be processed. For instance, how do we deal with people with a severe mental disability, who may have started to suffer from dementia since making an inquiry about SERPS? We have to deal with all those matters before we introduce a scheme.

The House of Lords wanted to give the Government a nudge to remind them that they had not fallen asleep, and to ensure that the inherited SERPS scheme worked and that the Government were doing something. All that I can say is that, with the best will in the world, we intend to introduce proposals for a practical scheme that meets the original criteria that we set out regarding those people who had been, or felt they had been, misinformed, with the burden of proof being the Government's responsibility, as the ombudsman said. However, it is far too early to curtail and corral the Government in the way that the amendment seeks to do. In effect, the amendment completely wrecks anything that we plan to do with the inherited SERPS scheme, so I urge the House to disagree with the Lords.

Mr. Pickles: Strangely enough, I agree with most of what the Minister said, but I do not agree that the amendment wrecks the Government's intentions. They have made very clear how they will deal with the inheritance rules on SERPS. The amendment would prevent any backsliding on their commitment.

The right hon. Gentleman is right to say that this is the biggest incident of maladministration since the second world war, and I, for one, certainly accept responsibility on behalf of the previous two Conservative Governments. The present Government cannot escape responsibility because we knew less than a year ago that benefits offices were giving duff information to people making inquiries, and we know even now that things are not right.

We are fortunate to have several excellent reports on the subject. I draw the attention of the House to the report of the National Audit Office and the Department of Social Security's internal audit service to the permanent secretary at the Department. Page 1 says that

> in view of the extensive consideration in 1999 given to the issue of misleading information, we are concerned that from November 1999 to 10 January 2000 contradictory lines were taken in official correspondence and other sources of information about the legal position after 5 April 2000.

Even now, we do not have a complete grip on the problem.

No Member of the House can feel smug about their involvement in this issue. The House singularly failed to check the Executive on these important measures. However, I suppose the time must come when the blame game has to end. I am pleased that the right hon. Gentleman sought to deal practically with the problems. Guidelines have been issued and Ministers have given clear assurances in Committee, in this House and in another place.

We also have the NAO's recommendations and the ombudsman's report. It is to the Government's credit that they accepted the ombudsman's report. As my noble Friend Lord Higgins has said several times in another place, generally there are no clear recommendations in that report. However, it makes two recommendations that are reasonably clear. First, on page 13 in paragraph 32, the ombudsman states that the Department should provide

> redress on a global, rather than an individual, basis.

Secondly, he says that the burden of proof, to which the Minister referred, that a claimant

> would not have acted differently had he or she not been misinformed rested on the department.

I realise that we do not yet have regulations on the subject, and I suspect that one reason for the amendment is to give the Government a prod about that, but it seems clear from what the Government said in another place and in Committee that they intend to provide redress on an individual basis. I understand that people who want to receive compensation under the Government's scheme have to jump over two hurdles. They have to show first, that they were misled by information, and secondly, that they sustained a loss. If the Government accept the ombudsman's report, they will have to prove otherwise. However, we know from what they have said that they will not have many records to disprove claims. They have set themselves an uphill struggle.

Baroness Hollis was most helpful in a debate on 6 July 1999, when she said:

> There is a very real issue of proof . . . No record is kept of telephone calls, any more than a record is normally kept of conversations at the desk. Paper records are kept for about six months. But if someone asserted that he had received that

misleading advice, I suspect it may well be the case that the Government would have to prove that he had not, rather than the contrary, because there would be no evidence to counterbalance it.—[*Official Report, House of Lords*, 6 July 1999; Vol. 603, c. 847.]

Any claimant who says that he walked into the Department's local office in one of the many parliamentary constituencies and picked up a leaflet that did not contain the information about SERPs must have a case. It would be impossible for the Government to prove otherwise.

On 15 March, *The Daily Telegraph* reported a suggestion that the Government were seeking written evidence that claimants had originally made a claim.

Mr. Rooker: That is not true.

Mr. Pickles: The right hon. Gentleman says that it is not true, and that reassurance is good enough for me so I will not pursue the point.

We need to see regulations reasonably soon. Given the issue of burden of proof, the lack of records and the right hon. Gentleman's reassurance, the effect will be the same whether or not the amendment is agreed to because the Government will not be in a position to disprove claims. People will only have to say that they went into an office and picked up a leaflet about retirement in which SERPS was not mentioned, so they did not take the necessary precaution of increasing their private provision. It matters not a jot how Members vote this evening, the effect will be the same. If the NAO is right, we are looking at a cost of £8 billion, admittedly over a number of years, but that cost is very great.

Mr. Webb: I agree with the noble Friends of the hon. Member for Brentwood and Ongar (Mr. Pickles) more than he does, because I agree with the amendment, and we will not support the Government's motion to disagree.

The Minister said that he wants to keep his options open—I hope that I am paraphrasing him fairly—and that the Government are in the process of drawing up regulations, so they do not want to close off any avenues. They think that the amendment may constrain their future actions. However, in saying that he is admitting that he can envisage circumstances in which the Government might want to breach the presumption in the amendment. In other words, he can envisage the introduction of regulations that do not presume that people have received incorrect or incomplete information unless they can prove that they have done.

6 pm

It is clear that the ombudsman is in no doubt. In the other place, Lord Higgins read out at some length correspondence that he had had with the ombudsman, and I shall repeat a couple of key phrases. In a letter to Lord Higgins, the ombudsman stated:

> I suggested to the Department that the onus of proof was therefore reversed. It was for the Department to prove someone would not have acted differently if they had not been misinformed . . . The presumption had to be that anyone who could reasonably claim to have been misled and in consequence to have acted, or failed to act, to their detriment had a *prima facie* claim for redress.

Lord Higgins pointed out that people

> will still have to prove that they suffered loss as a result.

Therefore, there are two issues: were the people given incorrect or incomplete information, and did that cause loss? People will still have to prove loss, but the presumption will be that they were given duff information, unless the Government can prove otherwise.

When the amendment was debated in the Lords, lengthy consideration was given to the question of incomplete information, as opposed to incorrect information, which, in turn, raises a broad spectrum of issues. The fundamental question is, when legislation as far-reaching as the Bill is passed, should people be informed individually? However, if the House approves the amendment, all we will be saying is that people who say that they were given incomplete information can be presumed to be telling the truth. The Government would not be required to do anything about that; even if the amendment were made, the regulations need not bind the Government to compensate everyone who was given incomplete information. In my view, compensation should be given, but that is not what the amendment would do; it merely reverses the burden of proof and leaves the Government free to make regulations based on that assumption.

I hope that the Government are not telling the House that they reserve the right not to reverse the burden of proof. The ombudsman has made his views clear and Baroness Hollis stated that the Government accepted the arguments regarding reversal. Therefore, if the amendment is not accepted, how does the Government envisage the scheme operating? Baroness Hollis said:

> When the time comes for people to make their claims, we envisage asking them a few questions about how and roughly when they saw a leaflet.—[*Official Report, House of Lords*, 27 June 2000; Vol. 614, c. 771-72, 777.]

We are talking about events occurring from 1986 onward—leaflets that were read in the late 1980s. When I asked the Minister about the position of married women on the reduced rate, saying that many were misled, he replied that it all happened ages ago and that no one could prove that—yet the Government appear to want to keep open the option of requiring people to do precisely that.

At issue is not merely whether or not people read a leaflet, but whether or not they visited a citizens advice bureau: Baroness Hollis said that going to a citizens advice office or Age Concern, both of which were misled by dodgy leaflets, would be good enough. Therefore, if someone makes a claim, the DSS official will ask, "When did you see the leaflet?", to which the individual might reply, "I didn't see a leaflet, but I got the wrong impression." The official will then ask whether the individual went to a citizens advice bureau or Age Concern. That strikes me as being an extraordinary process.

The crucial point is that people will have to believe it is worth their while making a claim, but if there is a whiff of a suggestion that, when they phone up, they will be asked to provide proof, most will not bother; if there is any suggestion that they will be asked questions about how and roughly when they saw a leaflet, some will think that they cannot possibly remember. We shall be dealing with people who have passed retirement age: the Minister specifically mentioned people who are mentally impaired, but most people cannot remember what leaflet they looked at 10 years ago, let alone the person they chatted to at an advice centre. I am extremely concerned that the Government want to retain the option of not reversing the burden of proof.

Just before the debate, I received some comments from Age Concern, which strongly supports the amendment. It says that, unless the amendment is made,

> it will still be up to individuals to make a claim; to provide details of how they were misinformed; to show they relied on this information . . . and to show that they may suffer financially.

That is a lot of hurdles. Showing that one has suffered financially will be extremely difficult, especially because the proof consists of having done nothing—one did not opt out, even though one might have done, because the scheme appeared to be a good one. The Government have a moral duty to erect the fewest hurdles possible, but, although they have nodded in the direction of reversing the burden of proof, they appear to want to keep their options open.

Some pensioners contacted Age Concern about the existing proposals, not the amended version; they want the amendment to be made. One said:

> The majority of those misled are pensioners, many may not feel up to the task of convincing the DSS that their claim is valid.

We have to make it as easy as possible to claim because, otherwise, people will not do so; reversing the burden of proof is crucial. Another pensioner said:

> Continuing the uncertainty is a constant source of distress and erosion in our lives. Can I please make my application soon, remove this worry and enjoy the time left to us?

The amendment would help to end that uncertainty, because it would guarantee the reversal of the burden of proof. The fact that the Government do not want to accept it suggest that they want to change tack in the near future. We want to reassure pensioners. We think that the Lords and the Conservative Front Benchers in the other place were right. I hope that their hon. Friends in this House will support their colleagues at the other end of the Corridor. We certainly shall.

Mr. Rooker: As I said at the outset, we have no scheme to lay before the House, so it is not possible to go into the sort of detail that hon. Members want. However, let us be straight: the purpose of the amendment is to insert into primary legislation a provision ensuring that any applicant to the inherited SERPS scheme will be deemed to have been given incorrect or incomplete information unless the Department can prove otherwise. The effect would be to allow people who have neither sought nor received information to be deemed to have received incomplete or incorrect information. That almost amounts to a policy reversal.

Mr. Webb *indicated dissent.*

Mr. Rooker: Yes, it does.

The ombudsman estimates that deferring the policy change for 30 months until 6 October 2002 and introducing an inherited SERPS scheme to cover those who were misled or misinformed would cost up to £8.2 billion by 2050, so we are not talking about Government penny-pinching. However, the amendment would increase the costs significantly by opening up the scheme to people who were not misinformed because they never asked for information: reversing the policy by making the amendment would result in a cost of £23 billion by 2050.

We have made it clear that we want to protect people who were given incomplete or incorrect advice. We do not record telephone calls, so we have no evidence. Claimants will sign a form, which has not yet been designed, saying that they phoned an office; they will sign and date it as is normal with a DSS form. We will not be able to challenge that statement—we shall have to accept what they say. That is the burden of proof under which we shall be working. The amendment would extend that protection to people who were never advised and who never asked any questions. I cannot believe hon. Members want to make a decision far in advance of the Government introducing a scheme after considering the Select Committee reports and the advice of the Social Security Advisory Committee. It would be barmy to make such a decision when the cost of the amendment, at up to £23 billion, is three times greater than the highest figure suggested for our proposals.

Mr. Pickles: I apologise for interrupting the Minister in full flow. On the question of telephone calls, if people make that call, sign the form and there is no proof that they acted in any way other than they say they did, does the fact of their having done nothing and having made no additional provision constitute sufficient proof, or will something else be required?

Mr. Rooker: The hon. Gentleman will have to wait for us to come forward with the scheme.

People will have to say at some time or another that they might have done something differently. That naturally follows if they were misinformed. They will have to say that they did not do something that they would have done owing to bad information. That is the purpose of an inquiry about SERPS in the first place. The hurdle would be information that led someone to a certain course of action; they would tell us about the false information on which they had relied.

It is not such an onerous hurdle for people to say that they made a call, the date of which they cannot remember, and were reassured that they and their spouses would be okay and that, say, the claim would be 100 per cent. As a result, they did not take action to protect their position. People could tell us that they had received advice confirming that their claim would be chopped to 50 per cent. in 2000, which subsequently led them to take out a life policy that they were mis-sold.

Mr. Webb: There are two aspects to the amendment: incomplete information and incorrect information. I said clearly, and the record will show, that it does not follow that, on agreeing the amendment, regulations would require the Government to do anything about people who received incomplete information. The amendment would merely create the presumption that if somebody said that something had happened and the Government could not disprove it, it was so. However, on incorrect information, they should have to do something. Does the Minister agree with the ombudsman when he said:

> I suggested . . . that the onus of proof was therefore reversed?

Mr. Rooker: We have accepted the ombudsman's report and that is what we shall try to implement.

I make the point made by the hon. Member for Brentwood and Ongar (Mr. Pickles) about the global solution, which is important. I remember that before I entered the House there was an argument about a misleading answer given by the right hon. Member for

[Mr. Rooker]

Henley (Mr. Heseltine) when he was Minister of Aviation back in 1972. He gave as an excuse that his answer was global—but that is another point.

I have my Q and A before me; I will give the hon. Member for Brentwood and Ongar the question and the answer because it makes an important point. Does the scheme provide a global solution as recommended by the ombudsman? Yes. The ombudsman's concern, as Mr. Buckley himself said to the Public Administration Committee, was that it seemed impractical and unfair to put people through something like the special payments scheme that the Department already runs, in which they would be required to describe their circumstances in some detail and why they were entitled to redress. The inherited SERPS scheme therefore must be based on the presumption

that anyone who could reasonably claim to have been misled . . . had a *prima facie* claim for redress.

There is no doubt about that; that covers, globally, the people who were misinformed and feel that they have been misled.

Mr. Wigley: If the Government successfully disagree with the Lords amendment, will the Minister give an assurance along the lines that organisations concerned with specific aspects of the questions, such as Mencap, which deals with people with learning difficulties, will be fully consulted on the scheme? The question was raised by Lord Rix, and he did not press his amendment on that understanding. Will the Minister give such an undertaking?

Mr. Rooker: Yes, when we bring forward the scheme in draft and in full, there will be full and adequate consultation with all those who have an interest. That is not meant to be a qualification.

Achieving the task will be very difficult. The lower estimate of doing so is £8 billion, but we have no idea of the number of claimants, and the upper estimate, as I have said, is £23 billion. That is huge public expenditure. To listen to some hon. Members, who suggest doing so willy-nilly, 10 times a day, it could be paid for from the surplus in the national insurance fund.

It would not be sensible to amend the legislation. Doing so would completely scupper our proposals for an inherited SERPS scheme. I cannot put it plainer than that.

Question put, That the House disagrees with the Lords in the said amendment:—

The House divided: Ayes 287, Noes 26.

Division No. 281] **[6.14 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Allen, Graham
Anderson, Donald *(Swansea E)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cox, Tom
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Home Robertson, John
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain

Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Maxton, John
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stoate, Dr Howard
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Jamieson and
Mr. Jim Dowd.

NOES

Allan, Richard
Ashdown, Rt Hon Paddy
Ballard, Jackie
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Brand, Dr Peter
Campbell, Rt Hon Menzies *(NE Fife)*
Cotter, Brian
Davey, Edward *(Kingston)*
Foster, Don *(Bath)*
Harris, Dr Evan
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Kirkwood, Archy
Morgan, Alasdair *(Galloway)*
Oaten, Mark
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Webb, Steve
Wigley, Rt Hon Dafydd
Willis, Phil

Tellers for the Noes:
Mr. Donald Gorrie and
Mr. Andrew Stunell.

Question accordingly agreed to.

Lords amendment disagreed to.

New Clause

Lords amendment: No. 18, after clause 41, to insert the following new clause—*Concurrent holding of pensions*—

" . A person shall be able to hold both a stakeholder pension and an occupational pension concurrently and without financial penalty."

Mr. Rooker: I beg to move, That this House disagrees with the Lords in the said amendment.

With reference to the previous amendment, I must say that in all my years in the House, I have never before been present for a Division in which every vote for the amendment would have cost £1 billion.

Lords amendment No. 18 deals with concurrency. I will not detain the House for long. The Government have met the spirit of the amendment through the recent announcement by the Inland Revenue that concurrency with stakeholder pensions would be allowed on salaries up to £30,000 a year. That covers 87 per cent. of people in defined benefit schemes—a considerable number—at a cost of £155 million. Full concurrency would cost up to £400 million. In other words, it would cost about £250 million to cover the remaining 13 per cent. of people, which cannot be justified.

I hope that the House will accept the Government's view that we should disagree with the Lords in the amendment, but that the spirit of it will be met by Inland Revenue regulations.

Mrs. Jacqui Lait (Beckenham): I, too, welcome the fact that the Government have moved to accept concurrency up to a salary of £30,000. Originally they were reluctant to contemplate such a figure, regarding it as a tax break for the rich, and said that they would consider concurrency for low and moderate earners.

Throughout our deliberations on the Bill, we have discovered how interesting are the Government's definitions of lower and moderate earners, which vary from time to time. For example, stakeholder pensions are available for "moderate earners" on £10,000 a year. My definition of a moderate earner is not someone who earns £10,000 a year, but we shall go with the Government.

6.30 pm

By increasing the limit to £30,000, the Government have responded to industry concerns that people should be able to take advantage both of an occupational pension scheme with defined benefits and a stakeholder pension. That makes it easier for people with a stakeholder pension to decide, for example, to accept a job that has an occupational pension scheme with a defined benefit. Other arrangements could have created a barrier.

There is also a benefit for people who have not provided for themselves as well as they should have done over the years, even under an occupational pension scheme. In those circumstances, the stakeholder pension can be used for an additional voluntary contribution.

[Mrs. Jacqui Lait]

An irony remains in the regulations. Perhaps the Minister cannot explain it; it may be down to the Inland Revenue. It is ironic that higher earners—those who are in an occupational pension scheme and earn more than £30,000—are barred from buying a stakeholder pension for themselves, but can buy one for their non-working spouses, children or grandchildren. That applies to every Member of Parliament. It contradicts the class-conscious attitude reflected in the views on the tax break for the rich. The 13 per cent. to whom the Minister referred could take out stakeholder pensions for members of their families, who would consequently be able to take advantage of the tax break.

Conservative Members would prefer full concurrency, to avoid the ironies that I described. I understand that the Liberal Democrats also support full concurrency. Having pointed out some aspects that still require amendment, we welcome the Government's realisation that there is a need to make stakeholder pensions concurrent up to £30,000. We therefore do not want to disagree with them.

Mr. Webb: Like the hon. Member for Beckenham (Mrs. Lait), I shall be brief, because we support the important concession that the Government have made. I believe that they made it during proceedings on the Finance Bill last week—but I stand to be corrected on that.

We have taken the view throughout our proceedings that the Government pay lip service to the notion of simplicity, while creating an awful jumble in the pensions regime. Full concurrency would be ideal, and far simpler than the Government's proposals. They have had to introduce a threshold and devise laws for the years to which the threshold will apply; it is not yet clear whether it will be indexed. Such matters add to the complexity of the system. We would therefore prefer full concurrency. However, we recognise that the Government have travelled a long way from their initial intransigence.

The hon. Member for Beckenham said that people who earned more than the threshold figure might contribute money to a pension for their non-working spouses or children. Good luck to them. Many such non-working spouses might not be those people's spouses when they reach retirement age. If we can ensure that they have pensions in their own right, so much the better.

Lords amendment disagreed to.

Clause 54

PROHIBITION ON DIFFERENT RULES FOR OVERSEAS RESIDENTS ETC.

Lords amendment: No. 19, in page 59, line 38, at beginning insert

("Except so far as regulations otherwise provide,")

Mr. Rooker: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may discuss Lords amendments Nos. 20 to 22, 59 and 60.

Mr. Rooker: The amendments were tabled at the last minute, and it is fair to explain briefly why.

Amendments Nos. 19 to 22 would provide a power to make regulations that may specify exemptions to the current provisions of clause 54. Amendments Nos. 59 and 60 would delay the commencement of the clause by amending clause 83. The amendments relate to directive 98/49/EC, and are designed to safeguard the occupational pension rights of workers who move to other member states of the European Union.

The Government supported the directive because it protects workers who have occupational pension rights, and wish to exercise their rights to move freely in the European Union. The directive extends good practice that already applies in the United Kingdom to the treatment of occupational pensions throughout the European Union. It therefore promotes labour mobility in the EU. The terms of the directive state that provisions to implement it must be included in domestic legislation by July 2001.

When the directive was adopted, the Government's understanding, which was based on extensive consultation with the pensions industry in the United Kingdom and elsewhere in the European Union, was that UK schemes already complied with its provisions. During the Bill's passage through the other place, we were alerted to the practice of a small number of UK schemes that pay annual increases in pensions based on the rate of inflation of the country of residence, not that of the UK. That point was never raised during consideration of the directive.

We have tabled the amendments to avoid UK legislation causing UK schemes to be in breach of current UK law, even though the directive might not be breached. I can give further and better particulars if the House desires. The amendments have been tabled to include in UK law provisions that, because we did not know about the few schemes whose practice is slightly different from most pension schemes, we believed already operated.

Mrs. Lait: I shall be brief. I congratulate the Government on listening to pension industry worries so late in the day when the problem was identified. It is perhaps a lesson to us all that no one should introduce legislation at the last minute, before it has been thoroughly discussed with all the relevant groups.

We do not want to hold up the amendment, and we are glad that there is time for matters to be rectified and for necessary action to be taken. However, the lesson that needs to be learned is that EU directives need long and careful consultation. A new pensions directive is floating around; I sincerely hope that we shall not experience the same problems with it.

Lords amendment agreed to.

Lords amendments Nos. 20 to 22 agreed to.

Clause 59

CONSTITUTION AND PROCEDURE OF PENSIONS APPEAL TRIBUNALS

Lords amendment: No. 23, in page 62, line 42, after ("qualified") insert

(", persons with knowledge or experience of service in Her Majesty's naval, military or air forces")

Mr. Rooker: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may discuss Lords amendments Nos. 24 and 25.

Mr. Rooker: Clause 59 provides for a more flexible composition of the pensions appeal tribunals by permitting the Lord Chancellor to appoint to the pool of tribunal members who are available to hear individual cases lay members alongside legally and medically qualified members.

The amendments recognise anxieties that the clause as originally drafted may have restricted the numbers of people with knowledge or experience of service life who would be available to serve on tribunals. The amendments would give the Lord Chancellor a duty to appoint

persons with knowledge or experience of service in Her Majesty's naval, military or air services

to the pool of tribunal members.

The Bill continues to provide for the appointment of people with other experience, including persons with knowledge or experience of matters relating to the disabled. It was always intended that the Lord Chancellor would continue to appoint people with knowledge or experience of service life to the pool of tribunal members, and it is important that that is crystal clear in the Bill.

Mrs. Lait: This is becoming a routine, but I am pleased about the amendment, and pleased that the Government have included in the Bill the requirement that people with service experience should be members of the tribunals. We discussed the matter in Committee and tried to persuade the Minister to accept our amendment to that effect. He was conciliatory, and said that he hoped that people with such experience would serve on the tribunals, but he did not suggest that he was prepared to rewrite the Bill. I am therefore enormously grateful to the other House for persuading Baroness Hollis to accept the amendment, to ensure that service personnel will continue to be members of tribunals.

I thank those who initially brought the issue to my attention, and I thank the Government for accepting the amendment.

Lords amendment agreed to.

Lords amendments Nos. 24 and 25 agreed to.

New Clause

Lords amendment: No. 26, after clause 60, to insert the following new clause—*War widows' pensions—entitlement—*

("CHAPTER IV

WAR WIDOWS' PENSIONS

.—(1) The Secretary of State shall review the operation of this section when—

(a) a report on the armed forces pension scheme has been laid before Parliament by the Secretary of State for Defence; and

(b) the results of any public consultation upon a report as cited in paragraph (a) above have been published;

and a report of any review carried out under this section shall be laid before Parliament.

(2) Subject to subsection (3), a widow in receipt of a widow's pension under any of the enactments mentioned in subsection (4) ("the DSS pension") and in receipt of a pension paid under the Armed Forces Pension Scheme shall on remarriage or when living together as husband and wife with a member of the opposite sex only retain the Forces Family Pension (attributable).

(3) Subsection (2) does not apply to a widow in receipt of a basic pension under section 44 of the Social Security Contributions and Benefits Act 1992; and a widow in receipt of such a pension who has remarried or is living together as husband and wife with a member of the opposite sex may not retain the Forces Family Pension (attributable).

(4) The enactments referred to in subsection (2) are—

(a) the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983, and any order re-enacting the provisions of that order,

(b) the Personal Injuries (Civilians) Scheme 1983, and any subsequent scheme made under the Personal Injuries (Emergency Provisions) Act 1939,

(c) any scheme made under the Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939, or the Polish Resettlement Act 1947 applying the provisions of any such order as is referred to in paragraph (a),

(d) the order made under section 1(5) of the Ulster Defence Regiment Act 1969 concerning pensions and other grants in respect of disablement or death due to service in the Ulster Defence Regiment.")

Mr. Rooker: I beg to move, That this House disagrees with the Lords in the said amendment.

So that there is no room for doubt, I should make it clear that we announced last week that we would introduce such a proposal by another route. I shall not spend a great deal of time on the amendment, but it is important to put a couple of points on the record. Members of the armed forces enter into a unique contract with the state. In effect, they agree to die for their country if necessary. They are commanded to go into situations where they might be killed. It goes without saying that the people of this country, especially those of my generation, who were born during the war, are extremely grateful to them for their dedication, service and sacrifice.

As the Government have said before—I have said this several times since becoming a Minister at the Department of Social Security—we have examined the case for changing service occupational pensions as part of the current review of the armed forces pension scheme. That review—that long-standing review—is considering the whole package of pension benefits available, and the outcome will be subject to full consultation. I am pleased to be able to advise the House that one of the recommendations of the review will be that all widows or widowers of service personnel covered by the pension arrangements that will be introduced following the review will be able to keep their service pensions for life.

As is normal with changes to pension arrangements, the change will apply to future service only, but we have listened to the concerns of groups such as the War Widows Association, which have campaigned for the attributable armed forces pension to be paid to widows for life, including widows who currently receive a pension and who wish to remarry. Hon. Members have expressed the concern that those widows should be able to rebuild their lives and get on with normal life without losing the attributable service pension. I have said more than once that I have considerable sympathy with that view, and several of my colleagues in the Government have also made such statements, but the question is how, within the Government machine, to take a decision.

In the exceptional circumstances when a spouse's death is attributable to service, we have decided that widows and widowers who already receive an attributable armed forces pension should be allowed to keep it if they

[Mr. Rooker]

remarry in future. We will introduce that provision ahead of the introduction of any other change recommended by the review. The change will be introduced by amending the existing armed forces pensions regulations; it does not require primary legislation. The rules will be changed in the autumn, as soon as the necessary regulations can be amended. Therefore Lords amendment No. 26 is totally unnecessary.

Such matters are not straightforward. I am told that each service has its own regulations, and Orders in Council may be required. I am not certain whether the regulations will require the negative or the affirmative procedure. The negative procedure has the advantage that we could quickly establish a start date once the regulations are introduced, and if they wished, widows could remarry and get the benefit. If the affirmative procedure were used, there would be a delay to allow hon. Members to decide whether to pray against the regulations and force the House to debate them. That is why I cannot give a start date, but I hope that the Ministry of Defence will produce the regulations in the autumn, before the end of this Session. I do not know the date because we have not yet announced the date of the Queen's Speech, but we all know when the House will return after the recess, and work is going ahead.

Lords amendment No. 26 would require the attributable pension to be withdrawn if the widow or widower qualified for a category A DSS retirement pension. However, there is no reason why widows who have reached retirement age should not be allowed to keep their pensions if they remarry. Another reason why I ask the House to reject the amendment is that it does not go far enough.

I shall not detain the House, but I must say that no one, least of all the Government, wants to gloat; all parties have raised the issue and pressed the case for change. I pay tribute to Baroness Strange and those on whose behalf she has worked—the war widows who receive an attributable pension. The change is little enough and it has come late, but I am glad to be able to say that we want to introduce it as quickly as possible later this year.

6.45 pm

Mrs. Lait: We are pleased that the Government made the announcement at the end of last week, and we support them in disagreeing with the Lords so that the matter can be put into the correct legislative order. We look forward to further clarification in the autumn. As the Minister has said, everyone has welcomed the change. I should like to put on record my appreciation both of the work done by Mr. Michael Colvin, the late hon. Member for Romsey, in pressing the issue on behalf of the War Widows Association, and of the work done by Baroness Strange in the other place. I congratulate the Minister on espousing the issue. He has worked hard to achieve a resolution.

The Minister clarified how the proposals will be handled, but I want things put in words of one syllable. Is it correct that two separate sets of statutory instruments will be introduced—one for those who will be widowed in future and another for those who are already widows? If so, will they be introduced without delay, before the review of armed forces pensions?

Mr. Rooker *indicated assent.*

Mrs. Lait: The Minister agrees, and I am grateful to him for that. I am not carping, but I should like him to give further clarification. He has referred to those widowed since 1973 who have not remarried, but are there any proposals for the 20 to 30 widows who have remarried? I should be grateful to him if he could give an answer, either now or in due course.

We realise that such matters are the responsibility of the MOD, and we look forward to its final review of all pensions. I recently received a parliamentary answer that said that the review would take place this summer. I suspect that the definition of the term "this summer" is about as good as the DSS definition of the word "shortly", but we look forward to the review, which we shall scrutinise closely. We welcome the announcement, and I would be grateful if the Minister would clarify that small point in due course.

Mr. David Heath (Somerton and Frome): I, too, very much welcome the statement that the Minister has made today. He was at best unhappy with the answers that he gave when we discussed such matters previously. He has personally espoused the cause, and I am grateful to him for that; I am glad that the issue had a powerful advocate in government. The arguments have been presented time and again. I disagree with him only in that he said that Lords amendment No. 26 was unnecessary. I do not agree, because it was important that the point was made repeatedly to show the strength of feeling in both Houses.

As he rightly said, the Government position has not been wholly consistent; nor has that of the Conservatives. They not only refused to countenance any change when in government, but were not prepared to support such an amendment, even in the context of the Bill, at an earlier stage. A degree of opportunism has been applied to the cause in some quarters.

Having said that, let us not carp. Let us be grateful for those expressions of support, wherever they have come from. We should pay tribute to those in the other place who have been consistent on this matter, particularly Baroness Strange and Baroness Fookes, who have done much work, and my noble Friend Earl Russell, who has spoken on it many times. I reiterate the point made by the hon. Member for Beckenham (Mrs. Lait): what is the position of widows who felt it appropriate to remarry or form a permanent relationship irrespective of their financial loss in terms of the attributable pension? Will they be eligible for restitution under the statutory instruments that the Minister intends to introduce? Those are my only questions; otherwise, I welcome what has been done.

Mr. Rooker: I had not intended to speak again, but the hon. Members for Beckenham (Mrs. Lait) and for Somerton and Frome (Mr. Heath) have asked the same question, to which I have an answer. *[Interruption.]* Well, the answer was implied in what I said. The changes will affect widows who already receive an attributable pension; those who remarried would not have received an

attributable pension. Therefore the change will not apply to widows who remarried in the light of the circumstances that prevailed at the time. It is not possible to change that. Also, I was not conscious of its being an issue either when I first dealt with the matter at the Dispatch Box last November, or in Committee, or on Report. However, that is the legal position: widows who already receive an attributable pension will be covered by the change.

Lords amendment disagreed to.

Clause 61

APPEALS RELATING TO LOSS OF BENEFIT

Lords amendment: No. 27, in page 65, line 5, leave out from beginning to ("that") and insert

("a court makes a determination")

Angela Eagle: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may discuss Lords amendments Nos. 28 to 54.

Angela Eagle: Clauses 61 to 65 allow payments of certain social security benefits or training allowances to be either reduced or withdrawn when the recipient fails to meet the terms of a probation order, community service order or a combination order. We believe that people's right to support from the state depends on their meeting their responsibilities to society. That principle is fundamental to our reform of welfare. We think it wrong that people who disregard their responsibilities to society and breach sentences for criminal offences given by the courts go on expecting to receive benefit, paid for by the taxpayer, on the same terms as everybody else. We want to ensure that offenders complete their sentences as they should. We also want them to take their responsibilities to turn up to meet their probation officers or attend their community service work placements as seriously as they take their need to turn up to sign on.

Making benefit receipt conditional on compliance with community sentences will help to make it clear how important that compliance is. In the first instance, we propose to pilot that policy in a few different areas of the country to test the procedures necessary and assess the impact on offenders. For the pilots, the period of benefit withdrawal or reduction will be set at four weeks. The sanction will apply to people aged between 18 and 59 who receive income support, jobseeker's allowance or certain training allowances.

That is a benefit sanction, so the Bill as sent to the other place provided for a procedure similar to that which applies in other benefit sanctions, whereby the referral of the offender to court by the probation service is sufficient to trigger benefit loss. If the court found the breach not proven, benefit would be refunded. However, the proposal to impose the benefit sanction before the court had decided whether there had been a breach raised major concerns, and the Bill was amended to ensure that the benefit loss should follow the determination rather than the original referral to the court.

The Government recognise the strength of feeling on that issue and are willing to meet the point. To ensure that the offender is fully aware that the measure relates to conditions of entitlement to benefit and is not another punishment by the court, the Government further amended the Bill in the Lords to provide for the Secretary of State—in the person of the Benefits Agency—to write to the offender as soon as he is referred back to court to inform him that he faces a loss of benefit unless the court finds he has not breached his community order.

By writing to the offender quickly after he has done, or has failed to do, whatever triggered his referral to court by the probation service, we will let the offender know well before the court reaches its decision that, by his actions, he has put his benefit at risk. Therefore, amendment No. 51 would impose an obligation on the Secretary of State to notify the offender at that stage, informing him that he will lose benefit unless the court finds that he has not breached the order.

Amendments Nos. 44, 47, 48, 49 and 53 would put back in the Bill the requirement to provide information at the referral stage while leaving intact similar provisions at the court determination stage. They would require the probation service, or the courts in Scotland, to notify the Secretary of State—in practice, the Benefits Agency—when an information is laid at court and proceedings are commenced. Slightly different arrangements would apply in Scotland, as was the case in the original provisions.

A number of technical amendments would put the Bill back in alignment in the new circumstances. There has also been a slight shift on timing. Amendment No. 39 would correct a drafting error to ensure that hardship payments could be made to members of a jobseeker's allowance joint-claim couple when both were subject to a community sentence sanction. Without the amendment, access to a hardship payment could not be provided if both were sanctioned; it represents purely a drafting change. The amendment raises an issue of Commons privilege. I invite the House to waive privilege and agree with the amendment.

These amendments would tidy up the original provisions and meet concerns that decisions on benefit should be taken not on the basis of an alleged breach, but only after the court had determined whether there has been such a breach. They still provide that rights to benefits are linked to the fulfilment of responsibilities to society. With the Government amendment, they would ensure that offenders understand those links and take their responsibilities seriously. I urge the House to agree with the amendments.

Mr. Pickles: We substantially agree with the Government, but we recognise that there have been considerable policy reversals—not least that to which the Minister has just referred. All those points were made in Committee, but the hon. Lady most robustly defended benefit being lost immediately. There is one thing we cannot understand, however. After the amendment was tabled in their lordships' House, the Prime Minister—in response to a series of questions put by my right hon. Friend the Leader of the Opposition—went out of his way to attack the very proposals that the Minister has introduced today. Perhaps she will explain.

The Prime Minister, who was a little excited, said:

The Tories do not like to talk about the substance of the policy . . . Let me tell the House also that we have introduced a measure

whereby, for breaches of community service orders, benefit is lost. The Opposition oppose that as well . . . let him—

referring to my right hon. Friend—

stand at this Dispatch Box . . . and tell us whether he will back these measures on crime, or whether he will carry on talking about them but doing nothing.—[*Official Report*, 5 July 2000; Vol. 353, c. 324-5.]

The Minister has just proposed a change of policy, but has she spoken to the Prime Minister? Has he told her his thinking? Why have the Government changed their mind on this important issue? After all, it is 24 July; he made those remarks on 5 July. Is the Prime Minister aware of the change? Will the hon. Lady undertake to pass him a note so that when he appears at the Dispatch Box on Wednesday he does not castigate the Opposition for the policy that she has proposed this evening.

7 pm

Mr. Webb: As we moved on to this group of amendments, my hon. Friend the Member for Somerton and Frome (Mr., Heath) murmured that consensus was about to evaporate. Although the amendments make a truly dreadful section of the Bill marginally better, we are concerned that we have reached this stage.

The Minister set out the principles on which the clauses that are being amended are based. We will support the amendments, but we wish to register our fundamental disagreement with the Government on the principle behind the clauses.

I shall explain why we take that position. The Government, including the Minister, have said that the right to support from the benefit system is conditional on the fulfilment of responsibilities to society. I invite the Minister to consider the example of someone who is imprisoned for having committed murder, rape or some other terrible crime. The state will continue to feed and clothe him and provide a roof over his head. Yet someone who commits an offence that is not nearly so serious and does not warrant imprisonment—he may breach a community order on two occasions—might be denied food, clothing and shelter. How is that a rational approach?

If someone breaches a community order, at least the amendments require the court to test whether it has been breached. It is alarming that originally the Bill did not require that test. At least the amendments introduce the test. I welcome amendment No. 28, which refers to "reasonable excuse". Some modest safeguards are being built into the Bill, but people may still potentially be deprived effectively of food, clothing and even shelter.

The Government want to push through the clause as amended, without a clear idea of what its effects will be. The Government do not know—*[Interruption.]* The Minister says from a sedentary position, "That is why it is piloted." There are many instances of benefits sanctions being imposed. Instead of introducing such clauses, the Government should be examining the effects of sanctions that are already in place. My noble Friend Earl Russell has argued consistently that we should not support further sanctions until we are clear of their effects.

We are talking about a client group that has already transgressed some sort of law. Depriving members of it of some means of support could have unwelcome consequences.

A deplorable measure has been made marginally better by the amendments. For that reason we shall support them, but we wish to register our strong opposition to the principle that the Minister has enunciated.

Angela Eagle: The hon. Gentleman does not astonish me much these days, but I am surprised by his intervention. The answer is for the person involved to comply with the community sentence, and that is in his own hands. By connecting rights and responsibilities, we are saying to the individual, "You must turn up for your community sentence. If you do not, there will be consequences." When someone is imprisoned he is complying with his sentence, unless he escapes.

We are piloting the changes that are set out in the amendments to ascertain whether they work. The proof will be in the pilot. We shall see whether the hon. Gentleman's dire warnings prove to be true or whether we can establish a dialogue and a narrative on rights and responsibilities in the areas with which we are concerned.

The hon. Member for Brentwood and Ongar (Mr. Pickles) needs to be reassured that my right hon. Friend the Prime Minister knows exactly what is going on. The Opposition has broadly agreed with us on these issues. We shall be extremely interested to ascertain whether we can establish an effective narrative on rights and responsibilities.

Lords amendment agreed to.

Lords amendments Nos. 28 to 54 agreed to [*One with Special Entry*].

Clause 73

CONTRIBUTIONS IN RESPECT OF BENEFITS IN KIND; GREAT BRITAIN

Lords amendment: No. 55, in page 76, line 19, at end insert—

("( ) In paragraph 8(1)(ia) of that Schedule (power to provide by regulations for repayment in prescribed cases of the whole or a part of a Class 1B contribution), after "part" there shall be inserted "of a Class 1A or".")

Mr. Rooker: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may discuss Lords amendments Nos. 56 to 58, 61 and 80 to 83.

Mr. Rooker: We are dealing with the clauses that relate to national insurance contributions. I have taken on the role of a Treasury Minister because these clauses are in the Bill because they cannot technically go into a Finance Bill.

The amendments can be broadly split into two groups, one of which effects a technical and consequential amendment. The point was unfortunately missed when the class 1A legislation was drafted. It is to allow refunds of class 1A national insurance contributions to continue to be made where relevant information reaches the employer late and leads him to overpay class 1A contributions through no fault of his own.

The other group of amendments comprises Nos. 56, 58 and 61. The House will be aware that following the Budget statement in March, my hon. Friend the Financial Secretary engaged in a period of consultation with

companies to find a technical solution to the problem that had arisen in relation to national insurance contributions on share option gains. I shall not go into the whys and wherefores, but an amicable solution has been reached for all concerned. I commend it to the House.

Lords amendment agreed to.

Lords amendments Nos. 56 to 72 agreed to.

Schedule 7

CLIMATE CHANGE LEVY: CONSEQUENTIAL AMENDMENTS

Lords amendment: No. 73, in page 135, line 21, leave out ("(4)") and insert ("(3)")

Angela Eagle: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may discuss Lords amendments Nos. 74 to 76.

Angela Eagle: These are minor and technical amendments to schedule 7 to correct drafting omissions. They provide for procedures in relation to the laying and drafting of regulations made by my right hon. and learned Friend the Lord Chancellor under the schedule, which are aligned with those already provided for regulations made by the Secretary of State. They provide also that powers under the schedule to make regulations are exercisable by statutory instrument.

Lords amendment agreed to.

Remaining Lords amendments agreed to.

Motion made and Question proposed,

That a Committee be appointed to draw up Reasons to be assigned to the Lords for disagreeing to their amendments Nos. 17, 18 and 26: Mr. Richard Burden, Mr. Kevin Hughes, Mrs. Jacqui Lait, Mr. John Randall and Mr. Jeff Rooker be members of the Committee; Mr. Jeff Rooker be the Chairman of the Committee; Three to be the quorum of the Committee; Committee to withdraw immediately.—*[Mr. Betts.]*

Mr. Webb: I wish briefly to comment on the membership of the Committee, which contains an important omission. Liberal Democrats are not represented and the House will be aware that we have offered a distinctive perspective on major issues, including those that the Reasons Committee will be considering. I think that on most of the issues that we have debated on the Floor of the House the official Opposition have been far less trenchant in their criticisms than Liberal Democrats. The membership of the Committee should contain both Opposition parties and not only the official Opposition.

Mr. Pickles: Further to that point of order, Mr. Deputy Speaker—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. It was not a point of order; it was a contribution to a debate.

Mr. Pickles: On whatever terms, I am most grateful to be called.

I politely point out to the hon. Member for Northavon (Mr. Webb) that he was not a member of the Committee and that the two of his colleagues who were members are not here today.

Question put and agreed to.

To withdraw immediately.

Reasons for disagreeing to certain Lords amendments reported, and agreed to; to be communicated to the Lords.

GOVERNMENT RESOURCES AND ACCOUNTS BILL [*MONEY*] (No. 2)

Queen's recommendation having been signified—

Resolved,

That, for the purposes of any Act resulting from the Government Resources and Accounts Bill, it is expedient to authorise refunds of money paid into the National Loans Fund as the result of an error.—*[Mr. Betts.]*

Government Resources and Accounts Bill

Lords amendments considered.

Clause 3

PAYMENTS OUT

Lords amendment: No. 1, in page 2, line 16, after ("requisition") insert (", request")

7.11 pm

The Economic Secretary to the Treasury (Miss Melanie Johnson): I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss Lords amendments Nos. 2 and 3.

I draw the House's attention to the fact that privilege is involved in Lords amendments Nos. 3 to 15, 17 to 23 and 26. If the House agrees to any of these Lords amendments, I shall ensure that the appropriate entry is made in the Journal.

Miss Johnson: The amendments provide for a new clause to replace clause 4 and minor consequential amendments to clause 3. The amendments have been agreed by the National Audit Office. They would permit the Treasury to repay, with the agreement of the Comptroller and Auditor General, money that

should not or need not have been paid into the Fund

and "the Fund" is now defined to include the National Loans Fund as well as the Consolidated Fund.

A specific statutory power is needed to make any payment out of the Consolidated Fund or the National Loans Fund. In addition, all such payments, except transfers between the two funds, require the prior approval of the Comptroller and Auditor General, technically known as "credit" or authority to pay. That presents a problem when sums are credited to either fund in error and should be repaid.

As the law stands, there is no power to repay any sums that are paid into either the Consolidated Fund or the National Loans Fund, but should not have been. Any such sums are effectively imprisoned inside the fund concerned. That has occasionally caused problems, so the Government believe that it would be sensible to provide a power to refund such sums from the National Loans Fund and the Consolidated Fund.

As our original intention was simply to modernise the Exchequer and Audit Departments Act 1866 relating to the Consolidated Fund, we originally sought only a power to repay sums credited in error to the Consolidated Fund. The main example that we had in mind was where Departments surrender receipts which they believe are surplus to their needs, but which they subsequently find they need to avoid incurring excess votes. However, other payments could be credited to the Consolidated Fund in error, so we sought a general power to repay sums credited in error to the Consolidated Fund. That is what clause 4 provided for prior to the amendments being made.

We decided to amend the clause for two reasons: first, a similar power was needed for the National Loans Fund; and, secondly, discussions with the National Audit Office and our lawyers have led us to conclude that the term

as the result of an error

would not have provided the desired degree of flexibility; hence the new formulation

should not or need not have been paid into the Fund.

Mr. Oliver Letwin (West Dorset): I can give our response in one word: agreed.

Lords amendment agreed to.

Lords amendments Nos. 2 and 3 agreed to [one with Special Entry].

Clause 5

RESOURCE ACCOUNTS: PREPARATION

Lords amendment: No. 4, in page 3, line 13, at end insert—

("( ) For the purpose of subsection (3)(a) and (b) the Treasury shall in particular—

(a) have regard to any relevant guidance issued by the Accounting Standards Board Limited or any other body prescribed for the purposes of section 256 of the Companies Act 1985 (accounting standards), and

(b) require resource accounts to include, subject to paragraph (a), a statement of financial performance, a statement of financial position and a cash flow statement.")

Miss Melanie Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 9, 10 and 15.

Miss Johnson: I shall deal first with amendments Nos. 4, 9 and 10. When it went to the Lords, the Bill already provided that resource accounts and whole of Government accounts would be prepared in accordance with generally accepted accounting practice and, in the case of resource accounts, would need to show a true and fair view. It was the Government's view that those rigorous conditions were sufficient to ensure that the accounts would be produced in accordance with best professional practice and to the highest standard.

However, following further discussions in the Lords, the Government brought forward further amendments to clarify the basis on which the accounts would be prepared. Amendment No. 9 extended the requirement to show a true and fair view to whole of Government accounts.

Amendment No. 4, in relation to resource accounts, and amendment No. 10, in relation to whole of Government accounts, lay down in more detail than we have hitherto provided the financial statements that must be prepared for resource accounts. Rather than doing that by reference to current accounting requirements, it refers to the fundamental financial statements as defined by the Accounting Standards Board in its statement of principles for financial reporting. We believe that that will satisfy the concerns that the Opposition have expressed in that regard at various stages of the Bill, while being sufficiently "future proof" to enable resource accounts to adapt to changes in the financial reporting requirements as and when necessary.

The amendments also make it clear that the Treasury will have regard to the guidance issued by the Accounting Standards Board or any of its successors when ensuring that the resource accounts show a true and fair view and comply with generally accepted accounting practice.

I shall now deal with amendment No. 15. The existing provisions of the Bill, further reinforced by the amendments that we have just discussed, will ensure that resource accounts will be prepared in accordance with best practice and the guidance issued by the Accounting Standards Board. However, as we have always made clear, because of the particular requirements of central Government accounts, it will sometimes be necessary to adapt standard accounting practice. The Financial Reporting Advisory Board was set up in 1996 to provide advice on accounting matters generally, but in particular to advise on appropriate accounting treatments in areas where some adaptation of standard practice was required.

We believe that the current arrangements for the FRAB are working well and that the FRAB is recognised to be independent. However, to address some of the concerns that have been expressed about how the board works and to reinforce the independence of the process, the Government brought forward a new clause on Report in the Lords—amendment No. 15—which would place the following duties on the Treasury. First, before determining the accounting practices for resource accounts and whole of Government accounts, the Treasury would be required to consult with a group of persons—that is, of course, currently the FRAB—who appear to it appropriate to advise on financial reporting principles and standards.

Secondly, the Treasury must consult with the Comptroller and Auditor General in determining the composition of the group. In practice, however, the Treasury would also consult with a wider range of other interested parties. Thirdly, the group will be required to prepare an annual report of its activities, which must be laid before the House of Commons.

Those requirements ensure that the Treasury seeks independent expert advice on accounting matters. Furthermore, by requiring that the group report to the House of Commons, we shall also ensure that, in any case where the Treasury does not accept that advice, the disagreement will be brought to the attention of the House.

We believe that the explicit requirements introduced by the Government's amendments to have regard to Accounting Standards Board guidance, combined with a requirement for the Treasury to obtain expert advice on financial reporting principles and standards, will ensure that the Government's accounts meet the highest standards of accounting practice. The requirement for the FRAB to report to the House of Commons on its work will give complete transparency to the Government's accounting guidance process.

Mr. Letwin: We very much regret that their lordships, although they have done some good work, have by no means gone as far as we would have liked, or as far as we pressed the Government to go during various stages of the Bill.

I wish to ask a specific question, to which it would be helpful to have the Economic Secretary's answer on record, not least because it may influence judicial review proceedings or other such proceedings. What was meant by the phrase that the Government used in amendment No. 10 in another place,

> have regard to any relevant guidance issued by the Accounting Standards Board Limited or any other body prescribed for the purposes of section 256 of the Companies Act?

The interpretation of the phrase "have regard to" is clearly important. If it means that the Treasury can look at the guidance produced by the ASB and, having perhaps framed it in some suitable office, nonchalantly ignore it, that is a very different matter from having regard to the guidance in the sense of paying attention to, applying and living by it. If the meaning is that second possibility, their lordships have done us a great service. We seek clarification from the Economic Secretary on that point.

The deficiency in the Lords amendment is that, even if "have regard to" has a strong connotation, it is none the less quite different from giving the task of identifying appropriate definitions for Government accounts either to a specifically created body—a national accounts commission—as we originally pressed for, or to an existing body, as we later agreed on with the Liberal Democrats. The amendment contains merely a hope and a prayer that the ASB will produce relevant guidance. Does the Economic Secretary envisage the Government positively asking the board for such guidance? If so, the difference between what we pressed for and what the Lords have given us would diminish.

When the board produces relevant guidance, it must concern itself with a wide range of issues, many of which were dealt with in detail in Committee and at other stages. I certainly do not want to bore the House by going through them in equivalent detail now but, to recap briefly, we will need to know how the great obligations of the basic state pension and SERPS, of the unfunded pension liabilities and of the considerable and, under the comprehensive spending review, rapidly growing public-private partnership and private finance initiative liabilities will be accounted on the liabilities side of the balance sheet. We hope for real guidance from the board on that, and we will look to the Treasury to seek that guidance.

On the FRAB, which is the subject of Lords amendment No. 15, I hope that the Economic Secretary will be able to put some statements on record that will help the House and the Treasury to move forward after the Bill has been enacted. Under the amendment,

> the Treasury shall consult a group of persons who appear to the Treasury to be appropriate to advise on financial reporting principles and standards.

I hope that the Economic Secretary will tell us that she will so arrange matters that those who "appear . . . to be appropriate" are renowned for their independence as well as their skill, and that she will seek, over time, to adjust the composition of the FRAB so that its independence is enhanced, in the same admirable way as, we hope, the Monetary Policy Committee of the Bank of England will become increasingly and evidently independent.

That is obviously important and coheres with the aspirations that the Economic Secretary has just enunciated. I hope that she can make it difficult for this Government and successive Governments to do anything other than choose people who are known for their independence, by putting it on the record that that is her interpretation of the intention of Parliament in Lords amendment No. 15.

[Mr. Letwin]

In summary, this is good work, and we congratulate the Lords on improving a part of the Bill that, although it received a great deal of attention in this House, was lamentably deficient when it left it—but, alas, the Lords did not go the whole way. We hope that, following clarification from the Economic Secretary, it will be possible for a future Government to introduce a much tougher regime, bringing the setting of standards and definitions for Government accounts to the high level of rigour and independence that is prevalent in the private sector and ought to be observed in the public sector above all.

Mr. Edward Davey (Kingston and Surbiton): As usual on this Bill, I find myself in almost total agreement with the hon. Member for West Dorset (Mr. Letwin). Our parties fought side by side in Committee to try to get an independent body to set the standards for Government accounts. The Government did not give way. I agree that the Lords have done a good job in moving them some way down that path.

I agree with much that the hon. Gentleman said about the wording of the Lords amendments, and especially the phrase "have regard to"—I hope that the Minister will give a clear and frank response—but I think that they are rather stronger than he suggested. The amendments do not allow only the Government to ask the ASB for guidance. Other parties, such as the National Audit Office, will be free to write to the board and express worries about what is going on. Indeed, the Opposition parties could do so. That is an important safeguard.

Mr. Letwin: I may have paid insufficient attention to that, and I agree wholeheartedly that perhaps our very first action—it could be a joint action—should be to seek guidance from the ASB on a range of contentious issues in the accounts.

Mr. Davey: I am grateful for that contribution.

In Committee, we expressed a concern that a future Government might fiddle around with the accounting standards in a way that is not transparent or immediately obvious and could go undetected by parliamentarians and even the NAO. When, at the start of this process, we examined the resource accounting manual, which lays down the principles, guidelines and definitions, it became immediately clear that this is a complex area with huge detail, so it will be very difficult, when a future Chancellor makes, say, the fourth or fifth comprehensive spending review statement—which may contain millions of different figures for the House to come to terms with rather quickly—for us to notice slight changes in the underlying accounting definitions.

Mr. Howard Flight (Arundel and South Downs): I seek confirmation that the hon. Gentleman intends that the ASB's investigation should be public and transparent.

Mr. Davey: I can confirm that. I am only surprised that the hon. Gentleman had to ask.

The benefit that the amendments bring to our scrutiny of the accounts is that, now that the ASB has a remit to issue guidance, to which the Treasury must at least "have regard"—whatever that phrase means—there will be an independent body with a statutory duty to consider these matters and to have a watching brief for them. I hope that the board will take that new statutory function very seriously. It should note that hon. Members of all parties want that. It should see itself as the watchdog patrolling this complex area, which generally receives far too little attention from the House.

7.30 pm

This is a major step forward. I look forward to the ASB pulling up future Governments of whatever colour on any tricks that they might seek to play. However, I agree with the hon. Member for West Dorset that it is not the best solution—it is not the perfect solution. We would have liked the ASB or a similar independent body to be the initiator in the process of defining what the public sector's accounting standards should be. If I may answer his query as to what "have regard to" means, to me, it is the last-ditch defence by the mandarins to give the Treasury a last attempt at flexibility. That is why I am not totally happy with it and why I would like the ASB or a similar body to be the initiator.

The Liberal Democrats would seek to empower an independent body to be the guardian of the public sector's accounting standards. That is the best solution—we debated the matter at length in Committee—but, because we see the measure going a long way to meeting that aim, at this stage, we will not seek to disagree with the Lords on the amendments.

Miss Melanie Johnson: To answer the hon. Member for West Dorset (Mr. Letwin), it is perhaps important to rehearse where we are coming from. I remind him that the Bill requires resource accounts and the whole of Government accounts to show a true and fair view and to conform to generally accepted accounting practice—GAAP—subject only to such adaptations as are necessary in the context of departmental accounts. The Government's new amendments further strengthen that by requiring the Treasury to have particular regard to guidance issued by the ASB.

The hon. Gentleman asked what the words

have regard to any relevant guidance issued by the Accounting Standards Board

mean. They mean that the Government will apply the ASB's guidance, where it is appropriate, to the accounts of Government Departments. Compliance with the relevant accounting standards is usually necessary to ensure a true and fair view. Resource accounts will be required to meet that particular standard.

It is important to recognise—I reiterate what I said before—that any variations from the guidance will have to go through the FRAB, too, so it is not possible for such variations, as it were, to go by without some attention being drawn to them. Any proposal to depart from GAAP is discussed with the FRAB. If it disagrees with the Treasury's proposed accounting treatment, it can report to Parliament, so there is a chain of events. Were there to be any need to vary things, for whatever reason—good in our view, or otherwise in the view of the Opposition—it would require that process to be gone through. I hope that that is reassuring to Opposition Members.

Mr. Letwin: That is very helpful. I wonder whether the Economic Secretary could complete the loop by telling us

whether she will ensure that, where there is a departure from the ASB's guidance and the matter is referred to the FRAB, she will make that plain to Parliament in some appropriate way.

Miss Johnson: I am not quite sure what the hon. Gentleman is suggesting. I have said that, where there is a disagreement in some way, obviously, it must go to the FRAB, and the FRAB is in a position to report that to Parliament. I would have thought, if that disagreement were not resolved in some way, it was highly likely—it will be entirely up to the FRAB to take a view—that it would be reported. That is my understanding of the arrangements. Therefore, that disagreement will be drawn to the attention of hon. Members, including those on any Committee that might consider such matters.

As for persons with particular expertise on accounting matters, the Government are planning to consult with the Comptroller and Auditor General on the membership of the FRAB to help to ensure independence. We regard it as important that the independence, skill and expertise of such individuals be clearly established. We will seek to achieve the same objective as that of the hon. Member for West Dorset.

The hon. Member for Kingston and Surbiton (Mr. Davey) referred to ASB guidance. As I know that he is aware, the ASB does not generally provide specific guidance for particular sectors or individual bodies, but it issues standards that are of general applicability across all bodies that produce accounts. It is on that basis that we will be tied in with its guidance. It is important to recognise that what I said earlier builds into the process a number of safeguards. I hope that that meets his concerns.

Lords amendment agreed to [Special Entry].

Clause 8

COMPTROLLER AND AUDITOR GENERAL: ACCESS TO INFORMATION

Lords amendment: No. 5, in page 5, line 5, leave out ("of a government department's accounts")

Miss Melanie Johnson: I beg to move, That this House disagrees with the Lords in the said amendment.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this it will be convenient to take Lords amendments Nos. 6 and 7 and the Government motions to disagree thereto, Government amendments (a) and (b) in lieu, Lords amendment No. 8 and the Government motion to disagree thereto.

Miss Johnson: The Government fully recognise the arguments that led to the amendments that were passed in another place. However, the amendments go far wider than is justified and contain drafting defects that need correction. The Government therefore propose instead two amendments that provide a more balanced approach to the issues. Our approach also paves the way for the Sharman review of audit and accountability, which is about to start; it will have its first meeting on Wednesday, I believe.

The main subject of the Bill is departmental accounts. Clause 8 and the preceding clauses contain provisions relating to the audit of accounts by the CAG. Amendments Nos. 5 and 6 would divorce clause 8 from that subject and instead turn the clause into a general power of access for the CAG. By referring to "examinations" without any qualification, the amendments would extend way beyond the audit of accounts to all other examinations by the CAG, including his value for money examinations carried out under the National Audit Act 1983.

The 1983 Act contains its own provisions for access for the CAG. It has never been the intention that this Bill should extend into that Act's territory. To do so opens up entirely new issues that have not been the subject of debate or consultation at any stage so far. The Government expect that, in his forthcoming review, Lord Sharman will look at issues relating to the 1983 Act, as well as audit issues.

Mr. Robert Sheldon (Ashton-under-Lyne): Those matters were debated extensively in 1983. The Standing Committee that considered the National Audit Bill spent days and days on the matter because it felt that it was an opportunity for Parliament to reassert itself. That was important, so it looked at the nationalised industries. Unfortunately, the Chief Secretary of the day was persuaded by one or two of the more prominent nationalised industries and he gave in. That was very sad, but, as a result, the debates ranged widely. We are only now re-examining some of the major issues that were looked at then. It is right that we should.

Miss Johnson: I am grateful to my right hon. Friend for expressing his views on that matter, but to some degree I disagree about the 1983 Act because, as I have said, it is not the Government's view that that is the right territory to discuss in the context of the present Bill. Although I am sure that he knows how well it was discussed in 1983 better than I do, it is the case that that opens up an entirely different issue. I am sure that we will have some discussion of these matters. I will perhaps come back, when some right hon. and hon. Members have had a chance to contribute to the debate, to some of the reasons why we believe strongly that it is inappropriate to open up the 1983 Act as well as the audit issues; but, as I have said, the Government expect that, in the review, Lord Sharman will be able to look at the issues relating to the 1983 Act, as well as the audit issues. They are not off territory, but discussion of them is not appropriate in the context of the Bill.

I urge the House to accept the Government motion to disagree with Lords amendments Nos. 5 and 6.

Lords amendment No. 7 would give the Comptroller and Auditor General access to all bodies to which Departments or non-departmental public bodies have or can obtain access. The amendment would, in practice, give the CAG unrestricted access to all taxpayers—including, of course, businesses—to social security recipients and other recipients of Government grants, to many Government contractors and suppliers, and to virtually anyone who has financial dealings with a Department or an NDPB. That means most businesses and many other organisations, and, of course, many individuals. The amendment is therefore potentially intrusive and burdensome. Moreover, the formula "can obtain access" is unclear, and could be a source of dispute between the CAG and individuals, businesses and other organisations.

Lords amendment No. 7, especially in conjunction with Lords amendments Nos. 5 and 6, would give the CAG extensive rights of access, unrelated to the audit of

[Miss Johnson]

Departments' accounts, to anyone who has financial dealings with Government. It would confer a right to roam at will—Opposition Front Benchers nod in agreement.

Mr. Letwin: In case those reading the record cannot grasp what has been happening, let me say that I entirely subscribe to the Economic Secretary's description. The only difference relates to value: we consider that right to roam to be invaluable, accurate and proper.

Miss Johnson: We have already supported changes that give the CAG more rights, but we propose to give further help. Such matters can best be discussed through the independent inquiry headed by Lord Sharman, on which the right hon. Member for Haltemprice and Howden (Mr. Davis) is to sit.

The prospect of a right to roam at will is not welcomed by the British Chambers of Commerce or the Federation of Small Businesses, which said earlier this year that additional powers for the CAG could result in additional burdens on business, over-regulation and an overlap of functions. I shall explain the Government's alternative approach to the concerns that gave rise to the amendment; first, however, let me say a little about Lords amendment No. 8.

Lords amendment No. 8 attempts to give a statutory definition of a non-departmental public body. To date, there has been no such definition.

Mr. David Davis (Haltemprice and Howden): I wonder why.

Miss Johnson: NDPBs are a wide and disparate group, and are not at all easy to define.

The amendment defines an NDPB as a body

which exercises public functions of a governmental nature which might otherwise fall to be exercised by central government.

That definition is descriptive rather than legally prescriptive, and is very wide ranging—wide ranging enough, in fact, for us to envisage the mounting of legal challenges to decisions to include or exclude certain bodies from the operation of clause 8.

The problem appears to be partially recognised in the amendment, which adds a further criterion to the first two—namely, that NDPBs are bodies with accounting officers who have been appointed by a Department. Accounting officers for bodies other than Departments, however, must be appointed under administrative arrangements that may, of course, change over time. The definition therefore rests on an administrative decision made by an individual Department with no central or parliamentary oversight. I do not consider that to be a satisfactory way of defining bodies that are subject to statutory provisions.

Mr. Edward Davey: This is not intended to be a trivial intervention. Does it not worry the Minister that the Government are unable to define their own activities?

7.45 pm

Miss Johnson: We have lived for many years without a definition of NDPBs, although we have no difficulty in defining our own activities in this context. The Lords amendment could lead to a definition that, for the reasons I have given, would be unworkably wide and subject to dispute, and would introduce aspects of administrative decision making. Such a definition is clearly unacceptable.

The technical deficiencies that I have mentioned illustrate the difficulties involved in devising an acceptable legal definition of NDPBs. To overcome the problems, the Government have in clause 23 taken the power to designate bodies on a case-by-case basis, and to enable the CAG to be appointed auditor of NDPBs where current statute prevents it. I hope that that will satisfy those who propose an alternative. I invite the House to reject Lords amendment No. 8.

Before I say something about the Government's position in the wider sphere, let me remind the House of some key facts. In clause 8, the Government have already given the CAG new rights of access beyond his existing statutory rights. Subsection (2)(b) gives him access to documents, wherever they are held, relating to a Department's financial records. The paragraph deals with one of the major concerns expressed by the CAG and, I believe, by the Public Accounts Committee—namely, the fact that because over the past few years many Departments have contracted out the operation of their accounting and other financial operations, the CAG needs a statutory right of access in such cases to perform his audit of departmental accounts. Subsection (2)(b), added to the Bill on Report, recognises that concern and gives the CAG that new statutory right of access.

Clause 23 gives the CAG the same access for the purpose of his audit of NDPB accounts as is provided by clause 8 for the purpose of his audited departmental accounts. Clause 23 also gives him a new power to be made auditor of NDPBs where current statute prevents that.

The Government accept that the whole issue of audit and accountability needs careful investigation. We recognise that the CAG must have the powers that he needs to do his job on behalf of Parliament, but we think that that must be balanced against equally legitimate fears that additional powers for the CAG could result in additional burdens on business in the form of over-regulation and an overlap of functions, or disincentives to initiative and risk taking. These are wide-ranging and complex issues, and the Government have therefore tabled an amendment on access to replace those made in another place.

Our amendment will enable the CAG's access to documents to be extended, in a considered way, when that is necessary. The procedure would be by draft order, subject to affirmative resolution by both Houses. The Treasury would be required to consult the CAG before making an order. That approach would allow a balance to be struck between the CAG's desire for additional access, and the need to respond to legitimate concerns about burdens on business. The extent to which the CAG needs additional access rights for audit purposes will be one of the issues considered in Lord Sharman's review, and our amendment would provide an opportunity for the implementation of its conclusions.

Our amendment is a reasonable and practical response to concerns expressed about the CAG's access rights, and I urge the House to accept it in place of the Lords amendment.

Mr. David Davis: The Minister started by saying that the Lords amendment involved drafting problems. I believe that this is the third form in which the two Houses have seen it.

Mr. Peter Brooke (Cities of London and Westminster): The fourth.

Mr. Davis: I am told that it is the fourth, but let me deal with the first three.

The first version that the House saw was tabled in Committee and was intended to serve precisely the same purpose as this group of Lords amendments. Subsequently, similar amendments were tabled on Report. Then—this is what my hon. Friend the Member for West Dorset (Mr. Letwin) was referring to—a version was presented in the Moses Room debates. We now have the version that we are debating. Additionally, however, before the Bill was published, the Treasury was provided with a version of this group of Lords amendments, so that it could take the point on board. The Treasury has, however, made no attempt to do that.

The Minister also made a point about the Bill's purpose. She made the same point in Committee. The point that I made to her then was that more than one third of the Bill—seven of 27 clauses—is about audit. The Bill repeals 15 or 16 out of 17 of the key clauses in the Exchequer and audit departments' legislation from 1866 to 1983. If the Bill were intended simply to enable resource accounting, all it would have to do is amend elements of the control and estimates procedures operated by the House. That could have been done in a three-clause Bill. As all of the Bill's audit content is unnecessary to resource accounting, I am a little suspicious about why it has been included.

The Minister also mentioned the Sharman review. Like the right hon. Member for Swansea, West (Mr. Williams), who is one of my colleagues on the Public Accounts Committee, I am a member of the Sharman review. That review was not presented to either of us as an alternative to amendments to the Bill. If it had been, I do not think that either of us would have become a member of the review. The key reason for that is that the Sharman review cannot deliver the necessary statutory vehicle to entrench the House's rights. This Bill is about the House's rights. It is not about technical accounting matters or methods of measurement, but about the rights of this House. This group of Lords amendments is certainly about the rights of this House.

The purpose of the Lords proposed amendment to clause 8 was quite straightforward. It provided:

> 8.—(1) For the purposes of an examination by the Comptroller and Auditor General—
>
> (a) he shall have a right of access at all reasonable times to any relevant documents, and
>
> (b) a person who holds or has control of any of those documents shall give the Comptroller and Auditor General any assistance, information or explanation which he requires in relation to any of those documents—

so far, so good.

We were told about a right to roam. That right would apply to documents that are

> held or controlled by a government department or a relevant non-departmental public body, or
>
> (b) which are documents to which a government department or a relevant non-departmental public body has, or can obtain, access.

That is the limitation—it is not an unfettered right to roam.

The National Audit Office and the Comptroller and Auditor General cannot go to every paperclip supplier to the Government and ask to see the accounts or performance records. They will have to follow the access guidelines that the Government themselves follow. I shall deal with that matter at the end of my speech, when I address the issue of burden.

As our consideration of the Bill will be examined in some detail in the other place, I should like to put on record the Comptroller and Auditor General's views on the issue. The Minister has represented the proposals as a Government concession. However, from the Comptroller and Auditor General's point of view, the order-making power that the Minister described is not only an unsuitable alternative, but a retrograde step. There are four reasons for that.

First, the power provides the Treasury with the right to decide to which bodies the Comptroller and Auditor General can or cannot have access. The Public Accounts Committee—under my chairmanship, and under that of my predecessor—has consistently argued that the CAG's access should never be at the discretion of the Executive. Allowing such a discretion would negate the purpose of the CAG and the original purpose of the PAC. We should not forget that Ministers are accountable to Parliament; it is not the other way round.

Secondly, the proposal does nothing to overcome the problem of the time-consuming negotiations that are currently necessary to secure access. The PAC has commented that such negotiations are administratively burdensome and diminish the CAG's independence in many ways. The Government amendments would make that worse and add additional hoops for the CAG to go through in negotiating access. In a moment, I shall give the House an example of how that process operates.

Thirdly, the provision would also place the CAG's access powers in secondary legislation, rather than in primary legislation. Hon. Members know how easy it is for the Government to amend secondary legislation in a relatively unscrutinised manner. Such an arrangement would in itself be a bad thing.

Finally, the effect of the order-making power is to add to the hotch-potch of arrangements referred to in the Committee's ninth report. It is not a global solution and will allow current anomalies to be handled only on a piecemeal basis. That is in contrast to the Lords amendments in this group, which establish the clear principle that the CAG should have equal access rights to the Government.

Those are the views of the CAG. I have put them on the record because I think that they will be very important to considerations in the other place if, as we expect, the Government press their amendments in this group and the matter returns to the other place.

The purpose of those Lords amendments, and of their House of Commons predecessors, was not to create anything new, but to reinstate Parliament's rights of

[Mr. Davis]

oversight, which were established in the Exchequer and Audit Departments Act of 1866, 1921 and 1957. The right hon. Member for Ashton-under-Lyne (Mr. Sheldon), my predecessor on the PAC, is in the Chamber. I suspect that he will correct me if I am wrong in my suspicion that, had consideration of the National Audit Act 1983 not been foreshortened by the 1983 general election, the powers would have been dealt with and corrected in that legislation. There was certainly an intention to do so.

Therefore, we are talking about reinstating Parliament's rights. To do that, we shall have to deal with the erosion of those powers that has occurred over many decades. I am not making a political point, as the erosion occurred under Governments of all persuasions, from the Wilson Government onwards. Indeed, it began with the creation of those very bodies that the Minister had such trouble defining—non-departmental public bodies. Subsequently, the erosion continued with companies wholly owned by the Government, with contractors and with other bodies outside the usual purview of the CAG.

All those bodies were created to allow the Government to do their business more efficiently, and there is nothing wrong with that. The side effects, however, have suited Whitehall. I do not think that the erosion has necessarily suited Ministers, and I doubt that most Ministers, in whatever Government, have even thought about it. Over the years, the erosion has suited Whitehall and the Sir Humphreys. It is certainly more a sin of the Sir Humphreys than of Ministers.

As I said, the Lords amendments in this group will not cause public money to be followed wherever it goes, and they do not provide a complete right to roam. The amendments are limited to the issue of governmental access. Therefore, both in the Lords and in this place, we have been trying to stop and reverse the process that started with the creation of companies and agencies and allowed them to escape oversight.

The process is more important now than ever before. The Government themselves have said that they are proposing to use the private finance initiative to provide £75 billion worth of value. Therefore, the process affects a huge tranche of public expenditure. If we are to make those PFIs work, as both sides of the House wish, it is vital that Parliament maintains oversight. The set of modifications in the amendments would not necessarily allow that to happen. They would leave Parliament's ability to maintain oversight entirely at the discretion of the Government of the day.

8 pm

We should not assume that the Treasury would permit these rights automatically. Time and again, even in the course of the Bill's passage through Parliament, the Treasury has argued that the Comptroller and Auditor General should not have access to private bodies. That happened in connection with housing associations, which now are known as registered social landlords. It will happen again in connection with the PFI companies that will deliver public services in coming years.

Mr. Letwin: Does my right hon. Friend agree that the Minister's argument about intrusion, which she said was not welcomed by the British Chambers of Commerce and other bodies, has force only if the Treasury intends not to apply the Government's amendment on a general scale?

Mr. David Davis: I can see my hon. Friend's point, but to talk about intrusion, regulatory burdens and inspection overload is to misunderstand how the CAG and the National Audit Office work. It costs about £10 million a year to run the NAO. That is good value for money. The NAO is a minnow when compared with the regulatory arm of Government. Inspections by the CAG and the NAO probably amount to less than one tenth—perhaps only one hundredth—of 1 per cent. of the regulatory burden of any Government. Moreover, such inspections would be necessary only when a problem arose. As a result, the regulatory burden would be very well directed, as I shall show.

In essence, my argument is that, where public money is paid out to achieve major public policy gains, Parliament always has the right to know what is happening. The House is a tax-raising legislature, and its first job is to raise the money. It also approves policies, so on both counts we need to know what is happening. That knowledge should not be at the behest of the Executive.

Mr. William Cash (Stone): Does the same argument not apply to the BBC? Although it does not raise money by way of taxation through this House, it does raise money through the licence. Should there not be a degree of public audit of the corporation's activities? I understand that there is no access to the BBC's accounts. Can my right hon. Friend confirm that? If true, is that not astonishing?

Mr. Davis: I agree with my hon. Friend. He reflects the views of the Select Committee on Culture, Media and Sport on the matter, and of the report compiled by the Gavyn Davies commission. It is one of my rules of thumb that organisations that protest most about audit almost certainly are those that need it the most. I suspect that that will be true of the BBC in the coming years.

To prove that this is not a dry, theoretical matter, I shall give the House a topical example. Today, the NAO published a report entitled "Overseeing the Focus Housing Association". I remind the House that housing associations can only be accessed by the NAO after negotiation with the Housing Corporation. The report tells the story of a housing association that lost about £1.5 million of public money over four or more years at the beginning of the 1990s.

The Housing Corporation was warned about the problem, but it largely ignored the warnings. The matter was raised by the hon. Member for Birmingham, Erdington (Mr. Corbett), after which the NAO approached the association and began a study.

The fraud that was taking place involved bribes and the other apparatus of fraud. As soon as the NAO study was under way, the details of the fraud surfaced in an unavoidable manner, and the Serious Fraud Office became involved. Three of the people involved have now gone to jail.

In September 1997, the SFO told the NAO that it could resume work on the study. For six months, the Housing Corporation resisted attempts by the NAO to gain access to Focus. In explanation, it tried to maintain that the NAO had not asked before. Then it said that the NAO should

tell the corporation what it wanted, and that the corporation would approach Focus and copy any relevant documents to the NAO.

When that tactic failed, the corporation suggested that the NAO should talk to the Department of the Environment, Transport and the Regions. After that, the corporation said that it would sound out the chief executive of Focus, and then asked about the exact nature of the files to be examined. Eventually, it said that the NAO could go to Focus as long as the corporation went as well. After six months, the NAO was allowed access to Focus, and today's report is the result.

So for six months the Housing Corporation resisted the NAO which, as Parliament's auditor, looks into the misuse and misappropriation of public funds. All sorts of things can happen during such a long delay, and all sorts of things can disappear. The NAO report refers to at least one meeting that was not minuted and for which no documents exist.

The Housing Corporation was irresponsible, but its behaviour is not unique. Similar incidents have taken place with regard to whistleblowers. For example, the NAO could not gain access to contractors to a technical college in the north of England. The same thing happened with contractors for what was then known as the Overseas Development Administration. For several years, because of Treasury obstruction, the NAO could not gain access to training and enterprise councils. Until the Secretary of State for Culture, Media and Sport agreed to amend a recent Bill, the NAO could not gain access to Camelot.

That demonstrates why it is ridiculous in practical terms to propose that the House should be beholden to any arm of the Executive before it can examine closely what that arm has been up to. The proposal would be crippling: it would undermine the standing of the Comptroller and Auditor General and, as a result, the standing of the House.

The proposal does not help democracy, and it does not even advance the Government's objective of getting value for money for their public policy aims. As a result, the amendment falls far short of what is needed, which is to reinstate the rights of the House as they applied half a century ago. Those same rights should apply today.

Mr. Edward Davey: I begin by associating my party with what the right hon. Member for Haltemprice and Howden (Mr. Davis) said. He has spoken powerfully at all stages of the Bill's progress through Parliament and, in his role as Chairman of the Public Accounts Committee, he has spoken for the whole House. He made a compelling case.

I have had many discussions with Liberal Democrat peers in the House of Lords. They have been persuaded that extending the institutional jurisdiction of the NAO is the right approach. They are convinced that this is a constitutional issue, involving the relationship between the legislature and the Executive. Interestingly, they also consider that, given that this is a financial matter, they need to listen to the House of Commons. After all, the House of Commons is supposed to be superior in financial matters.

The Government would do well to heed those remarks. They should be aware that people from all parties—certainly from the Liberal Democrat party and, I believe, from the Conservative party in the other place—take this matter seriously and will continue their opposition when this place and the other place start playing ping-pong with the amendments.

The Government should not be surprised at this. When we debated similar amendments in Committee, I warned them that they were getting into danger. I made particular reference to the fact that many Labour Members are extremely sympathetic to such a change. I warned the Government that it would be rather odd for the House of Commons to play ping-pong with the House of Lords over the issue when the majority of right hon. and hon. Members from all sides agreed with the proposals.

I hope that the Government are leaving room for a gracious backdown in due course, although the amendments do not seem to suggest it. Such a back-down may be forced upon them. I do not believe that the Government really want to invoke the Parliament Acts to get their way. By that time, the broadsheet editors—perhaps even the tabloid editors—would be asking what the Government had to hide.

Right hon. and hon. Members should realise the significance of the Lords amendments and of the Bill. It is very unusual for the House of Commons to debate these matters. That point was made time and again in Committee and on Report. The House of Commons does not often focus on Government accounts—we worked out that it happened about every 60 years. Therefore, this is a unique opportunity—we cannot wait another 60 years before putting this matter right. How many other non-departmental public bodies will have been dreamed up in the mean time, and how much more public money will not be open to scrutiny by the NAO? We have to move now.

The Minister has said that the Sharman review is under way and that it will consider this. There is no guarantee that the Sharman review will result in any statutory proposals. The Government have not gone on record as saying that. Even if they did, how could we believe that?

Mr. David Davis: I specifically asked the Chief Secretary whether there was a guarantee, or even a likelihood, of further legislation to carry forward any Sharman proposals, and the answer was no.

Mr. Davey: I think that the whole House is grateful for that intervention, which emphasises the importance of what we are debating. If the House does not grasp the chance before it tonight, we will not get another one for many years.

Accepting the Lords amendment would in no way jeopardise the role and significance of the Sharman review. In many ways, the review would be very timely, coming on the back of such an amendment. It could assist the NAO in discussions with the NDPBs involved, to work out how the NAO could usefully introduce the new powers. It could give guidance to the NDPBs about how the powers might be used. So the Sharman review would still play an important role in this regard and in many other aspects of the remit given to it by the Chief Secretary. In no way would accepting the amendment undermine the Sharman review—I believe that it would strengthen its relevance and purpose to those bodies which benefit from public money.

8.15 pm

I do not want to leave this matter to a taskforce or review. This is a parliamentary matter which this place should decide. We should not be leaving it to reviews led by the great and the good, even though there is distinguished parliamentary representation on the Sharman review. *[Interruption.]* The right hon. Member for Haltemprice and Howden says from a sedentary position that Lord Sharman is a Liberal Democrat peer. When the right hon. Gentleman was talking about other Members of this House on the review, I am sure it was just an oversight that he forgot to mention my hon. Friend the Member for Newbury (Mr. Rendel), who will, I am sure, give the review distinguished service. However, that is not the point. This House, not reviews, should be deciding these issues of parliamentary scrutiny. The Sharman review will have many other wider issues of public audit to consider.

I do not want to rehash the arguments that have already been made at some length, but the Treasury sometimes seems inconsistent in its attitude to fraud. We hear the Government announcing that they want to clamp down on fraud—to be tough on benefit cheats and those who exploit tax loopholes. The Government have accepted Lord Grabiner's report; we have seen amendments giving the tax authorities huge additional powers to tackle the fraudsters. However, when Parliament is asking the Government to give the NAO—Parliament's watchdog—powers to investigate public fraud, the Government seem to be stepping back. They want to be tough on tax and benefit cheats, but they are not so keen to clamp down on Government cheating. What sort of message does that send out?

The Government's position is absurd as well as inconsistent. They should not, and will not, be taken seriously on fraud if they step back from this. They will have a real difficulty in winning the issue, and when it appears in the newspaper editorials, they will not stand a chance. They certainly do not deserve to.

Mr. Alan Williams (Swansea, West): I will be brief and, I hope, not too repetitive. It is rather amusing for those of us who served on the Committee considering the Bill to think back to our early sittings, right at the beginning of the parliamentary Session, when we were suggesting amendments. We were told by the Economic Secretary and her colleagues that we must not amend the Bill because the Government needed it in a hurry. However, once it left the House of Commons, they seemed to mislay it in the House of Lords. Recently, it resurfaced, and the Bill that was so urgent that it could not be amended is being brought before the House in the week before the summer recess.

This is typical of the rather inadequate reasons that the Government have given for not accepting sensible amendments to the Bill. We have heard those reasons repeated tonight I do not know how often. I despair of the ability of some Ministers to understand anything outside their brief.

It is perfectly obvious to most people that the purpose of the Bill is as defined in the long title. Yet the mantra has been repeated again today, "It is not in the purpose of the Bill." I am surprised that you did not descend on the Minister from a great height when she said that, Mr. Deputy Speaker, because she was taking over from you the power to decide what is permissible in the House of Commons. Perhaps she is after Madam Speaker's job—I had not thought of that before. Despite what you may say, Mr. Deputy Speaker, the Minister says that we cannot do it. It does not matter what you say, Mr. Deputy Speaker—the Minister has spoken.

The Minister's complaint is that we are dealing with audit. But as my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon) asked, who brought audit into the Bill, who incorporated it into the long title and who incorporated it into clause after clause but the Government? The arguments that have been made on certain aspects of the Bill are, to my mind, fraudulent.

Now, there is Sharman. Like the right hon. Member for Haltemprice and Howden (Mr. Davis), I am participating in the review—although with no great hope or expectation—simply because we cannot afford to be accused of not participating. However, I do not believe that anyone outside this House should have the right to determine what powers it needs. It is effrontery for the Executive to tell Parliament that we should not have the right to inspect them. For those who are being monitored to say what can be monitored would be mildly comical if we saw it in a Whitehall farce—yet that is what is being proposed.

If the Minister wants to establish confidence in the Sharman exercise, will she undertake that, as it will be a House of Commons matter, it will be decided, like other such matters, on a free vote of the House? I have no doubt that, in the spirit of good will that she professes, she will be eager to give us that reassurance. If she would like to do so in an intervention, it would shorten my speech because I would sit down immediately. She should not feel inhibited or restrained. I ask her to save the House from the rest of my speech by giving us that assurance. The Minister's silence reinforces my worst suspicions and fears, although I am sure that, ultimately, they will be unjustified. However, I am twitching slightly about the Government's intentions.

At the heart of the matter—and we must constantly return to it—is whether we have a parliamentary democracy and parliamentary accountability. Access is fundamental to that—on all Government expenditure and income. If Parliament does not have that access, it cannot exercise proper control over the Executive.

Parliament cannot carry out those duties without the work of the NAO—as the present Chairman of the PAC, its previous Chairman, my right hon. Friend the Member for Ashton-under-Lyne and other members of the Committee confirm. However, the Treasury denies the NAO the rights that it needs. Those rights will be determined by the Treasury. My right hon. Friend and I suggested to Ministers that, as a halfway house solution, such matters could be dealt with on an ad hoc basis in the short term.

As the Minister is aware, I listen carefully to everything that she says. The Treasury now tells us that we must proceed case by case, but in Committee the Minister dismissed that idea. She said that we could not deal with such matters piecemeal. However, she covered her back by saying that we could not deal with them as a whole either. That left us somewhat bemused as to whether we would find a resolution in that impasse.

Such negotiation for access is inadequate for us—for Parliament; we have to go begging to a pathetic little quango that represents no one. For six months, someone's

appointee had the right to hold our auditor to account. I would have sacked the chairman and the chief executive of the Housing Corporation. They kept the NAO away from the Focus housing association. They knew that a £1.5 million fraud had been perpetrated against Focus, yet they would not let the parliamentary watchdog in.

Mr. Cash: The right hon. Gentleman makes a powerful case, as indeed did the Chairman of the PAC, my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis). The matter is the essence of parliamentary democracy and parliamentary accountability. Does the right hon. Gentleman agree that, if the Treasury is obdurate and stubborn, the remedy is to mount an organised campaign on both sides of the House? Against the Whip, the House should decide that it will insist on those measures. There should be sufficient publicity that the newspapers can add their comments.

Mr. Williams: The hon. Gentleman has been a Member of the House for a considerable time. My right hon. Friend the Member for Ashton-under-Lyne and I have been Members for even longer. It is a long time since I believed that Back Benchers were likely to stage an uprising against the power of the Whips. That happens on few occasions. The patronage and power of the Whips is so great that Back Benchers live in dread of them.

Mr. David Davis: I intervene again on the right hon. Gentleman—I am tempted to refer to him as my right hon. Friend—to prevent him from travelling further into error. Before the previous intervention, he mentioned the prospect of sacking the chairman of the Housing Corporation. He could not, of course, have sacked the permanent secretary at the then Department of the Environment—Mr. Andrew Turnbull, who is now a permanent secretary at the Treasury.

Mr. Williams: We all know of the right hon. Gentleman's devotion to the cause of the PAC. I will not venture further on the point because we should not comment on civil servants who cannot speak in this place.

There is so much nonsense behind the defences that have been made. I do not know whether Lord McIntosh of Haringey, the Minister who replied to the debate in the House of Lords, was badly briefed or whether he does not understand this place. He has never been a Member of this place, so he may not understand the processes of democratic accountability. He said:

> The C&AG has inspection rights in respect of all non-departmental public bodies . . . the access needed to investigate and to report to Parliament on irregularity or impropriety . . . Most importantly—

this point was touched on by the Chairman of the PAC—

> he has the right to carry out value-for-money studies at all of these bodies . . . the most important form of parliamentary control.—[*Official Report, House of Lords*, 12 July 2000; Vol. 615, c. 240-41.]

I have never heard such a constitutional absurdity. It must have been in my noble Friend's brief because he could not have been daft enough to think it up himself. As he pointed out in another part of his speech, there are more than 200 executive NDPBs and they are only a third of all NDPBs. The NAO produces 50 reports a year. Does anyone seriously suggest that the most important control by Parliament is a value-for-money study? The NAO deals with individual aspects of the actions of individual organisations. If the NAO does not have the fundamental right of access where required, we neuter its role.

I do not want to delay hon. Members, because I realise that we shall not receive a reasonable response to our arguments. I merely want to record that this is far more than a debate about auditing, it is about the power of Parliament against the Executive. In this Bill, the Executive are winning.

8.30 pm

Mr. Brooke: I shall be extremely brief in this, my first contribution to the entire proceedings on the Bill. My only qualification for making a contribution at this late stage is that I hold a masters degree in business administration. During Parliament's 735 years, only two MBAs have sat in a Cabinet. After the speech of my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis), I am confident—as I have been before, but it is confirmed this evening—that he will unquestionably be the third.

This debate is part of a great roll of parliamentary history, a fact that has been alluded to by several speakers in the debate. The right hon. Member for Ashton-under-Lyne (Mr. Sheldon) referred to the National Audit Act 1983, and that falls into the roll-call of legislation from 1866, 1921 and 1957.

Another event occurred in 1983. It was on the Monday of holy week when the then Prime Minister dined out the then permanent secretary to the Treasury and asked him over dinner whether he had any regrets. He said, "Prime Minister, if you had not asked me, I would not have dreamed of referring to any regret at all. But I do have a single regret. In all my time in the Treasury, the Board of the Treasury has never met." The Prime Minister asked for further information and learned that the board's own roll-call had been in 1677, 1827, 1856 and 1919. By the end of the meal she said, "I agree that the Board of the Treasury has not met since 1919, but it will meet before you cease to be permanent secretary." Before the election, on Maundy Thursday of holy week in 1983, the board met.

This is a great event. The fact that only 20 of us have gathered in the Chamber to take part in this debate makes the point, in a sense. If this were a lesser event in this great Parliament's history, no doubt the place would be crowded. There are only a limited number of people who take the closest possible interest in this issue, and I shall not go over all the points that my right hon. Friend the Member for Haltemprice and Howden made so admirably. Those who were not in the Chamber when he made them missed a considerable parliamentary contribution.

I listened closely to the Economic Secretary defending the Government's position on the ground that it was fundamentally founded on the Sharman review, and I heard my right hon. Friend say that if he had believed that the review was going to be used in that way, he would not have been prepared to serve on it. It is an absolute Exocet to the Government's position if the Chairman of the Public Accounts Committee was put on the review body under what must be regarded as a slightly false premise.

My judgment is that of a visitor to the debate who has taken part only at its end. The London business school has been in existence for 36 years, and it is regarded as the best business school in the world outside the United

[Mr. Brooke]

States; many American business schools go back 100 years. At all stages of the Bill's proceedings, it has been worth making the case for the London business school to examine this issue. It is a classic instance showing where the role of Government should be played out in terms of the relationship between the Executive and Parliament.

Many in the House will have listened to people reading out football results, and there is a particular tone of voice in which a result is read out, to suggest in advance that it was a draw. On the basis of what I have heard this evening, it is Haltemprice and Howden 4, Welwyn Hatfield 0. I appreciate that there will be a return match, but at the moment the Government are a long way behind.

Mr. Sheldon: As always, I was much entertained by the right hon. Member for Cities of London and Westminster (Mr. Brooke). He is right to draw attention to the House's original intention to have some control over the expenditure of public money. The right to audit Government effectively was supposed to have been settled a long time ago—back in 1861 when Gladstone set up the Public Accounts Committee. The Exchequer and Audit Departments Act 1866, which established the Comptroller and Auditor General, followed on from that.

The purpose of that legislation was to audit, through the CAG, all the money examined by the Parliament. The long title of the 1886 Act noted that its purpose was to

regulate the Receipt, Custody and Issue of Public Moneys and to provide for the audit thereof.

There were no exceptions to that; it covered the lot.

As my great friend John Garrett has shown in his great work, over the years the Treasury hijacked the rights of the House of Commons. Therefore the return match, as the right hon. Gentleman called it, was brought back into focus, and the result was the National Audit Act 1983. That was essential, to re-establish control by the House.

Access by the CAG should be the result of a right, and should not involve permission. He should not have to seek the permission of the people whom he is auditing; he should have an unqualified right of access—and I should not have to ask for that.

In 1983, the argument for the need to follow public money wherever it went was put strongly. However, I understand the anxieties expressed by some people at that time, because the National Audit Office was untried and did not have a record of achievement; it had only just been set up. However, it now has 17 years' experience, and we have seen its work and that of the CAG. The NAO constantly produces splendid reports, and 50 value-for-money reports have been published, so its reputation has never been higher. Given that fact, one might have expected the Treasury to be a little more relaxed about such matters and accept the next stage in the process, which would have been to re-establish what had been decided 140 years ago.

It is sad that the Treasury reacted in such a fashion. The opportunity to consider this issue is not likely to recur for another 20 or 30 years, or even more—it is only because of the Bill that we have had the opportunity to consider it now. This is the only chance that we have to resolve the problem. I am sure that the Sharman review is splendid and will provide a fair amount of information, but it will not make the decisions. Only the House can make such decisions, and I think that we have missed a great opportunity.

Mr. David Rendel (Newbury): We are debating an unusual issue. I begin where the right hon. Member for Swansea, West (Mr. Williams) left off when, in a powerful speech, he made the point that this is a matter between Parliament and the Executive. It is not the normal type of party political issue that we spend so much time debating in the House, usually fairly uselessly.

Parliament is on one side and the Executive are on the other. That is so much so, that before we came into the Chamber, I thought that we might find a string of those whose names have been loosely or closely associated with the forthcoming vacancy for Speaker speaking on behalf of Parliament, so as to demonstrate the strength of their feelings about the need for Parliament to control the Executive. I was therefore somewhat surprised to hear the right hon. Member for Cities of London and Westminster (Mr. Brooke) speak. I thought that it might be a comeback attempt on his behalf, but perhaps that is not the case.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I am afraid that some of us made the mistake of coming in to listen to the debate. Of course that is always a problem in the House of Commons, because some of us are frequently persuaded that we might have to protect Parliament, even if we do so silently.

Mr. Rendel: I am delighted to hear what is perhaps a hint of what we may see in the Division Lobby shortly.

I am the third member of the Public Accounts Committee to speak in the debate, and this is one of the rare issues on which there is, at least in the Committee, complete cross-party agreement on what should be done. I hope that Parliament will pay attention to the fact that the Public Accounts Committee is united and determined on this issue. After all, those of us who are members of the PAC are the watchdogs of Parliament's rights over the Executive. I hope that hon. Members who are not members of the PAC will pay attention to the fact that there are such strong feelings about the issue, which are an important pointer to their best interests, as well as ours.

It is extraordinary that the Government are taking the line that they have taken—not least because to quite a large extent they seem to understand the importance of giving the National Audit Office the right of access to areas to which it might not previously have had access. That point has been made before, but the Government deserve to have it made again. The previous Government set up many non-departmental public bodies without giving the NAO proper access. On the whole, the present Government have behaved very properly and provided the NAO with access when a new NDPB is set up.

It is therefore a particular surprise that the Government are taking the line that they appear to be taking tonight. A point that has been made already, but which needs to be emphasised, is the fact that it is important for the Government themselves that the NAO should be in a position to look into all Government accounts. There is nothing worse for a Government than discovering a long way down the track how poorly their money has been spent. First, the later they discover that the more embarrassing it is for them, and secondly, by that time

that much more money—which the Executive could have spent on a vote-catching idea that might have brought them greater popularity—has been wasted. It must therefore be in the Government's best interests not to take a short-term view, but to consider the longer-term interests that would be served by giving the NAO full access to all accounts.

Finally, I wish to make a point about the Economic Secretary's arguments. She seemed to think that the NAO was in danger of acting in grossly irresponsible way and, if given the sort of powers that we are discussing, suddenly wishing to pry into every individual's financial affairs. She seemed to think that it might act as it has not acted so far, just for the hell of it, or just because it was interested in Mr. Bloggs' personal finances. Frankly, I do not think that the NAO has ever acted in that way, and the Economic Secretary's idea that it would act in an overburdensome way towards small business means that she apparently thinks that if it were given such powers, its future behaviour would be totally unlike its behaviour in the past. She should not have made that assumption, because it is not realistic, and I hope that she will withdraw it when she winds up.

Mr. Cash: There is no need for me to make a long speech at this stage. The arguments have been presented well by some speakers who are extremely distinguished in this House. The right hon. Member for Ashton-under-Lyne (Mr. Sheldon), a former chairman of the PAC, is in alliance with my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis), its current chairman, and other PAC members have weighed in as well.

As a member of the House's other main Scrutiny Committee—the Select Committee on European Scrutiny—I am conscious of the fact that it is essential that Scrutiny Committees are listened to. If the juggernaut of Government can steamroller over the views of Scrutiny Committees—which is, in effect, what is happening today—one is bound to ask what on earth is going on. I do not need to go into the intricacies of the argument that has already been deployed. I think I am right in saying that the right hon. Member for Swansea, West (Mr. Williams) is the Chairman of the Select Committee on Liaison—*[Interruption.]* Apparently, he is not. None the less, the Liaison Committee recently produced an important report on the Whips' power, and on whether they should have their present degree of control over Committees.

Mr. Deputy Speaker: Order. We have an amendment before us. We must address our remarks to it and not go so wide as to discuss other Committees and the powers of the Whips.

8.45 pm

Mr. Cash: I accept your guidance with pleasure, Mr. Deputy Speaker. In a nutshell, the matter before us raises a question that is at the heart of our democratic system and the system of accountability. It is easy for people to make grandiose statements and then, somehow or other, for their remarks to float on the wind. The reality is that this matter raises such questions, and it is inconceivable that the amendment should not be accepted. I wait with interest to see how the Economic Secretary will handle herself, because, quite frankly, she is on the rack.

Mr. Flight: I just want to make the point that the Bill sets up Partnerships UK, with the intention of expanding considerably the private finance initiative activities in public-private partnerships. I hope that those partnerships are successful, as they are frequently the most efficient way of delivering to the public services that are now the duty of the Government. If, over the next decade, many areas of public service are to be handled on a mixed public-private basis, it is fundamental that Parliament have the power to follow by audit the money involved. It is a new, changed territory, to which, as matters currently stand, access for audit is strictly limited.

Our debate on Lords amendments does not touch on the PFI part of the Bill. However, if the Bill is passed without the National Audit Office having the ability to prod and examine in great depth what happens in public-private partnerships, Parliament will have surrendered a crucially important power.

Mr. Letwin: Our debate comes at the end of a long sequence of debates on this subject. On an earlier occasion, I was teased rather amiably by the right hon. Member for Swansea, West (Mr. Williams) for having contributed at too great a length to a previous debate. However, it is inconceivable that we can make the accusation that tonight's debate is too wordy—at least until I begin.

We heard powerful contributions from my right hon. Friend the Member for Haltemprice and Howden (Mr. Davis), the right hon. Members for Swansea, West and for Ashton-under-Lyne (Mr. Sheldon) and the hon. Member for Newbury (Mr. Rendel)—perhaps the four most notable members, past and present, of the Public Accounts Committee who are still Members of the House. We heard also from my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke), whose absence from our proceedings we regret. We would have liked to have heard from him endlessly on this subject. We even called forth from the depths my hon. Friend the Member for Stone (Mr. Cash), who felt compelled to come to the House, and we had a silent contribution from the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), whom some of us hope to see in another position on another occasion. We find that there is cross-party agreement.

Why is all this happening? The Economic Secretary eloquently read out yet another of the splendidly mellifluous briefs that she has been given throughout the proceedings. Why, following that, do we hear a universal chorus echoing the word "no" around the Chamber? It is because, I regret to say, the mellifluous prose read out by the Economic Secretary lacks logic, as it has on previous occasions. It also, alas, contradicts the tradition and spirit of our parliamentary democracy. Those two lacunae give rise to frustration in the House.

I shall take head on three arguments at the centre of the Economic Secretary's rhetoric. The first relates to drafting. As other contributors have said, that argument is the last refuge of the Sir Humphrey figure in Whitehall. It is being made after months of investigation in which repeated amendments and offers of redrafting of amendments have been put forward. The hon. Member for

[Mr. Letwin]

Kingston and Surbiton (Mr. Davey), the right hon. Member for Swansea, West and I—and, for all I know, my right hon. Friend the Member for Haltemprice and Howden—have produced four, if not five, variants of these amendments. In addition, the House of Lords has made its own amendments.

At each of those stages the combined might of the intellects in the Treasury, including the Treasury Solicitor, and of parliamentary draftsmen could, surely to goodness, have been brought to bear on the deficiencies about which the Economic Secretary waxed lyrical. This is not a drafting problem. Drafting is the not particularly adequate shield behind which the Economic Secretary seeks to hide from the slings and arrows of argument.

The Economic Secretary's major argument concerns intrusion. Ministers have been making this argument from the beginning of the debate. I understand the essence of the argument and it is not without merit, until one pursues it to its conclusion. Ministers argue that it would be horribly intrusive for the private sector to have the NAO coming down on it because that would be an unpremeditated additional audit and a huge regulatory burden. The hon. Member for Newbury and my right hon. Friend the Member for Haltemprice and Howden pointed out that it is unlikely that a body as small as the NAO could be highly intrusive in auditing the many thousands of recipients of public funds the length and breadth of Britain.

My right hon. Friend also pointed out that at an early stage he and his colleagues on the PAC conceded the principle that the access should reach only as far as the Government themselves seek to reach. I, personally, regret that concession because it may restrict the scope of the NAO's activities. I do not know whether this point has penetrated the ministerial or official mind, and it has never been reflected in any statement that Ministers have made to the House, but this is a killer concession for their argument.

It cannot be held by the Government that the Government are too intrusive, because the Government could do something about that; they could restrict their own access. Nor can the Government logically argue that if they have a right and, I suppose, therefore, a duty to inspect the accounts of various bodies, Parliament should not be concerned with them. That is to suggest that the scope of Parliament is intrinsically inferior to, and more reduced than that of the Government, and even in the wildest imaginings of the Leader of the House the Government could not conceivably espouse that constitutional doctrine. The intrusion argument is another shield behind which Ministers seek to hide from the slings and arrows of the House.

I turn now to the real point, which is that the Treasury wants to keep the initiative. It wants to continue to be able to decide where the PAC, the NAO and the Comptroller and Auditor General will have access and where they will not. It wants to take advice from Lord Sharman and other quarters, but in the end it wants to decide access. The Executive want to decide which parts of the Executive are open to inspection and which are not. That is the purpose of the Government's amendment in lieu, and it has been their signal purpose throughout these debates.

It is not right for the Executive to decide how far the Executive should be open to inspection any more than it would be right for any of us to decide how far we should be open to inspection by the courts or the police. These matters have to be decided by law, and not by administrative Acts of the Treasury. That is a point on which every speaker in the debate is unified, bar the Economic Secretary.

I make that point specifically to put it on record for their lordships, to affirm their decision, which I hope they will make in a few days, to send this amendment back to this House. I hope that they will send it back again and again, if necessary, until at last the Government concede the point, or see fit to use the Parliament Acts to defeat Parliament—an irony that will not escape the media or the nation—or the Lords triumph. I hope that we will find that the Lords, ironically, defend Parliament against the Executive.

Mr. Cash: Is my hon. Friend inclined to adopt the view that I expressed in a previous intervention? It is indeed incongruous that we should need to use the appointed Lords to achieve an important principle, namely, the preservation of accountability and democracy. Therefore, in the light of the clear cross-party consensus expressed by extremely distinguished members of the Public Accounts Committee, should not Government Back-Benchers be encouraged to defy the whip?

Mr. Letwin: New as I am to Parliament, I share the scepticism that has been expressed by the right hon. Member for Swansea, West.

It is a sad state of affairs that, in such an important matter, because of the power of the Whips, the House of Commons has to rely on another body—one that is not so subject to the Executive—to defend its privileges. Does that not prove that we need to be extremely cautious about allowing the Executive to exercise the very powers that they seek to re-obtain through their amendment in lieu?

Miss Melanie Johnson: I shall start with a couple of general points, the first of which is that I do not seek to reduce the powers of Parliament in any way. In respect of the issues raised in the debate, especially by the right hon. Member for Haltemprice and Howden (Mr. Davis), my desire and that of the Government is to ensure that the right sort of accountability, probity and financial properness is found in the affairs of Government, and that the Public Accounts Committee is able to carry out its job with the full support of the National Audit Office.

Many of the hon. Members who have contributed to the debate have emphasised some difference between the Government and the House, but it is important to note that, as often happens, only those who disagree with the Government have spoken. They are entirely within their rights to make their points—

Mr. Brooke: Will the Economic Secretary give way?

Miss Johnson: I am trying to develop a general argument, but I shall give way on this occasion.

Mr. Brooke: Does the hon. Lady agree that it is a noticeable feature of the debate that nobody other than herself has spoken for the Government's point of view?

Miss Johnson: I am sure that I do not have to tell the right hon. Gentleman that the picture painted this evening

is not an unusual one: it is often those who want to disagree with the Government who come to the Chamber to express their views, whereas those who agree are silent.

The debate has run together three main issues to an extent that the resulting elision is unacceptable. The first issue is access for audit purposes by the Comptroller and Auditor General, which provided the focus of debates during previous stages of the Bill's passage. I draw the attention of the right hon. Member for Haltemprice and Howden to his description of the problems arising from the Bill. Without dwelling on the difficulties that he explored at some length on 1 March on Report, I simply point out that he repeatedly mentioned the CAG's access rights. That was much of the focus of his comments. That issue is different from some of the others that have been raised.

My right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon) raised the question of value-for-money audit, which is different. Indeed, I made that point—although not in any way to usurp the rights of the Speaker. The Speaker and Deputy Speakers will always decide, quite rightly, which matters a Bill covers. Issues on access for value-for-money studies were discussed fully during the passage of the National Audit Act 1983, but have not been the subject of debates on this Bill. In fact, it has been agreed until now that the issues surrounding clause 8 concern access needed for audit of departmental accounts alone. Issues concerning access for value-for-money studies will be considered by Lord Sharman during the review.

I turn to the points made about inadequate drafting. The scepticism of the hon. Member for West Dorset (Mr. Letwin) about whether something could easily be done was unhelpful. Several attempts—unsuccessful ones—have been made to draft an amendment to define a non-departmental public body, which illustrates just how difficult it is, as I said. NDPBs form a wide and disparate group. The most sensible way in which to deal with the issue would therefore be to designate them by order, as proposed in the Government's amendments to the Lords amendments.

9 pm

Mr. Letwin: Although I appreciate the Economic Secretary giving way and the delicious irony of her idea that designating by order is justified by the difficulty of defining it in statute, which could have a far wider application, did she allow parliamentary draftsmen and the Government's legal advisers to assist those seeking to achieve this end to improve the drafting of their amendments at any stage during the passage of the Bill?

Miss Johnson: I am not aware of the contact between parliamentary draftsmen and any Opposition Member, although such contact does not normally go on. I am not aware of any approaches to the Treasury seeking direct engagement on the point, but I reiterate that the task is and has been difficult, and no one has proposed a workable definition. That is the point at issue.

Mr. David Heath (Somerton and Frome): Will the hon. Lady give way?

Miss Johnson: The hon. Gentleman has only just arrived and has not been present during the debate to make any point or hear any of it. Therefore, I shall give way to other hon. Members, but shall develop my argument a little before I do so.

There are three issues. One is access for audit purposes. Secondly and separately, there is value for money. There is a third point about investigation of fraud, which is also entirely different and separate and not directly bound up with the question of access for audit purposes. The matters have been run together in many speeches, which has not helped the clarity of this evening's debate.

The Government of course have a role as a regulator and investigator, but, properly, we do not want to give the NAO an automatic right to similar access, thereby duplicating regulation and investigation. There must be a mechanism to achieve balance, as the Government amendment seeks to do.

On the relationship between business and regulation, I refer to an article in *Accountancy Age* on 27 January this year, which was headed:

> Business backlash over plans to give NAO powers of access.

The article states:

> Business has reacted with deep reservation at proposals to allow the NAO to audit firms and companies handling the working families tax credit.

The issue involves red tape and balance. The hon. Member for Newbury (Mr. Rendel) said that in the past, that had caused no difficulty. However, suspicion and concern exist about what might happen if the power to make decisions were given without constraint. In the same way, there may be concern about what access the NAO may have and what it may do in future.

At present, the NAO has access to the private sector by agreement. That makes it possible to ensure that the NAO achieves a balance between its access demands and the need to keep burdens to the minimum necessary. The Lords amendment would remove the need for the NAO to agree and thus to balance its demands against the legitimate concerns of business.

Mr. Letwin: I am doubly grateful to the Economic Secretary for giving way. Will she tell us whether the argument applies generally? If the Government were hypothetically to conduct their entire activities through NDPBs and the private sector in PPPs, would she argue that the Comptroller and Auditor General should have access to nothing?

Miss Johnson: The hon. Gentleman forgets, and I was disappointed that in their contributions other hon. Members did not mention, that we have given much wider access than existed before, through the changes that we have made, not only by dealing with issues such as Camelot, which was not dealt with by the previous Government, but in clause 8(2)(b), which was added to the Bill on Report—*[Interruption.]*

Mr. Deputy Speaker: Order. There are so many conversations going on in the Chamber that it is unfair to the hon. Lady who is replying to the debate.

Miss Johnson: Thank you, Mr. Deputy Speaker. Clause 8(2)(b) provides the Comptroller and Auditor General with a new statutory right of access in the cases covered by the clause. In some ways that access goes beyond the Government's right of access. That answers

[Miss Johnson]

the hon. Member for West Dorset, who asked why the Comptroller and Auditor General should not have access, if the Government have access. I have given an example in which the CAG's right of access goes beyond that of Government Departments, a point that is not generally recognised.

Mr. Rendel: I am grateful to the hon. Lady for giving way. She mentioned an argument that I made a few moments ago, and claimed that there would be some concern, presumably on the part of business, if the Comptroller and Auditor General were given the increased powers that the amendment seeks. Is she saying that she would be worried that those powers might be abused, or is she saying that businesses may be worried, but that in practice that worry would be unnecessary because, in her view, the Auditor General would not abuse those powers?

Miss Johnson: I wish I had a crystal ball. I am sure that all right hon. and hon. Members would agree that a crystal ball would be very handy. I do not have one, nor does anyone else in the Chamber. Therefore none of us can say for certain how an unfettered power could be used by a future body. I am not saying that the power would be used in the way suggested, or that it would necessarily cause difficulties, but none of us can say how it would be used.

Clause 23 provides the same access to the Comptroller and Auditor General's audits of the accounts of non-departmental public bodies as clause 8 provides for his audit of departmental accounts. Clause 23 therefore provides a new power for him to be made auditor of those non-departmental public bodies, which he is prevented from auditing by current statute. That was done to tackle the many points that hon. Members made in their discussions on access. It is relevant to the debates that we have held over a long period about making right of access easier.

The right hon. Member for Haltemprice and Howden mentioned today's National Audit Office report on Focus housing association. His comments go to the heart of the third aspect that I want to consider: the investigation of fraud. The Comptroller and Auditor General will not normally be the identifier because the external auditor of accounts would not be the usual, prime means of identifying fraud, which is primarily identified—

Mr. David Davis *rose—*

Miss Johnson: I shall finish my sentence before giving way to the right hon. Gentleman. Fraud is primarily identified by internal audit, whistleblowing, police serious fraud office activity as well as ordinary management controls, regulation and regulators' activities. All those matters are not the responsibility of the Comptroller and Auditor General.

Mr. Davis: Many of the Economic Secretary's comments have been wrong. However, her current remarks are the most outrageous. First, the Government's whistleblowers' measure names the Comptroller and Auditor General as an appropriate recipient of whistleblowers' information. Secondly, she is currently considering a case in which the information came from a whistleblower and the regulatory body failed to follow it up. Thirdly, she should read some National Audit Office reports. Fraud has featured in at least three in the past year. I refer her specifically to the report on further education colleges and the weaknesses of the external and internal auditors.

Miss Johnson: It is for all internal and external auditors to identify fraud. I agree with the right hon. Gentleman's comments about the failure of the regulator; I was about to make the same point. It is the reason for the conclusions to today's National Audit Office report, which states that regulators should be concerned not only with the existence of internal controls in the bodies that they regulate, but with their continued operation. The report condemns the Housing Corporation for the laxity of its regulatory grip. That is right and proper. However, it is not the Comptroller and Auditor General's role to be the regulator. The regulator is the Housing Corporation. It has apparently done its job badly. That is a valid point, but it does not relate to the extension of the powers of the Comptroller and Auditor General.

Mr. Alan Williams: Does my hon. Friend acknowledge that when the regulator, as she calls it—in this case, the Housing Corporation—fails to do its duty, it is absurd that the auditor for this House has to ask permission of that regulator before, as the report states, it has the right to examine "impropriety or irregularity"? It must negotiate with the failed regulator to do the regulator's job.

Miss Johnson: I do not believe that my right hon. Friend made an accurate summary of what happened. As I understand it, the relevant fraud took place between 1991 and 1995. The NAO undertook an initial study in the autumn of 1996 on the basis of documents held by the Housing Corporation. It did not identify the fraud because, as the right hon. Member for Haltemprice and Howden said, it had already been identified. The NAO undertook the study in autumn 1996 on the basis of documents held by the Housing Corporation, which regulates the housing associations, and had taken action against Focus.

At no point in the initial study did the NAO request access directly to Focus housing association. Indeed, it specifically stated that it would not seek such access. The NAO only requested access to Focus in September 1997, and access was agreed by February 1998. In a sense, not too much should hang on a particular example, and that is but one example, and the point is that it is about the identification of fraud, not about the prime role of the Comptroller and Auditor General—[*Interruption.*]

Mr. Deputy Speaker: Once again, there are too many conversations in the Chamber. That is unfair; the Economic Secretary is responding to the debate and she should be heard.

Miss Johnson: Thank you, Mr. Deputy Speaker.

The CAG's prime role is not to seek out and identify fraud, even where the CAG carries out the audit. For example, there was extensive fraud in the Metropolitan police and the CAG was the auditor, but the fraud was

not identified as a result of that activity. In no way do I criticise the NAO or the CAG for that failure because the prime role of external auditors is not to identify fraud. As have I said, such matters are dealt with in many ways. In that case, one of the prime roles, which has clearly failed, is that of the regulator. That involves a different set of issues from those before this evening.

To summarise—*[Interruption.]* The right hon. and hon. Gentlemen who have just cheered clearly did not hear their hon. Friends argue that the primacy of Parliament over the Executive is at stake. Clearly, they are in a great hurry to reach a conclusion.

We have done much to meet the future needs of access required by the CAG. The Sharman review will provide a further opportunity fully to consider such matters. It must be remembered that the order-making power will be exercised only after consulting the CAG and that it will be subject to the affirmative procedure in both Houses of Parliament. The order-making power that we propose represents a pragmatic response to extending the CAG's rights in the knowledge of the setting up of the Sharman review.

For the reasons that I have given, the issues that have been raised about value for money are new to the Bill's consideration, which has been extensive and taken place on many evenings in Committee and in another place as well as in the Chamber. The question of fraud is outwith that consideration. We are keen that fraud should be tackled and dealt with. No Government could have any other interest than ensuring that fraud is reduced to an absolute minimum and discovered as quickly as possible, but that is not the issue here. Business must find the power workable; the CAG must be given appropriate access; and the Sharman review must have an input into what the House does in future under the order-making power that we propose.

Question put, That this House disagrees with the Lords in the said amendment:—

The House divided: Ayes 311, Noes 158.

Division No. 282] **[9.19 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Home Robertson, John
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*

Marshall–Andrews, Robert
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Osborne, Ms Sandra
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Don Touhig and
Mr. Clive Betts.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Baldry, Tony
Ballard, Jackie
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Evans, Nigel
Ewing, Mrs Margaret
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
Morgan, Alasdair *(Galloway)*
Nicholls, Patrick
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Paice, James
Paterson, Owen
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wigley, Rt Hon Dafydd
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Peter Luff and
Mr. Peter Atkinson.

Question accordingly agreed to.

Lords amendment disagreed to.

Mr. Nigel Waterson (Eastbourne): On a point of order, Mr. Deputy Speaker. As you may be aware, the Government were heavily defeated yet again in the Lords

this evening on section 28. Has a Minister requested permission to make an urgent statement to the House this evening, as would be entirely right and proper, on whether the Government intend to abandon this ill-thought-out provision so that the rest of the Bill can have a fair passage?

Mr. Deputy Speaker (Mr. Michael J. Martin): That has nothing to do with the Chair.

Lords amendments No. 6 and 7 disagreed to.

Government amendments (a) and (b) in lieu of Lords amendments Nos. 6 and 7 agreed to.

Lords amendment No. 8 disagreed to.

Lords amendments Nos. 9 and 10 agreed to [*Special Entry*].

Clause 10

OBTAINING INFORMATION

Lords amendment: No. 11, in page 6, line 18, after ("body") insert

("or giving a direction under subsection (5)")

Miss Melanie Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 12 to 14, 17, 18, 23 and 26.

Miss Johnson: The amendments all relate to provisions regarding the devolved Administrations. Lords amendments Nos. 11, 12, 13, 18, 23 and 26 all relate to the Welsh Assembly. Nos. 11, 12 and 18 introduce requirements for consultation in areas where the Assembly has an interest. No. 13 will allow the Assembly to amend the Government of Wales Act 1998 to introduce resource budgeting. Nos. 23 and 26 amend the Act to bring its accounting provisions in line with the provisions of the Bill. In particular, the amendments will enable the Assembly to prepare whole of government of Wales accounts.

Lords amendment No. 14 is a new clause, providing for the devolved Administrations to invest in Partnerships UK, and No. 17 is a minor change consequent on the new clause.

Mr. Letwin: The Economic Secretary has passed fairly rapidly over the amendments. We do not intend to press the matter to a vote, but the House needs some explanation of the considerable changes that the amendments introduce, the largest and most important of which is the Henry VIII power given to the Secretary of State under Lords amendment No. 13. The amendment says:

If it appears to the Secretary of State to be expedient in consequence of any of the matters specified in subsection (2), he may by order amend, repeal or make provision similar to any of the following provisions of the Government of Wales Act.

Time was when Henry VIII provisions allowing the repeal or alteration of Government-inspired primary legislation were unheard of. Then, sadly—I admit the joint responsibility of Governments of all parties—the phenomenon became known. Then we descended to the level at which it was so much known that it was almost frequent. Then, under the aegis of the present Government, with their overwhelming control of the House, that which was frequent began to become regular.

Many of us inveighed against that and made a practice of drawing the attention of the House to each and every Henry VIII provision that was introduced. At least even then, until tonight, when such provisions were made, a careful explanation was given. Here, I fear that we face the final nadir, with Parliament being superseded by what is virtually Executive action—an order—and the Economic Secretary not even making a nod towards the fact. I do not accuse her of any especial malfeasance, as she is merely following the trend of her ministerial colleagues in getting to the point at which the making and unmaking of primary legislation by administrative order is regarded as a matter of such course that it hardly need be mentioned.

That should never be a matter of course, however, and it cannot be regarded as such, especially on a night when the Government have used their overwhelming majority to attempt to overturn the Lords in their defence of Parliament. What an irony that, on such a night, following such a vote, the Economic Secretary should not even bother to bring to the attention of those few hon. Members remaining in the House that what they are about to accept—may the Lord make us truly thankful—is a Lords amendment under which Parliament is to be superseded by an administrative order. I hope at least that I have said enough to taunt the Economic Secretary into giving some explanation of why it needs to be done in that way.

I return to the other elements of the amendments. Amendment No. 12 is interesting, not least because it says that

(a) the Treasury shall consult the National Assembly for Wales and the Auditor General for Wales before making an order in respect of the body.

We see another example of the Treasury acting after mere consultation. I wonder whether the Economic Secretary could tell the House why it is that the Treasury is left with the discretion in the amendment in the first place. I assume she believes devolution to be an important step, so why does not the National Assembly for Wales and the Auditor General for Wales have the right or the power positively to prevent the Treasury from making an order if they do not regard that order as in any way appropriate?

We are dealing with the intersection of complex UK legislation, which is designed primarily for England and Wales, with the devolution process. Many people in the House of Commons and in the other place have a great interest in that intersection. We would like some explanation of whether the Economic Secretary believes that we have now reached the end of the road and finally clarified the relationship between the Treasury and the Assembly and its organs, or whether we will see a further chain of needed amendments and changes to capture that relationship in its proper form.

The Auditor General for Wales is after all a new creature, who was created by a Bill in which it was discovered inter alia that, in its original draft, the National Assembly for Wales (Transfer of Functions) Order 1999, under which the Secretary of State transferred his powers to the National Assembly for Wales, transferred power over the Brompton cemetery in London to the National Assembly. That was the care with which that order was originally designed. That is no reflection on the

[Mr. Letwin]

extraordinary labours of those who put together—*[Interruption.]* I do not jest. My hon. Friends question my sanity in raising that issue, but I am not jesting. I am telling the literal truth. A reference to *Hansard* for the debates that concerned the Government of Wales Bill will show that.

The fact is that the officials who laboured mightily to produce the relevant legislation, the devolution legislation, were operating under time constraints which made even the time constraints under which those who produced the Government Resources and Accounts Bill worked seem leisurely. Therefore, it was no surprise that grave mistakes were made. *[Interruption.]* My hon. Friend the Member for Arundel and South Downs (Mr. Flight) regards my categorisation of the Brompton cemetery as a grave mistake in itself, but I assure him that it was an entirely unintentional pun, which until his lightning eye ascended on it had escaped me. The mistakes that were made were graver than the grave. They concerned the whole structure of that lamentable piece of legislation.

The serious point in the context of this Bill is that we do not know what the real position of the Auditor General for Wales will be and how that Auditor General will relate to the CAG and to the NAO, and hence to this Parliament and to that Parliament. I trust that the Economic Secretary will give us a full explanation of how she sees those relationships being articulated following the undoubted acceptance of the Lords amendment and whether, as I say, having accepted the amendment, we have genuinely reached the end of a rather tortuous road in constructing that financial relationship.

Mr. Dafydd Wigley (Caernarfon): I am not quite sure whether I should declare an interest as a member of the Audit Committee in the National Assembly. In case I need to, I do so.

I am glad on this occasion to rise in support of the Government, although obviously the measure does not go as far as I would want to in this matter, as in so many others. I assure those on the Conservative Front Bench that it is a process, not an event. The process no doubt will go on. I point out to them only that, in the context of these amendments, I have no doubt that their colleagues, the Conservative party of Wales, as it now calls itself, will support the provisions. I am sure that that will be an indicator of the growing divergence between the two parties.

Mr. Letwin: The right hon. Gentleman's presence on the Audit Committee gives us some cause for confidence. Let me add that one reason why we shall not oppose the amendment is that we understand that our colleagues in the Welsh Assembly support it.

9.45 pm

Mr. Wigley: I am glad to hear it. I believe that the hon. Gentleman's colleagues in the Assembly no longer regard the father Act as lamentable either; but perhaps we should not pursue that.

The hon. Gentleman said that the Auditor General for Wales was a new creature. Sir John Bourne is not a new creature, although he may be experiencing a new incarnation—an incarnation that he is rather enjoying. To his surprise, he secured not a fraction of the budget for which he had asked, not almost the whole of it, but the entirety. I do not think that he has ever received such a welcome as the welcome he received when he took his role in the Assembly.

The audit function in the Assembly has got off to a very good start, which I think justifies the transfer of powers that we are discussing.

Mr. Letwin: Does the right hon. Gentleman agree that the relationship between a person in one incarnation and a person in another, whether or not they are two creatures, has proved problematic in a number of instances—not least in the case of the utility regulators? Does he also agree that it may well prove difficult for the CAG to reoccur, so to speak, as the Auditor General for Wales without some conflict arising between the two roles?

Mr. Wigley: Theoretically that is a possibility, but I think that the advantages of having Sir John Bourne in the job for an initial period far outweigh the disadvantages, and that we have got off to a good start—largely through drawing on Sir John's experience and that of his staff.

People who have appeared before the Audit Committee—for example, to give evidence about the National Museum for Wales—have said that they never want to be put in the same position again. That is a good omen, because it means that people will sort things out themselves rather than having to be whistled up. Whatever may have happened in Wales in the past, there are indications that we shall run a tight ship in future.

The hon. Member for West Dorset (Mr. Letwin) mentioned the Henry VIII aspects of Lords amendment No. 13. In fact, the Henry VIII powers—for which the Government of Wales Act 1998 provides precedents—are not given to the Welsh Assembly. The orders would come from the Secretary of State, and the powers can be used only when

> a draft has been laid before, and approved by resolution of, each House of Parliament.

It is clear that the slippery slope to devolution is not severely compromised by this small concession.

Orders relating to sections 85 and 86 of the 1998 Act must be approved by the Assembly. That is right and proper, because such orders would concern devolved matters.

There has been all-party agreement in the Assembly and with Edwina Hart, the Finance Secretary, on the programme that we are to follow. That, too, is right and proper.

I want to ask the Minister one or two questions. The first relates to the change in the timetable, and the establishment of a 30 November deadline. Although that allows for another couple of months, it may still be a tight deadline.

What would happen if accounts relating to the government of Wales turned out to be qualified accounts? I assume that such qualification is an option; if it is, what consequences would there be?

I wonder whether the proposed new provision is flexible enough. New bodies are coming into existence in Wales as a consequence of devolution. I hope we would

not need to resort to primary legislation if we needed to amend them along the lines of what is suggested in proposed new section 18C of the 1998 Act.

As I said, the audit function is vital to the National Assembly, and it needs to be open, transparent and respected across Wales. I believe that the powers that are being transferred will be helpful in achieving that end. For that reason, I shall support Lords amendment No. 11.

Miss Melanie Johnson: Lords amendment No. 13 substitutes a new clause 15 and, as the right hon. Member for Caernarfon (Mr. Wigley) has just said, empowers the Secretary of State—in practice, my right hon. Friend the Secretary of State for Wales—to make changes to sections 81, 85 and 86 of the Government of Wales Act 1998 in consequence of the United Kingdom Government's budget and accounts changing from a cash basis to a resource basis. The intention is that the National Assembly's budget and accounts will move at the same time to a resource basis.

The power will enable the Secretary of State to make appropriate changes to those provisions in the 1998 Act to ensure that the National Assembly's budgetary processes can be changed to a resource basis. As the right hon. Member for Caernarfon said, the power is exercisable by order and will be made by a statutory instrument. Before the Secretary of State can exercise that power, he will have to consult the National Assembly in so far as he is changing section 81, which provides for the Secretary of State to make to the Assembly a statement of his estimated payments for each financial year.

As the right hon. Member for Caernarfon also said, the Secretary of State will then be required to obtain the Assembly's agreement before he can change sections 85 and 86. Those sections deal retrospectively with expenditure by the National Assembly and its statement of proposed expenditure for each financial year.

Additionally, and to ensure that proper parliamentary scrutiny of that power is maintained, the Secretary of State will be required to lay a draft of any order before both Houses of Parliament for their approval. In our view, it is a necessary power. Its limits have been clearly defined, and it is subject to a high degree of parliamentary scrutiny and National Assembly involvement, as is right and proper.

Mr. Letwin: The Economic Secretary said that the process will be subject to a high degree of parliamentary scrutiny. Will she therefore guarantee to the House that time will be found by the Leader of the House for a proper debate—shall we say three hours—of resolutions of that variety, so that there is a genuine high degree of parliamentary scrutiny on the Floor of the House? Or does the Economic Secretary simply mean that such resolutions will go through the normal process, on the nod, with 90 minutes in Committee?

Miss Johnson: They will go through the normal processes. As I understand normal processes, they occur mostly in Committee. I am distressed to hear that the hon. Gentleman thinks that that is such a trivial form of scrutiny, particularly as he spends so much time in Committee scrutinising various matters. I cannot believe that he really subscribes to the view that such scrutiny is a meaningless part of the parliamentary process.

Mr. Letwin: The Economic Secretary is being very courteous in giving way. Is she seriously seeking to persuade the House that the phrase "a high degree of parliamentary scrutiny" is satisfied by cursory examination of such matters, very often with barely anyone present who understands the history of the matter or cares much about the outcome? Does she realise that, whatever the high-flown phrases, that is the reality? Cannot she recognise that some of us are concerned about changing primary legislation by those means when we have so carefully established the system that we have used with this Bill, which goes from Second Reading to consideration of Lords Amendments? Is not that system worth replicating when we are changing the law?

Miss Johnson: I have never found the hon. Gentleman taking any of these matters trivially when he deals with them in Committee. In the past year, I have attended and participated in various debates on similar matters. I have always found that, when it was a matter of some significance, hon. Members took their responsibilities very seriously and pursued their interests very vigorously, albeit the process occurred in Committee rather than on the Floor of the House. I am sure that they will do so in connection with this provision.

I have already set out the safeguards that exist, which involve discussions with the National Assembly. The agreement of the Assembly at key points is an additional factor, as it clearly has a direct interest in these matters.

The amendment on consultation was tabled with the agreement of the National Assembly of Wales and the Auditor General. They were satisfied with it, and the Bill sets out the relationship between the Treasury and the Assembly on accounting matters only.

The hon. Member for West Dorset asked about the role of the Auditor General for Wales. The right hon. Member for Caernarfon gave a thorough answer to that question in his speech. The role of the Auditor General for Wales is set out in the Government of Wales Act 1998. I was delighted to hear about the support that the Welsh Assembly has given to the work of the Auditor General for Wales, and about the way in which it is conducting its affairs.

The right hon. Member for Caernarfon asked about the revised timetable for the accounts, which is agreed by the National Assembly and the Auditor General for Wales. I can tell the right hon. Gentleman that the Assembly's accounts could be qualified by the Auditor General for Wales, and it would be for the Assembly to decide what consequences should flow from the qualification.

The right hon. Member for Caernarfon asked whether the new bodies would also be covered. I do not have an answer to hand, but I shall certainly write to the right hon. Gentleman.

Lords amendment agreed to [Special Entry].

Lords amendments Nos. 12 to 15 agreed to [Special Entry].

Clause 27

AMENDMENTS AND REPEALS

Lords amendment: No. 16, in page 13, line 1, leave out from ("2") to second ("are") in line 2

Miss Melanie Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 19, 20 to 22, 24 and 25.

Miss Johnson: These are technical and drafting amendments. Unless an hon. Member has a question, I shall say no more about them.

Mr. Letwin: I regret to say that I have a question. Amendment No. 19 in this group mentions "unstamped vouchers" in connection with section 37 of the Exchequer and Audit Departments Act 1866, and states that they

shall cease to have effect.

I do not understand. A brief look at the relevant statute did not clarify matters. Will the Minister explain?

Miss Johnson: Amendments Nos. 16 and 19 belong together. Section 37 of the 1866 Act is utterly obsolete. It has been included in the list of repeals in schedule 2 since the first draft of the Bill. However, uniquely among the provisions repealed by the Bill, the repeal of this provision was not, prior to the amendments, formally set out elsewhere in the Bill. Instead, reliance was placed on a phrase in clause 27 that the repeals included

enactments that are no longer of practical utility.

It was decided that for the sake of consistency, section 37 of the 1866 Act should be repealed explicitly, and that is done by amendment No. 19. That means that the phrase in clause 27 about enactments that are no longer of practical utility becomes redundant, as no repeals in the Bill are now dependent on it. It can therefore be deleted, which is done by amendment No. 16.

BUSINESS OF THE HOUSE

Motion made, and Question proposed,

That, at this day's sitting, the Child Support, Pensions and Social Security Bill and the Government Resources and Accounts Bill may be proceeded with, though opposed, until any hour.—*[Mr. Allen.]*

Question put:—

The House divided: Ayes 296, Noes 104.

Division No. 283] **[10 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Horne Robertson, John
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*

McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNamara, Kevin
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'd Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Osborne, Ms Sandra
Perham, Ms Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sedgemore, Brian
Sheerman, Barry
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Worthington, Tony
Wray, James
Wyatt, Derek

Tellers for the Ayes:
Mr. Don Touhig and
Mr. Tony McNulty.

NOES

Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Baldry, Tony
Ballard, Jackie
Beith, Rt Hon A J
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brand, Dr Peter
Brazier, Julian
Brooke, Rt Hon Peter
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Ewing, Mrs Margaret
Fabricant, Michael
Fearn, Ronnie
Flight, Howard
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hammond, Philip
Harris, Dr Evan
Hayes, John
Heald, Oliver
Heathcoat–Amory, Rt Hon David
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jackson, Robert *(Wantage)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
Moss, Malcolm
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Paterson, Owen
Portillo, Rt Hon Michael
Prior, David
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sayeed, Jonathan
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Stanley, Rt Hon Sir John
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Thomas, Simon *(Ceredigion)*
Tredinnick, David
Tyler, Paul
Viggers, Peter
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wigley, Rt Hon Dafydd
Wilkinson, John
Willetts, David
Willis, Phil
Wiltshire, David
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Peter Luff and
Mr. Andrew Stunell.

Question accordingly agreed to.

Mr. Edward Garnier (Harborough): On a point of order, Mr. Deputy Speaker. It has just come to the attention of some of us that the Government have snuck on to the Order Book for tomorrow a guillotine motion for the Criminal Justice (Mode of Trial) (No. 2) Bill. This is the 36th time in the course of the Prime Minister's premiership that the Government have sought to curtail debate—and not just on any old Bill, but on a Bill of huge constitutional importance.

The Government business managers have clearly become alarmed by the return of their out-of-touch Prime Minister from his £500 million jaunt to Japan. The motion demonstrates the arrogance and ineptitude of this appalling Government. Where is the Minister prepared to stand up for the interests of the British citizen rather than the ill- considered meanderings of this exhausted Administration?

When a Government overreach themselves, they attempt to suborn Parliament. Tyranny begins when they attempt to suborn the jury system. Can it be right that this appalling bunch of inept politicians seeks to destroy the

[Mr. Edward Garnier]

rights of the British citizen and to do so by a suppressed and curtailed debate tomorrow? Five hours for a Bill of huge constitutional importance—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. What I am hearing so far from the hon. and learned Gentleman sounds suspiciously like a speech on a guillotine motion. What is the point of order for the Chair?

Mr. Garnier: The point of order ought to be clear not only to you, Mr. Deputy Speaker, but to all the Labour Members here. Is it in order for this appalling bunch of constitutional hooligans to demonstrate its total disregard for the rights of this House and the rights of citizens by, for the 36th time, curtailing debate on a Bill of huge constitutional importance?

The first attempt at this Bill was defeated in another place, after it was mauled in this House. Is it right that the Government should attempt to have another go by curtailing debate in this House? I urge you to stand up for the rights of the House, Mr. Deputy Speaker, and the citizens whom we represent.

Mr. Deputy Speaker: I think that the hon. and learned Gentleman must know that the Chair has no responsibility whatsoever for the business that is put before the House, and it is not anything on which the Chair can rule. The hon. and learned Gentleman has had his say and, no doubt, what he has said will be on the record and heard by members of the Government.

Mr. Paul Tyler (North Cornwall): Further to that point of order, Mr. Deputy Speaker. We share the concerns that have been expressed, but in far more temperate terms. Of course, I accept your ruling that you have no responsibility for the business put before the House, Mr. Deputy Speaker. However, may I put it to you that it is the Chair's function to protect the rights of Back Bench Members and all parties in the House?

I am sure, Mr. Deputy Speaker, that you appreciate fully that the way in which the Government are handling the business this week is not in the interests of good scrutiny of legislation. In particular, the lack of proper consultation on the timetable motion for tomorrow is an affront to an extremely important piece of legislation that requires careful scrutiny. Even if you cannot rule on the business of the House, Mr. Deputy Speaker, you can at least ensure that proper representations are made to the Government on the way in which they have handled this week's business.

Mr. Deputy Speaker: I hope that I can reply in equally moderate terms to the hon. Gentleman. I have allowed the point of order to be somewhat extended so that concerns expressed by both Opposition parties can be fully heard, as they have been. However, the fact remains that what is put on the Order Paper is a matter for the Government, not the Chair.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. I cannot rule on anything further. The plain fact is that the business of the House is not determined by the Chair, and I cannot go on entertaining extended points of order on the same point.

Sir Nicholas Lyell: Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I have ruled on the point of order, and I cannot take any more points on the narrow matter before me. Unless there is an entirely fresh point of order, I cannot rule upon it—*[Interruption.]* Order. We must conduct ourselves in an orderly manner and I must at least hear what is being put to me by the right hon. and learned Gentleman.

Sir Nicholas Lyell: The Bill has to move on to another place. It came out of its Committee as long ago as 6 June, which was more than six weeks ago. In the meantime, there have been many evenings when the House could have conducted proper debate on the matter. However, the Bill was not brought before the House and is now to be guillotined. It is rumoured that when it is pushed through the other place the Parliament Acts are to be used, which would be tyranny. Is not keeping these matters under control within the House's rules of order?

Mr. Deputy Speaker: Order. It may be a matter for right hon. and hon. Members to argue these matters in an orderly way before the House. However, it cannot be taken further on a point of order this evening. There is nothing on which the Chair can rule, and I cannot hear more on that particular matter. I have allowed considerable rein for argument to intrude on a point of order so that both Opposition parties have had an opportunity to have their say on the matter, so I cannot take any more points of order on it.

Mr. Peter Bottomley (Worthing, West) *rose—*

Mr. Deputy Speaker: I hope that this is genuinely a different point of order.

Mr. Bottomley: On a different point of order, Mr. Deputy Speaker. I will not mention the Bill that has been discussed. Is it the convention of the House that the Leader of the House makes a business statement in advance so that those Members who are not here now may know what tomorrow's business is? Could the Leader be called to the House to make that statement now? She had notice of her action; she should be here now making a statement about tomorrow's business.

Mr. Deputy Speaker: It is always helpful if the Leader of the House is able to make such a statement, but that rule is certainly not observed on every occasion. We must move on.

Mr. Edward Leigh (Gainsborough): On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I hope that this is a different point of order.

Mr. Leigh: This point is completely within your responsibility, Mr. Deputy Speaker, because it regards the

choice of speakers in tomorrow's debate. If, as we presume, the debate on the guillotine motion lasts for three hours, we will be left with an hour and three quarters to discuss the Bill. We will have an hour and three quarters to discuss legislation that will end a practice that has been prevalent in our country for seven centuries—I make that 15 minutes per century. [HON. MEMBERS: "That is new Labour."] That sums up new Labour. How will you divide up the time, Mr. Deputy Speaker, so that we get adequate debate with only 15 minutes for each century of tradition?

Mr. Deputy Speaker: I am sure that the hon. Gentleman knows that the Chair cannot speculate on who will be called when at this stage the Chair does not even know who will apply to speak in the debate.

Government Resources and Accounts Bill

Lords amendments again considered.

Question again proposed, That the House agrees with the Lords in their amendment No. 16.

10.20 pm

Miss Melanie Johnson: The hon. Member for West Dorset (Mr. Letwin) is no longer in his place, but he asked me a question about section 37 of the 1866 Act. The original meaning of that section is so obscure that neither the Treasury nor National Audit Office officials who have examined it have been able to decipher it. The main point is that it concerns an old-fashioned practice that is no longer used by the NAO, which has not objected to the repeal of the provision. I hope that the amendment will be agreed to.

Lords amendment agreed to.

Remaining Lords amendments agreed to [Some with Special Entry].

Committee appointed to draw up Reasons to be assigned to the Lords for disagreeing to certain of their amendments to the Bill; Mr. Graham Allen, Mr. John Healey, Miss Melanie Johnson, Mr. Oliver Letwin and Mr. Keith Simpson; Miss Melanie Johnson to be the Chairman of the Committee; Three to be the quorum of the Committee.—*[Mr. Allen.]*

To withdraw immediately.

Reasons for disagreeing to certain Lords amendments reported, and agreed to; to be communicated to the Lords.

Brand Names

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Allen.]*

10.23 pm

Mr. Austin Mitchell (Great Grimsby): I must express my pleasure at being able to address this enthusiastic and crowded House on the important issue of brands. That subject is much neglected, but brands are very important to the British economy. They account for £50 billion of gross production, and 400,000 jobs depend on them.

Brands are even more important to Grimsby, which is now designated Europe's food town. It has the biggest concentration of food production and cold storage in Europe, and we are home to household names such as Captain Birds Eye, Bluecrest, Youngs Seafood—masters of the sea—and Baxters soups, with all their wonderful and delicious brands. We are the home of Lean Cuisine, Linda McCartney's menu and Harry Ramsden's batter on Ross Seafood. What is more, we have branded Grimsby fish, because fish sold in Grimsby traditionally has a quality that is very different from that of fish sold in other ports across the estuary, which shall remain nameless. Brands are extremely important, especially in the food industry. Other local brands include McCain oven-ready chips further up the coast and KitKat in York.

Brands are important to a range of consumer products and, therefore, to business competitiveness and competition. They encourage and sustain innovation, because companies are willing to invest if that investment will be protected by a brand name. Brands allow continuous improvement of products, because businesses want to maintain their bond with the consumer. Brands are about trust: the consumer comes to trust a brand that is advertised and promoted and an identity builds up between the two.

Brands both protect innovation and act as a catalyst for it. A 1998 study showed that branded businesses in the consumer products sector innovate twice as much as those that have no brands; they spend more on research and development as a percentage of sales to stimulate and develop the brand; and they extract more value from innovation in branded products. Brands are associated with market growth and profits. As shown by the market strategy report of 1998, brands provide an assurance to the consumer and a guarantee of investment.

Brands form an essential part of the modern business practice of reputation management: a business depends on its brands for its reputation. Anything that undermines a brand—for example, copycat products—undermines a company's investment, leeches off the innovation of the brand owner and weakens its competitive position. Brands are crucial to the operation of a modern economy. They are essential to advertising, which encourages demand, which boosts production, which leads to economies of scale, which reduces the price of the product and encourages and protects investment. Brands are an essential element of a competitive economy.

However, unlike patents and trademarks, brands confer inadequate protection on the investment and expertise, and on the bond with the consumer that they help to build. That protection is especially inadequate in this country compared with other European countries. To protect itself and to pursue competitors and producers of copycat products, a business has to act under the law of tort, using passing-off law dating from the 18th and 19th centuries. That law is vague and the standards of proof are perversely high. The company attempting to protect its brand has to persuade a consumer to say, "I, the consumer, am daft. In my simple-minded way, I was deceived by product Y, which I took to be brand X, and bought it by mistake." It is difficult to persuade consumers to come forward and criticise themselves.

Therefore, to protect brands under the law of tort by attacking the competitor on the grounds that it is passing-off a product as a branded product is an expensive and unsatisfying exercise that offers little prospect of success. That is why so few actions are brought. There have been some conflicts, such as between Ireland's Dunn supermarket with its St. Bernard brand and Marks & Spencer with its St. Michael brand. There was also an argument over Penguin biscuits and Puffin biscuits, which were Asda's competing version. The argument resulted in a very expensive court battle, at the end of which nothing was effectively decided. Both sides claimed victory. The headlines from Asda said, "Puffins Rule the Roost", whereas United Biscuits said "United Biscuits Wins the Battle". All that happened was that the look-alike product was given publicity.

It is particularly important that we act now to give brands better protection. We should do so, first, because of the globalisation of brands and trade. Brands are now sold on a world market and their reputation internationally is traded on. Indeed, they are traded as commodities. Secondly, better protection is important because of the increasing emphasis on intellectual property, of which brands are a part.

Thirdly, we should act now because of the coming explosion of e-commerce. More and more sales will be made on the internet. Consumers are more at risk when they do not have the opportunity to evaluate the product, and are likely to turn in e-commerce to brands that they know and trust. People want to buy in the established framework of established trust and know what they are getting. For those three reasons, brands are becoming more important and we should act now to protect them.

Action is not being taken; indeed, the matter is being shuffled around. I remember when trademark legislation was agreed by the House in 1994 that there was an attempt to include brands, which in fact are a form of trademark. The then Government said, "No, not in this Bill; the question is one of competition legislation." Yet when the Competition Bill came before the House a couple of years ago, the defenders of brands were told, "No, it is a trademark matter." So, it was dismissed on both counts and the Government had it both ways. Now, the consumer White Paper makes no mention of brands even though they are a basic tool of competition for consumer loyalties. We are therefore missing an opportunity to put the matter right, to put brands on a firmer basis and to give companies weapons to enforce brand reputation and loyalty.

I emphasise that I am not talking about brands on the balance sheet. There is a difference between the Securities and Exchange Commission recommendation that brands cannot be valued, and our own Accounting Standards Board desire for some balance-sheet evaluation. I am not in favour of lumbering the balance sheet with more and more intangibles. I remember that Captain Bob Maxwell had his brands—*The Sporting Life*, *Daily Mirror* and

Sunday Mirror—valued by Coopers and Lybrand, which then audited his accounts. It therefore reported on its own figures, which was a deplorable practice.

Nor am I talking about supermarkets' own brands. They are a vital part of competition and would not be threatened by any action to protect brands. Supermarket brands are sold on the reputation of the supermarket—Sainsbury's, Asda or whatever.

Nor, finally, am I talking about parallel imports. Indeed, in some ways, I am in favour of parallel imports. I do not see why the weight of European Union legislation should be invoked to protect high-priced sales of luxury items on the European market from cheaper imports of the same branded product from other markets.

As someone who has something of a sunglasses fetish, I was interested to see how cheaply big-name sunglasses such as Serengeti and Bausch and Lomb can be bought at Wal-Mart for £30, whereas in other shops they are sold for £100 or £80. I look forward to a collapse in the price of the products due to the importing of the same brand. That is a question of the pricing policy of luxury goods manufacturers, but I am not dealing with that.

I do not see why in our economy we should be suckered by high-priced products. I am speaking about protecting well-known brands, especially in mass market goods, where look-alike, copycat products can be a form of exploitation which undermines the quality of the brand and investment in the brand. Brands protect innovation, and their role is especially important for competition. We are obsessed with competition, and perhaps a little too obsessed with price competition.

We should protect brands by putting brand law into a form in which it can be effectively enforced. The Select Committee on Trade and Industry a couple of years ago recommended a voluntary code, but I do not think that that would work. We have been pressed by various international bodies—for example, the agreement on trade-related aspects of intellectual property rights in 1994. Article 10 bis of the Stockholm convention of 1967 stated that countries

> are bound to assure . . . effective protection against unfair competition. . . The following in particular shall be prohibited:
>
> all acts of such a nature as to create confusion by any means whatever. . .

That is what copycat brands do.

The World Intellectual Property Organization in Geneva published a model law on brands in 1994, which some countries have already implemented, so brands are better protected in other European countries than in the United Kingdom. We should implement such a law. I hope that in his reply to this brief debate, my hon. Friend the Minister can give us some assurance, first, that the Government recognise the importance of brands, not only in serving the consumer but in stimulating and protecting innovation and competition; secondly, that the Government will act to give firmer protection to brands because of their importance to competitiveness; and thirdly, that the Government will give brand owners a means of redress against the debasement or the copying of their product.

That would enhance consumer confidence and, more important, it would give businesses the confidence to develop brands and invest in them, and to build up branded production, with all that that offers the consumer, as a stimulus to greater competitiveness, both nationally and internationally.

10.38 pm

The Minister for Competition and Consumer Affairs (Dr. Kim Howells): I congratulate my hon. Friend the Member for Great Grimsby (Mr. Mitchell) on bringing the debate to the House tonight. I did not know, and I am not sure whether anyone else in the Chamber knew, that Great Grimsby was the branding capital of the United Kingdom food industry. That is fascinating, but I am not sure that Great Grimsby will remain so, after my hon. Friend described companies such as Tesco, Sainsbury's and Safeway, whose own products sometimes look a little like branded products, as leeches.

Mr. Mitchell: I did not express myself very well. Many of the supermarkets' own brands are also produced in Grimsby. They are not leeching on the production of the branded products. It is the copycat products that, like leeches, are exploiting the investment in the branded products.

Dr. Howells: I thank my hon. Friend for clarifying that; I am sure that those huge companies will be glad that he did so.

The Government recognise that brands are essential to building consumer confidence, act as a guarantee of quality, and prevent consumers from being confused as to who made the goods and where they come from. Brands are a key factor in promoting trade in the marketplace, and brand owners play a key role.

Brands are important to consumers because, as my hon. Friend said, they help to identify the origin and quality of goods, and their manufacturer. They also help consumers to identify genuine goods.

As my hon. Friend said, fake goods may be of poor quality, defective, or even dangerous or damaging. They offer no guarantees or service agreements. We are greatly involved in educating consumers about the long-term effects of buying fake goods, which affects legitimate industry's ability to invest in the creation and development of new products.

I know that the hon. Member for Montgomeryshire (Mr. Öpik) is worried about the effects of counterfeiters and others who try to sell the unsuspecting public products that can be dangerous, especially pharmaceuticals, household goods and associated products.

Mr. Lembit Öpik (Montgomeryshire): Does the Minister agree that even when the quality of the lookalike products is not terrible, they stifle innovation? A turnover of £50 billion in branded products, and the ability to innovate, will be harmed if people always have to look over their shoulders. Having to compete with lookalike products reduces the opportunity for investment. Those products freeload on the reputation of branded products.

Dr. Howells: The hon. Gentleman put the point well. However, although I have great affection and respect for him, I do not entirely agree with him. Emulating products and their packaging sometimes promotes healthy competition. I am instinctively suspicious of the use of this place to build fortress walls round specific products. I acknowledge that adequate protection must exist and that

[Dr. Howells]

adequate returns must be made on the original investment. I do not have much time, but I shall try to explain what I mean, and I hope that the hon. Gentleman will bear with me.

The Government appreciate the damage that intellectual property crime does to legitimate business. We are committed to working to improve matters. Indeed, our legislative programme, which includes specific improvements to the criminal provisions in intellectual property law, the implementation of the e-commerce and, in due course, copyright directives, will help in the fight against counterfeiting and piracy. Other initiatives, such as raising consumer awareness, improving co-operation, and the co-ordination of enforcement effort, are also important. The Government are currently involved in much activity in that context.

My hon. Friend the Member for Great Grimsby and the hon. Member for Montgomeryshire asked why there is insufficient protection against copycat or look-alike products. The Government are not convinced of the need for a change in the law to extend brand owners' rights against those who sell products in so-called look-alike packaging. The Trade Marks Act 1994 introduced several new provisions, which extended trade mark protection to, for example, trade dress, three-dimensional shapes, colours, sounds and smells. The Trade and Industry Committee studied the subject carefully and concluded that brand owners were not using legal remedies such as passing-off. I support those conclusions, and I do not believe that the law is deficient.

We believe that United Kingdom law on intellectual property is compatible with all the international conventions to which we are signatories. They include the World Trade Organisation's trade-related aspects of intellectual property rights agreement, which deals with unfair competition, and incorporates, as my hon. Friend pointed out, article 10 bis. However, I believe that that was an article in the Paris convention.

Mr. Mitchell: Although my hon. Friend says that the power of brand owners to protect themselves exists in legislation, manufacturers do not believe that it is worth the effort. Cases are difficult to prove in law; they are long and tortuous, and the verdicts have not been satisfactory. It is difficult to get people to come forward and say, "I was daft enough to buy this product instead of that one. I was deceived." The burden of proof is the problem.

Dr. Howells: I have to tell my hon. Friend that, as Minister for Competition and Consumer Affairs, which is one of my little titles, I receive scores of letters of complaint about all sorts of things ranging from new and used cars to sunglasses, which he mentioned. However, no constituent has ever written, or been to see me, to complain about being confused by a look-alike product on a supermarket shelf.

Mr. David Taylor (North-West Leicestershire) *rose—*

Dr. Howells: No, I will not give way because we have gone on for long enough on this one.

Indeed, were I to take home an own-brand packet of cornflakes instead of Kellogg's, my kids would throw it out of the window. They are not daft, nor are most consumers daft enough to fall for such a thing. When the British Brands Group lobbied me, as it has done several times, it came up with a ludicrous example: some zappy young executive might charge into a supermarket, mistakenly pull out a bottle of Tesco's look-alike Fairy Liquid instead of the genuine article, and be dreadfully disappointed on arriving home, which would upset her executive evening. I simply do not believe that such things occur. Most consumers are a lot sharper than that; they are capable of making decisions. If companies are not satisfied with the deal that they get from their main retailers—the supermarket chains—let them sue.

Mr. Öpik: Will the Minister give way?

Dr. Howells: For the last time.

Mr. Öpik: I thank the Minister for giving way again, but does he not accept that the problem is serious but less dramatic? Brands innovate and copycats copy the brand image, but not necessarily the brand performance. Over time, expensive innovations are undermined by cheaper copycats, which makes it more difficult for brands to innovate. That harms the whole economy, not just the brands.

Dr. Howells: I agree, but there is a fine line here and a difficult balance to strike. We could talk all night about parallel imports, which my hon. Friend the Member for Great Grimsby mentioned, but would not fencing in the big established brands create hurdles too high for competitors to cross? I acknowledge that I am an unashamed proponent of competition—fierce competition—which brings the best products to the market and provides most benefit to consumers. Having to compete in fierce but fair open markets allows the best companies to evolve. However, as my hon. Friend and the hon. Member for Montgomeryshire said, the rules must be fair. I believe that the rules in this country are fair. I am no more in favour of the balance swinging violently in favour of rights holders than I am of all the controls being removed.

Mr. Taylor: Will my hon. Friend give way?

Dr. Howells: I will, as my hon. Friend has been present since the start of the debate.

Mr. Taylor: Can my hon. Friend confirm whether the Government have a timetable for reviewing the law on branding and the protection that it offers, particularly to firms in my constituency, which contains major distribution warehouses for the goods to which my hon. Friend the Member for Great Grimsby (Mr. Mitchell) referred?

Dr. Howells: My hon. Friend will understand that we all have factories, shops and distribution centres that sell—*[Interruption.]* Yes, including food shops. We grow some food in Wales, and we process it and sell it. I hope that he realises that I cannot undertake to put legislation

on the statute book. I am not even convinced that things are so askew in this country as to warrant such a review in the first place. However, I give him, my hon. Friend the Member for Great Grimsby and the hon. Member for Montgomeryshire an undertaking that we will continue to keep a sharp eye on this subject. If we do not, the paradigm of fierce open competition that I described will not occur. A fine balance must be struck. That is the secret of a good economy.

Question put and agreed to.

Adjourned accordingly at ten minutes to Eleven o'clock.

House of Commons

Tuesday 25 July 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

CITY OF NEWCASTLE UPON TYNE BILL *[LORDS] (BY ORDER)*

Order for Third Reading read.

To be read the Third time on Wednesday 25 October.

ALLIANCE & LEICESTER GROUP TREASURY PLC (TRANSFER) BILL *[LORDS] (BY ORDER)*

Order for Second Reading read.

To be read a Second time on Wednesday 25 October.

Oral Answers to Questions

SCOTLAND

The Secretary of State was asked—

Euro

1. **Mrs. Eleanor Laing** (Epping Forest): What recent discussions he has had with the Chancellor of the Exchequer on Government policy relating to the right of Scottish banks to print currency notes after the proposed introduction of the euro. [130567]

The Secretary of State for Scotland (Dr. John Reid): It is with some regret, Madam Speaker, that I rise to take part in what will be your final time in the Chair for Scottish questions. May I take this opportunity, on behalf of the people of Scotland, Members of Parliament from Scotland, and, I am sure, the whole House to thank you for the way in which you have presided over our deliberations for a considerable time? I wish you all the best for the future.

Turning to the question, I have regular discussions with my right hon. Friend the Chancellor of the Exchequer on a wide range of issues. The Government are well aware of the importance of the issue of Scottish Bank notes in the event of United Kingdom membership of economic and monetary union and it remains one of the issues for negotiations if the UK were to join EMU.

Mrs. Laing: I thank the Secretary of State for that full and vague answer. After 300 years of United Kingdom Union in which the Scottish pound has been preserved, does he not find it sad that, because of the Government's attitude to our relationship with the European Union, there is a great risk that the Scottish pound will be abolished? Is he not at all concerned about the risks to the economy of the whole United Kingdom that a European single currency joined by the United Kingdom would have? Has he not listened to what Sir Eddie George said today about the great risks that the single currency would bring to the whole of the United Kingdom, including Scotland, or are we to assume that Sir Eddie George is not to be listened to in Scotland because he is the Governor of the Bank of England?

Dr. Reid: My congratulations go to the hon. Lady and the author of that contribution. As I have explained to her already, and as the Minister for Enterprise and Lifelong Learning in the Scottish Parliament, my hon. Friend the Member for Central Fife (Mr. McLeish), has already made plain in his correspondence with the Committee of Scottish Clearing Bankers, the Government—and, incidentally, the Bank of England—agree that the position has not changed recently. No final decision has been taken. We are well aware of the importance of the facility in Scotland to produce pound notes and we will bear that in mind if and when it comes to joining the euro.

Our position is balanced, and not vague as the hon. Lady describes it. It is predicated on the best interests of this country, politically and economically. It is certainly distinguished in its pragmatism from the positions of principle held by the three opposition parties. The Liberal Democrats would join the euro tomorrow, irrespective of the consequences. The Scottish National party takes three positions of principle that change with time, but I understand that the latest incarnation is that it would join at the earliest possible date, irrespective of the consequences. The Conservative party holds the qualified principle—the only one philosophically known to man—that this is matter of absolute principle until the end of the next Parliament, when it ceases to be a principle. All those are absurd positions. We will not be dogmatic; we will act, as a Government, in the best interests of the people of this country.

Mr. John Home Robertson (East Lothian): Does my right hon. Friend agree that the single currency arrangement made between Scotland and England in 1707 has been extremely beneficial to all concerned and that none of my constituents are campaigning for a return to groats and baubees? Does he further agree that entry to a shared European currency on the right terms would be just as beneficial to all the citizens of the United Kingdom?

Dr. Reid: I have to give a qualified answer because my experience does not go back as far as 1707. For as long as I have been around I have thought that we have benefited greatly from that arrangement, and it would be a non-progressive step to go back to groats and baubees. However, I notice that the Conservative party, which aspires to government, wants us to go back to threepenny bits and sixpences and no doubt it will be poles, perches and baubees before we get much further into the debate.

On the euro, we have made it absolutely plain that there is a triple lock. If and when we decide that the criteria have been met, a decision will not only have to be agreed by the Cabinet and the House, but will be put to the people of this country. A combination of the pragmatic approach as to what is in the best interests of this country and a

democratic approach, which will put the issue before the people, provides the best of both worlds. That is in contrast to the positions offered by the opposition parties.

Mr. Malcolm Bruce (Gordon): Does the Secretary of State acknowledge that it is quite difficult to be dogmatic about a policy of dither and delay? The Government need to recognise that if Britain is to be a member of the European single currency, we must take practical steps now to achieve convergence and make the possibility of winning a referendum achievable. What is the Secretary of State doing to achieve that?

Dr. Reid: I have never had any difficulty in watching Liberal Democrats take a dogmatic approach to dither and delay. For many years, they have run on the slogan "What do we want? Gradual change. When do we want it? In due course". There is no difficulty in finding that to be so on the hon. Gentleman's part.

Our position is perfectly sensible and pragmatic. We believe that it is in the interests of this country that there is a general decision to join a successful single currency, but that that should take place in the right conditions and at the right time, which is why we have set out criteria. We believe that the decision should command the support of the Cabinet and Parliament, as well as the country, which is why we promised a referendum. Most people would agree with that common-sense and pragmatic approach, rather than the dogmatic position of Opposition parties.

Fuel Duties (Rural Areas)

2. **Mr. David Stewart** (Inverness, East, Nairn and Lochaber): What recent representations he has received on the impact of taxation on petrol on transport in Scottish rural areas. [130568]

7. **Miss Anne McIntosh** (Vale of York): If he will make a statement on the impact of vehicle fuel duties on the rural economy in Scotland. [130573]

The Minister of State, Scotland Office (Mr. Brian Wilson): I am in regular contact with all sections of the community in rural Scotland on a broad range of issues, including taxation on fuel.

Mr. Stewart: The Minister will be aware of the price of fuel in the highlands and islands which, at £4 a gallon, is an impediment to business and tourism. However, does he welcome the decision of Gleaner Oils to introduce LPG—liquefied petroleum gas—which costs half as much as ordinary fuel, into more than 20 filling stations in the highlands and islands over the next year? Does the Minister share my enthusiasm about LPG, and recognise that the next step involves, first, changing the conversion scheme to include older cars and, secondly, encouraging car manufacturers to build more dual-fuel vehicles? We will then have a low-emission, low-cost fuel that is available to a new generation of rural motorists.

Mr. Wilson: I am very enthusiastic about LPG, which carries with it the best hope of not just tinkering with the present situation but transforming it. It offers the glittering prize of changing the highlands and islands from the highest-cost road fuel area in the United Kingdom into the lowest-cost area. We can achieve that if we expand the availability of LPG. I am having very promising discussions about a major expansion of LPG availability in the highlands and islands, which would put the area into the forefront of access to the fuel in the UK. I am very much in line with my hon. Friend on that.

Miss McIntosh: Is the Minister aware that Scotland is still a major oil producer and has the second cheapest pre-tax oil prices in the European Union? However, post-tax, those prices are 23 per cent. higher than the EU average. Is the Minister also aware that last year the Highlands regional council did a study that showed that tanking up in the highlands and islands was £4.30 more expensive than in the rest of Scotland? Is it the Government's policy to price the car off the road in rural parts of Scotland?

Mr. Wilson: No, that is not our policy. As always in our debates, the hon. Lady's question suffers from her selective use of facts and statistics. She is right about the taxation burden on petrol, although her remarks are a bit rich coming from an Opposition Member, as it was the Tories, of course, who introduced the fuel duty escalator.

The hon. Lady did not mention other taxes on motorists which transform the picture across Europe, if one takes into account the whole burden of motoring taxation, not just petrol taxation. Is the hon. Lady proposing that there should be a purchase tax of £4,000 a car, as in Norway, or that road tax should be £720, as in the Netherlands? The whole picture has to be looked at and, in the highlands and islands, we are working on reducing differentials, supporting rural filling stations, supporting the initiative on bulk buying in remote communities and, of course, working on the LPG initiative. That is all constructive stuff which will bring benefit to the highlands.

Mr. Jimmy Hood (Clydesdale): Will my hon. Friend take care when others are trying to persuade him of the need for conversion to liquefied petroleum gas? We must first introduce proper regulation to keep the cowboys out of the conversion market. I have a constituent from Netherburn near Larkhall whose child was nearly gassed in the back of his car, but he cannot get compensation because there is not sufficient regulation to protect car drivers who choose to convert to LPG.

Mr. Wilson: My hon. Friend makes an important point, which I am sure he will pursue with his usual vigour. It does not detract from the overall point that LPG offers a major opportunity to transform motoring costs, and I urge people in the highlands and islands and other areas with LPG availability, particularly those who are buying a new car, seriously to consider purchasing a dual-fuel car.

Mr. Dominic Grieve (Beaconsfield): Madam Speaker, may I first associate Conservative Members with the remarks made by the Secretary of State at the beginning of Question Time in respect of your presiding over our turbulence?

In reply to the question from my hon. Friend the Member for Vale of York (Miss McIntosh), the Minister said that other factors should be considered in relation to the cost of transport in the highlands. Yet he knows that we have the highest heavy goods vehicle licence fees in

Europe, on top of the fuel taxes and the fuel escalator that his Government have raised. The situation is so bad that the hon. Member for Western Isles (Mr. Macdonald) has had to introduce, through the Highland transport authority, an initiative for bulk buying petrol to try to reduce its price by 10p in the pound, although that is only a small component of the tax that the Government take. When will the Government wake up to the extent to which their taxation is bleeding the economy of rural areas in Scotland white?

Mr. Wilson: We enter the realms of the bizarre when a Tory spokesman assails us on the cost of petrol. The Tories, doubtless for what they saw as good reasons, introduced the fuel duty escalator; the Labour Government got rid of it. As the hon. Gentleman knows perfectly well, of the last 19p increase in the cost of petrol 17p per litre has come from the rise in the world price of oil, which in other ways is beneficial to the UK economy. Let us have some honesty on all points in the debate. We have listed our initiatives, and I am happy to associate myself with the creative thinking of my hon. Friend the Member for Western Isles (Mr. Macdonald) on bulk buying—that is what a good MP does, instead of bleating about things and trying to make political capital out of them.

Mr. Grieve: The Minister cannot get away with it. The Government have been indulging in the most extraordinary creative thinking to get themselves off the hook. First, they told us that the fuel duty escalator was all about changing our driving habits, which is a useless policy to present to the population of the highlands and islands. Recently, the Prime Minister has been telling us that the taxes are vital to pay for public services, but we in the House know the reality. In the Chancellor's constituency of Dunfermline, East—which is not exactly a hotbed of Conservatives or conservatism—43 per cent. of those polled consider that taxation has risen under this Government, and only 12 per cent. feel that they have received any benefit in the way of services for the price that they have had to pay.

Mr. Wilson: I can only describe that as unconvincing bluster. Let us establish the facts: the Tories introduced the fuel duty escalator; Labour has abolished it. That is an inescapable fact. Any hon. Member who says that we should cut fuel duty has to say where the money to do so will come from. Let us not forget that every one of the parties represented in the Chamber supported the fuel duty escalator in one way or another: the Tories introduced it, the Liberal Democrats wanted to increase it, and the nationalists based their budget projections on it. Where is the argument?

Rail Infrastructure

3. **Mr. Russell Brown** (Dumfries): What action the Government have taken to promote investment in railway infrastructure in Scotland; and if he will make a statement. [130569]

The Secretary of State for Scotland (Dr. John Reid): The Government are promoting investment in railway infrastructure through their 10-year transport plan. That includes £60 billion for a bigger, better, safer railway—the biggest investment in railways for generations, which will undoubtedly benefit Scotland.

Mr. Brown: I thank the Secretary of State for his reply and I thank the Deputy Prime Minister for last week's announcement of additional funding through the comprehensive spending review. Will my right hon. Friend ensure that some of that investment is channelled towards moving more freight on to railways, with particular emphasis on timber freight, which is an issue in my constituency?

Dr. Reid: Yes, I will certainly continue to do that. It is noticeable that, under this Government, there has been the first increase in freight transport on rail for generations. My hon. Friend will be interested to know that, since May 1997 when the Government were elected, nine freight facility grants have been awarded in Scotland. Those total £16.5 million and will remove 8.7 million lorry miles per annum from roads in Scotland. A further £1 million has been made available for 2000–01. So, once again, investment in our railways, and incentives to move from road to rail have been encouraged under this Government.

All those moneys would of course be cut by the Conservative party, which, having abandoned every other guarantee, gives only one guarantee to the people of Scotland: if a Tory Government were elected, one third of all expenditure introduced in the Budget as additional for Scottish services would be removed.

Sir Robert Smith (West Aberdeenshire and Kincardine): May I associate those of us on the Liberal Democrat Benches with the Secretary of State's good wishes on the occasion of the last Scottish questions under your Chair, Madam Speaker? [HON. MEMBERS: "Under your Chair?"] I am waiting for a little peace and quiet on the Conservative Benches.

In considering the railway investment that the Secretary of State has announced, will he determine which structural and financial problems remain barriers to imaginative, innovative and detailed schemes such as the Waverley route in the borders and plans for a cross-rail link to Aberdeen, which will provide alternative transport that people need if they are to avoid using their cars?

Dr. Reid: I can certainly look at those, but the hon. Gentleman will be aware that, post devolution, we are involved in a partnership. All train journeys starting and ending in Scotland—not inter-city services—have become the responsibility of the Scottish Executive. I shall ensure that his point is brought to the attention of the Minister for Transport and the Environment in Scotland, Ms Boyack.

Mr. Malcolm Chisholm (Edinburgh, North and Leith): Is it not the case that freight facility grants were never used until the Labour Government were elected in 1997? I welcome the grants that have been awarded, including the one to Leith docks in my constituency. Does the Secretary of State welcome the new, ambitious targets for furthering freight facility grants and the unprecedented

boost to rail infrastructure that was announced last week, which will be good for the economy, good for the environment and good for people throughout Scotland?

Dr. Reid: I entirely agree with my hon. Friend. The previous Conservative Government objected on two principled grounds to doing what we are doing. First, they did not believe in planning of any sort. They believed that words such as "planning and strategy", "common sense" and "forward looking" were associated with opposition to the free market, which was their only criterion. Secondly, they were very much opposed to investing money in any public services, not just rail. That meant decline for many years in freight transport and a commensurate increase in transport on the roads, with all its disadvantages. So, I agree with my hon. Friend and I hope that we do not ever have another Government who cut public services as the Conservatives did in the past and have promised to do in future.

Mr. Owen Paterson (North Shropshire): It is nice to hear the Secretary of State praising the privatised rail industry. What level of profit does he consider necessary to ensure the continued flow of private investment into the infrastructure of Scotland's railways?

Dr. Reid: It is not for me to decide the level of profit. The level that will activate future investment will be the one that attracts money to the industry. Despite advances under the privatised industry in the level of investment, the rise in the number of passengers and some of its longer-term plans now that we have brought it together, there have been serious disadvantages, too. Punctuality has gone to pot, reliability is down and the fragmentation of the network meant that, until we introduced the Strategic Rail Authority, there was no overall view. So, the matter is not as simple as having to choose between the unfettered free market and a Soviet command system, which was the line pursued by the previous Government. A sensible balance between the public and private sectors is what this Government stand for.

Mrs. Rosemary McKenna (Cumbernauld and Kilsyth): Safety on board trains is especially important during the holiday period. Will my right hon. Friend take up, with inter-city train operators in particular, issues of overcrowding and overselling of tickets, resulting in luggage and passengers in train corridors, which is extremely dangerous? Will he raise those issues with the Deputy Prime Minister and investigate the possibility of introducing legislation?

Dr. Reid: I shall certainly give my attention to my hon. Friend's remarks. There is no doubt that there has been a vast increase in the number of passengers travelling by train. For punctuality and reliability, ScotRail normally comes joint first with, or a close second to, Island Line on the Isle of Wight. As that line is only six miles long, a train need only come out of the shunting shed to be almost guaranteed to be on time at the end of its journey. On the question of investment, the plan outlined by my right hon. Friend the Deputy Prime Minister provides about £29 billion of Government funding, which will result in upgrading of the east coast main line, modernisation of the west coast main line, and £7 billion for the rail modernisation fund. We want the Conservatives to be sufficiently honest to tell us which programme they would cut if they were elected to office at the next general election.

ADVOCATE-GENERAL

The Advocate-General was asked—

Devolution Issues

25. **Dr. Norman A. Godman** (Greenock and Inverclyde): Pursuant to her answer to the hon. Member for Cumbernauld and Kilsyth (Mrs. McKenna) of 27 June 2000, *Official Report*, column 482W, if she will list the cases which have caused her to intervene on the grounds that they might have ramifications for the whole United Kingdom. [130592]

The Advocate-General for Scotland (Dr. Lynda Clark): To date I have intervened in 14 cases. I shall arrange for a list to be placed in the Library of the House.

Dr. Godman: Am I right in thinking think that devolved and reserved matters are not always mutually exclusive? May I point out that a recent motion on the Order Paper of the Scottish Parliament called for Her Majesty's Government and the Scottish Executive to take steps to alleviate the poverty of asylum seekers and refugees? What advice has my hon. and learned Friend given on legal measures in that respect, and would such measures be taken by Her Majesty's Government, or by the Scottish Executive, or by a mixture of the two?

The Advocate-General: As my hon. Friend knows, I cannot disclose the exact nature of any advice that I have given. However, in general terms, I assure him that, where appropriate, I give advice to United Kingdom Departments and Ministers. The Scottish Parliament has its own, separate legal representation.

Mr. Dominic Grieve (Beaconsfield): Pleasant as it is to see the hon. and learned Lady at the Dispatch Box, she knows what she receives by way of her ministerial salary to discharge her functions, yet she informs us that she has made only 14 interventions in the more than 12 months since she took office. In view of the Lord Chancellor's comments about fat-cat lawyers, referring to the self-employed profession, does the hon. and learned Lady think that the Government and the taxpayer are getting value for money from her discharge of her full-time post?

The Advocate-General: The short answer is yes. The longer answer is that I have not only intervened in 14 cases: I have scrutinised about 750 cases and several Bills of the Scottish Parliament, and that work will increase as the Scottish Parliament produces more Bills for scrutiny. I have also formulated a number of opinions; as the hon. Gentleman, who is legally qualified, well knows, it is not and will not be the Advocate-General's practice to reveal those opinions. However, I assure him that I am not twiddling my thumbs.

Human Rights Convention

26. **Mr. Alasdair Morgan** (Galloway and Upper Nithsdale): What discussions she has had with the First Minister and the Home Office regarding the workings of the European convention on human rights. [130593]

27. **Ms Roseanna Cunningham** (Perth): What discussions she has had with the First Minister and the Home Office regarding the workings of the European convention on human rights. [130594]

The Advocate-General: I have regular discussions with colleagues in the Home Office and with Scottish Executive Ministers on various matters, including those relating to the European convention on human rights.

Mr. Morgan: The Scottish Parliament has more reason than most to know about the costs and legislative implications of the ECHR. What assessment has the hon. and learned Lady made of the additional costs that will fall on Scotland from 3 October?

The Advocate-General: It is not for me to cost those matters, but I can give the hon. Gentleman the following comfort. The assessment carried out reveals that most cases will arise from cases currently before the courts, rather than from individual new cases. However, substantial training has been undertaken on both sides of the border and that has, in itself, resulted in additional costs. I am sure that the hon. Gentleman will agree that overall it is important that the European convention on human rights be brought into effect and that the costs are commensurate with that.

Ms Cunningham: I have listened with interest to the Advocate-General's response. Welcome though the incorporation of the human rights convention is, she must accept that it has been costly already in Scotland. I understand that the Home Office has recently been given a grant of £60 million over three years to deal with what happens after 3 October. Scotland has had money starting from last year, but will the Minister make representations to the Government to ensure that finance is reconsidered, especially for Scotland, after 3 October, when even more challenges are likely to be forthcoming?

The Advocate-General: I am sure that the hon. Lady would understand, if she read the Scotland Act 1998, that my function is not that of the Secretary of State. I am the legal officer, and my job is legal. Any submissions about financial costs, if they are to be made, are to be made by the Secretary of State.

LORD CHANCELLOR'S DEPARTMENT

The Parliamentary Secretary was asked—

Stipendiary Magistrates

29. **Mr. David Taylor** (North-West Leicestershire): What estimate she has made of the proportion of *(a)* summary-only and *(b)* either-way cases heard by stipendiary magistrates in each of the last three years; and if she will make a statement. [130596]

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): Unfortunately, these figures are not collected centrally. However, results from an ad hoc survey of magistrates courts committees throughout the country suggest that about 10 per cent. of either-way cases and slightly less than 10 per cent. of summary cases were heard by stipendiary magistrates in each of the past three years.

My right honourable and learned Friend the Lord Chancellor has said on numerous occasions that the future of the lay magistracy is secure. The Government are committed to the principle of the lay magistracy continuing to play a significant part in our system of justice.

Mr. Taylor: I thank the Minister for those figures. As a life member of the Magistrates Association, I welcome the reassurance about the future of lay benches. However, does she acknowledge the fears of many of my 30,000 magisterial colleagues that there exists a civil service agenda secreted in a Selborne house cellar that envisages a European model of a fully professional judiciary? Is there not a real risk, following the Criminal Justice (Mode of Trial) (No.2) Bill, that there will be many more one-person judgments by stipendiary magistrates, which could lead too often to the charge of legal arbitrariness and state authoritarianism?

Jane Kennedy: I can reassure my hon. Friend that there are no such sinister cellars in Selborne house. On the contrary, there is an excellent staff restaurant at that level, which I would invite him to visit.

In all seriousness, I can reassure my hon. Friend that there is nothing in the mode of trial Bill that suggests or requires a more extensive use of stipendiary magistrates. It is important to understand their role. They hear cases that are expected to continue for more than one day. That helps the court over the difficulty of constituting a bench of three lay members who are able to sit for two, three or more consecutive days. Stipendiary magistrates give support to lay benches.

Mr. Nick Hawkins (Surrey Heath): I do not wish to intrude on the private grief caused by the attack of the hon. Member for North-West Leicestershire (Mr. Taylor) on the sinister cellars in Selborne house, but will there be a proper survey following this Question Time into the work that is done by stipendiary magistrates? Will the hon. Lady confirm that, despite the support that right hon. and hon. Members on both sides of the House have for the lay magistracy, she recognises that stipendiary magistrates have an important part to play? Might the Government change their mind about the role of stipendiaries under the Football (Disorder) Bill, which is being considered in another place? As she knows, the Opposition certainly wish stipendiaries to have a greater role in the context of that legislation.

Jane Kennedy: I sought to reassure the House that there were no such sinister cellars. I clearly have not achieved my objective. A joint Lord Chancellor's Department and Home Office research project is being

undertaken to assess whether the current balance between the use of lay magistrates and stipendiaries is correct, and whether each set of magistrates is deployed in the most effective way. A report on that is due in September. The hon. Gentleman will be aware of the review of the criminal courts that is being conducted by Lord Justice Auld. We await his conclusions with interest.

McKenzie Friends

30. **Mr. David Ruffley** (Bury St. Edmunds): What representations he has received regarding the numbers of McKenzie friends attending legal proceedings *(a)* in court and *(b)* in chambers. [130598]

The Parliamentary Secretary, Lord Chancellor's Department (Mr. David Lock): Since my previous reply on 25 January this year to the hon. Gentleman, I have not received any representations about McKenzie friends.

Mr. Ruffley: Will the Minister explain to the House how it can possibly be in the interests of British justice for litigants in person to be increasingly deprived of McKenzie friends in court proceedings?

Mr. Lock: I do not accept the premise of the question. As far as I am aware, there is no evidence that McKenzie friends are increasingly being denied access to courts. Judges have developed common law rules so that litigants in person are permitted a McKenzie friend in proceedings in open court and in most proceedings in chambers, unless the court is satisfied that justice and fairness do not require that.

I trust that the hon. Gentleman will accept that the nature of private proceedings in chambers, where confidential matters are frequently disclosed, means that anyone who is in those chambers and who seeks to play a professional part must be under a regulated system. McKenzie friends are entirely outside that. That is why the judges, in exercising their discretion to control what happens in their courts, have perfectly properly put that caveat on the role of McKenzie friends.

Public Trust Office

31. **Mr. Tony Colman** (Putney): If she will make a statement on the review of the Public Trust Office. [130599]

36. **Mr. Harry Barnes** (North-East Derbyshire): If she will make a statement on the operation of the Public Trust Office. [130607]

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): The Lord Chancellor announced his plans for the future operation of the Public Trust Office on 11 April 2000. We are consulting all interested parties on the programme of reform set out in "Making Changes: the Future of the Public Trust Office". A number of steps have already been taken to improve the current performance of the Public Trust Office. A new customer services division has been created, a new senior management team has been put in place, and we anticipate a much-improved service to clients.

Mr. Colman: I thank my hon. Friend for that answer and for the work that she has done over the past six months in particular, since I have been involved, to bring together the unions, the management, the clients, the patients and the receivers to deliver a much better service at no increased cost to the clients or the receivers. Will she join me in congratulating Nick Smedley and the management for the open days that they are holding for receivers? I attended one today and saw that many receivers strongly support the changes. Will my hon. Friend ensure that in the distribution of assets below £10,000, those are not under any circumstances handed over to nursing or care home managers? Concern has been expressed to me that "granny farming" could result if care home managers were in receipt of those moneys.

Jane Kennedy: I am grateful for the interest that my hon. Friend takes in the work of the Public Trust Office. He raises an important point. Each case is reviewed individually by a senior case worker in the Public Trust Office, who will check that, among other things, all accounts are accurate and up to date, and that the case file and visitors' reports, if there are any, demonstrate that the receiver is taking an active interest in the patient's welfare, and that no concerns have been raised by third parties—for example, the nursing home or social services.

We are notifying the client, the receiver and family members of our intention to transfer the assets in advance. Where there is a family dispute or a risk of fraudulent activity, the capital will not be distributed. I cannot give my hon. Friend an absolute guarantee that we will not distribute the capital to nursing homes—clearly, that would be done on a case-by-case basis—but it is worth mentioning that that is proving extremely popular with receivers dealing with the Public Trust Office, not because they intend to misappropriate the funds, but because they are often caring for loved ones and do not like the interference of the state in their work.

Mr. Barnes: I am pleased to hear of the improvements that are taking place; they certainly seem to be needed. I am pursuing a case on behalf of a constituent, the mother of a disabled boy, who is gravely dissatisfied with the investment programme undertaken by the trust in connection with his settlement. Has not the Public Trust Office been a highly incompetent organisation up till now? That is illustrated by the fact that it only recently obtained computers. I know that computers are not the answer to all the problems in the universe, but assistance in that regard and the other improvements that have been mentioned may help to ensure that the situation that I described does not occur again.

Jane Kennedy: I am aware of my hon. Friend's constituent's case. The Public Trust Office needs to be overhauled to deliver a better service to clients, but a great deal of good work has been done in the past and we do not want to introduce change for change's sake. At each stage we are consulting the users—the receivers and, in many cases, clients—to ensure that the service that we deliver is appropriate to the needs of the clients whom we seek to serve.

Mr. John Bercow (Buckingham): Given that in July 1999 the Public Accounts Committee concluded that the Public Trust Office was failing properly to protect the financial interests of people suffering from mental incapacity, and, furthermore, in the light of the reform proposals to which the Parliamentary Secretary referred, what improvement has she so far detected in the training of staff?

Jane Kennedy: At the outset we had to suspend some of the training programmes because of the enormous pressure that we were placing on the staff. It is recognised that the Public Trust Office is in the midst of a major and complex programme of change, so I was happy to be able to announce to the staff some two months ago that we were reinstating and improving the training programme. As I think that the hon. Gentleman will acknowledge, the total programme of change cannot be successfully implemented without the requisite skills, which often are not available in the civil service, so, on occasions, we shall seek the support of external consultants to take the work forward.

I associate myself with the words of my hon. Friend the Member for Putney (Mr. Colman) in commending the work of Nick Smedley, the director of the programme of change in the Public Trust Office.

Ms Joan Walley (Stoke-on-Trent, North): I welcome the review, but I draw my hon. Friend's attention to concerns which were brought to my attention at my surgery on Saturday about annual administrative costs for those in the lowest income band. Relatives of pensioners whose total income is used to pay for private and residential homes simply do not have the annual £180 minimum administrative charge. Will my hon. Friend consider that issue closely?

Jane Kennedy: Nursing home fees are a matter for the Department of Health, but I am conscious of the concerns expressed about the imposition of fees. The Treasury has agreed to changes to the mental health fee system and we plan to introduce new fees in the autumn which should meet some of my hon. Friend's concerns.

Rural Magistrates Courts

32. **Mr. Owen Paterson** (North Shropshire): If she will make a statement on future prospects for rural magistrates courts. [130601]

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): The hon. Gentleman asked similar questions on 9 November 1999, and this year, on 25 January, 18 April and 27 June. *[Interruption.]* The hon. Gentleman says that he is still waiting for an answer, but, as I said on each occasion, the Government's policy is that magistrates courts are best managed locally by magistrates courts committees under the provisions of the Justices of the Peace Act 1997. Decisions concerning the future of magistrates courts in an MCC area, whether rural or urban, are for the committee to determine, but I am always grateful for the hon. Gentleman's attendance at our Question Time.

Mr. Paterson: When I meet the chairman of Shropshire's magistrates courts on Thursday, may I give him a clear reassurance from the Minister that, should Shropshire's magistrates desire to keep all their magistrates courts, the Government will not push them into a policy of centralisation, as has happened in Hereford, where there is now only one court?

Jane Kennedy: As I have just said, the organisation of the courts in Shropshire will be for the local magistrates courts committee, so when the hon. Gentleman meets the chairman he might like to point out just how committed the Government are to modernising the service provided by magistrates courts committees. The public have a right to expect well-equipped and secure court rooms. The hon. Gentleman might also like to tell the chairman that we are spending £16 million this year on magistrates courts improvements. He might also like to suggest how he would arrive at the programme of cuts that the Conservative party would introduce if it were ever returned to power.

Mr. John Burnett (Torridge and West Devon): The closure of rural magistrates courts leads to the denial of justice for many people. Furthermore, it undermines the morale of the lay magistracy. For how long will the Government persist in their policy of imposing 3 per cent. per annum cuts on magistrates courts committees throughout the country?

Jane Kennedy: The comprehensive spending review renewed the requirement for efficiency gains for a further three-year period. I reject the proposition that there are cuts of 3 per cent. year on year. That is not the case. If we consider courthouse closures in recent years, most magistrates courts that have closed so far are those that committees no longer felt able to justify because they lacked the necessary facilities. It is absolutely essential to provide courts that are modern and fit for their purpose.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): The slight hazard with that is that, if membership of a magistrates courts committee is not balanced in relation to a specific rural area, there will be some inclination to believe that the decision has not been totally independent and is therefore not unavoidable. I presume that my hon. Friend will examine the composition of magistrates courts committees.

Jane Kennedy: I shall certainly do that, as I have done on previous occasions when my hon. Friend has raised the matter. I undertake to do it again.

HOUSE OF COMMONS

The President of the Council was asked—

Media Access

40. **Helen Jackson** (Sheffield, Hillsborough): What further proposals she will bring forward to improve access to Parliament for the media. [130611]

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The Modernisation Committee and the Administration Committee have worked together to remove restrictions on

the use of tape recorders in the Gallery, end the ban on interviews in Members' offices and ease the restrictions on photography. In addition, there are now facilities close to the Chamber for interviews with hon. Members, as well as several more minor changes.

Helen Jackson: Does my right hon. Friend agree that the House is best served not by the frothy, gossipy media reporting that often occurs, but by proper coverage of our serious debates not only in the Chamber but in Committee and in Westminster Hall? In the next Session, will she consider the way in which we can enhance facilities close to Westminster Hall and on the Committee Corridors?

Mrs. Beckett: My hon. Friend makes an important point. I know that hon. Members from all parties sometimes resent the fact that the more serious—and in many ways more interesting—part of our work gets the least coverage. I certainly undertake further to consider what we can do to extend coverage of, for example, Committees and Westminster Hall. I know that the Modernisation Committee wishes to do that.

I hope that my hon. Friend knows that we are reviewing the operations in Westminster Hall and that, as part of that review, we have received information from the BBC regional unit about how useful it finds those debates and the great use that it makes of them on regional television.

Sir Sydney Chapman (Chipping Barnet): Will the President of the Council confirm that the prospects for further enhancing facilities for the media will be realised when Portcullis House is occupied later this year? Does the right hon. Lady find it as astonishing as Members of other Parliaments do that it will be possible for each Member of Parliament to have his or her own private office only when Portcullis House is occupied?

Mrs. Beckett: The hon. Gentleman is right. I am grateful to him for drawing attention to the media facilities that will be available in Portcullis House. He is also right to draw attention to the fact that the new building will make it possible for every hon. Member to have an office for the first time. Many people find it astonishing that that has not been the case hitherto. It is a pity that the provision of accommodation does not feature more in the coverage of Portcullis House.

The hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, was asked—

Visitor Facilities

42. **Angela Smith** (Basildon): What matters relating to facilities for visitors were discussed at the Commission's last meeting. [130613]

Mr. Archy Kirkwood (on behalf of the House of Commons Commission): A decision to include plans for a visitors centre was taken by the Commission during recent consideration of the next three-year rolling programme of expenditure.

Angela Smith: I thank the hon. Gentleman for that answer. It is one of the most welcome answers that I have received as a Member of Parliament. I congratulate the hon. Gentleman on personally pursuing the matter. Flushed with success on the issue, there is another that I wish to raise with him. I shall do that later in the year.

Mr. Kirkwood: Let me return the compliment. The hon. Lady's intelligent and persistent use of oral and written questions on the subject—*[Interruption.]* Hon. Members may groan, but the hon. Lady's questioning helped to persuade the Commission of the urgent need for visitor facilities to be established in this place as soon as possible.

Miss Anne McIntosh (Vale of York): Would the hon. Gentleman consider increasing dining facilities for hon. Members so that they could invite more than three guests, especially to Portcullis House? Could the three-guest limit for each Member of Parliament be increased?

Mr. Kirkwood: That is an absolutely fair point. The Catering Committee will be able to reconsider the rules because more dining facilities will be available to hon. Member when Portcullis House is commissioned, which we hope will happen in the autumn. Hon. Members may be able to take more guests into the accommodation provided by the Catering Committee, but, strictly speaking, that is a matter for the Committee.

Madam Speaker: It is.

The President of the Council was asked—

Written Answers

43. **Mr. Harry Barnes** (North-East Derbyshire): If she will make it her policy to allow the tabling and publication of early-day motions and the publication of written answers during parliamentary Adjournments. [130614]

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): No. This matter has been raised frequently—not least by my hon. Friend—but it has considerable implications on time and resources.

Mr. Barnes: That is a very disappointing reply. I hope to table an early-day motion today in an attempt to assist Moorside Mining at Eckington, which is in my constituency, to survive into the future. I would not be able to do that if something similar happened next week or at any time in the next three months. Given that we shall be away for three months, I shall not have the opportunity to table parliamentary questions that will receive an answer. That seems to me to be a minimum requirement in a period when we are Members without Parliament, not Members of Parliament.

Mrs. Beckett: My hon. Friend asks about early-day motions as well as written answers. Of course I understand the concern that he expresses, but it is not reasonable, for example, to expect the staff of the House to be available for 52 weeks a year, and Madam Speaker would have a role in adjudicating whether the questions could be accepted. The matter has been considered

repeatedly over the years, but it has further implications than are sometimes realised on the use of resources and on the pressure on Members of all kinds.

Mr. Tim Loughton (East Worthing and Shoreham): Is the Leader of the House aware that the fashion for Ministers to issue holding answers is increasing and that even simple factual questions take many weeks to answer? I am still waiting for an answer from the Health Secretary to a simple question about hospital waiting times that goes back to 17 March. If that answer does not appear before the end of this week and the question is then answered at the end of October, I will have awaited more than five months for the answer to a simple question. Could not those questions that have been outstanding for a long time be answered during the recess?

Mrs. Beckett: The hon. Gentleman makes an interesting point, but the experience of the Scottish Parliament, which began to take questions in the recess, was that far more holding answers, even than the norm, were generated for reasons that I suppose are fairly obvious. Certainly, I share his view that it is disappointing if factual questions cannot be answered reasonably speedily, but long experience of tabling such questions suggests to me that sometimes what may seem a simple question to the Member tabling it requires a lot of work and causes complication in the Department. However, I will certainly draw my right hon. Friend's attention to the point that the hon. Gentleman makes.

Liaison Committee Report

45. **Mr. Andrew Mackinlay** (Thurrock): What representations she has received on the Government's response to the Liaison Committee's report, "Shifting the Balance". [130616]

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): I have received no representations as such from any hon. Member, although I am aware that in the House and outside a number have expressed views on it.

Mr. Mackinlay: Has my right hon. Friend heard the cruel and callous rumour, which is full of calumny, that the Government might try to kick into touch any consideration in Parliament of the Liaison Committee's report "Shifting the Balance"? Can she give the House an assurance that, despite the fact that there are varying views on the report's contents and recommendations, the Government intend to bring the matter to a head and allow hon. Members a free vote, which my right hon. Friend the Prime Minister promised last week, on "Shifting the Balance" in the not-too-distant future and certainly in time for the implementation of any decision flowing from that debate to be triggered if we are returned after the general election?

Mrs. Beckett: I anticipate that there is likely to be a debate on the matter, perhaps in the overspill. Of course it is a House matter, so the Government will certainly allow a free vote, although it is far from clear to me that Conservatives Members will be allowed a free vote, but I very much hope that they will be. I urge hon. Members to study the report with great care because it has profound implications for the rights and responsibilities of individual Members, which I fear many seem to be overlooking.

Sir George Young (North-West Hampshire): I assure the right hon. Lady that there will be a free vote for Conservative Members. Can she confirm that we will debate a substantive motion to allow the House to express a clear view? If a clear view is expressed, will the Government undertake to put all the necessary procedures in place so that the Select Committees can be set up under the new procedure without delay at the beginning of the new Parliament?

Mrs. Beckett: First, how the debate will be taken and under what circumstances remains to be settled. Secondly, it was my impression that the Liaison Committee was anxious to bring the procedures into being, should the House agree to them, before the new Parliament begins. As for the reference to delay, the Liaison Committee makes the point that the records show that new procedures are usually introduced at the beginning of a new Parliament. I think that that happened at the beginning of this Parliament and, considering the substantial change in personnel, the process was particularly speedy. Finally, what happens in a new Parliament is particularly pertinent to a method of selection involving a few Members, which is proposed by the Liaison Committee. However, it is far from clear to me how, without a separate information gathering network, it would make judgments on a new Parliament and new Members.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Does my right hon. Friend accept that the role of the Back Bencher could not only be expanded, but produce positive results? Far from it being unusual for a Committee of the great and the good to decide the membership of a particular Committee, until very recently it was the habit of a small Committee of Members of all parties in the House to decide the membership of a number of important bodies. That was not only accepted, but it worked efficiently.

Mrs. Beckett: I am afraid that I do not accept that such a system would offer any expansion of the role of Back Benchers. Indeed, one of my anxieties is that the proposals might create a two-tier system for Back Benchers. In effect, there would be three classes of MP: members of the Government, members of Select Committees—who would select each other—and the rest. Of course I accept that there is a powerful case for expanding the role of Back Benchers and for taking a positive attitude to their work and that of Select Committees, which I in no way criticise—indeed, I applaud it—but that can happen under the system we have now.

Mr. John Butterfill (Bournemouth, West): Whatever the minute detail for the terms of appointment might be, does not the right hon. Lady agree that there is a case for greater democratisation of the process of appointment to Select Committees or, for that matter, to the Chairmen's Panel?

Mrs. Beckett: I have no wish to intrude on private grief and the Select Committee appointments procedures

operated by the Conservative party are not a matter for me, but it is open to Labour Members to self-nominate. Nominations have to be ratified by the parliamentary party and the procedures that we are to adopt, which will produce the list put forward by the Whips, are in many ways similar to those proposed by the Liaison Committee.

Armed Conflict (Parliamentary Motion)

46. **Mr. Tam Dalyell** (Linlithgow): If she will make it her policy that a substantive motion be tabled in the House, at the earliest opportunity after the commitment of troops to armed conflict, allowing the House to express its view, and allowing hon. Members to table amendments. [130618]

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): No. Although I well understand the wish of Members on both sides of the House for a decision-making procedure of the type that my hon. Friend describes and suggests, that has not been the practice of the House.

Mr. Dalyell: Does my hon. Friend recognise that my question purloins exactly the words of a recommendation of our careful colleagues on the Foreign Affairs Committee? Is it wise to simply say no to it? Do Ministers recognise that had they seen both the mess that my hon. Friend the Member for Halifax (Mrs. Mahon), my hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews) and I saw in Serbia and the Albanian ethnic cleansing in reverse in Kosovo and had the House of Commons been given the chance to excavate the difficulties of going into the Balkans, we might have had wiser policies from the Prime Minister and the United States?

Mr. Tipping: My hon. Friend and his colleagues have had the opportunity to go to Serbia and Kosovo. Governments of both complexions have often given Members ample and quick opportunities to raise those issues properly in the House.

Mr. David Heath (Somerton and Frome): Does the hon. Gentleman accept that many hon. Members on both sides of the House are concerned about this prerogative issue and about sending our young men and women into battle without the matter being debated in the House? Would not it be of assistance to the Executive to have a clear endorsement from the House?

Mr. Tipping: There is no problem at all with the House and its Members having an opportunity and a platform to debate these issues. The Government can benefit from that discussion. What is at odds with that in tactical terms is that it clearly does not make sense for the House to pre-empt any military operation.

Mr. Dalyell: On a point of order, Madam Speaker. In view of the totally unsatisfactory reply to my question, I hope to raise this matter on the Adjournment.

Madam Speaker: The point has been noted.

Spending Review (Culture, Media and Sport)

3.30 pm

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): With permission, Madam Speaker, I should like to make a statement on funding for culture and sport. Last Tuesday, my right hon. Friend the Chancellor of the Exchequer announced a spending review outcome that enables me to give the House details of the highest ever levels of public support for sport and the arts in England. Over the next three years, there will be a real terms increase in my Department's expenditure of 13.5 per cent. That has, of course, been made possible by my right hon. Friend's prudent management of the economy over the past three years. Because we have set the economy on a stable course, reduced public debt and got unemployment down, we are now able to make a sustained investment in our cultural and sporting future.

When we began the spending review, I set my top priority as the need to improve the provision of sport in our schools. Sporting opportunities for young people—both in school and after school—have been in serious decline for the past 15 years. There was a 70 per cent. decline in competitive fixtures between state schools under the Tories—between the late 1980s and mid-1990s—and we are now reaping the results of that damage. The Tories tore the heart out of school sport, with after-school activity in particular disappearing from schools across the country. Today, I am able to take the first steps to repair that damage and to help to put English sport back on its feet.

We want to give all children the chance to play sport and to develop their sporting abilities. We want to bring back competitive inter-school leagues in football, rugby, cricket, netball, athletics, and other sports. Playing sport helps individual fulfilment. It assists in boosting academic success, in ensuring health, in reducing crime, and in teaching young people about winning and losing. Building a broad base of sporting opportunity for our young people is our only chance of putting our national sporting performance back on its feet.

In setting today's budget for sport I have listened carefully to the powerful arguments of Trevor Brooking and his team at Sport England, together with UK Sport and the Central Council of Physical Recreation. I have worked closely—and will continue to do so—with my right hon. Friend the Secretary of State for Education and Employment. I am able to tell the House that the annual Exchequer funding for sport, which currently stands at just over £50 million, will double to £102 million by 2003–04, which is an increase of almost 100 per cent. over three years, to help to give our children a sporting chance.

With this new funding, we will be able to double our investment in the programme of school sports co-ordinators that has recently been launched by Sport England. Our aim will be to have at least 1,000 co-ordinators in place across the country, each of them working with a family of primary and secondary schools to support PE teachers, to bring qualified coaches into schools, to provide links to specialist colleges, sports clubs and national governing bodies, and to put in place competitive sports programmes within and between schools.

In addition, we will be able to provide funds to enhance and modernise the work of many of the governing bodies of particular sports, and to develop further the excellent work of the sportsmatch scheme.

As we set out in our recent sports strategy "A Sporting Future for All", our approach is based both on the regeneration of sport in school and at the grass roots, and on support for our very best sportsmen and sportswomen. The settlement therefore also enables us to provide funds for the running of the United Kingdom Sports Institute. Over and above the figures I have already announced, we are able to provide new, additional funding of £10.5 million for the Commonwealth games in Manchester in 2002.

Earlier today we launched the Football Foundation, a new partnership between the Football Association, the premier league and Government. It will help to bring substantial resources from the broadcasting income of the game into the creation of decent and modern facilities, pitches, changing rooms and equipment at grass-roots level across the country, including in schools. That sits alongside the programme of investment under the capital modernisation fund that we have already announced, to develop space for sport and arts activity in primary schools.

The arts are part of the core script of Government. They enrich our lives in countless ways, and any Government who lose sight of the need to invest fully in the artistic life of the nation put at risk the nurturing of a civilised society. Our policy has throughout been based on three pillars: sustaining artistic and creative excellence, seeking to broaden access to that excellence to the greatest possible number of people, and realising the educational opportunities that can come from involvement in the arts. Those goals remain fundamental to our approach.

Between 1992 and 1997, by contrast, Government funding for the arts fell by 7 per cent. in real terms. For year after year, the last Government starved the arts of the funds that they desperately needed. Two years ago we were able to start putting that right, and I am pleased to announce today that we can do even better over the next three years. Arts funding this year stands at £238 million; in 2003–04, it will be £338 million. With this new settlement, arts funding will have increased by 60 per cent. in real terms in five years.

When Gerry Robinson, chairman of the Arts Council, called in his recent lecture for an increase of £100 million in arts spending, most commentators said there was no chance that that ambition would be fulfilled. Over the next three years, we will fulfil it.

I have asked the Arts Council to give priority to two particular programmes of work within the new allocation. The first is to try and resolve, once and for all, the endemic problems of regional producing theatres up and down the country. In far too many of our towns and cities, theatres are struggling financially. Some are dark for long periods. Artistic excellence is threatened. Following on from the Boyden report, this settlement will enable those problems to be addressed.

Of equal importance is the work that I have asked the Arts Council to lead in developing creative partnerships in particular areas of need, bringing together all the artistic and cultural organisations in an area to work with primary and secondary schools and provide new opportunities for young people to experience, and participate in, the very best of our cultural life. Our aim is to start the process in at least 12 of the most deprived areas in the country.

[Mr. Chris Smith]

The chance to experience the arts can transform a child's life. As my hon. Friend the Member for Tottenham (Mr. Lammy) said in his powerful maiden speech last week, we need to invest in people's souls as well as their skills. This proposal enables us to start doing so.

In addition to the new investment that I am announcing in sport and the arts, the other areas of my Department's work will benefit. In 2003–04, funding for museums, galleries, libraries and archives will have risen by £61 million over this year's level. That will enable us to maintain our existing commitments to free access; to invest substantial sums in repair and improvement for the buildings housing our national museums; and to transform the present designated museums challenge fund into a new, enhanced fund of £10 million a year to help regional museums, galleries and collections.

I am pleased to announce that, from 2002–03, we will restore the public lending right payments to authors to their full real-terms value. In addition, we will increase funding in cash terms for film and for the royal parks by nearly 10 per cent.; for English Heritage by 8 per cent.; for the English Tourism Council by over 20 per cent.; and for the Commission for Architecture and the Built Environment by well over 100 per cent. We are providing funds in the next financial year to ensure that a memorial fountain can be created within the royal parks to commemorate the life of Diana, Princess of Wales.

I invite the House to compare the present Government's record on funding for arts, culture and sport with that of the Conservative party. The Conservative Government cut funding for the arts in real terms in every year of the previous Parliament. Sport was cut by £5 million. Museums were encouraged to introduce charges. Now it is becoming clear that the Tories plan to cut cultural spending again. They are pledged to find cuts of £16 billion from the Government's spending plans by 2003.

People who care about sport, the arts and culture will want to know where the Tory axe will fall. Will they take back the money that we have announced today to put school sport back on its feet? Will regional theatres face funding cuts and an uncertain future? Will the money that we are providing to give children cultural and creative opportunities—and an enriched education—be lost? Will national museums and galleries be forced to reintroduce entry charges? Will the new fund that we are setting up to support regional and local museums be scrapped? Those are the questions that the Conservative party cannot dodge. We await clear and unequivocal answers from the hon. Member for East Surrey (Mr. Ainsworth).

Today's announcement brings to fruition the commitment that was made in our first spending review, first, to put right the long years of underfunding presided over by the Tories and, secondly, to build on the foundations that we have laid in order to widen the opportunities for everyone to enjoy culture and sport and to get more out of life. There are few more important tasks than that.

Mr. Peter Ainsworth (East Surrey): I thank the Secretary of State for his statement and for the brief advance notice that we received of it.

Progress towards the statement has followed a familiar pattern. There are, in descending order of accuracy, accidental leaks, deliberate leaks and leaks from the Department for Culture, Media and Sport. Leaks from the Department are designed to create headlines such as "School Sport Cash Bonanza" and "£100 million boost for arts in UK". I have to give it to the Secretary of State: he has become rather good at headlines, but he has been up to his old tricks again. The spending figures that he has announced today have been fiddled, spun and inflated out of all recognition.

Two years ago, many people were prepared to give the Secretary of State's extravagant promises the benefit of the doubt. Two years ago, we were also told of a cash bonanza for the arts and sport. What have we had since then? We have had theatres closing, orchestras closing, cultural vandalism, playing fields still being sold off, less sport in schools, thousands of heritage sites officially "at risk" and a near trebling of the balance of trade deficit in tourism.

What has the Secretary of State brought us? He has brought us any number of eye-catching initiatives with which he is personally associated—such as the shambles over the United Kingdom Sports Institute, the fiasco over Wembley stadium and the prospect of having to host the world athletics championship with nowhere for it to be held. He is also associated with a world cup bid that, according to the Minister for Sport, was doomed from the start, and, of course, with the dome—that perfect emblem of new Labour.

Ministers farcically still maintain that the dome is a huge success, although it has swallowed £140 million in extra funds in the past year and is again teetering on the edge of bankruptcy. The Secretary of State will have no compunction at all about bailing out the dome with money that could have been used on any number of good causes, including regeneration.

The Secretary of State runs a Department for Culture in which there is a culture of dither, delay, incompetence and confusion. He stands accused of presiding over a Department where there is

> an us and them mentality which divides the Department and its stakeholders all the way down.

He is accused of opting for "the lowest common denominator" and having "unclear and fraught relationships" with the bodies that he sponsors. He stands accused of a "lack of focus", "management by nagging" and assessment by "gossip".

Who has levelled these accusations? They are from an internal review by a panel chaired by the head of Inland Revenue, whose report on the Secretary of State's Department is entitled "The Pale Yellow Amoeba". The Secretary of State has turned his Department into something resembling the lowest form of life, with no backbone and a tendency to spread itself by random osmosis. However, the arts, sport, heritage and tourism deserve better than that. They also deserve more honesty over their funding arrangements.

According to the Secretary of State's mathematics, his departmental expenditure will increase by £225 million by 2003–04. Someone, however, has been spinning, and that figure miraculously ballooned into £485 million, as reported in some newspapers and on BBC Online—which should know better. As I am sure that the Secretary of State would not wish to be associated with an artificially inflated figure, I hope that he will take the opportunity shortly to repudiate it.

While entering a general caveat that, like the rest of the country, the Opposition are increasingly sceptical of any figures from the Government, I shall make a leap of faith. I shall assume that the Secretary of State's figure for departmental spending next year—stated as £1.12 billion—is correct. Will the Secretary of State confirm that, on page 175 of his recent annual report, his departmental spending is shown as £1.1 billion? Will he therefore confirm—it is not a very difficult sum; he should not have too much trouble over this—that the difference between the two is £20 million? Will he comment on that in the light of his own admission that £60 million of next year's funding has already been announced?

Looking further ahead, the Secretary of State predicts total departmental spending of £1.24 billion in 2003–04. Will he confirm that that is an increase of £140 million over three years, not £225 million, let alone £485 million?

Will the Secretary of State also take into account the impact of the Government's raid on the national lottery, which was established by the previous Government—whom he so derided today—and which so far has produced £1 billion for 3,000 sport centres and projects across the country and millions of pounds for the arts and heritage? Is it not the case that, on the assumption that levels of play remain constant, the lottery beneficiaries will be denied about £130 million annually which they had every right to expect would be theirs?

The raid on the lottery, coupled with a decision to transfer all the Millennium Commission's share into the new opportunities fund from next year, means that, having taken account of the consequences of today's announcement, the arts and sport can look forward to a net reduction in their expected total funding of almost £300 million and £360 million respectively over the next three years. Stripped of spin, that is the sum of the right hon. Gentleman's achievements—some bonanza!

No wonder the Government have chosen today to claim credit for the news that, in 1997, the football authorities agreed to plough 5 per cent. of their television rights money back into the grass roots of sport. When the football posts go up in the garden of No. 10, we know that things must be really bad. It is typical of a Government who take credit for everything, but take responsibility for nothing.

Instead of devoting so much of his statement this afternoon to misleading attacks on the previous Administration and the Opposition, why does the Secretary of State not get his act together? We are more than three years into this Government. People in sport, the arts, heritage and tourism are looking for delivery, not promises; results, not spin doctoring; clarity, not confusion. They will get none of those things from the "pale yellow amoeba", and it is time the right hon. Gentleman was written out of the core script of government.

Mr. Smith: It is perhaps no accident that the hon. Gentleman wanted to talk about absolutely anything but the statement that I have just made. He gave us a little tour of the horizon. He touched on the dome, which of course has no Exchequer funding. He speculated about misleading newspaper reports, for which presumably the editors of the newspapers are responsible, not me. He alluded briefly to the excellent and extremely positive peer review report on the workings of my Department, and then he gave us the tired old story about the national lottery, ignoring the fact that the arts and sports were each promised £1.8 billion at the outset of the lottery from the seven-year period of funding. They are now set to receive more than £1.8 billion each.

In addition, the hon. Gentleman ignored the fact that the new opportunities fund, which we have been able to create with the additional funds that have come into the national lottery, has provided money to put into after-school clubs, school sports co-ordinators, drama, music and arts for schoolchildren; and, through the new opportunities fund green spaces initiative, to bring back some of the playing fields that were sold off under the Conservative Government. I presume that that is money that the hon. Gentleman derides, as he did at the Tory party conference, when he said:

> A new pot for health and education, things that shouldn't be funded by the Lottery.

In that respect, he disagrees clearly with the hon. Member for Bromsgrove (Miss Kirkbride), who told ITN on 24 May that the public purse should do things which it ought to be doing, like spending the lottery cash on health and education. We are entitled to ask which Tory party is speaking here. Is it the one represented by the hon. Member for East Surrey or the one represented by his hon. Friend?

The hon. Gentleman had the gall to say that playing fields were still being sold off—this from the party that sold off 5,000 playing fields during its time in office. In that time, the average number of sales was running at 40 a month. I am pleased to say that it is now down to three a month. That is still too many, and we are working on that, but it is a considerable improvement on the record of the previous Government.

I can confirm to the House that this settlement from the Chancellor—new money announced in his statement last week—amounts to £20 million in the first year, £130 million in the second year and £200 million in the third year. I am grateful to the hon. Gentleman for calling it a bonanza for school sport, because that is precisely what it is.

Mr. Gerald Kaufman (Manchester, Gorton): Is my right hon. Friend aware that in that outpouring of inarticulate rubbish which, unbelievably, he must have spent some time preparing, the Opposition spokesman has explained why the people of Manchester have thrown out every Tory Member of Parliament and councillor?

The hon. Member for East Surrey (Mr. Ainsworth) failed to mention the Government money that is going towards the opening and closing ceremonies of the Commonwealth games, which is important for the Queen's golden jubilee games that will be staged in Manchester in 2002. Is my right hon. Friend aware that in a city such as Manchester we are highly gratified that, by assisting school sport in the country's premier sporting city and by connecting schoolchildren with the arts, he is providing hope, training and a future—cultural and sporting—for the children of this country, who suffered so badly under the Tory Government? His statement is excellent and we look forward to the next review, when we are sure it will be even better.

Mr. Smith: I am very grateful to my right hon. Friend. His analysis of the work output and psychology of the

[Mr. Smith]

hon. Member for East Surrey is—as ever—absolutely accurate. He is particularly right about the importance of ensuring that cultural and sporting opportunities are available to all our young people, especially in our schools.

Mr. Ronnie Fearn (Southport): I will try to stick to fact rather than the fiction that we heard from the Conservative Benches.

The funding is welcome, although it is long overdue—it could have been allocated last year or the year before that. We expected more over the three years.

Sports funding will increase from £50 million to £102 million over four years. Will the Secretary of State tell us how much will be available in the first year? That is crucial to the sporting fraternity. Will he also tell us the amount for the second year, if possible?

There will be funding of £100 million for the arts. That is more than welcome because, until now, that service has been neglected by the right hon. Gentleman's Department. How much will be allocated during that first crucial year? Many performances and some theatres will be saved if funding is received during the first year.

I welcome even more the initiative on sport in schools. That matter has been energetically debated for some time on both sides of the House. The announcement is positive, but how will it reflect on the youth service, where sport is neglected? Sport in schools is extremely important, but at present, many schoolchildren do not continue with sport when they reach the end of their school life. They may move into other fields—but certainly not the sporting field.

How can we help the youth service? In Merseyside and Manchester, there are youth games, but they are struggling. The games are supported by sponsorship, but each year it becomes thinner and meaner. How will the settlement help that youth service work?

Swimming was not mentioned in the statement, although the phrase "other sports" was used. Swimming is important not only for those in school, but for those out of school—perhaps especially for those aged over 50. It is important that swimming be considered. Many swimming baths and their buildings have come to the end of their useful life. They have been patched and repaired, but many local authorities have great difficulty in finding any funding to replace swimming baths. How will the settlement help?

I welcome the 20 per cent. increase for the English Tourism Council. We know that a forum has been established, but so far we have heard precious little from it, because the ETC cannot get to grips with it. In time, that will occur, but I should like some of that settlement to go to seaside resorts. I acknowledge that I have an interest, but seaside resorts are important.

I welcome the inclusion of regional theatres, but will traditional and popular theatre arts—such as dance—still be encouraged, along with modern artistic trends? They do not command a large audience, but they should be considered—even though they do not put bums on seats.

Will the current museum charges be stopped?

Mr. Smith: I thank the hon. Gentleman for his very constructive comments and questions.

First, on the specific figures, for sport, the figures are £52 million for this year, £67 million for next year, £83 million for the following year and £102 million for the following year. For the arts, the figures are £238 million for this year, £253 million for next year, £298 million for the following year and £338 million for the following year.

The hon. Gentleman asked about sport in schools and how that would relate to the youth service. It will of course be part of the task of the school sports co-ordinators to build those links, not just between schools but between schools and the youth service, local sporting clubs, and specialist sporting colleges, because it is those links that can encourage youngsters, when they leave the formal school environment, to maintain sporting prowess and activity further into life.

In answer to the hon. Gentleman's question about swimming, it will of course be included as part of that whole approach.

The English Tourism Council is already hard at work with a special working party, looking at the issues relating to seaside resorts. I very much look forward to the fruits of those researches because, as the hon. Gentleman and many of my hon. Friends will undoubtedly recognise, seaside resorts that have depended on traditional tourism activity, which is in decline, do require special attention, and it is being given to them. That is one of the reasons why I am very pleased that, for example, we have ensured assisted area status for quite a number of seaside resorts already.

In relation to the arts, there will of course be scope in regional theatre for traditional as well as modern theatrical work. In relation to museums and galleries, we are of course pledged that those national museums and galleries that are currently free to everyone will remain so.

Mr. John Maxton (Glasgow, Cathcart): I congratulate my right hon. Friend on the statement, and in particular on the extra money that is going into sport. May I ask him to ensure that, both in terms of provision for money and money for schools, it goes to areas of deprivation above all else? It is there that we need to increase the level of fitness and health among our youngsters and among our adults. Secondly, may I ask him to ensure that some—in fact, a large part—of that money goes to improve the facilities for girls and women in sport, which are sadly lacking at the present time? Indeed, I ask my right hon. Friend to ensure that no grants are given to any sporting organisation, at any level, that still carries out policies that discriminate against women in sport.

Mr. Smith: The answer to the question on deprivation is yes. We will indeed wish to ensure that the particular needs of areas of deprivation, both urban and rural, will be addressed. The need for facilities for girls and women playing sport is very much recognised now by Sport England, UK Sport and ourselves. Indeed, it is one of the rules for lottery funding that when any discrimination is practised by a particular sporting organisation, it does not qualify for funding.

Mr. Robert Key (Salisbury): The continuing disbursement of taxpayers' money across a wide range of cultural and sporting activities in my constituency is very important and we are grateful for it. There is, however, one

area for which the Secretary of State is solely and wholly responsible, and that is the guardianship of Stonehenge. Will he now say whether this announcement will make any difference to the speed and effectiveness of finding a solution, which has been sought by Governments over many years, to the problem of the visitor centre at Stonehenge? I regret to say that, under this Government, things have been no different from how they were under the previous Government, except that a lot of money has been spent on—no doubt very worthy—design concepts and reports. We have as yet seen nothing on the ground to improve what is one of this country's greatest tourist monuments.

Mr. Smith: I am afraid that I have to disagree with the hon. Gentleman. Essential roadworks to the two major roads that affect the Stonehenge area are included in the forward roads programme, and have been for the past two years. Planning work is well under way and, as he will recognise, it takes time to plan for, obtain the necessary permissions for and then construct road schemes. That process is now well under way.

On the visitor centre at Stonehenge, we have made available this financial year to English Heritage the funds necessary to buy the site for the visitor centre.

Mr. Derek Wyatt (Sittingbourne and Sheppey): I too congratulate my right hon. Friend and Ministers on the statement, which is a substantial improvement.

May I ask for clarification on one issue on which we have corresponded and that I have mentioned before? There is a weakness in coaching education, sport psychology and sport medicine. One way that we could use some of the new licence fee money is for the BBC to have a public service sports channel covering sports education in schools and coaching. Will that be allowed under the new regulations?

Given the fantastic achievements of Pete Sampras, and of Tiger Woods at the weekend, could we not devise a new way of recognising—it could be something like an order of merit—outstanding international sporting achievement in this country?

Mr. Smith: On launching any new channel, the BBC would have to come to me for approval to do so. If it came to me with a proposition that involved setting up, at huge expense to the licence fee payer, a purely commercial sports channel, I would have serious doubts about whether that was a core part of the BBC's responsibility. However, if it made a proposal that was particularly focused on assistance for school sports, that would be a completely different matter. It is not for me to tell the BBC that that is what it should be doing.

On my hon. Friend's general welcome for the statement and his point about the need to improve our national sporting performance, unless we get the grass roots of sport right and, in particular, encourage sporting participation on a wide scale among young people in schools, we will never produce the great athletes and great sportsmen and women of the future that we will need if we are to make our way internationally.

Mr. David Faber (Westbury): Will the Secretary of State confirm the exact amount that is included in his statement towards the building of Pickett's Lock? If the answer is nothing at all, can he say when he expects a further lottery application to be made and how much that will be for?

Mr. Smith: As the hon. Gentleman will know, UK Athletics is preparing, with the Lee Valley regional park authority, a lottery application for funding to assist with the creation of Pickett's Lock. No Exchequer money is earmarked for that purpose, nor should it be.

Mr. Dennis Skinner (Bolsover): Is my right hon. Friend aware that in the past two or three minutes since the Tory Front-Bench spokesman sat down, at least two Tory Members have spoken—and they both want money? They want money for Stonehenge and money for Pickett's Lock and they are the same people who marched into the Lobbies not only to close school playing fields, but the pits as well. The result is that we lost all the miners' welfares that produced all the fast bowlers that worked down the pit and played in the Bassetlaw league with me before going on to play for England. Now they have all gone.

Unlike Tory Members, I support public expenditure. When my right hon. Friend talks of the language of priorities, will he bear it in mind that we want baths at Bolsover—write that down—and that I will do the Pavarotti at Bolsover castle?

Mr. Smith: I am delighted that my hon. Friend is in fine fettle and that he will ensure that Bolsover receives the best possible service in arts and sport. I am sure that we shall all make sure that that happens.

My hon. Friend rightly points to a fundamental dichotomy in the views of Tory Members. The shadow Chancellor keeps on telling us that he wants to spend less public money and that he wants to cut public expenditure—I am sure that he would make the Department for Culture, Media and Sport one of the first Departments to bear the brunt of his axe—while other Tory Members get up to demand more spending. There is something wrong there.

Mr. John Redwood (Wokingham): Can the Secretary of State tell us whether his core script for what Mr. Gould now calls a tarnished brand includes financial provision to pay for the losses of the dome in its remaining months of trading? If the Secretary of State is going to tell us that there is no money in his budget and no money from the lottery, is he worried that the New Millennium Experience Company is trading while insolvent?

Mr. Smith: No, and no.

Mrs. Alice Mahon (Halifax): I too congratulate my right hon. Friend on obtaining this huge amount of real money, especially the increase for English Heritage. He will be aware that my constituency has a high proportion of listed buildings, which are extremely expensive to look after. Will he agree to review all of Calderdale with a view to seeing how we can keep our wealth of heritage in good condition? Will he accept my invitation to visit Piece Hall, which is a unique asset that is about to make a bid to the English Heritage lottery fund?

Mr. Smith: I should be delighted to accept my hon. Friend's invitation to re-visit Piece Hall, which I last saw

[Mr. Smith]

some years ago. She is right to draw attention to the importance of heritage in Halifax, and I shall draw her proposal for a review of all of Calderdale's heritage to the attention of English Heritage which, I am sure, will be extremely interested in her suggestion.

Miss Julie Kirkbride (Bromsgrove): Following the question of my right hon. Friend the Member for Wokingham (Mr. Redwood), can the Secretary of State tell us more about the dome's financing? Why has his Department yet to announce which rival bid is going to be accepted for the dome? Has that announcement been postponed because the reality is that there will be no recompense to the public purse when the dome is sold, as the money will all go towards paying off its debts? Will the Secretary of State confirm that?

Mr. Smith: That question has nothing whatsoever to do with the statement about Exchequer expenditure. Analysis of contending bids for the future life of the dome—a process in which I am not involved at all, as the hon. Lady knows, having been present at the sitting of the Select Committee on Culture, Media and Sport at which I gave evidence—is due to reach a conclusion later this week.

Mr. Barry Jones (Alyn and Deeside): My right hon. Friend appears to have carried out a smash and grab raid of no mean proportions on heavily guarded Treasury funds. In the rough old world of politics and the bitchy world of arts politics he should receive great credit for that.

What has my right hon. Friend done, and how will his statement help, to assist the beleaguered regional orchestras of Britain, not least the Royal Liverpool Philharmonic, to which I subscribe and of which I am a life member? Does my right hon. Friend know that Peter Johnson, the chairman of the orchestra, has laboured manfully against heavy financial problems to keep that great world class orchestra on the road? Will the stabilisation fund now be bigger? How will my right hon. Friend link the future of that great orchestra to the schools of Liverpool, where there are great social problems, but where the orchestra is giving the lead to develop a great society and helping to regenerate Merseyside's economy?

Mr. Smith: I have to disagree about this being a smash and grab raid. It is, of course, a prudent and sustainable increase in spending resulting from the Chancellor's prudent handing of the economy over the last couple of years.

The Arts Council put in place a substantial package of support for regional orchestras as a result of the previous comprehensive spending review settlement that we made available to it, which included wiping out historic deficits, using stabilisation programmes, and a forward plan of financial assistance to each orchestra. That included the Royal Liverpool Philharmonic. I know that there is discussion about the precise nature of the stabilisation programme and how it will affect the Liverpool Phil. I hope that the programme will be happily agreed by all sides and that the Liverpool Phil will be able to survive and thrive well into the future. In taking a lead in working with schools in Liverpool, the Philharmonic is charting the way for the creative partnerships approach, particularly in deprived areas, which I set out in the statement.

Mr. John Butterfill (Bournemouth, West): Does the right hon. Gentleman agree that it is important that arts provision is not concentrated in the great cities, and that some goes out to smaller towns and villages? Does he agree that the work of travelling orchestras, such as the Bournemouth Symphony orchestra, is particularly important, and that their work is more expensive than that of static orchestras and therefore requires greater provision? Does he share my regret that it was under his Government that the Bournemouth Sinfonietta was forced to close for lack of funds? Will he join me in supporting the Bournemouth Symphony orchestra this week at the Promenade concerts, and will he show his support in a rather more tangible form in future?

Mr. Smith: The hon. Gentleman is of course right that funding should be available not only in cities but in rural areas. That is entirely understood and put into practice by the Arts Council. Its support for the Bournemouth Symphony orchestra is extremely welcome, and it takes into account the particular needs of orchestras that conduct touring work. I went to the Proms last Sunday evening and will go again on Thursday evening, and I regret that I will be unable to go a third time in one week.

Mr. John Cryer (Hornchurch): Is my right hon. Friend aware that outer London has been denuded of theatres, cinemas and art galleries for many years? In Hornchurch, however, we have the Queen's theatre, which is the most successful of its kind in the entire country. Despite money from the London Arts Board, the theatre still has a shortfall. When can it look forward to receiving some of the Government's welcome largesse?

Mr. Smith: My hon. Friend is right to draw attention to the excellent work of the Queen's theatre in Hornchurch. I suggest that he discusses the matter with the London Arts Board, which will be in a position to make decisions in the next year or two.

Mr. Christopher Fraser (Mid-Dorset and North Poole): Despite the initiatives announced by the Secretary of State, the figures show that sport, tourism, heritage and the arts seem to be the losers in the comprehensive spending review. Does not the right hon. Gentleman consistently punch below his weight when it comes to departmental spending?

Mr. Smith: First, they are winners, not losers. Secondly, no.

Mr. John McDonnell (Hayes and Harlington): May I declare a non-pecuniary interest as vice-president of Hayes football club. As my right hon. Friend will know, we reached mid-table in the nationwide conference last season and fully expect to be promoted to the league in the coming season. Just in case some mishap prevents us from being promoted, will he assure me that conference clubs will be able to share in the resources of the Football Foundation and, more importantly, in the decision-making processes of bodies such as the Football Association council?

Mr. Smith: My hon. Friend will, I trust, convey my congratulations to Hayes football club on its undoubted success. The detail of how the FA makes its decisions is up to it, but we have encouraged it, in its democratisation process, to make real change. The FA's structure has been modernised over the past year or so, and that is extremely welcome.

Points of Order

4.19 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. This is a substantial point of order in relation to the procedure for electing your successor as Speaker. It follows points of order raised on Thursday and by me yesterday.

My credentials for raising the matter are that, under the present rules, if the right hon. Member for Old Bexley and Sidcup (Sir E. Heath) and my right hon. and learned Friend the Member for Aberavon (Sir J. Morris) were in any way indisposed or unable to be present, the task of pointing to a colleague on 23 October would fall to me.

The task would be invidious to the point of being impossible. It would be deeply unsatisfactory to leave the crucial running order of choice to the prejudices, predilections and taste of myself or, much more likely, the taste that the right hon. Gentleman or my right hon. and learned Friend may show towards the candidates for the Speakership.

I have been involved in the choice of Speaker since Horace King succeeded Sir Harry Hylton-Foster all those years ago—in the first instance in the very lowly capacity of parliamentary private secretary to RHS Crossman.

The situation that confronts the House on 23 October 2000 is totally different from anything that has gone before. It is entirely novel because there are a multiplicity of credible candidates—at least a dozen at the last count. I know that the Canadian House of Commons has a system whereby everyone is a candidate unless they rule themselves out. *[Laughter.]* I make it clear that I fall into the latter category.

If the established rules are to be changed, it will have to be done in the next couple of days. There is no solution that any of us can see that does not have some downside, but perhaps the least bad would be a secret ballot by elimination so that three candidates are left who would then be submitted to the established procedures of the House. In such a situation, under the existing rules the person acting as Father of the House would have the guidance of colleagues on what to do.

My point is that at least the matter ought to be discussed; it should not be a matter that is undiscussed. The only practical way of doing so, Madam Speaker, is for you to postpone your date of going until early November, so that the House can make up its mind in a sensible fashion.

Madam Speaker: I know that one or two other Members have similar points of order.

Mr. Dennis Skinner (Bolsover): Further to that point of order, Madam Speaker. You will recall at the last election of the Speaker in 1992 that, although an hon. Member was proposed and there was an amendment—proposing yourself—it was generally regarded that there was at least one other candidate who was talked about as being in the running. Yet, the matter was settled and you won with a handsome majority of—I think—372.

It is true that, as my hon. Friend the Member for Linlithgow (Mr. Dalyell) has said, there will be more candidates in the field this time. I do not know how the problem can be resolved. There is one way if there are

[Mr. Dennis Skinner]

fewer than six candidates. There are six desks in the two Lobbies and each desk could represent one candidate. People who wanted to vote for a candidate could go to one of the desks. That method would deal with six or fewer candidates, although it would almost certainly result in no overall majority and the process would have to continue.

The alternative, which you have probably looked at, is a little more messy. If the Father of the House calls first one candidate, then the second and there is an amendment, the net result would be people having to sit on their hands, abstaining, until we reached the final candidate. A Speaker might eventually manage to get elected at the end. That is the alternative to having different desks for fewer than six candidates and dealing with the matter in a subsequent ballot.

Mr. Martin Bell (Tatton): Further to that point of order, Madam Speaker. It might help the House if you shared with us your assessment of whether you believe that a democratic and fair system is in place for the choice of your successor.

Madam Speaker: To answer the last point first, yes, I do believe that a democratic system is in place. I also believe that all Members of Parliament are sufficiently experienced to carry out that procedure and I am sure that they will eventually arrive at the right choice.

The hon. Member for Bolsover (Mr. Skinner) makes a rather unique suggestion, which I find interesting. To respond to the point of order raised by the hon. Member for Linlithgow (Mr. Dalyell), I am aware of the concern felt on both sides of the House that hon. Members should be informed about the procedure for the election of my successor. I have been using my best endeavours, and shall continue to do so, to ensure that, before we rise for the summer, each individual Member of Parliament receives a letter that fully sets out the procedure for the election of the Speaker. I want to do that as soon as possible. The matter does not rest wholly with me, but I have the responsibility for it. I want each and every Member to have a letter, couched in the simplest possible language, explaining the procedure.

I assure the hon. Member for Tatton (Mr. Bell) that the process will be democratic. The House has long experience of electing Speakers and I like to think that, throughout our history, we have always come up with the right person.

Mr. Dalyell: Further to that point of order, Madam Speaker. However great the wisdom enshrined in the letter, ought not the matter to be discussed by the House? We face a novel situation and no one can think of an answer that could be embodied in a letter, however learned those who write it—even one that will, no doubt, be signed by you. Should there not be a debate in the House of Commons, so that views on the procedure of the election can at least be aired? In the circumstances, I ask you, quite seriously, to consider postponing by a few days your departure from us.

Madam Speaker: The wisdom of the House will enable it to follow the procedures. The situation is not unique. The hon. Gentleman tells me that there are many candidates. I read the newspapers as much as he does, and I do not know whether they are right about all of the names that have been bandied about in recent days, but there is some time to go yet and the House should await the letter that is coming to Members. That letter will not be signed by me, as, according to existing procedures, the election will not be my responsibility. I am as concerned as the House to ensure that we carry out the proper procedures and I am doing everything I can as quickly as possible to achieve that end.

Mr. Clive Efford (Eltham): Further to that point of order, Madam Speaker.

Madam Speaker: Order. I shall only take a point of order that does not relate to the previous one, because there is nothing more that I can say about that matter. We await a letter being sent to all hon. Members explaining the procedures, and I cannot take the matter further at this stage. It is not for me to change the business of the House: that is a matter for the Leader of the House, in accordance with the will of the House.

Made in Britain Mark

4.28 pm

Mr. Tim Loughton (East Worthing and Shoreham): I beg to move,

That leave be given to bring in a Bill to establish a standard Made in Britain mark to be used on goods predominantly manufactured and foodstuffs produced in the United Kingdom; to provide for regulation of the use of the mark; and for connected purposes.

This is the penultimate ten-minute Bill over which you will preside, Madam Speaker, so I have made sure that it is a good one. I am sure that, like me, you choose to buy British on preference. I like to buy British goods: I have always driven British cars, which have never failed me, and I always endeavour to buy British-produced food in supermarkets, or, even better, at my local farmers market, or, better still, at my local Women's Institute food market—the epitome of middle Britain's good taste. In other shops, whether they sell electrical goods, furniture, tools or other products, I always opt for the British-made product, when it is competitively priced—much to the chagrin of my wife, who wants a Volvo.

Buying British should be a sign of quality—an act whereby people can be assured of certain standards, especially animal welfare standards in the case of meat and dairy produce; an act in support of British jobs and investment; an act wherein one can be reasonably sure whence the product comes. However, the act of buying British is becoming increasingly confusing and difficult. British companies wanting to promote the British origin of their goods are increasingly being frustrated, and my Bill seeks to address that problem.

My scheme should not be confused with previous attempts, particularly by Governments, to launch variations of buy British campaigns. Back in 1968, a few weeks after devaluation, Harold Wilson produced the "I'm backing Britain" campaign. That campaign was made that much easier because the pound bought less overseas. People were encouraged to sport tee-shirts and badges emblazoned with "I'm backing Britain" over a union jack. A group of Surbiton secretaries worked an extra half an hour a day for free and many thousands followed in the teeth of great opposition from trade unions. The Duke of Edinburgh even lent his support.

The composers Tony Hatch and Jackie Trent penned a song for Bruce Forsyth with these lyrics:

I'm Backing Britain, yes I'm Backing Britain.

We're all Backing Britain.

The Feeling is growing,

So let's keep it going,

The good times are blowing our way.

I can see you, Mr. Deputy Speaker, tapping your toes at that. A sensational hit it was.

Predictably, the campaign failed, as did Harold Wilson's re-election prospects. A rival campaign set up by the late Robert Maxwell under the title, "Help Britain, Help yourself" was also a failure. How prescient that was.

There have been no fewer than seven exasperated attempts by Trade Secretaries of State over the past 20 years to promote buy British campaigns to reverse accelerating current account deficits. In 1985, support was given to the "Think Britain" campaign, which was fronted by David Jacobs and Ernie Wise. More recently, Lord Feldman promoted a "Better Made in Britain" campaign with a consortium of manufacturers. Most notoriously, in 1992 the Labour party launched a party political broadcast that was fronted by Lord Puttnam, which bemoaned the scarcity of British goods. Perhaps those concerned had not shopped around enough. That buy British campaign was scuppered before it had even started by the backing music to the broadcast, which turned out to be the seventh symphony of a very unBritish Ludwig van Beethoven.

In 1997, the comments of Lord Haskins at the Labour party conference that the British brand is irrelevant in international markets and should be ditched hardly helped the cause. Most recently, such campaigns have been thwarted by the potential to fall foul of article 6 of the European Community treaty that forbids discrimination on the ground of nationality. Rather closer to home, we are aware of the recent lawsuit against the House because of the choice of a British-led contractor to provide the bronze cladding for Portcullis House, which allegedly constituted a buy British policy, which was not allowed.

I gather that an attempt to make a "Made in France" label compulsory was ruled out in a European court case because it would enable British consumers to exercise their natural prejudice against French goods. With notoriously misnamed goods such as French golden delicious apples, surely the Trade Descriptions Act 1968 would do the trick perfectly effectively.

A few months ago I was approached by a company in my constituency in Worthing. ETI is a leading manufacturer of quality temperature-measuring instruments. The directors wanted to include a logo on their products to indicate that they were made in Britain. They were proud to promote British products as a major provider of local jobs in Worthing, and because the made-in-Britain tag is seen as a sign of quality, particularly overseas. The directors saw it as a good marketing tool.

When they made inquiries to the Department of Trade and Industry about what made-in-Britain logos were available and what the Department would recommend, they were told, "We don't really go in for that sort of thing." Instead, they were steered towards using "Product of the EC" labels. Subsequently I tabled a parliamentary question to the Secretary of State for Trade and Industry. I asked

what "Made in Britain" emblems are available from his Department to British companies to mark the country of origin of their products—[*Official Report*, 11 July 2000; Vol. 353, c. 473W.]

That yielded the untypically straightforward and underspun one-word reply, "None."

That is not good enough. Besides, we are missing a trick. The National Farmers Union has recently launched its red and blue tractor logo to act as a guarantee of high standards, farm assurance and competitive pricing on British agricultural products. My hon. Friend the Member for Eddisbury (Mr. O'Brien) tried to initiate something similar in his private Member's Bill earlier this year. I commend the NFU and we can learn much from its scheme, but foreign-grown produce complying to British standards can still use the mark even if it is only finished off in the UK. We rely solely on the good will of multiple retailers to police the system. That is independent of Government enforcement.

[Mr. Tim Loughton]

My Bill, therefore, will establish a standard "Made in Britain" logo. It could be the equivalent of the simple lion mark on eggs or a union jack-vested British bulldog, for example. I suggest a national competition to come up with an appropriate and high-profile symbol. The logo would be administered by the Department of Trade and Industry, and firms with predominantly British-produced items could apply to use the logo on payment of a small subscription fee to cover the running costs.

The definition of "Made in Britain" would be determined by reference to the Trade Descriptions Act 1968 or the North American Free Trade Agreement's de minimis customs provisions, for example. The scheme would be entirely voluntary, but subscribing firms would have to undertake to maintain their qualifications for using the logo, and that would be policed by the DTI.

I believe that my scheme could operate without infringing single market competition law. It would have minimal cost, but the potential gearing effect for British firms could be considerable. The scheme has gained the support of the Federation of Small Businesses and other trade bodies, and the NFU has raised no objections.

My Bill would enable the British public to make informed choices and would encourage British firms to promote the Britishness of their goods as a strong marketing tool, both in the UK and overseas. I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Tim Loughton, Mrs. Angela Browning, Mr. James Gray, Miss Julie Kirkbride, Mr. Stephen O'Brien, Mr. Robert Syms, Mr. Peter Bottomley, Mr. Nicholas Soames, Mrs. Ann Winterton, Mr. Andrew Tyrie, Mr. Andrew Robathan and Mr. Graham Brady.

Made in Britain Mark

Mr. Tim Loughton accordingly presented a Bill to establish a standard Made in Britain mark to be used on goods predominantly manufactured and foodstuffs produced in the United Kingdom; to provide for regulation of the use of the mark; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Monday 13 November, and to be printed [Bill 170].

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

A General Framework for Equal Treatment in Employment and Occupation

That this House takes note of European Union Document No. 13540/99, a draft Council Directive establishing a general framework for equal treatment in employment and occupation; and supports the Government's welcome for the principle of such action whilst remaining convinced of the need for the proposals to be made clear and workable; and notes the Government's intention to negotiate to this end, and to ensure that the proposals take proper account of the legitimate concerns of employers and make a real difference to the lives of those whom they are designed to protect.—*[Mr. Sutcliffe.]*

The House divided: Ayes 302, Noes 115.

Division No. 284] **[4.37 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Breed, Colin
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ewing, Mrs Margaret
Fearn, Ronnie
Fisher, Mark
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gerrard, Neil
Gibson, Dr Ian
Gidley, Sandra
Godman, Dr Norman A
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Hepburn, Stephen
Heppell, John
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*

Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Moffatt, Laura
Moore, Michael
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Rogers, Allan
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
White, Brian
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Wood, Mike
Woodward, Shaun
Worthington, Tony
Wray, James
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Gerry Sutcliffe and
Mr. Mike Hall.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Bercow, John
Beresford, Sir Paul
Brand, Dr Peter
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clifton–Brown, Geoffrey
Collins, Tim
Cran, James
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gill, Christopher
Gorrie, Donald
Gray, James
Green, Damian
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Wilshire, David
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Peter Atkinson and
Mr. Stephen Day.

Question accordingly agreed to.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael J. Martin): It may be convenient to take motions 3, 4 and 5 together.

Mr. Eric Forth (Bromley and Chislehurst): Certainly not!

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Local Government Finance

That the Local Government Finance (England) Special Grant Report (No. 67) on Heads', Deputies' and Advanced Skills Teachers' Performance Pay Progression and Deputies' Assimilation (HC 569), which was laid before this House on 28th June, be approved.—*[Mr. Pope.]*

The House divided: Ayes 337, Noes 115.

Division No. 285] **[4.51 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart (Middlesbrough)
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ewing, Mrs Margaret
Fearn, Ronnie
Fisher, Mark
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gerrard, Neil
Gidley, Sandra
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Moffatt, Laura
Moore, Michael
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg

Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rogers, Allan
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wyatt, Derek

Tellers for the Ayes:
Mr. David Jamieson and
Mr. Mike Hall.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Bercow, John
Beresford, Sir Paul
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gill, Christopher
Gray, James
Green, Damian
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Ieuan Wyn *(Ynys Môn)*
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Townend, John
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Wigley, Rt Hon Dafydd
Wilshire, David
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Stephen Day and
Mr. Peter Atkinson.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

LOCAL GOVERNMENT FINANCE

That the Local Government Finance (England) Special Grant Report (No. 68) on the 2000/2001 Special Grant for Kosovan Evacuees (HC 636), which was laid before this House on 6th July, be approved.—*[Mr. Pope.]*

The House divided: Ayes 351, Noes 113.

Division No. 286] **[5.6 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin

Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cable, Dr Vincent
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Coaker, Vernon
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Ewing, Mrs Margaret
Fearn, Ronnie
Fisher, Mark
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gerrard, Neil
Gidley, Sandra
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rogers, Allan
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*

Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Clelland and
Mr. David Jamieson.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Atkinson, Peter *(Hexham)*
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Bottomley, Peter *(Worthing W)*
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paterson, Owen
Pickles, Eric
Prior, David
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Wilshire, David
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. John Randall and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

LOCAL GOVERNMENT FINANCE

That the Local Government Finance (England) Special Grant Report (No. 65): Invest to Save Grant (HC 707), which was laid before this House on 12th July, be approved.—*[Mr. Pope.]*

The House divided: Ayes 353, Noes 112.

Division No. 287] **[5.21 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Corbett, Robin
Corston, Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Ewing, Mrs Margaret
Fearn, Ronnie
Fisher, Mark
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gidley, Sandra
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*

Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ilsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Clelland and Mr. David Jamieson.

NOES

Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Bottomley, Peter *(Worthing W)*
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Cran, James
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David

Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paterson, Owen
Pickles, Eric
Prior, David
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Wilshire, David
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim

Tellers for the Noes:
Mr. Geoffrey Clifton-Brown and
Mr. John Randall.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation), and Order [17 July],

Data Protection

Queen's recommendation having been signified—

That, in respect of service from 1st April 2000, the Data Protection Commissioner shall be paid a salary of £68,212 per annum.—*[Mr. Pope.]*

The House divided: Ayes 359, Noes 113.

Division No. 288] **[5.34 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Beard, Nigel
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Ewing, Mrs Margaret
Fearn, Ronnie
Fisher, Mark
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gidley, Sandra
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain

Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Mike Hall and
Mr. David Clelland.

NOES

Amess, David
Arbuthnot, Rt Hon James
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Bottomley, Peter *(Worthing W)*
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clifton–Brown, Geoffrey
Collins, Tim
Cran, James
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim

Tellers for the Noes:
Mr. Peter Atkinson and
Mr. Stephen Day.

Question accordingly agreed to.

Mr. Deputy Speaker: Before we come to motion No. 7, I have a statement from Madam Speaker. I should inform the House that the Leader of the Opposition has tabled a manuscript amendment to the allocation of time

motion which the Speaker has selected for debate. The effect of the amendment would be to increase the total time available for debate on the allocation of time motion and the Bill from five to eight hours. Copies of the amendment are available in the Vote Office.

Mr. Douglas Hogg (Sleaford and North Hykeham): On a point of order, Mr. Deputy Speaker. I know that you read *The Guardian*, and you will have seen in that paper today the report that on 7 March in the House, at column 886 of *Hansard*, the Home Secretary said that the Bill that we are about to discuss enjoyed the full support of the noble Lord Bingham, then the Lord Chief Justice. That appears not to have been the case, in that the Home Secretary was in possession of a letter that made it plain that the noble Lord had grave anxieties about the Bill. I am not for a moment suggesting that the Home Secretary has deliberately misled the House; I am sure that it was a misunderstanding—

Mr. Deputy Speaker: Order. The right hon. and learned Gentleman has been misinformed; I do not read *The Guardian*. The other matter is one for debate. He has been in the House a long time—he entered it at the same time as me—so perhaps he can find another way of raising the matter.

Mr. Hogg: With respect, Mr. Deputy Speaker, it is not a matter of debate. I was about to ask whether you have some power. Incidentally, welcome to the readership of *The Daily Telegraph*. Is it possible for you to ensure that we have copies of the correspondence in the Library before we debate the timetable or the next stage of the Bill?

Mr. Deputy Speaker: It is not a matter for me to make available that correspondence.

Mr. Ian Bruce (South Dorset): On a point of order, Mr. Deputy Speaker. I wonder whether you or the Speaker have had notice from the Secretary of State for Education and Employment that he wishes to make a statement on the spending review. I am sure that all hon. Members know that that was the highlight of the spending review. We therefore confidently expected that he would want to make a statement, on which we could question him. However, it would appear—

Hon. Members: Order.

Mr. Deputy Speaker: Order. The House should let the Deputy Speaker be the Deputy Speaker; I will chair proceedings. The point raised by the hon. Gentleman is not a matter for the Chair. I have had no such notice—nor, indeed, has Madam Speaker.

The Secretary of State for the Home Department (Mr. Jack Straw): Further to the point of order, Mr. Deputy Speaker, raised by the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg). I am happy to have copies of the correspondence placed in the Vote Office and on the Table.

Criminal Justice (Mode of Trial) (No. 2) Bill (Allocation of Time)

5.51 pm

The Secretary of State for the Home Department (Mr. Jack Straw): I beg to move,

That the following provisions shall apply to the remaining proceedings on the Criminal Justice (Mode of Trial) (No. 2) Bill—

Timetable

1. Proceedings on Consideration and Third Reading of the Criminal Justice (Mode of Trial) (No. 2) Bill shall be completed at today's sitting and shall, if not previously concluded, be brought to a conclusion five hours after the commencement of proceedings on this Motion.

Questions to be put

2.—(1) This paragraph applies for the purpose of bringing proceedings on the Bill to a conclusion in accordance with paragraph 1.

(2) The Speaker shall put forthwith the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

(3) On a Motion made for a new Clause or Schedule, the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(4) If two or more Questions would otherwise fall to be put under sub-paragraph (2)(c) on amendments moved or Motions made by a Minister of the Crown, the Speaker shall instead put a single Question in relation to those amendments or Motions.

Miscellaneous

3. Standing Order No. 15(1) (Exempted business) shall apply at today's sitting to proceedings to which this Order applies.

4. Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

5. No Motion shall be made to alter the order in which proceedings on the Bill are taken or to recommit the Bill.

6. No dilatory Motion shall be made in relation to the Bill except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

7.—(1) This paragraph applies if—

(a) a Motion for the Adjournment of the House under Standing Order No.24 (Adjournment on specific and important matter that should have urgent consideration) has been stood over to Seven o'clock; and

(b) proceedings on this Motion have begun before then.

(2) The bringing to a conclusion of any proceedings which, under this Order, are to be brought to a conclusion after that time, shall be postponed for a period equal to the duration of the proceedings on the Motion for the Adjournment of the House.

8. Standing Order No. 82 (Business Committee) shall not apply to the Bill.

Supplemental orders

9. The proceedings on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this

Order shall, if not previously concluded, be brought to a conclusion one hour after they have been commenced; and Standing Order No. 15(1) (Exempted business) shall apply to those proceedings.

10. If at today's sitting the House is adjourned, or the sitting is suspended, before the expiry of the period at the end of which any proceedings are to be brought to a conclusion under this Order, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

As hon. Members will recognise from the normal form of this allocation of time motion, it proposes that there should be a total, including debate on the guillotine itself, of five hours of debate on Report and Third Reading of this short but important Bill.

Guillotines are used by Governments of both parties. They are a regrettable necessity, but sometimes inevitable. Their use depends on the degree of contention of the Bill and whether agreement with the Opposition can be sought. It must however be added—history shows this to be so—that although Conservative Governments have certainly until now always enjoyed an in-built majority in the other place, a Labour Government, whatever their majority in this elected House, have never done so. The consequence, as statistics show, is that the number of occasions on which Government business is defeated in the other place is always much higher than it is here. Indeed, these proceedings would not be necessary had the Criminal Justice (Mode of Trial) (No. 1) Bill been allowed to proceed to this elected House, for us to debate it in the proper way.

Mr. Edward Garnier (Harborough) *rose—*

Mr. Straw: I shall give way to the hon. and learned Gentleman in due course.

I said a moment ago that the criterion for determining whether Bills should be the subject of guillotine motions used to be almost exclusively contention. This is a contentious Bill—I am the first to concede that—but it must be accepted that, these days, the Opposition are so disorganised that they cannot even deliver on Bills that have the full support of the Opposition Front-Bench team.

The very best example that I can quote, of a huge number, is the Disqualifications Bill, which was before the House in late January. The right hon. Member for Maidstone and The Weald (Miss Widdecombe) said that she would give the Bill a fair passage. So chaotic were the Opposition's tactics that, far from doing so, they talked the Bill through on the Monday night, the Tuesday night and on the Wednesday, thereby shooting their feet off in ensuring that Prime Minister's Question Time and, I understand, Opposition Days and other business that they wanted could not proceed.

We saw the same with the Football (Disorder) Bill, which apparently has the full support of Opposition parties. The Leader of the Opposition said in a speech outside the House that he and his party would support "any moves" to control football hooliganism, yet owing to the inability of the Opposition Front-Bench team to deliver its own Members, we had to introduce a guillotine in this House to get the Bill through.

If any further proof were needed of the incapacity of the Conservative Front-Bench team to ensure that its Members are in order, I draw attention to its extraordinary performance just now in putting up Tellers against a series of orders, which has wasted more than an hour of the House's time. I cannot believe that Conservative Front Benchers would have voted against those orders had they read them.

For example, the Conservative Front Benchers voted against motion No. 4, concerning the local government finance special grant report in respect of Kosovan evacuees. Had they succeeded in defeating the motion—we shall not let them forget this—Conservative as well as Labour local authorities would have been denied grant aid from central Government in support of Kosovan evacuees. So petty is the Conservatives' approach that they even voted to deny the Data Protection Commissioner a salary, as on the Order Paper.

Mr. Douglas Hogg (Sleaford and North Hykeham): The Home Secretary has been justifying the guillotine motion on the basis of the Opposition's tactics. He is of course aware of the reasoned amendment to Third Reading that has been signed by 18 of his Back Benchers. Perhaps the truth is that the guillotine motion is to prevent his Back Benchers from articulating their opposition to the Bill.

Mr. Straw: That is utter nonsense. The debate will show that there is no suggestion or possibility that those who take a different view on this issue, whether on the right hon. and learned Gentleman's side of the House or mine, should not express their point of view.

What makes most synthetic the Opposition's demand for more time is the fact that they could not find sufficient matters to debate in Standing Committee.

Mr. Humfrey Malins (Woking) *rose—*

Mr. Straw: I make an honourable exception of the hon. Gentleman. This great issue that the Opposition have raised could take up only four Committee sittings, and the Bill reported by agreement without ever a closure motion being moved. So the idea that there is now insufficient time to debate the issue—we have five hours altogether—is frankly fanciful.

Mr. Malins: The Home Secretary will be aware that there are four groups of amendments and that each is led by one that I have tabled. What evidence does he have that I would choose to filibuster, knowing as he does that all I have ever sought is to debate briefly and to the point? What does he have to say against me?

Mr. Straw: I made an honourable exception of the hon. Gentleman, in respect of whom I have no such evidence. However, I need only look at *Hansard* for 24 to 26 January to find evidence of the capacity of others among his erstwhile hon. Friends—including the right hon. Member for Bromley and Chislehurst (Mr. Forth), who smilingly pleads guilty to the charge—to filibuster even matters that Opposition Front Benchers support.

Mr. Edward Leigh (Gainsborough): I was a member of the Standing Committee. I cannot understand why the Home Secretary, with one breath, asserts that we will filibuster, but, with the next, says that those who were members of the Standing Committee were prepared to engage in serious debates, in which the former Attorney-General and others spoke, without filibustering. How can

the Home Secretary justify—to his hon. Friends, if not to us—restricting to an hour and three quarters debate on a matter as important as abolishing jury trial?

Mr. Straw: The hon. Gentleman makes my point that there has already been adequate discussion as far as the Opposition are concerned. However, having read the report of the Standing Committee, I know that he almost reached the point at which he agreed with the terms of the Bill. I am glad to know that he was persuaded by the eloquence of the Minister of State, my hon. Friend the Member for Norwich, South (Mr. Clarke).

The hon. Member for Woking (Mr. Malins) makes my second point for me by pointing out that, although there are four groups of amendments to the Bill, encompassing 14 amendments selected by Madam Speaker, not one of the lead amendments has been tabled by the official Opposition Front-Bench team. There has never been such an incompetent Opposition—they are incompetent even by their own standards. We have moved the timetable motion because we know of the capacity of the current Opposition to attempt to talk out even measures with which they agree. They are complaining that there is insufficient time, so we should attempt to deal with the guillotine motion as quickly as possible so that we can get on to the amendments and Third Reading.

The Bill is not about abolishing the right to a jury trial, and I am flattered that the Opposition feel the need to parody and distort our proposal in order to oppose it. It is about following the practice of every other common law jurisdiction that we can find, which ensures that decisions on which sort of court should try cases should be made judicially by the court, not at the election of individual defendants. I remind the House that such proposals have been the subject of serious discussion for at least seven years. The royal commission report published in 1993 recommended:

> We do not think that defendants should be able to choose their court of trial solely on the basis that they think they will get a fairer hearing at one level or another. Nor in our view should defendants be entitled to choose the mode of trial which they think will offer them a better chance of acquittal any more than they should be able to choose the judge who they think will offer them the most lenient sentence.

In a landmark speech on 21 July 1999, the Lord Chief Justice said to the judges assembled for the annual Mansion House dinner:

> In matters of most momentous criminal concern this right—

that is, the right to jury trial—

> must at least in general be preserved, but it would be absurd to grant a right to jury trial in all cases, however trivial, and those who here in the City drafted the terms of Magna Carta would be surprised to find that intention attributed to them. In cases triable either summarily or by judge and jury I would at present in this country be very reluctant to accord the prosecutor an absolute right to choose the mode of trial, as is done in Scotland.

Mr. Desmond Swayne (New Forest, West): On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker (Mr. Michael J. Martin): I hope that this is a point of order.

Mr. Swayne: It is, Mr. Deputy Speaker. The Home Secretary's remarks are all very interesting, but what do they have to do with the timetable motion?

Mr. Deputy Speaker: Order. I knew that the hon. Gentleman did not have a point of order for me. The Home Secretary is in order.

Mr. Straw: I shall bring my remarks to a close as soon as I am able to do so. My point is that the matter has been the subject of considerable discussion both inside and outside Parliament for some time.

The Lord Chief Justice continued:

> But equally it seems to me objectionable to accord such an absolute right to the defendant, on whose list of priorities the reaching of a just and expeditious decision may not rank very highly. This is a judicial decision properly to be made by the magistrates court on consideration of all the relevant circumstances, but I think it vital, as the Government has happily accepted, that such decisions should be susceptible to immediate challenge to a Crown court judge to ensure that such questions are carefully and objectively considered with due regard to the perceptions of those who may regard themselves as vulnerable, and to provide redress against the occasional aberrant decision, should such be made.

Mr. Robert Marshall-Andrews (Medway): Does my right hon. Friend accept that, when the Lord Chief Justice made those remarks, he was speaking in favour of the No. 1 Bill, not the current Bill; that when he talked about magistrates properly taking the decision, he knew perfectly well that there had been put into the No. 1 Bill the reputation clause, which ensured that magistrates would have to take into account matters of reputation and livelihood; and that that clause does not appear in the No. 2 Bill? That is what the Lord Chief Justice was talking about and, since he made those remarks, he has made it manifestly clear that he has serious concerns about the new Bill. In the circumstances, does not my right hon. Friend agree that it is entirely inappropriate for him to pray in aid the Lord Chief Justice?

Mr. Straw: My hon. and learned Friend is wrong in every particular. The Lord Chief Justice was speaking at this time last year, some months before the No. 1 Bill was published, and he was talking at large about the general principle of whether or not mode of trial in either-way cases should be determined judicially or by the defendant.

Mr. Marshall-Andrews: Will the Home Secretary give way?

Mr. Straw: No, I will not give way. The one point of principle that the Lord Chief Justice—*[Interruption.]*

Mr. Deputy Speaker: Order. We cannot have hon. Members shouting across the Floor of the House. The Home Secretary is entitled to a hearing and he must be heard.

Mr. Straw: The one point of principle that the Lord Chief Justice, entirely properly, raised in discussions with me before the publication of the No. 1 Bill, to which he referred in his speech on the Second Reading of that Bill late last year—five months after making his speech at Mansion House—was whether or not, in contrast to the royal commission's recommendation, the mode of trial should be simply for decision by magistrates without any right of appeal, or whether there should be a right of appeal. We agreed between us that there should be a right of appeal to an experienced Crown court judge against a decision to refuse to transfer jurisdiction to the Crown court, and that provision was put into the No. 1 Bill.

Several hon. Members *rose—*

Mr. Straw: I shall give way shortly, but I want to answer my hon. and learned Friend the Member for

[Mr. Straw]

Medway (Mr. Marshall-Andrews) first. I have put the correspondence between the Lord Chief Justice and myself before the House, or at least it will be available very shortly.

My hon. and learned Friend's claims are both inappropriate and disingenuous. There was indeed discussion between the Lord Chief Justice at the time and myself about changes that we proposed should be made in the No. 2 Bill. My hon. Friend the Minister of State and I have always said that our reason for making those changes was to achieve a balance. We made them because of concerns expressed in the other place about the No. 1 Bill and on Commons Second Reading of the No. 2 Bill that the inclusion of criteria relating to reputation could lead to two-tier justice.

I shall give an example of the sort of representations that were made on Second Reading. It was said that

> the reputation clause is repellent because it creates a two-tier system. We have all argued against that and everyone on the Government Back Benches would make common cause on that.—[*Official Report*, 7 March 2000; Vol. 345, c. 920.]

Who said that? None other than my hon. and learned Friend the Member for Medway. We changed the No. 1 Bill criteria to the No. 2 Bill criteria because of representations made to us, including those of my hon. and learned Friend. I will not accept any of the suggestions that he has made outside the House, which are disingenuous and without any foundation, about whether I was forthcoming to the House when I spoke to it.

I shall deal with the exchange of correspondence with the Lord Chief Justice. When we were discussing the issue over preceding months, the Lord Chief Justice made it clear to me that he regarded the issue of whether there was a right of appeal as one of principle. That became clear when he spoke on Second Reading of the No.1 Bill in December. However, unlike the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell) and my hon. and learned Friend the Member for Medway, he is in favour of the principle of having the mode of trial determined judicially. My hon. and learned Friend must accept that he opposes not only the position in the No. 2 Bill, which I adopt, but the criteria that the Lord Chief Justice supported. He opposes any suggestion that the right to elect jury trial should be transferred to the magistrates, with a right of appeal, rather than being left with the defendant, as it is now.

What happened? I wrote to the Lord Chief Justice on 21 February to explain our thinking, picking up on the representations that had been made. The Lord Chief Justice wrote to me on 22 February to say that many different things might be relevant in answering the question, which is where the matter may be tried. He wrote that

> there are dangers in excluding consideration of anything which is relevant in the given case.

Towards the end, he wrote:

> I am uneasy at requiring decision makers to ignore matters which reasonable decision makers might wish to take into account.

That was the Lord Chief Justice's position.

I considered in some detail what he had to say and wrote to him on 21 March, providing him with what I thought was detailed reassurance, as right hon. and hon. Members will see, on the two cases that he had raised. I concluded:

> I am very grateful to you for your advice on this. I hope what I say above is reassuring to you. If it is not I would be happy to add this to the agenda of our forthcoming meeting on 6 April, and could ask Parliamentary Counsel to attend as well. Charles Clarke will be listening carefully to the debate in committee to see whether, within our overall purpose, the wording can be improved, and I will consult you if there are amendments we are minded to accept or put down ourselves.

That was the position on 21 March 2000. As it happened, the meeting on 6 April could not take place. I did not receive any further response from the Lord Chief Justice, and on 18 April it was announced that he would become a senior Law Lord on the Judicial Committee and that Lord Woolf would take over from him on 6 June as Lord Chief Justice. There was never the least suggestion that I was not forthcoming on Second Reading. It will be seen also from the correspondence that the matter had not been closed when I spoke in the House. As with so many other issues of exchange between the Home Secretary and the Lord Chief Justice, we were hoping to reach an accommodation on the matter.

Sir Nicholas Lyell (North-East Bedfordshire): The Home Secretary told the House that the Bill, which does not allow either reputation or general matters to be taken into account, enjoyed the active endorsement of the Lord Chief Justice. Yet we know from what he has told us now that a fortnight earlier he received a letter from the Lord Chief Justice expressing his serious unease. He knows that on 20 January, the Lord Chief Justice, in supporting the No. 1 Bill in Committee, said:

> I respectfully think that it is better to give magistrates and circuit judges a wide and almost undirected discretion.—[*Official Report, House of Lords*, 20 January 2000; Vol. 608, c. 1254.]

The right hon. Gentleman has done exactly the opposite. Can he explain himself?

Mr. Straw: I shall be delighted to explain myself. I shall do so by reading out the whole of the opening two paragraphs of my speech on Second Reading. I said:

> The Bill is part of the Government's programme to modernise the criminal justice system and to improve public confidence in it. Its purpose is to make the system more responsive to the needs of victims, witnesses and the public at large—and defendants.

I then said:

> The proposal—

not the Bill—

> has been considered extensively in the past seven years.

It is obvious from that that I was talking about the proposal that the mode of trial should be determined not by individual defendants, but by magistrates. I continued:

> In 1993, it—

the proposal—

> received the unanimous backing of the royal commission on criminal justice. Today, it—

the proposal—

> enjoys the active endorsement of the Lord Chief Justice, Lord Bingham, and of the vast majority—[*Interruption.*]—[*Official Report*, 7 March 2000; Vol. 345, c. 886.]

The proposal did and it does. If the only issue between the right hon. and learned Member for North-East Bedfordshire and my hon. and learned Friend the Member

for Medway, and myself is whether we put the reputation clause back into the Bill, we can do business. However, the simple—*[Interruption.]* That will not apply to my hon. and learned Friend because he opposed the reputation clause. One of the reasons why I was persuaded—

Mr. Marshall-Andrews: Will my right hon. Friend give way?

Mr. Straw: No, I will not give way.

I was persuaded very much on balance to omit the clause and to continue to discuss what is essentially a subsidiary matter with the Lord Chief Justice because of what my hon. and learned Friend said in the House.

Mr. Hogg: Will the Home Secretary give way?

Mr. Straw: If the right hon. and learned Member for North-East Bedfordshire, the former Attorney-General, and the right hon. and learned Member for Sleaford and something else—I can never remember the name of his constituency, but I am sure that it is a very nice place and that he represents it properly—

Mr. Hogg: It is Sleaford and North Hykeham.

Mr. Straw: If he is saying that all that lies between his position and ours is tweaking the criteria, we can, as I have said, do business.

Mr. Hogg: Will the right hon. Gentleman give way?

Mr. Straw: No. The right hon. and learned Gentleman can make his speech in his own way.

The right hon. and learned Gentleman and my hon. and learned Friend the Member for Medway know that that is not the issue. This is just a synthetic smokescreen.

Mr. Marshall-Andrews: Will my right hon. Friend give way?

Mr. Straw: No, I will not.

Those who oppose the Bill—*[Interruption.]* I will finish my remarks in a moment.

Mr. John Redwood (Wokingham): Will the Home Secretary give way?

Mr. Straw: With great respect, I will not give way. As I have said, I wish to conclude my remarks.

Those who oppose the Bill root and branch should have the courage to say that they oppose it in whatever form it exists. They should say that they disagree with the fundamental argument that was advanced by the royal commission. The argument about reputation and livelihood was a subsidiary one, as anyone can see. They disagree also with the fundamental argument which was advanced by the Lord Chief Justice, at large, well before either of the Bills was published, on 21 July. That is the issue—

Mr. Redwood: Will the right hon. Gentleman give way?

Mr. Straw: No. I am about to conclude.

That is the issue before us. It is my judgment that there is quite sufficient time to debate the central issue this afternoon. It is a matter of record that the Opposition have been so hopeless that they could not find one constructive amendment to table that Madam Speaker could have chosen as a lead amendment for debate. Moreover, they could not fill the time in Committee for more than four sittings.

The guillotine motion is regrettable, but it is necessary because of the Opposition's failure to organise themselves so that we can do business instead of having endless and unnecessary votes. I recommend the motion to the House.

Mr. Nick Hawkins (Surrey Heath): On a point of order, Mr. Deputy Speaker. The Home Secretary suggested that there was something inappropriate in the failure of one of the official Opposition's amendments to be selected first in the group. Can you confirm that the order of amendments selected corresponds to the order of the text of the Bill, as drafted by the Government, and does not reflect any judgment by Madam Speaker on the Opposition amendments selected for debate?

Mr. Deputy Speaker: The selection of amendments is not discussed by the Chair.

Mr. Hogg: On a point of order, Mr. Deputy Speaker. I apologise for rising to make a second point of order, but the Home Secretary said something rather important: that if the reputation clause were put back, it is possible that he could do business. It may be that the House is approaching a compromise. May I suggest that the proper way forward is to adjourn these proceedings so that the Home Secretary can have consultations with those on the Opposition Front Bench, to see whether a deal is possible?

Mr. Deputy Speaker: We are considering the guillotine motion, and we are now eating into the time for its consideration. It would be inappropriate for the House to be adjourned or suspended.

Mr. Alun Michael (Cardiff, South and Penarth): On a point of order, Mr. Deputy Speaker. Would it not be entirely inappropriate to adjourn the House in the casual way suggested by the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), when the amendment removing the reputation clause meets points made in the other place and concerns expressed that consideration of the matter may be inappropriate—

Mr. Deputy Speaker: Order. Those are matters for debate. It may be that the right hon. Gentleman can catch my eye and raise such matters.

Mr. Malins: On a point of order, Mr. Deputy Speaker. Having heard the Home Secretary say in relation to the reputation clause that we can do business, I seek your guidance. My amendment No. 6 deals precisely with that point, taking into account the circumstances of the accused. Does that mean that I must speak to the amendment later in the debate, or will the Home Secretary accept it?

Mr. Deputy Speaker: What the Home Secretary said was a matter for debate. It is up to the hon. Gentleman and others to make their case and, perhaps, to ask the Home Secretary for certain assurances.

6.22 pm

Mr. Edward Garnier (Harborough): I beg to move, as an amendment to the motion, in paragraph 1, leave out "five" and insert "eight".

The past half hour or more has demonstrated that the Government have no idea what they are doing with the Bill or the timetable motion. A number of arguments—I use the term advisedly—were advanced by the Home Secretary in support of his timetable motion.

First, the right hon. Gentleman said that the defeat of the Bill in the other place was the reason for the timetable motion today. The first Bill never got to this House. It started in the other place and was defeated there, and the timetabling arrangements in this House for this second Bill have nothing whatever to do with the progress of a Bill in another place. If the Government cannot get their act together in another place, that is their look-out. If they must rely on a guillotine in the last week of the parliamentary year to get this Bill through, that also is entirely their own fault.

The second point to which the Home Secretary clung was that the Disqualifications Bill had been stopped in the Lords. Again, so what? I understand that the Disqualifications Bill has not been stopped. It is in the House of Lords and, if the Government want it to do so, it will go through the normal debating procedures. If they do not wish the Bill to be discussed in the other place, as appears to be the case, that is presumably why they have not brought it before a Committee or the full House in the other place. Again, that has nothing to do with the progress of the present Bill in this House.

Slipping a little further off his life raft, the Home Secretary attempted to argue that support for the Football (Disorder) Bill had been given unequivocally by the Leader of the Opposition. My right hon. Friend gave no such thing. He was speaking in principle about football hooliganism and how we all agree, on both sides of the House, that we do not approve of it. He said that if a Bill were produced which met our approval, it would receive our approval. The Leader of the Opposition in no way gave the Home Secretary or that shambles on the Government Benches a blank cheque.

Sir Nicholas Lyell: Is it not also the case that the Football (Disorder) Bill contained a series of flaws which were contrary to the European convention and required putting right, and that we tabled amendments to put the Bill right which the Home Secretary accepted?

Mr. Garnier: Yes. I do not attack the Home Secretary for being wholly unreasonable all the time. He sensibly took the advice of my right hon. and learned Friend during the remaining stages of that Bill in this House. However, the right hon. Gentleman cannot blame the Leader of the Opposition for the problem that the Government face with this Bill in the last week of the parliamentary year.

Mr. Ian Bruce (South Dorset): My hon. and learned Friend will have noticed both that the Home Secretary would not give way to me, and his strange argument that the timetable motion was necessary for this Bill, although there are three Bills on the Order Paper. The timetable motion applies only to the Bill that is opposed by Government Back Benchers. The other two Bills have no allocation of time motion. It is thus completely spurious to blame the Opposition for delaying matters.

Mr. Garnier: I do not always know whether the Home Secretary is waving or simply drowning. He is in enough trouble without having to take interventions from my hon. Friend.

The Home Secretary finally lost sight of the horizon when he tried to rely on the Lord Chief Justice. The hon. and learned Member for Medway (Mr. Marshall-Andrews) has done the House and the debate on the Bill a great service by drawing to the attention of the public the correspondence which has, at this late stage, been provided to us by the Home Secretary. It is a pity that the right hon. Gentleman did not feel it appropriate to give us copies of the correspondence rather earlier in the day.

A close look at the correspondence demonstrates that the interpretation that the Home Secretary now wants to place on it does not accord with the thrust of the text. I dare say that the hon. and learned Member for Medway will draw our attention in some detail, in this debate or after the guillotine debate, to some of the more salient points in it.

The Lord Chief Justice does not support the Bill. The Home Secretary said at column 886 on 7 March:

> Today, it enjoys the active endorsement of the Lord Chief Justice, Lord Bingham.

When he seeks to persuade us that that referred to the proposal, he does himself less than justice. If one reads the entire paragraph, one can see quite clearly that the sense that the Home Secretary attempted to give to the endorsement of the Lord Chief Justice was intended to give the House the impression that the noble and learned Lord supported the Bill.

The entire paragraph states:

> Today, it enjoys the active endorsement of the Lord Chief Justice, Lord Bingham, and of the vast majority of the High Court Bench of nearly 100 senior judges; of the Magistrates Association, representing 30,000 justices of the peace; and of all three police associations, representing more than 125,000 police officers, each of whom has to deal every day with the victims of crime and its perpetrators and who know that justice is not served, either for victim or defendant, by an antiquated and time-wasting procedure, which the Bill seeks to remedy.—[*Official Report*, 17 March 2000; Vol. 345, c. 886.]

The paragraph was getting towards persuading the House on Second Reading that the Lord Chief Justice gave his unreserved and unequivocal support to the No. 2 Bill. We all know—and if we did not already know, the correspondence demonstrates—that the Home Secretary did not have the support that he thought he could persuade us he did have from the Lord Chief Justice.

We also happen to know that the Home Secretary is keen on the Bill for reasons quite other than those given to the House on that occasion or on this. On 26 February 1997, at a criminal justice system planning event held in St Martins lane in London, the right hon. Gentleman said:

> I was not sure for a long time but I have finally decided to remove the right of election for jury trial in either way cases and the reason is that I do not want defendants choosing jury trial to argue Human Rights Act points after the Act comes into force in October.

Mr. John Bercow (Buckingham): Although appendix 4 to the 1997 criminal statistics for England and Wales is helpful, is my hon. and learned Friend aware that

there are currently no readily available lists of offences triable summarily and triable either way; and is it not important that there should be adequate time in this debate for it to be explained to the House why that is so?

Mr. Garnier: I am sure that I can, if given a moment or two, provide my hon. Friend, who I know takes a huge interest in criminal justice, with a list of those offences which fall into the categories that he mentions. The Home Secretary probably has one in his back pocket. But if I may, I shall now come on to the arguments against this rather base motion.

The Opposition's amendment substitutes the word "eight" for "five" in paragraph 1, but even that is inadequate for the discussions that we should be having on the Bill. However, given the Home Secretary's approach to the guillotine motion, we shall have only one and three quarter hours to discuss the Bill's substance, if that. I hope that the other place will take that into account when it comes to consider it.

Mr. Leigh: The key amendment is No. 6, tabled by my hon. Friend the Member for Woking (Mr. Malins), which it is possible will not be reached. The Home Secretary said earlier that I was a member of the Committee and came close to supporting the Bill, but I will support it only if the point about reputation is dealt with. How does my hon. Friend think that we can proceed on that matter? Is he prepared to have discussions with the Government? This is a serious matter and we must find a way to debate properly the issue of the defendant's reputation being considered by the magistrates.

Mr. Garnier: If the Home Secretary is genuine in his intentions towards the Bill and in his claim to be putting a respectable Bill on the statute book, it is up to him to make the advances. This is his Bill, his Government, and his Government's time in which we are debating the Bill, and it is up to him and his team to ensure that the appropriate moves are made. I cannot negotiate with him across the Dispatch Box.

Dr. Nick Palmer (Broxtowe): It appears from the hon. and learned Gentleman's remarks that he expects the debate on the timetable motion to run for three hours, as he says that there will be only one and three quarter hours for the substantive debate, so it is apparent from his and his colleagues' interventions that they are attempting to spin out time. Is that because they feel uneasy about grappling with the substantive issues, and perhaps hope not to reach the later amendments?

Mr. Garnier: For a man of the hon. Gentleman's intelligence, that was an unworthy and rather silly intervention, with which I shall not condescend to deal.

I should declare an interest which I declared on Second Reading. It is that I am a member of the Bar, and have been for 24 years, and a Queen's Counsel for just over five years. I appeared before juries in a few criminal trials at the outset of my career in the late 1970s, and I have appeared before a good many juries in civil defamation actions since. I am a recorder of the Crown court and have tried a good many criminal cases. I have directed juries in criminal trials on the law, and I have summed up the evidence to them. Like a number of hon. Members, I have direct and long-standing experience of the jury system. I am sure that, if the Home Secretary has appeared before a jury in any capacity, he would have told us, even though he is a member of the Bar. The Minister of State, the right hon. Member for Brent, South (Mr. Boateng), is a member of the Bar and used to practise in the criminal courts, but he does not have the conduct of the Bill. I also appreciate that another Minister of State, the hon. Member for Norwich, South (Mr. Clarke), told the Committee that he had appeared on his own behalf before Lord Devlin, but that was not before a jury.

Mr. Michael: Will the hon. and learned Gentleman give way?

Mr. Garnier: Not for the moment.

Second Reading took place on 7 March 2000. The Government suffered a humiliating defeat in Committee on the first Criminal Justice (Mode of Trial) Bill. It was mauled by Conservatives, Liberal Democrats, Cross-Benchers, Bishops and Labour peers. I watched that debate from the Bar of the House of Lords. The Attorney-General made a good speech. He is an accomplished advocate with a sweet tongue, but even his powers of advocacy were insufficient to persuade the other place. Many noble Lords no doubt remember the Attorney-General's vehement opposition to the proposals in that Bill when he wrote and was interviewed on that subject in 1993.

The Government said that they would not let that defeat go unavenged. This Bill was introduced in the Commons. We were threatened that, if the House of Lords defeated the Bill after it had been through the Commons, it would become subject to the Parliament Act.

Clearly, the second Bill was to be a top priority. We see from the opening paragraph of the Home Secretary's Second Reading speech on 7 March that

> The Bill is part of the Government's programme to modernise the criminal justice system and to improve public confidence in it.—[*Official Report*, 7 March 2000; Vol. 345, c. 886.]

If it was part of the Government's programme, one would have thought that they would move with some speed to push the Bill to the top of the list. But after Second Reading on 7 March—it passed with the lowest Second Reading majority in this Parliament—nothing happened until Tuesday 23 May, a delay of two and a half months.

The Standing Committee met on Tuesday 23 May between 10.30 and 11.25 am, on Thursday 25 May between 10.30 and 11.23 am, on Tuesday 6 June between 10.30 am and 1 pm and between 4.30 and 7.34 pm, so there was not a great deal of time wasting or filibustering; nor can the Opposition, of all parties, be criticised in any way for their handling of the Committee stage. There are no grounds for suggesting that, in Committee, the Opposition parties sought to delay the Bill unfairly, unnecessarily or improperly.

The Bill finally came before us in July, in this, the last week of the parliamentary term. Why was it not allowed to return to the House before now? There have been several days between the Committee stage and now when we have gone home early as a result of a light work load and when the Bill could easily have been debated. If the Government cannot manage to produce the business in the House on time and make good use of the available hours, it is no good their sneaking the timetable motion on to the Order Paper late last night.

Mr. Hogg: My hon. and learned Friend's point is extremely important and it is reinforced by the fact that

[Mr. Hogg]

there are no Government amendments, so the Government could have tabled the matter for debate at any time after it left Committee.

Mr. Garnier: Of course they could, and the Home Secretary knows that, but he has not yet provided us with a reason for failing to do so.

Mr. Leigh: He was negotiating with his hon. Friends.

Mr. Garnier: That may be so.

The real reason is that the Government feared that those Government Members who had principled objections to the Bill would cause trouble. There is no evidence of that, nor is there any evidence that any Opposition Member would cause trouble, yet last night, out of sheer terror and complete chaos, the Government tabled this motion to curtail time. Had the Government had even the slightest self-confidence in their arguments on the Bill, they would have advanced their case for it irrespective of the Opposition's arguments, either within the Government party or outside it. Even without that confidence, they might have had the decency to allow the Leader of the House at business questions last Thursday to alert us to the fact that time would be curtailed.

Although the measure is not a manifesto Bill, we know that the Government have the votes, if not the arguments, to get it through tonight. However, their guillotining of the Bill without prior reference to the need for a guillotine, let alone reference last week by the Leader of the House to Government anxieties about its likely progress, demonstrates a lack of confidence in its merits, and the fact that the Government care little for Parliament or the democratic process and even less for our constituents.

The second report of the Select Committee on Modernisation was published in July. Paragraph 5 on page v states:

> The basic requirements of a reformed system as identified in our First Report were:
>
> The Government of the day must be assured of getting its legislation through in reasonable time (provided that it obtains the approval of the House).
>
> The Opposition in particular and Members in general must have a full opportunity to discuss and seek to change provisions to which they attach importance.
>
> All parts of a bill must be properly considered.

If the Government are as good as their word, why do not they accept that that could happen without a timetable motion? Despite the contents of the report, the Government have presented a half-baked and late timetable motion.

My right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) and I wrote to *The Times* at the weekend. Little did we know that the anxieties that we expressed in that letter, which was published today, would be so quickly realised. *[Interruption.]* I am sure that the noisy little fellow at the back will have read the letter. It stated:

> It is said that the Government is driving the Bill through without amendment, regardless of what one hopes will be the view of the House of Lords, in order that it may then use the Parliament Act to force it into law in the next session. How far away is tyranny?

When we wrote that letter, we did not know that tyranny, in the shape of the timetable motion, was at the door. The Government have a great deal for which to answer on the substance of the Bill and on the timetable motion.

The Home Secretary tried to persuade us that the timetable motion was sad but inevitable. It is not. The Government have tabled numerous timetable motions to curtail debate. There have been 12 already this year, including four in July. The measures guillotined in July are: the Local Government (Lords) Bill, the Police (Northern Ireland) Bill, the Football (Disorder) Bill and the Criminal Justice (Mode of Trial) (No. 2) Bill. The Government guillotined those Bills because they cannot organise themselves properly to provide a timetable that fulfils the needs of the democratic process.

Mr. Straw: Does the hon. and learned Gentleman make the same criticism of successive Conservative Administrations, which guillotined as many Bills in some years?

Mr. Garnier: If the Home Secretary wants to check the figures, he might care to look at page xxvii of the Modernisation Committee report. Annex C shows that the Government of my right hon. Friend the Member for Huntingdon (Mr. Major) tabled 17 timetable motions between 1991 and 1997. The Government have tabled 12 this year.

I suggest that we face a timetable motion today partly because of the allegations against the Home Secretary in *The Guardian* this morning. They relate to the questions that my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) asked your predecessor in the Chair, Mr. Deputy Speaker, a moment ago. The article states:

> The home secretary, Jack Straw, seriously misled the House of Commons and Tony Blair over the extent of support among senior judges for his revised plans to restrict a defendant's right of trial by jury, a Labour MP revealed last night.

The article continues:

> Mr. Straw told the Commons second reading debate on March 7 that his plan "enjoys the active endorsement of the lord chief justice, Lord Bingham, and the vast majority of the high court bench of nearly 100 senior judges".
>
> Yet exactly a fortnight earlier Lord Bingham had expressed his "unease" to the home secretary in a private letter about the "dangers" of the legislation which was amended after being thrown out by the Lords.

The article goes on:

> In a letter to Mr. Marshall-Andrews yesterday, the home secretary appeared to bluff it out, claiming that Lord Bingham still supports the change while admitting in the next sentence—

Mr. Deputy Speaker (Mr. Michael Lord): Order. I am listening carefully to the hon. and learned Gentleman. I hope that he will now relate his remarks to the allocation of time.

Mr. Garnier: Of course, Mr. Deputy Speaker. The article said that the letter claimed that Lord Bingham continued to support the change,

> while admitting in the next sentence that the law lord will only back it if it includes a safeguard that Mr. Straw has specifically rejected.

This morning, my right hon. and learned Friend the Member for North-East Bedfordshire and I received a letter from the Minister of State, Home Office, the hon.

Member for Norwich, South. It is dated 25 July. The letter is addressed to my right hon. and learned Friend and copied to me. The second page states:

"I also referred to the Prime Minister's reply to the question from David Lidington on 5 July. It seems to me that the Prime Minister was fully justified in his response. Both the Royal Commission and the former Lord Chief Justice, Lord Bingham, supported the principle that defendants should not be able to choose to be tried by a jury in cases which magistrates have indicated that they would be content to hear. Lord Bingham is still, I understand, of the opinion that the decision whether an either way case should be tried in the Crown Court or by magistrates should be made by magistrates (subject to appeal to a Crown Court judge) and not, as now, by the defendant. He is, however, firmly of the view that in making their decision—

Mr. Deputy Speaker: Order. The hon. and learned Gentleman said that he would relate his remarks to the allocation of time. I should be grateful if he would do it fairly quickly.

Mr. Garnier: Unfortunately, you were not here during the early part of the discussions, Mr. Deputy Speaker—

Mr. Deputy Speaker: Order. The hon. and learned Gentleman must not challenge the Chair, however moderately. I have heard sufficient while I have been in the Chair to advise him. I should be grateful if he would now relate his remarks to the allocation of time motion.

Mr. Garnier: Not all arguments can be compressed. The Home Secretary is keen for the amount of time during which we can debate the Bill to be curtailed to prevent the hon. and learned Member for Medway and the 18 or 19 of his supporters of the Third Reading amendment from having sufficient time to discuss the Bill. We are all here to argue against limiting to five hours discussion, not only on Report but on Third Reading, of a Bill of huge constitutional importance. If the Government cannot recognise a huge constitutional matter when it stares them in the face, we are in trouble. On behalf of our constituents, Members of Parliament, regardless of party, have a duty to complain about an overweening, arrogant and overreaching Government.

It will not do for the Government, through the Home Secretary or the Minister, to claim the support of the former Lord Chief Justice in speeches in the House or in correspondence when we know that such support is qualified. The final passage of the paragraph that I quoted from the Minister's letter brings home to us all the slippery ground on which the Home Secretary bases his case. It states:

"Lord Bingham is still, I understand, of the opinion that the decision whether an either way case should be tried in the Crown Court or by magistrates should be made by magistrates (subject to appeal to a Crown Court judge) and not, as now, by the defendant. He is, however, firmly of the view that in making their decision magistrates should be free to take into account all the circumstances of the case which they consider to be relevant. I believe that Professor Zander holds a similar view. The difficulty with giving the courts such a wide-ranging discretion is that it would create a perception that defendants would be treated differently on the basis of their social or economic standing in society."

That goes to the heart of the amendment that the hon. and learned Member for Medway has tabled. The Government do not want that amendment to be debated because they know that they do not have the support of the former Lord Chief Justice or of most right-thinking people in this country for the Bill.

Mr. Hogg: My hon. and learned Friend has referred to the constitutional aspects of the Bill. Before he sits down, will he also give us the benefit of his views on another matter? Is it not an outrage that the Bill will be guillotined partly on the backs of Scottish Members of Parliament, given that it will apply only to England and Wales and that Labour Members whose constituents have nothing at all to do with it will vote?

Mr. Garnier: My right hon. and learned Friend is entirely right and anticipates my next point. In the Scottish *Daily Express* of Friday 21 July, the hon. Member for Linlithgow (Mr. Dalyell) was quoted as saying:

"It is constitutionally abhorrent that Scottish MPs should vote on a matter concerning fundamental civil liberties in England and Wales while Westminster MPs have no right to vote on such legislation affecting Scotland."

Mr. Tom Levitt (High Peak): That has nothing to do with it.

Mr. Deputy Speaker: Order. First, there have been enough remarks from a sedentary position. Such matters can safely be left to the Chair. Secondly, the hon. and learned Gentleman is, yet again, drifting into a general debate, and I should be grateful to him if he returned to the allocation of time.

Mr. Garnier: I was coming precisely to that, Mr. Deputy Speaker.

Not only does page 2453 of the Order Paper contain an amendment tabled by the hon. and learned Member for Medway and several other Labour Members, but it contains an amendment tabled by my right hon. and learned Friend the Member for Sleaford and North Hykeham. That amplifies and reflects the point made by the hon. Member for Linlithgow in the newspaper that I have quoted.

Mr. Tam Dalyell (Linlithgow): I stick to that quote.

Mr. Garnier: I am not in the least surprised that the hon. Gentleman does; he is an honourable and principled man.

The less time we have to debate the Bill at the Government's behest, the less likely it is that the aspects of the Bill that involve the West Lothian question and its effect on English and Welsh justice can be discussed. This is a grubby little Bill, and this is an even grubbier little timetable motion. It appears to me that the Government are fonder of the guillotine than Robespierre. The Government motion allows three hours of guillotined debate, after which Government or Opposition Members will be allowed only an hour and a half or an hour and three quarters to deal with the substance of the Bill. There is absolutely no reason for the House of Lords to feel in the least inhibited when, in its turn, it debates the Bill. I invite my hon. and right hon. Friends to throw out the motion or, failing that, at least to support the Opposition amendment.

Several hon. Members *rose*—

Mr. Deputy Speaker: Order. I remind the House that we are dealing with an amendment to leave out "five" and insert "eight" in paragraph 1 of the motion.

6.53 pm

Mr. Paul Flynn (Newport, West): I shall be brief, but I believe that some issues that directly affect the Bill have not been aired. One group of people who will suffer seriously as a result of the Bill has not been mentioned in either House during the consideration of it. I referred to that group in a letter that I sent my right hon. Friend the Home Secretary several weeks ago, but I have yet to receive a satisfactory answer.

Lord Devlin defined the precise purpose of juries as follows:

> A jury is an insurance that the criminal law will conform to the ordinary man's idea of what is fair and just. If it does not, the jury will not be a party to its enforcement.

In the past 18 months, juries throughout the country have refused to convict defendants who are manifestly guilty. Precisely those cases will be treated as involving crimes covered by the Bill. They will be tried by judges who will conform to the letter of the law and to what Parliament has told them, and the people involved will find themselves treated unjustly.

I have given the Home Secretary a long list of those whom juries are refusing to convict. They include those who are seriously ill, many of whom are suffering from multiple sclerosis. Many of them are terminally ill and suffering, in the main, from cancer and the effects of chemotherapy and the nausea that it causes. That is no ordinary nausea; it destroys the will to live. However, they have supposedly committed the crime of using a medicine of their choice. If they had used any medicinal drug, it would have been okay. If they had used heroin, and £11 million of heroin is involved—

Mr. Deputy Speaker: Order. I should be grateful if the hon. Gentleman would direct his remarks to the allocation of time motion.

Mr. Flynn: The point that I wish to make is that we need more time to present those cases. I said that I would be brief, but I want to explain why I am unhappy about the motion. I want to bring the precise cases that are dealt with in later amendments to the attention of the House, because it is not aware of the individuals involved. Such people have been convicted by magistrates and judges, not by juries, who are doing precisely what Lord Devlin said. They have found that the law is not just or fair, and they are acting with the common sense of ordinary people in refusing to convict those who have used cannabis for their illnesses. If the Bill is passed, such people will not have the chance to go before a jury.

Mr. Deputy Speaker: Order. I think that the hon. Gentleman must bring his remarks to a close.

Mr. Flynn: I have brought them to a close.

6.56 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): This is the 12th Home Office Bill this year: there were nine in the Queen's Speech, but this is the 12th. We are protesting about the guillotine as well as the Bill, because everyone knows that the Bill was never trailed in the Government's manifesto. It was never part of their policy and their candidates did not stand on a platform of supporting it. Indeed, the Government opposed such proposals in the past. The Government changed their mind, collectively, miraculously and all at once, having strongly held the opposite view, collectively, only a few months before.

The Government have determined the timetable. They chose to introduce the first reduced jury rights Bill in the House of Lords—no one else made that decision—but the House of Lords said no. I remind hon. Members that the House of Lords said no having just been recast in the form that the Government wanted. It was a House of Lords recast in the image of Blair, with a new disposition, most hereditary peers removed and smaller numbers. It was the new Labour House of Lords, the new, much less Opposition-dominated House of Lords, that said no. The Government chose where to introduce the Bill, and they chose the composition of the House in which they introduced it.

Mr. Michael: Will the hon. Gentleman give way?

Mr. Hughes: No, I will not give way.

Mr. Michael: Will the hon. Gentleman give way on that point?

Mr. Hughes: No, I will not. I am trying to take less time than the Home Secretary, who took half an hour to fail to explain why the guillotine was necessary, or the Conservative Front-Bench spokesman, who also took half an hour. I may give way in a moment if the right hon. Gentleman waits his turn.

When the Government introduced the Bill in the House, their majority was almost halved; a significant number of Labour Members did not support it. Since then, the Government have chosen to take all the time between Second Reading—which, as the hon. and learned Member for Harborough (Mr. Garnier) said, was in March—and now before considering the Bill again. There was no delay in Committee. I served on the Committee; it had four sittings and its debates were perfectly proper. We debated what we needed to debate. The reason why there were no significant debates on the amendments was the core issue—that the Conservatives and the Liberal Democrats opposed the principle of the Bill. We did not tinker around the edges; we debated the principles and the clauses.

Since the Committee reported, on 6 June, the Government have chosen not to debate the Bill until now. They have waited until the very last week of term. Why the urgency? Because the parliamentary year ends in three days? No. Because the parliamentary year ends next week? No. There is plenty of time before the end of the parliamentary year. The Government decide the holidays, and when this House and the Lords resume, so they are in charge of the timetable. Last night, the Government, and only the Government, tabled a guillotine motion for a Bill of significant constitutional importance. When they did so, Madam Speaker had provisionally selected only four groups of amendments. The effect of the guillotine will be that there will probably be only a brief debate on Third Reading, or none at all.

Mr. Michael: I am grateful to the hon. Gentleman for giving way, but are not these speeches taking up time that would otherwise be available to the House to debate the amendments? Also, has he not noticed that there is no Government majority in another place? He is opposing

not the guillotine or debate on the amendments, but the sensible proposition that the decision on mode of trial should be left to magistrates, not defendants.

Mr. Hughes: The right hon. Gentleman's party tabled the guillotine, not us. That is why we are having the debate. We would happily debate the amendments, although we oppose the Bill, for reasons that I believe to be self-evident. He opposed a similar proposal in 1997, so I am surprised that he—

Mr. Michael *rose—*

Mr. Hughes: No, I will not give way again.

Mr. Michael: On a point of order, Mr. Deputy Speaker. The Bill embodies a principle that I, as an experienced magistrate, have always supported.

Mr. Deputy Speaker: Order. That is a matter for debate, not a point of order for the Chair.

Mr. Hughes: Thank you, Mr. Deputy Speaker.

Mr. Hogg: Should not the hon. Gentleman also remind the right hon. Member for Cardiff, South and Penarth (Mr. Michael) that the Government have decided that the time taken for the debate must come out of the time allocated for the substantive debates on the Bill. That is their decision.

Mr. Hughes: That is absolutely true. The Government did not have to make such provision, and time could have been allocated for the guillotine and for the substantive debates. They are curtailing debate, and must take responsibility for that.

Although some amendments tabled by us and by the Conservatives were not selected, we want to debate the issues as much as possible because we believe that the case for not passing the Bill into law is overwhelming. We happen to believe that the Government's guillotine steamroller will make it much less likely that the Bill will become law. Bizarrely and paradoxically, it is the other place that perpetually has to slow the Government down when they use their artificial majority in this place to push measures through against opinion elsewhere, however well informed.

The Home Secretary, I hope not intentionally, led us to believe that the Bill would not take away a right. However, although it will not end jury trial, the right to choose trial by jury in England and Wales for charges such as making threats to kill, assault, possession of offensive weapons, child abduction, burglary, theft, handling, indecent assault, indecency between males, unlawful sexual intercourse with girls under 16, cruelty to children and violent disorder will be removed. If those are not important matters, on which people might want to choose who should try them, I do not know what important matters are.

The Government have never said that jury trial is not a good form of trial. On the contrary, they want to keep it for other offences.

Mr. Deputy Speaker: Order. The hon. Gentleman, too, is straying from the allocation of time motion. I should be grateful if he returned to it.

Mr. Hughes: I shall try to be very good and not stray from the motion.

My proposition is that the Government have no justification for guillotining debate on the Bill. What in the Home Secretary's remarks was new? Nothing. What new evidence is there for putting the Bill on the statute book quickly? None. Is the right to trial by jury more widely abused than before? No. The evidence is in the other direction. Fewer people than before elect to go to the Crown court. Fewer people than before who go to Crown court "get off". Has the guillotine been tabled because we need to respond urgently to a royal commission? No, because the royal commission report was published in 1993. The Labour party described it as short-sighted then, and did not think it necessary to respond to it, either between 1993 and 1997 or between 1997 and 2000. Do we urgently need to respond to the Narey report? No. The report was published in 1997, before the election. The Labour party in opposition disagreed with it and said that its recommendations were wrong.

Mr. Hawkins: Including the right hon. Member for Cardiff, South and Penarth (Mr. Michael).

Mr. Hughes: All Government Members, including the right hon. Member for Cardiff, South and Penarth, upheld the present position—the right to choose jury trial—at the election.

Do we urgently need to act because a past Lord Chief Justice or the new Lord Chief Justice has told the Government, "You urgently need to act." Not at all. Senior members of the judiciary have been asked their views, but have not proposed any initiatives. Much more importantly, do we urgently need to respond because an independent review of the law has just been undertaken? No. The Government asked Lord Justice Auld to carry out an independent review, and he has started work and produced a non-exhaustive list of issues on which he is basing that review. He is reviewing this question on behalf of the Government right now:

> If jury trial is to be retained for "either-way" cases, who is to determine whether the matter shall go to the jury and by reference to what criterion or criteria? If the main criterion is to be the seriousness of the charge, is there a case for changing the present level of seriousness? Should all cases destined for trial by jury start in the Crown court?

Such questions are being asked of the judge who is currently carrying out the review. On 5 May, he produced his progress report to Ministers about which questions he is focusing on, including the simple question:

> Who should decide where a case is to be tried.

The person who has been asked to produce a report has not reported, yet the Government are legislating before receiving the evidence. That represents bad legislation, bad timetabling and a bad argument for speedily moving in that direction.

Mr. David Taylor (North-West Leicestershire): On a point of order, Mr. Deputy Speaker. Has not the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) wandered even further from the point than the two previous speakers, who were rightly called to order?

Mr. Deputy Speaker: That is entirely a matter for the Chair.

Mr. Hughes: I am grateful, Mr. Deputy Speaker.

[Mr. Hughes]

All the arguments for haste, urgency and the guillotine motion are contradicted by the facts. Any urgency that there might have been when the Government introduced the Bill at the beginning of the year has lessened. The plea before venue initiative, which requires a plea to be made before the venue is decided, has reduced the number of people who change their plea. Disincentives to changing a plea late—removing the sentence discount, for example—have been introduced. With every month that has passed since the Bill was introduced, those measures have meant that fewer people have changed their plea late.

What is the reason for the urgency? Are the Government desperately short of public money, so that they have to make savings? Even if the measure will achieve a saving, that argument falls. Last week the Chancellor said that he had £43 billion of public money and handed it out left, right and centre like Father Bountiful. Even if the argument for the Bill is that it will save money, as the Prime Minister often says, I cannot believe that that is the argument for acting so quickly now. Is there new evidence from Scotland? There is not. Scotland has never had a right to jury trial, so it is not a parallel jurisdiction. England had an automatic right to jury trial until the middle of the previous century. No, there are no new arguments about costings, savings or benefits.

Is there a case for less scrutiny? Are the Government performing in such a way that the public can be confident that Parliament ought to spend less time considering legislation? No such evidence has been provided by the Home Office legislative programme over the past few months. It is not as if the Government always get it right and introduce Bills so well drafted and so carefully prepared that they glide through this House and on to the other place. The scrutiny that this House and the other place have given Bills has been central to our ability to get right what would otherwise have been severely flawed legislation. After proper scrutiny of the Regulation of Investigatory Powers Bill and the Terrorism Bill we were able to ensure that the burden of proof was clearly with the prosecution. In spite of the guillotine motion last week, after proper scrutiny in this House and in the other place we were able to get changes in the Football (Disorder) Bill. The House of Lords has voted on the timetable for further changes, and has now refused to proceed as quickly as the Government would like it to, because it wants time to scrutinise the Bill properly.

This House and the other place are insisting that we scrutinise legislation to get it right. The number of times that the Government have introduced legislation that has clearly been flawed and has had to be amended is evidence, if it were needed, that we should consider the Bill very carefully.

The Bill is about the most fundamental right of a person charged with a serious offence—to be tried by his ordinary fellow citizens. It is a right that enables the most vulnerable, the most ill educated and the most prejudiced against to feel that they have a chance to put their case fairly. We are not against magistrates; we are not suggesting that they do not do a good job. We are saying that juries do a better job. We want all our citizens to have the right to let juries decide.

If the Government are determined, against what they said in their manifesto, against all the indications, and against all the principles on which some of us thought the Labour party had come to office, to railroad the Bill through, against the evidence, against public opinion, against the advice of the House of Lords and against the view of many Labour Members, they must allow the House of Commons adequate time to stand up for the rights of the citizen.

I ask all hon. Members, especially Labour Members, who were elected to oppose such legislation, to give the Government the sharpest warning possible. The Government should await the Auld committee's recommendations, like the rest of us, so that we have some evidence and up-to-date opinion, and do not legislate in haste. It is perfectly reasonable to review the law, but we should ensure that if we consider changing it, we do so having listened to the voices and taken a free vote of the representatives, not a dragooned vote imposed by the Government against the clock.

This is a scandalous guillotine motion, and in our view, this is a scandalous Bill. I hope that the Government do not get it through the other place, even if they get it through this House. That would serve them right, and the public would, mercifully, be spared this bad legislation from—at least on this issue—an extremely illiberal, authoritarian and oppressive Government.

7.13 pm

Mr. Robert Marshall-Andrews (Medway): My right hon. Friend the Home Secretary spent a considerable part of his speech—over half an hour—dealing with the views of the former Lord Chief Justice, and the comments that he had made about those views on Second Reading. He plainly thought that that was meat for a guillotine debate, and so do I. The views of the former Lord Chief Justice and the other senior judiciary are critical to this issue because they will sway Members of the House.

On Second Reading, at the beginning of the debate, my right hon. Friend said:

> Today, it—

not a single Member of the House had the slightest doubt that when my right hon. Friend said "it" he meant the Bill—

> enjoys the active endorsement of the Lord Chief Justice, Lord Bingham, and of the vast majority of the High Court Bench of nearly 100 senior judges.

We never debated that assertion, because we accepted it implicitly from the Home Secretary. Had there been reason to doubt it, that debate would have been very different. If there is now reason to doubt that assertion, this debate should be very different. We now need to spend time considering, challenging and analysing that statement. My right hon. Friend obviously thought that it was right to spend such a long time on it and to deal with what I had said about it, and I agree with him.

I know that you will bear with me, Mr. Deputy Speaker, if I deal with the assertion that was made about the views of the Lord Chief Justice. It gives me no pleasure to say that there is not the slightest doubt that the Home Secretary's statement on Second Reading, either wilfully or otherwise, misled the House. There is not the slightest doubt that the Lord Chief Justice did not give—

Mr. Deputy Speaker: Order. The hon. and learned Gentleman must be careful with the words he uses.

He cannot suggest, directly or indirectly, that the Home Secretary has misled the House. I should be grateful if he would rephrase his comments.

Mr. Marshall-Andrews: My right hon. Friend's statement was manifestly inaccurate. I shall spend a moment explaining how that came about, because I took down exactly what my right hon. Friend said. He spoke at length about my views on the Bill, and he knows perfectly well that I and many of my colleagues have always been completely against it. We believe fundamentally in the right to elect jury trial for all the reasons that have been so articulately set out.

In the opinion of some, including the much-respected Lord Chief Justice, the Bill was acceptable, but only because of the recommendation of the Runciman royal commission that it should contain a reputation and livelihood clause. That matter is not peripheral, as my right hon. Friend suggested; it is central to the Bill. It is so central that on 10 March, three days after my right hon. Friend made his speech on Second Reading, Professor Michael Zander, the chief jurist on the Runciman royal commission, withdrew his support and stated publicly that the commission's support for the Bill could no longer be relied on. That shows how critical the matter was.

If Professor Zander had withdrawn his support, it seemed to me that the Lord Chief Justice may have withdrawn his support too, so I wrote to him and I asked him whether he had done so. I received a reply by return saying that he was embarrassed because he had been in correspondence with the Home Secretary and he did not wish to breach confidence. He said that he would waive any confidence in that correspondence if I wrote to the Home Secretary, which I did on 4 July.

Between 4 July and Friday of last week I heard precisely nothing from the Home Office. I had asked for details of that correspondence, and in particular of the views of the Lord Chief Justice that had been so glowingly endorsed by my right hon. Friend. On Thursday of last week, when we learned that the Bill was to be sprung out, I got in touch with my right hon. Friend's private office asking as a matter of urgency that I receive a reply. I got it by fax yesterday.

I confess that I was surprised by the fact that the correspondence revealed that the Lord Chief Justice had written to my right hon. Friend on 22 February, two weeks before the debate on Second Reading. I shall quote a little from that letter—it is very short. It said:

> Thank you very much for your letter of 21 February.

That letter had been entirely about the withdrawal of the safeguard of reputation and livelihood.

The Lord Chief Justice continued:

> But your conclusion . . . causes me concern.

He went on to deal with the Bill, and, at the end of the next paragraph of his letter, said:

> I think there are dangers in excluding consideration of anything which is relevant in the given case.

He then gave two examples of actual cases in which injustice would plainly result, and went on to say—

Mr. Deputy Speaker: Order. I know that the hon. and learned Gentleman is responding in part to earlier remarks by the Home Secretary, and I have therefore given him a little leeway, but he must direct his comments towards the allocation of time motion.

Mr. Marshall-Andrews: I entirely accept that, Mr. Deputy Speaker, but I think that if you bear with me for a moment you will see why I raise the matter. There is very little more of the letter, and when I have finished quoting from it I shall end my speech.

The Lord Chief Justice wrote:

> Both men, for opposite reasons, rely on their records as a reason for seeking jury trial. Are the magistrates and the crown court judge to be obliged to ignore these points? If so, that is surely unsatisfactory.

The Lord Chief Justice added—my right hon. Friend cited this passage—

> I am uneasy at requiring decision-makers to ignore matters of which reasonable decision-makers might wish to take account.

Not a word was sent to Lord Bingham before Second Reading; but, bearing in mind what Lord Bingham had said in his letter, my right hon. Friend said at the beginning of the debate:

> Today, it enjoys the active endorsement of the Lord Chief Justice, Lord Bingham—[*Official Report*, 7 March 2000; Vol. 345, c. 886.]

That, in my respectful submission, constitutes a fairly strange construction of the words "active", "endorsement" and "enjoys".

It is plain that Lord Justice Bingham was extremely concerned about the Bill. That is what we need to debate. The concerns that he aired, from an immensely respected position, were precisely the issues that we were put off debating on Second Reading by the Home Secretary's assertion. I make no bones about it: that assertion was wrong, and because it was wrong we did not debate the issue adequately.

Many of my colleagues were moved intellectually—undoubtedly and understandably—by what they understood to be the imprimatur of the Lord Chief Justice. However, now that we know that that was wrong, we need to ventilate the matter in full, so that the House can proceed on the basis of knowing precisely what the senior judiciary are saying.

It gives me no pleasure to bring this matter before the House. I do not suggest for a moment that what happened was deliberate, and I hoped to hear my right hon. Friend say that it was an error. I am sorry to say, however, that his reply centred on the definition of the word "it", which Members may not consider entirely satisfactory.

Thank you for bearing with me, Mr. Deputy Speaker. Mine was a somewhat lengthy speech, given that this is a guillotine debate. For the reasons I have given, I urge Members to oppose the motion, so that we can engage in a proper and constructive debate on one of the most important issues that the House has debated in the new Parliament.

7.24 pm

Sir Nicholas Lyell (North-East Bedfordshire): I endorse what was said by the hon. and learned Member for Medway (Mr. Marshall-Andrews).

An amendment tabled by my right hon. Friend the Leader of the Opposition suggests that we should have eight hours for tonight's debate. If the Home Secretary agreed now to allow those eight hours—it is open to him

[Sir Nicholas Lyell]

to do so—I should be happy to say no more now, to sit down, and to allow the House to proceed with the debate on the substantive issues. However, there are important substantive issues to be discussed.

As is well known, I agree with the hon. and learned Member for Medway that the Bill is wrong in principle. That is an issue for Second Reading and Third Reading debates, which will rightly be dealt with on Third Reading tonight if we have time; but with only five hours we shall not have time for a proper debate, and I therefore hope that we shall have eight hours.

There are other important matters, even below the fundamental point of principle. That point was well put by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes). We are talking about an ancient right of the people of England and Wales, dating back specifically to 1855, but in fact dating back to the century or so after Magna Carta. As long ago as the 14th century, all serious cases were tried by jury; indeed, the penalty for not accepting trial by jury in the early years was to be crushed to death.

Jury trial is a great upholder of our liberties. It is a very important part of our democracy. We need time to convey that point—which is not widely understood—to the Chamber, and to the country at large.

Some, like Lord Bingham—whom I hold in the greatest respect—may disagree with me. They may believe that the question where a person should be tried is a judicial question, which should be decided by a court rather than by the individual citizen as of right. Even they, however, must accept that the Bill fundamentally transgresses what both the former Lord Chief Justice and the Runciman royal commission made clear was a fundamental condition—that the court deciding where a trial should be held should be able to take into account all relevant matters, and in particular the question of reputation.

Mr. Straw: The right hon. and learned Gentleman should read the details of what the royal commission said. It did not make the issue of reputation or livelihood a fundamental point of principle. Paragraph 18 of the relevant chapter refers to the issue of principle and proposes that reputation should be included, but the report continues:

> We see merit in the legislation specifically referring to the various matters (including potential loss of reputation) which the bench should take into account.

There is no suggestion that the commission saw that as a fundamental point of principle at the time. What it did see as a fundamental point of principle was the question whether the judiciary—the magistrates, according to its recommendation—rather than the defendant should determine the mode of trial.

Sir Nicholas Lyell *rose—*

Mr. Deputy Speaker: Order. Before the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell) responds, let me ask him not to be tempted to stray too wide of the mark again, and to confine his remarks to the allocation of time motion.

Sir Nicholas Lyell: It must be abundantly clear to you and to the House, Mr. Deputy Speaker, that this is a central point at issue, and that time is required to tease it out.

I have read the commission's report. With all respect to the Home Secretary, I think that when the commission says it sees merit in loss of reputation being taken into account it is using measured language—as Lord Bingham did when he said that he was not entirely enamoured of the conditional clauses in the first Bill. He said that the widest possible discretion should be given. I have tabled amendments to that effect, as have my hon. and learned Friend the Member for Harborough (Mr. Garnier) and my hon. Friend the Member for Woking (Mr. Malins). We need time to discuss those amendments, and to tease out the issues. We have also tabled amendments on other important matters.

If a person is to be tried not in the Crown court but in the magistrates court, it is essential for that trial to be as well conducted and as properly prepared as a trial in the Crown court now is.

I have great respect for magistrates, but those of us who have practised—I sit currently as a recorder and have practised as a member of the Bar in the magistrates courts and Crown courts—all know that, by and large, cases are not as carefully prepared when they come before the magistrates courts. Amendments have been tabled that we need to discuss this evening to provide that the same type of disclosure and legal representation by counsel and solicitor should be available in the magistrates court as in the Crown court.

Mr. Hogg: My right hon. and learned Friend raises precisely the point that I was going to make. It is important, if these serious trials are to take place in front of the magistrate, that there be full discovery and full pre-trial disclosure of the evidence—as there is before the Crown court—if the defendant is to get a proper trial.

Sir Nicholas Lyell: My right hon. and learned Friend emphasises that important point. It takes time to bring that out.

The Home Secretary, inadvertently no doubt, misled not only the House, but the Prime Minister. On 5 July, when the Prime Minister was asked in Prime Minister's questions if he would drop the Bill—which I would advise him to do; the wise thing is to pass the matter to Lord Justice Auld—he gave three reasons for continuing with the Bill. He prayed in aid the support of the former Lord Chief Justice and was thus led into error by the Home Secretary in exactly the same way.

The Prime Minister prayed in aid the Runciman royal commission, notwithstanding that, by that time, Professor Zander, a member of the royal commission and no doubt as fully familiar with its provisions and as fully able to interpret them as the Home Secretary, regarded the Bill to be fundamentally against what the Runciman royal commission had been prepared to recommend.

The Prime Minister made a third point that we need time to be able to tease out. He talked about the saving of money. We need time to draw to the attention of the House and of the country that that notion is bogus, or is based on something that the Government would not be prepared to avow. We need time to highlight that, in accordance with the Home Secretary's answers through the Minister of State, the hon. Member for Norwich, South (Mr. Clarke), who was on the Front Bench a moment ago, £84 million of the £120 million of supposed savings comes from shorter prison sentences. We need

time to dwell on the fact that it is to be supposed that regular thieves who transgress time and again, who are currently given sentences averaging 11 months' imprisonment in the Crown court—which is, of course, supervised by the Court of Appeal—would, in order to save money, get an average sentence of 3.6 months in the magistrates court. We need time to wonder whether that is not absurd and whether that does not run counter to practically everything for which the Home Secretary professes to stand.

Therefore, there are fundamental flaws in the Bill. If we do not have a reasonable number of hours to debate them, this proposal, which is of deep importance to every citizen and which is designed to take away a right that has stood for hundreds of years, should be voted down. I remind the House that that right was supported passionately by the Home Secretary as little as three years ago and by the present Attorney-General at the same date; they have now changed their minds for reasons that become more byzantine and intertwined by the minute.

Mr. Garnier: Just to add to the catalogue of supporters of the principle, the Prime Minister himself, as shadow Home Secretary, was a supporter of the jury system.

Sir Nicholas Lyell: I am grateful to my hon. and learned Friend. With the time and opportunity for reflection which opposition gives—I hope that that chance will soon be given again to the Prime Minister—he thought more wisely than he does today. We need a chance to think wisely about the Bill. The guillotine in wrong in principle. Eight hours would be reasonable time for debate. It should be granted now.

7.34 pm

Mr. Humfrey Malins (Woking): I begin by declaring an interest, as always in these matters. I am a practising lawyer. I am a recorder of the Crown court and, I think uniquely in the House in living memory, I am also an acting metropolitan stipendiary magistrate. I think that I have presided over and taken part in more trials than any hon. Member in living memory. I apologise for appearing bumptious, but I speak from a nuts-and-bolts position.

Over the past three years, I have had rather a lot of respect for the Home Secretary, principally because I have found him to be a Minister who treats the House of Commons seriously, who comes to the House to talk to us, who is always ready to listen and, if not to accept, certainly to take on board ideas. That respect, I am afraid, has been heavily dented because, in the past fortnight, two guillotine motions have been put before us that are absolutely shoddy. The Home Secretary should be ashamed to be associated with them.

Indeed, such is my regard for the Home Secretary that I believe that, in this case, he was not the originator of the idea and probably had to be heavily persuaded to speak in its favour. He is a man who has hitherto encouraged open and full debate about important issues, but today that is not going to happen.

I, my hon. Friends, many Labour Members and many people out there listening to the debate will be furious that our time to debate some very important issues has been viciously curtailed by the Government. Was it ever necessary to guillotine the debate? I asked the Home Secretary that in an intervention.

The amendments for debate tonight are in four groups. My amendments have been listed in each of those groups. Mine is the lead amendment in three out of four of those groups. May I modestly say that I have never filibustered in the House or in Committee? Well, perhaps I have in Committee, but never in the House. The Home Secretary was good enough to acknowledge that he did not see any thought of a filibuster from me.

Let us look at the history of the Bill. It had its Second Reading on 7 March and went into Committee on 23 May. Was there a problem in Committee? There was not. The Committee spent a total of only some eight and a half hours debating the Bill. There were reasoned contributions from my hon. Friends, many of whom are here, so there was nothing during the Committee stage that suggested that Conservative Members were going to cause any difficulty. Now, for some reason, the Bill is brought before us, a matter of hours before the summer recess starts, with a guillotine motion that requires us, in effect, to debate every amendment and Third Reading inside two hours. It simply will not do.

We know why the Home Secretary has brought the guillotine motion forward—it is because he cannot control those on his own side of the House. It is nothing to do with what would be said by those on the Conservative Benches. Those of my right hon. and hon. Friends who would have contributed to the debates on the amendments would have made fairly brief, thoughtful, important points. They would have followed what they did in Committee, and the same goes for the representative of the Liberal Democrats, but the Government found today that they could not control their own Back Benchers, who were themselves determined to talk at great length.

Mr. Hogg: Will my hon. Friend take this explanation? Perhaps the Government were not worried about not being able to control their Back Benchers—it was the fact of Labour Back Benchers in considerable numbers opposing the Bill that was embarrassing to Ministers.

Mr. Malins: My right hon. and learned Friend is right. The Government have been driven to move their guillotine motion by the very fact that so many Labour Back Benchers, who have behaved so honourably in this matter, oppose the Bill.

The former Lord Chief Justice's comments on the matter have already been mentioned. Although I have never spoken to the former Lord Chief Justice, I respect his views immensely. However, in past years, I have had the advantage of speaking to literally hundreds of those who sit in our judicial system—to magistrates across the country; to stipendiary magistrates, both in London and in the provinces; to recorders of the Crown court; and to Crown court judges, who daily administer justice. Although their views on the matter are divided, many of them share the concerns of Opposition Members. However, they would all be united in one opinion.

If I were to say to any one of those people that the House is going to spend only two hours debating all the remaining stages of the Bill, he or she would be horrified. They would not be able to understand how hon. Members can conduct our affairs so stupidly that we spend only two hours debating a Bill that affects the fundamental liberties of millions of people. The judiciary would be united on that one point.

[Mr. Malins]

The guillotine is not even necessary. Why should we guillotine these four groups of amendments? No Opposition Member would speak to any of them at great length. Are the amendments so unimportant that they deserve not even two hours of debate? Indeed, after time spent on Third Reading and perhaps on a Division halfway through our debates, we might have only minutes to debate each group of amendments.

Labour Members know as well as I do that the workings of this place are such that, in all probability, most of these amendments will not be discussed at all. They will never be discussed. Why have we even attended the debate? Some Labour Members know about the subject, as do some Opposition Members. However, we will not be able to discuss the amendments. Is anyone proud of that? I am not.

The first group of amendments deals with committals for sentence—sending people to the Crown court for sentence after we have forced them to have a magistrates court trial. Is that not an issue worthy of debate?

The second contains a vital amendment seeking to have the accused's circumstances taken into account. Is not that what the Bill is all about? Are we not going to talk about that? Does it not deserve more time?

The third group of amendments deals with certain rights for the accused after a decision is made by the magistrates court, such as the right to have the reasons for that decision recorded in the register and given to the accused in writing. Are not those important issues that affect people's daily lives?

The fourth group of amendments deals with the appeals process. It is concerned not with giving the accused the right to appeal on paper, as I understand is being proposed, but with the accused's right to be represented and heard before a judge. Does anyone think that that is not worthy of discussion? Does anyone really think that we do ourselves justice by devoting only two hours of our time to debating issues of such importance?

There are other issues. However, no one will have a chance to address the disclosure of documents. Who will have the chance to talk about the costs—the so-called savings—of the Bill? Who will have a chance to discuss the views of the ethnic minorities, who have something to say about jury trial? We sit here simply waiting—waiting perhaps to vote.

In my view, this is a travesty of a parliamentary proceeding. This is not what I was elected for. I come to today's debates with some knowledge of the subject, and yet—for the second time in a fortnight—I may not be able to contribute. I could have contributed also to our debates on the Football (Disorder) Bill, and I am sure that other hon. Members could have contributed even more. Although I lack knowledge on many subjects, Labour Members and Opposition Members may well possess that knowledge. Let them have a chance to speak, rather than simply to go through the Lobby.

Here we are—we have let ourselves down again. We are facing a guillotine motion from an autocratic Government who do not seem to want to listen to Members of this House. Members of the public who regard the right to jury trial as one of most important rights, whether they are for it or against it, will look at us today and say, "Two hours to discuss all that? You should be ashamed of yourselves." We should be.

7.45 pm

Mr. Edward Leigh (Gainsborough): It is a great honour to follow my hon. Friend the Member for Woking (Mr. Malins). I feel that I can do no more than to adopt what he has said, because he speaks from such great personal experience. I should like, however, to make another point.

I am not necessarily opposed to timetabling Bills, which I think can be quite good if it is done by consensus. I should certainly not like it if, in any future reform, the Government were made solely responsible for timetabling Bills. I should like the Government to present their programme to Parliament, for both Whips Offices to make representations, and then for the Speaker and the Speaker's Deputies to determine the timetable. I think that that would be the fair way to go about it. Nevertheless, I am not necessarily opposed to timetabling.

I am also not necessarily opposed to guillotines. The Home Secretary was quite right to say that, since the passage of the government of Ireland legislation at the end of the 19th century, all Governments have been faced with determined Opposition tactics to delay Bills dealing with matters of high principle. As we all know, delay is the only weapon available to Oppositions. All Oppositions—including the previous, Labour Opposition, and the current Opposition—have resorted to perfectly legitimate time-wasting activities because that is the only weapon available to us. There is nothing wrong with using that weapon. Equally, however, as we all realise, the Government have to have their way, even if we are debating a very complex and long Bill and the Opposition are determined to go on talking. There is no argument about that.

Today, however, we are talking about a very different type of Bill. This is a rather strange Bill. Although it deals with a matter of high principle, it is not very technical, and it addresses an issue that we can all understand. It is very easy to understand the Bill's basic concept: whether those who are accused of dishonesty—or other offences, but primarily dishonesty—should have an absolute right to be tried by a jury of their peers. We are talking primarily about people of good character who are accused of crimes such as shoplifting. We are perhaps talking about a case involving a middle-aged housewife who has shoplifted and now faces a devastating moment in her life. The concept is quite easy to grasp and probably does not require tremendous time for debate.

Nevertheless, although the concept is simple enough, it is also very ancient. Last night, on a point of order, I said that the concept was seven centuries old, but I was wrong—it is more than eight centuries old. After a bit more research, I have found that the concept of trial by jury dates back to Henry II, and that it was given impetus by the fact that, in November 1215, the then Pope abolished trial by ordeal. People feel very strongly about that ancient right, and they want to talk about it. They do not want to talk about it at inordinate length—they simply want to have their say and to have their day in court. That is quite reasonable.

Interestingly, in 1275, jury trial was given another impetus by a form of torture called peine forte et dure, whereby people were placed between two planks with increasingly heavy weights placed on top of them.

Mr. Deputy Speaker: Order. The hon. Gentleman's comments are extremely interesting, but I am not sure that they relate to the allocation of time motion. Could he return to that?

Mr. Leigh: I was about to say that that form of torture was rather like a guillotine motion, but we will leave that on one side.

Although the Bill deals with a matter of huge importance, we could have dealt with it fairly. Reference has been made to the famous Committee stage. My hon. Friend the Member for Woking could not be a member of that Committee, but my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) and I were the Conservative Back Benchers on it. We had some good debates. The whole thing was finished in eight hours. There has never been any question that we tried to delay matters unduly. Following what happened in that Committee, there was surely never any question that we would come here tonight to filibuster, time waste and the rest of it.

There is an honest difference of opinion in the House on the matter. Some take a principled stance and are opposed to any limitation of trial by jury. One can understand their view. The hon. and learned Member for Medway (Mr. Marshall-Andrews) is a distinguished proponent of that view. Others like myself take a different view and would be prepared to accept some limitation on the right to trial by jury, but want the reputation of the accused to be taken into account.

My hon. Friend the Member for Woking went through the four groups of amendments. The first group is important. It deals with an issue that is perhaps of particular importance to lawyers—committal for sentence. We could debate it for an hour or so. One can see quickly that, once we had debated that group for an hour or an hour and a half, it is possible that on the crucial second set of amendments—on matters to be considered by the court when determining mode of trial—there would be no prospect of voting. There may not even be time to have a serious debate.

I keep hearing comments from a sedentary position that we could have had five hours of debate on the amendments if we had not spoken on the guillotine motion. I hope that the hon. Member for High Peak (Mr. Levitt) will forgive me if I say that that is rather an arrogant attitude. After all, if the Government introduce a guillotine motion on a measure to abolish a right that has been around since 1215, it is not unreasonable that a few Members of Parliament should debate it.

Mr. Garnier: Is not the word that links the debate, our objections to the guillotine, the substance of the Bill and the view taken by my hon. Friend, many Opposition Members and the hon. and learned Member for Medway (Mr. Marshall-Andrews) the simple word "justice"?

Mr. Leigh: Yes, justice. That was put eloquently by my hon. Friend the Member for Woking when he went through the groups of amendments and asked whether we were doing justice to ourselves or to Parliament.

We have had a perfectly satisfactory guillotine debate. No one has sought to spin things out. We are coming to a conclusion now. There is just one more Back Bencher to speak. We have had a perfectly serious debate, but how long will we have to debate the issues? What is so sad is that if the Government had not introduced the guillotine motion and we had started the debate two hours ago, we could have disposed of the four groups of amendments in about five hours. So what on earth are we playing at? It is not for me to defend the Government's reputation, but they would not have had egg on their face. No one would have gone to the other place and said that there was not adequate time to debate the amendments. We would have had a perfectly serious debate.

The Committee is supposed to be the place where one filibusters. Many amendments can be tabled and we have great freedom to manoeuvre. Apparently, we want to delay the Bill, but we delayed it for only eight hours in Committee. So what are the Government playing at? Why on earth have they introduced this timetable motion? That is absolutely germane to the debate.

The only conclusion that one can come away with is that the Government do not want to have a vote on the second group of amendments, which deal with the key issue. I remind the House what that key issue is. Many of us believe that the present system is being abused. I give credit to the Home Secretary. Many sensible people ask why an old lag with 20 convictions who is accused, as my hon. Friend the Member for Woking said in a conversation with me, of stealing a bottle of whisky from the local store should be allowed to waste the time of the Crown court. The public often come up with that point. Many people sympathise with what the Home Secretary is doing.

However, many people want to debate the issue back and forth. They say that in the case of the old lag, denial of the right to trial by jury is fair enough, but if the archetypal housewife of previous good character is accused of taking something out of the local store, it is a devastating moment in her life so her reputation should be taken into account. I remind the House that the Bill is explicit. It says in new section 19(2)(b) in clause 1 that the court can take account of

> any of the circumstances of the offence (but not of the accused).

That is the most important issue, and we will not even have a vote on it. That is what people outside will find so extraordinary.

Let us suppose that a person of good character who has never done anything wrong walks out of a supermarket in a moment of absent-mindedness carrying something. They are accused of shoplifting and their character is on the line, and yet the House of Commons has never voted on the key issue of whether that person's reputation should be taken into account, or even properly debated it. Is that not extraordinary? The House of Commons is supposed to be the guardian of our civil liberties. It is just not good enough.

Why are the Government so determined to prevent a vote? What would it matter if there was a vote? What would it matter if the Opposition voted for the amendments tabled by my hon. Friend the Member for Woking after a debate of an hour and a half? What would it matter if 10 or 15 Labour Members voted against the Government? Would it bring the Government down? Of course not, but we would have had a proper debate and Parliament would have done its duty. The duty of Parliament is to scrutinise the Government and we are not doing that tonight. That is a shame.

7.57 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): It is a great pleasure to follow my hon. Friends the Members for Gainsborough (Mr. Leigh) and for Woking (Mr. Malins) and the hon. and learned Member for Medway (Mr. Marshall-Andrews), with whom I shared chambers for many years. The way in which they and other hon. Members have approached the debate surely confounds the arguments of those who have asserted that the timetable motion is necessary to prevent time wasting, prolixity or unreasonable frustration of the Bill. They have approached the matter in a serious and considered manner, and I believe that that would have been typical of the debate had we proceeded immediately.

One point that came out strongly from the speech of the hon. and learned Member for Medway is that many Labour Members voted for the Bill on Second Reading on a misunderstanding as to fact. That misunderstanding was about the opinion of the then Lord Chief Justice. That fact alone is an argument against the timetable motion because it is important that Labour Members who voted for the Bill on Second Reading on a misunderstanding should be aware of the nature of that misunderstanding, should have time to reflect on it and should have time to talk to Ministers. The way in which the Bill is being hurried through Report stage tonight means that they will not be able to do that.

My next point is one that I have made on previous timetable motions. It is regrettable that this should be the fourth timetable debate in as many weeks. The passage of legislation depends for its legitimacy on consideration of the detailed measures in this place. Let us remind ourselves that the Report stage of a Bill is the first occasion when the House as a whole considers what my hon. Friend the Member for Woking described as the nuts and bolts of a Bill. We cannot do that in Committee because, understandably, the membership of the Committee is constrained; nor can we do so on Second Reading because the House is concerned about the broad principles of a Bill.

The Report stage is the moment in legislation when the House as a whole has the opportunity to address specific issues. A timetable motion, such as this one, prevents the House from doing that. If the House is prevented from doing its business, the legitimacy that attaches to any legislation that comes from the House is undermined.

On a similar point, you will recall, Mr. Deputy Speaker, the intervention made by the hon. Member for Newport, West (Mr. Flynn). I am sorry that the hon. Gentleman is not in the Chamber because I am about to say something complimentary. What he was doing—albeit on the timetable motion, although I am sure that he would have wanted, and perhaps will try, to do the same thing either on Report or on Third Reading—is to articulate, within the context of the broader debate, particular constituency anxieties or policy issues. For example, he holds a particular view on drug taking. I do not share his view, but it is important that the House should so construct its legislative processes as to enable such views to be articulated. The effect of the timetable motion, however, is to preclude him from doing so and I deeply regret that.

My hon. Friend the Member for Gainsborough talked about the importance of the second group of amendments. I agree entirely with the substance of his remarks. He said that it is greatly to be regretted that we are unlikely to vote on that group. He is probably right and I share his view. However, the vote is not the most important part of the process. The vote is a foregone conclusion in this House today. What is important is the weight and balance of the argument and how many hon. Members express their anxiety about particular parts of the Bill.

It is essential to keep in mind the fact that 18 Labour Back Benchers have put their names to the reasoned amendment against Third Reading. In an ideal world, those hon. Members would be able to express their views as to the reasons they tabled that amendment, because the weight and diversity of opinion is relevant to the question of whether the Bill should make progress. Furthermore, it is extremely relevant to what their lordships' House will want to make of the Bill when it reaches them.

Is there a need for the motion? The argument for there being no need has been eloquently deployed by, for example, the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) and my hon. Friend the Member for Woking. No one has been filibustering the Bill. There were weeks during which this stage of the Bill could have been dealt with and the House could have discussed it at our leisure. As my hon. Friend the Member for Gainsborough pointed out, if we had made a clear start at 4 o'clock or half past 4, we would have finished by 10 or 11 o'clock at the latest.

If there is any doubt on that point, the House should bear in mind that we can move closures. There are only four groups of amendments, and the practice—although it is not universal—is to allow closure after two hours of debate.

Mr. Richard Shepherd (Aldridge-Brownhills): Three hours.

Mr. Hogg: It varies a bit. In any event, we would have got through the business. There is no need for the motion.

I have two further points of substance. First, there is the question of Members who represent Scottish constituencies. I urge Labour Members not to approve a timetable motion when they will want such Members to go with them into the Lobby. The Bill applies only to England and Wales. What is the propriety of Members who represent Scottish constituencies, who will not be affected by the Bill, voting to guillotine a motion that Members representing English and Welsh constituencies want to debate? Some people would call that a scandal; I do call it a scandal.

Secondly, I hear hon. Members muttering, "Why are you debating the timetable motion and not getting straight to the substantive motion?" That way liberty falls. If it be true that a timetable motion truncates a debate in an improper way—which is my view—then we must say so. If we do not, we will be said to have acquiesced in the process. It will become yet another precedent on which the Government will rely.

The motion is an abuse and it is my duty to say so. The fact that this debate takes time from the substantive motion is part of the blackmail that the Government want to exert on us. It is wrong in principle. At the end of the 1970s, my right hon. and noble Friend, my father, Lord Hailsham, wrote an important article in which he referred to the elective dictatorship. In all seriousness, I tell the House that he was right. Not only was he right then—he is right now. A Government with a massive majority can

do whatever they please—unless their own Back Benchers tell them, "Enough is enough." The hon. and learned Member for Medway has struck out boldly and rightly. I commend him for what he did tonight. I very much hope that at least some of those with whom he sits will follow his example.

8.6 pm

Mr. Peter Brooke (Cities of London and Westminster): It is a privilege to follow my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg). On 9 March 1943, I paid my first visit to this Palace and my late, noble father, Lord Brooke, introduced me to Lord Hailsham, the noble father of my right hon. and learned Friend. Ever since, I have been aware of the role of the Hogg family in matters such as we are discussing.

I speak both in anger and in sorrow. I am not a lawyer. I declare that my brother is a lawyer and a senior judge, but I have not discussed the Bill with him. I also declare that I have been a friend of the noble Lord Bingham of Cornhill for nearly half a century. I have not discussed the Bill, in any of its manifestations or in any way, with the noble Lord.

Because I am not a lawyer, I can rely only on my instincts as a citizen. In the previous Parliament, I rebuked one of my right hon. Friends for seeking to end the life of a great hospital after 900 years, by way of a written answer and without direct report to the House. I have the same instinctive unease about the consideration of a right, which the citizens of this country have enjoyed for seven or eight centuries, being drastically amended under a guillotine of five hours of debate during the remaining stages of the Bill. Of course, I acknowledge that the Government have problems with their business programme. The deputy Leader of the House is sitting on the Treasury Bench and can confirm that.

I see almost all life through a filter of cricket. In cricket, the benefit of the doubt is a salient principle, but the right to the benefit of the doubt as regards the Government's programme is necessarily less convincing when two and a half months elapsed between Second Reading and Committee, and even less persuasive when a further seven weeks passed between Committee and the remaining stages. The salience of the business programme as the basis for the benefit of doubt has also been eroded by the substance of the detail revealed in the correspondence that, at a late date, the Government shared with the House.

I said that I spoke in sorrow as well as in anger. I am not privy to the byzantine—indeed Florentine—memorandums that flow between members of the Administration, so I do not know how the decision was made not to announce this guillotine at business questions last Thursday. I am a perennial attender at business questions and have, on other occasions, made clear my respect and my admiration for the Leader of the House. I do not know whether she was aware last Thursday of the Government's tactical intentions in this regard. I recognise the importance of surprise as a military tactic.

However, I regret that the Leader of the House did not come to the Dispatch Box last night in the context of this guillotine. It was not that she was not about this place; I recall passing her in the corridor around about the time of the Government's business motion. She will have to live down her silence last night in her continuing quest for the House's respect. But the fact that she did not march towards the sound of gunfire in fact increased my unease about these matters, and I support with calmness, but with quiet passion, the opposition of my right hon. and hon. Friends to this timetable motion.

8.10 pm

Mr. Richard Shepherd (Aldridge-Brownhills): I believe that, along with my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke), I am the only person present on the Conservative Benches who is not a lawyer. The Home Secretary should quake at the thought that the lawyers are on the march in the House and are contributing to this debate.

To my constituents, this is one of the few issues that comes before the House that they actually understand. Much of our legislative process is beyond the ken of most of us—indeed, most Members of the House—but this central issue runs through our society, as a beacon, revealing Britain, and particularly England, to be a country of liberty. We do not dispose of these matters lightly and, as my hon. Friend the Member for Woking (Mr. Malins) said so eloquently, does not each one of us want to express our views on the question of reputation? For many of us in the House, and certainly for those whom I represent, the question of reputation is central to their very standing and sense of themselves; and that that may be disposed of without reference to or the ability to argue that in front of a jury of their fellow citizens is something that cannot be passed away lightly.

I am grateful to the Home Secretary. I believe that he does attend on the House probably more than any other Minister—I make the observation that that reflects the fact that this is the 12th Home Office Bill that has come before the House this Session. When the right hon. Gentleman stood to justify this guillotine—*[Interruption.]*—he justified it by reference to past Administrations. He said that the motion was no more than that which had been passed by other Administrations. I believe that he cited the Administration of my right hon. Friend the Member for Huntingdon (Mr. Major), in which 17 Bills were guillotined. I just point out that that was over seven years. It is true that Baroness Thatcher guillotined 34 Bills, but that was over more than 11 years.

The record of the present Government is that if the House passes this guillotine motion, this new Labour Executive will have had 38 Bills guillotined. It is on a scale that the House has never seen. It is more than a third of all Bills guillotined since 1945. It is unconscionable, and it represents the only tactic that the present Executive have in controlling the House. It is an instrument—with a vast majority—for ensuring that the House is obedient, because we can no longer express truths that we were sent here to express or have the perception that we were elected here to represent our fellows.

The whole focus of debate in the House must be, surely, to try to turn the opinions of others; to try, by reason, to reach out to them. We make our case, we lose it, but when a huge majority asserts that we may not even make our case, as my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) said, where is the legitimacy? Let us be clear, because the matter goes back a long time: a parliamentary majority is not just X divided by two plus one. It is the process—we say this

[Mr. Richard Shepherd]

again and again—by which those in a minority may express, contrary to the view of the majority, that which they hold true; and the coming into effect of the majority's judgment has legitimacy because the majority has exercised the tolerance of allowing people to speak freely.

This motion cuts right to the heart of the very function of the House. It is shaming for a Government with such a huge majority to wheel out such a motion 38 times in order to assert that others may not speak in the House. It is wrong; and that is why the Government should not only be ashamed, but should be hanging their head.

We know what is behind some of this. The muddle of the legislative programme has now become so intense that even the constitution unit at University college has pointed out that something is going wrong at the heart of Government and its own Committees when—as I said, this is the 12th Home Office Bill in one parliamentary Session—there is no constraint on the amount of legislation brought before the House. There have been 2,500-plus pages in this one parliamentary Session. How does one get through the business without silencing Members so that they may not speak on it? It is pathetic legislation that is passed in this way. A guillotine is an instrument of control of the Executive to the disregard of due process and the legitimacy that they seek for the legislative purposes that they believe are essential to good government. We have a right in this House, on behalf of those that sent us here, to express our concern at this process.

I give praise to the hon. and learned Member for Medway (Mr. Marshall-Andrews), on the Government's own Back Bench, who raises the banner—because that, in truth, is the question of conscience—and says, "This process is inappropriate." I do not doubt that the Home Secretary himself feels that as well.

We should reject this guillotine motion. I am bemused that Governments constantly table guillotine motions when there has been orderly, rational, intelligent debate, with no endeavour to filibuster—which used to be the traditional reason, when it became intolerable, why Governments, as a very last resort, sought to impose a guillotine. The Government now stand up and say, "All opposition without the time scale that we set is intolerable, and therefore we shall exert our control over the House, through our majority, to deny others the freedom of speech that is the purpose of the House."

Mr. Marshall-Andrews: On a point of order, Mr. Deputy Speaker. I apologise to you, and to the hon. Member for Aldridge-Brownhills (Mr. Shepherd), for that very vulgar intervention earlier.

Mr. Deputy Speaker: I understand. The House will have heard the interruption; I am not sure that hon. Members identified whence it came, but I am grateful to the hon. Gentleman for his apology.

8.18 pm

Mr. James Clappison (Hertsmere): It is a very great pleasure to follow the speech of my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), as indeed it is a pleasure to follow the speeches of other right hon. and hon. Friends who spoke, including my hon. Friends the Members for Gainsborough (Mr. Leigh) and for Woking (Mr. Malins), my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) and my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke).

I follow particularly my hon. Friend the Member for Aldridge-Brownhills in the remarks that he made about the guillotine procedure; I want to say a few words about that before I turn to the reasons why this legislation should have more time than it has been allocated under the motion.

Until I heard the reasons that the Home Secretary gave this evening, it was my belief that a guillotine was something that was applied for by Governments in extreme circumstances, when there was evidence that a particular piece of legislation was being resisted, and in order that the Government should get their way—which, as my hon. Friend conceded, is right, but after proper debate. However, having heard the reasons that were advanced by the Home Secretary this evening, it seems clear to me that the ground rules are being continually changed in this process, and always in favour of the Government's limiting debate to the utmost possible.

It would seem that, using the criteria that the Home Secretary gave this evening for applying this guillotine, any piece of legislation could be guillotined. The Home Secretary, in his opening remarks, gave as a reason for the guillotine the fact that the Bill had not been debated for very long—for long enough—in Committee.

The last time I was in the Chamber when the Home Secretary moved a motion to justify a guillotine was on the Bill that became the Immigration and Asylum Act 1999. Then, according to my recollection, he gave as the reason for applying a guillotine the fact that the Bill had been debated for too long in Committee—not that that was a matter of complaint at the time the Bill was actually being debated in Committee, because the Home Secretary put a written answer in *Hansard* shortly afterwards, saying how constructive and helpful debate in Committee had been. None the less, and in short order, he imposed a guillotine on the Bill.

The Home Secretary referred to other Bills. However, as we have heard, there is no evidence that this Bill has been the subject of untoward debate or anything approaching it during its progress through the House. As my right hon. Friend the Member for Cities of London and Westminster pointed out, there was a gap of about two months between Second Reading and Committee. The Bill came out of Committee on 6 June and there have been any number of occasions since then—at least four to my knowledge—when the House has risen early in the evening and it would have been possible to debate the Bill. However, the Government made no move to debate the Bill on any of those occasions, or to interpose the Bill in their programme at any other time to give it proper consideration.

I was here, for instance, on the evening of 26 June when we debated the Crown Prosecution Service Inspectorate Bill. My hon. and learned Friend the Member for Harborough (Mr. Garnier) was present on that occasion and both sides of the House agreed that it was a short and straightforward measure. It even had the benefit of the in-depth scrutiny of my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) but, even after that scrutiny, the House rose at 5.58 pm. That

debate took place a reasonable time after the Bill had left Committee and—if one can use the phrase—it was the normal time for such a Bill to have its Report stage. However, the Government decided not to debate this Bill on that day or at any other time since then. The biggest obstacle to its progress has been the Government's dilatoriness in providing time to debate it. There is no evidence that obstacles have been created during the House's deliberations on this Bill.

The Home Secretary's justification for the motion is not satisfactory. It will open the door to the guillotining of every Bill. However, there are three reasons why we particularly need more time to debate this Bill than the Government are prepared to give it. First, this is piece of criminal justice legislation and the House has traditionally taken the view that issues affecting the liberty of the subject and criminal justice should be tackled in a particular way. I served on the proceedings on the Crime and Disorder Act 1998 and of the Criminal Justice and Public Order Act 1994 and I recall how those Bills were often debated in a non-partisan fashion in Committee and on the Floor of the House. Members such as my hon. Friend the Member for Woking brought the benefit of their technical expertise to bear.

This Bill is a departure from the previous approach to criminal justice Bills. Figures on the number of Bills that have been guillotined under this Government and in the previous Parliament have been bandied about and it is a fair point to say that some Bills were guillotined in the previous Parliament—but not so many as in this Parliament. Furthermore, I do not remember a criminal justice Bill being guillotined in the previous Parliament, the first Parliament in which I served. If I am wrong, the Home Secretary will correct me. However, I believe that this is a new experience.

It has been pointed out in the debate why the Home Secretary and the House should take particular care with the technical aspects of this Bill. It will be a great shame if we do not reach the second group of amendments and debate whether someone's reputation should be taken into account when determining whether he has the right to elect for trial by jury. That is an important issue in itself.

I also believe that the Bill's drafting means that its purpose is likely to be self-defeating. The Government and the Prime Minister said that one of the reasons for introducing it was a desire to reduce abuses of the system by experienced defendants. However, it seems from the Bill that experienced defendants who have been before the courts before will be most likely in practice to be able to elect for trial by jury.

The Bill says that magistrates must take into account the circumstances of the offence and not the reputation of the offender. It is thus likely that magistrates will consider the most serious offences to have the most pressing call to be dealt with in the Crown court in a trial by jury. It is a fact of life that experienced criminals commit the most serious offences. Therefore, in practice, experienced defendants who know the system and who commit the most serious offences will appear before the magistrates courts and gain the benefit of the provisions in the Bill.

As has been ably pointed out by my hon. Friends the Members for Woking and for Gainsborough, the person who is most likely to lose out under the Bill is the man of previous good character—or nearly good character—who commits a lesser offence but for whom the allegation is important and likely seriously to affect his reputation in the future. The allegation could affect his reputation at work and in the neighbourhood, the reputation of his family, and his own self-esteem. It could possibly have consequences for the rest of his life.

Mr. Gerald Bermingham (St. Helens, South): I apologise for intervening, because I have only recently come into the debate. However, as there is a wide variation in sentencing between different Crown court centres, will the hon. Gentleman tell us how on earth we will achieve, under this ridiculous new system, uniformity of appeal procedures as between Crown court centres?

Mr. Clappison: The hon. Gentleman makes a reasonable point. He will be as disappointed as I am to see that the appeals process will be considered in the fourth group of amendments—the group least likely to be debated. I know that the Home Secretary sets particular store by the appeals process, so it is a shame that we will not have an opportunity to test in debate his arguments for that process. Many people in the legal profession, including the hon. Gentleman, are worried about the complexity of the process and the time that it will cause to be lost in the courts system, delaying cases with all the expense and inconvenience that will result. That is another issue that we shall not have sufficient time to debate.

The position of the man in the street in respect of the appeals process are issues that should be debated at length. I should have declared my interest as a member of the Bar at the beginning of my speech, but as I said on Second Reading, I feel strongly about the position of the man in the street. He will not face the serious allegations that will entitle him to a trial by jury, but may face allegations that may matter to him a great deal. He will not be able to turn up at the magistrates court with expensive solicitors and expensive counsel—I mean no disrespect to anyone present—with the impression that they would create. There will be interest in the cases of business men, famous people and celebrities and they will turn up at the magistrates court with their expensive counsel, who will be armed with all the legal arguments. Under the proposed system, such people will have the right to elect for trial by jury in a Crown court if they want it. The ordinary man in the street will not have that opportunity; he will lose out. I hope that I have made that point clearly, because I feel strongly about it.

The second reason for having more time to debate the Bill is its history in the House of Lords. The reasons for curtailing the debate sit uneasily with what the Government have said about the House of Lords. It has been partially reformed because the Government have got rid of some, if not all, of the hereditary element. The Government believe that that gives the House of Lords a more legitimate voice and they have also conceded that the other place's purpose, as a second Chamber, is to give this House an opportunity to think again about particular pieces of legislation.

This Bill came before the House of Lords and was defeated there. It was withdrawn and then reintroduced in this House—albeit with amendments. However, if debate on Report—the first opportunity that Members who were not on the Committee have to debate amendments to the Bill—is curtailed to just five hours, what does that say about our system of government and the way the

[Mr. Clappison]

Government think about the constitution? It looks as if they are prepared to railroad the Bill through, whatever the House of Lords, this House or anyone else thinks.

I now come to my third reason for thinking that the Government need to give the Bill more time. It is for the Government themselves to justify the course that they are taking on trial by jury. Today, the Home Secretary sought to justify the Government's course by referring to the views of the former Lord Chief Justice. I do not want to go into that any further, but the Home Secretary owes the House and the hon. and learned Member for Medway (Mr. Marshall-Andrews) an explanation—indeed more of an explanation than we have heard so far. I shall not pursue that, but want to deal with the other great support that the Government prayed in aid, namely, the views of the royal commission which the Prime Minister, as well as the Home Secretary, said were among the main reasons for introducing the Bill.

At Question Time on 5 July, the Prime Minister said:

> The mode of trial legislation was recommended by a royal commission, it is supported by the Lord Chief Justice, it will hugely increase the efficiency of the criminal justice system.—[*Official Report*, 5 July 2000; Vol. 353, c. 330.]

The Prime Minister therefore gave three reasons for supporting the Bill. We have already heard about the views of the former Lord Chief Justice, but I shall deal with the other two reasons. It is very well for the Home Secretary—and the Prime Minister on an earlier occasion—to have prayed in aid the views of the royal commission, and it was right for the royal commission to express its views—although, as we have heard, an eminent member, Mr. Zander, has since departed. However, what did the Prime Minister and the Labour party itself say about the views of the royal commission when its report came out? We will require a little more time to debate that, and would like an explanation of the view expressed by the then shadow Home Secretary to *The Guardian*, *The Times* and *The Daily Telegraph*, in 1993. An article in *The Guardian* stated:

> "It is totally unsatisfactory to leave the decision on the right to a jury trial to magistrates," Mr Blair said. "Fundamental rights to justice cannot be driven by administrative convenience."

So when he was shadow Home Secretary, the Prime Minister reacted in that way to the royal commission, which he is now praying in aid for the Bill. However, in those remarks, he clearly disposes of two of the principal arguments that are being made now—namely, the questions of whether it is a matter of principle that people should elect trial by jury, and of whether that is the best way of speeding up the court system. The Home Secretary owes it to the House to say a little more about why the Prime Minister expressed those views at the time.

The Home Secretary also owes it to the House to say a little more about the views that he expressed at the time of the Narey review, which he prayed in aid as another support for the Bill. He will remember that, in February 1997, when the Narey commission reported, he said that the proposal to cut down the right to jury trial, which is what the Bill amounts to, was

> wrong . . . short-sighted, and likely to prove ineffective.

He also said:

> If a police officer, a Member of Parliament or even a Secretary of State were charged with an offence of dishonesty, would they not insist on being tried by a jury? If that is the case, why should others be denied that right of election?—[*Official Report*, 27 February 1997; Vol. 238, c. 433-34.]

The Home Secretary should spend a little time explaining what has changed since then.

The change is not that there will be a right of appeal under the Bill, as that was part of the Narey review. Indeed, in 1997, the Home Secretary made his remarks on the basis that there was a right of appeal in the legislation that he was discussing. The Home Secretary is shaking his head, but my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), who has taken a consistent line throughout, said quite clearly that there might need to be a right of appeal. Indeed, if the Home Secretary looks at col. 430 of *Hansard* for 27 February 1997, he will find that a right of appeal was mentioned.

What has made this difference to the Home Secretary's view? What circumstance has changed, and what has the Home Secretary become aware of now that he was not aware of in 1997? We need some time to debate that, and I hope that the Home Secretary will shortly have the opportunity to do that, as he owes it to the House to say a little more about why the Government are taking that course on a fundamental civil liberty. The Government need time to do that: to deal with the arguments of the hon. and learned Member for Medway and the question of reputation; and to explain the history of the Bill and the reason it has been brought to the House in a particular way. Frankly, time is needed if the Home Secretary is to try and save the Government's reputation on civil liberties.

I am a reader of *The Guardian*, and, as it said, civil liberty is this Government's poor relation; indeed, it is being trampled underfoot at great speed without sufficient justification. Government Members need to do more than harrumph, as they did a moment ago, and they must come up with better and more cogent reasons than they have so far.

A noticeable feature of our debate is that not a single speaker on either side of the house, whether from the Liberal Democrat party, the official Opposition or the Government Back Benches, has sought to support the course that the Government are taking in the Bill. The Government need to do much better in seeking to defend the Bill because, so far, they do not have a leg to stand on. They look as if they are prepared to use their majority just to drive through a damaging piece of legislation that will affect the civil liberties of the ordinary man in the street. They could not care less about parliamentary procedure, the views of the House, or anybody outside it.

8.36 pm

Mr. Nick Hawkins (Surrey Heath): This has been one of the best debates that I have heard in my eight years in this House, although I except from that description the Home Secretary's opening speech. He began by trying to justify at great length his Second Reading speech, and to deal with the fact that the researches of the hon. and learned Member for Medway (Mr. Marshall-Andrews) on the former Lord Chief Justice have blown his gaff. The Home Secretary's speech was convoluted, disingenuous and wrong.

In other speeches, including that of my hon. Friend the Member for Gainsborough (Mr. Leigh), we heard something of the history of trial by jury, and the fact that it goes back to mediaeval times. The House will recall that in mediaeval times, theologians used to debate the

idea of angels dancing on the head of a pin, which was rather like the sophistry that we have heard from the Home Secretary tonight. As my hon. Friend the Member for Hertsmere (Mr. Clappison) made clear in his thoughtful speech, the real opposition is to be found behind the Home Secretary, on the Government Benches. My hon. Friend was quite right to draw attention to the fact that not a single Government Back Bencher could be found to speak in support of the timetable motion or the guillotine procedure. The two speeches from Government Back Benchers both attacked the Home Secretary, as has every other Member who has spoken.

My hon. and learned Friend the Member for Harborough (Mr. Garnier) dismantled comprehensively the Home Secretary's specious arguments on this Session's first Criminal Justice (Mode of Trial) Bill, which the Home Secretary sought to pretend had been stopped in this House, even though he, like everyone else, knows that the Government chose to introduce it in another place, where it was stopped in its tracks, as this Bill will be when it gets there. My hon. and learned Friend pointed out that the Home Secretary was wrong in what he said about the Disqualifications Bill, which has not been proceeded with as a result of the Government's decisions in another place, and he dismantled comprehensively the Home Secretary's arguments about the Football (Disorder) Bill. The points that the Home Secretary sought to make were all specious.

The first attack on the guillotine motion came from the hon. Member for Newport, West (Mr. Flynn). Ingeniously, he attacked the Government for failing to provide enough time in this debate to consider the role of juries that fail to convict when the facts of the case might support a conviction. I often disagree with the hon. Member on his underlying arguments, but I agree with his criticism of the Government on the timetable motion. In a powerful speech, the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) pointed out that at the election the proposals were opposed, both specifically and in general terms, by the present Home Secretary and Prime Minister, as well as by everybody else in the Labour party. The Home Secretary himself set out his strong personal opposition, in the terms of which my hon. Friend the Member for Hertsmere has just reminded the House.

The hon. Member for Southwark, North and Bermondsey used the cogent argument that, both with the ill-fated Criminal Justice (Mode of Trial) Bill *[Lords]* and the present Bill, the Government chose all the procedural stages that they went through. They could have given time for proper debate at any of those stages, including tonight.

The hon. Gentleman rightly pointed out that the then Labour Opposition included their opposition to these proposals in their 1997 general election manifesto. The right hon. Member for Cardiff, South and Penarth (Mr. Michael) tried, quite wrongly, to deny his collective responsibility; he was on the Opposition Front Bench in the run-up to that election, but one would not have thought so from his intervention on the hon. Member for Southwark, North and Bermondsey.

The hon. Gentleman then pointed out the lack of a need for urgency with these proposals. The Government have set up the review by Lord Justice Auld to consider possible changes to criminal procedure, so as the hon. Gentleman said, why not wait? He made a series of unanswerable points, including the most crucial point of all, which so many of my right hon. and hon. Friends have reinforced—the fact that trial by jury is a fundamental civil right for all citizens.

The hon. and learned Member for Medway is one of the most distinguished members of the Bar whom I have ever had the privilege to hear, and he was a member of the same circuit as myself—I declare my past interest as somebody who conducted many jury trials in my early years at the Bar. The hon. and learned Gentleman spoke in particular on the views of the former Lord Chief Justice and the senior judiciary. If I may so put it, he comprehensively disembowelled the Home Secretary's utterly contemptible attempt to reinterpret his own remarks to the House so as to avoid the hook on which the hon. and learned Gentleman and *The Guardian* have impaled him for his terminological inexactitude on Second Reading.

My right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) set out why the Bill needs proper time, and why we need time to point out all the misconceived reasons behind the Government's change of heart. The Home Secretary, the Attorney-General and the Prime Minister took up their offices and immediately rejected all their previous strongly held views on the issue.

My hon. Friend the Member for Woking (Mr. Malins), as usual, made a powerful speech—one of the most powerful that the House has heard this evening. He pointed out how the Home Secretary had severely damaged his reputation with this guillotine. My hon. Friend's experience of the Committee proceedings on the Bill enabled him to point out how wrong the guillotine is. He said that, as we know, the real reason for it lies on the Government side of the House, and the reasoned amendment signed by so many of the Home Secretary's colleagues demonstrates that beyond peradventure. My hon. Friend also made it clear how horrified the judiciary would be by this curtailment of debate, and that factor is crucial.

My hon. Friend asked the relevant question: why are Members of Parliament here? He anticipated the remarks of my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) about an elective dictatorship, and I feel strongly that that is the correct way to describe the Government's arrogant behaviour. The timetable motion is a paradigm showing what the Government regard with contempt: the House, parliamentary traditions and English civil liberties. My hon. Friend the Member for Woking went on to stress how increasingly authoritarian the Government are, and he was right to do so.

My hon. Friend the Member for Gainsborough put forward his own interesting approach to timetabling issues. He set out his experience of the sensible Committee proceedings on the Bill, and the historical perspective that we need to have. In response to the intervention from my hon. and learned Friend the Member for Harborough, my hon. Friend the Member for Gainsborough made clear the need for simple justice. He described the problems that the Government will have in another place because of the timetable motion and their attitude to the Bill—they now have egg on their face.

My right hon. and learned Friend the Member for Sleaford and North Hykeham concentrated on the fact that the Government's guillotine is denying Labour Members

[Mr. Nick Hawkins]

the opportunity to ask questions about today's revelations concerning the true position of the former Lord Chief Justice and the inexactitude of the Home Secretary's speech on Second Reading. My right hon. and learned Friend also pointed out the need for analysis of the nuts and bolts issues on Report—the first time that the House can perform that analysis. He stressed the crucial need for our debates, rather than our votes, to inform another place, and the need to debate arbitrary guillotines rather than falling prey to Government blackmail.

My right hon. and learned Friend concluded by referring to his father, the right hon. and noble Lord Hailsham, the former Lord Chancellor, and his important article on the dangers of elective dictatorship.

My right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) used a happy cricketing analogy, with which I agree, about the need for the benefit of the doubt, but he rightly expressed concern about the byzantine and Florentine memorandums that pass between Ministers. He pointed out the unease about the failure of the Leader of the House to come to the Dispatch Box last night to attempt to justify this outrageous last-minute guillotine.

My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), who spoke as powerfully as he always does, is an admirable guardian of the traditions of the House and the real liberties of the subject. He talked about the need for proper debate, and the need to allow a case to be made. He pointed out that it is shaming for the Government, with their huge majority, to have wheeled out a guillotine 38 times in only a fraction over three years. He said that they were guilty of disregard for due process. My hon. Friend the Member for Hertsmere, whose speech I have already referred to, also set out many of the problems that he has with what the Government are doing.

If any jury had sat in judgment on this Government and the Home Secretary's guillotine proposals, and had to decide whether the Government were guilty of intolerance, of arbitrariness, of arrogance, of contempt for the House, of stifling debate and opposition and, above all, of being wrong, it would decide that they were guilty as charged on every count. I urge all right hon. and hon. Members on both sides of the House to vote against the Government and support our amendment.

8.46 pm

Mr. Straw: With permission, Mr. Deputy Speaker, I will respond to the debate. The last remarks of the hon. Member for Surrey Heath (Mr. Hawkins) show that he has a flawed understanding of the jury system. He thinks that there should be a guilty as charged system, whereby the prosecution brings in the verdict. We look forward to the further development of that idea.

The hon. Member for Hertsmere (Mr. Clappison) made some hyperbolic remarks about the Government's subscription to civil liberties. I remind him that the Government have introduced two measures that will make a huge difference to civil liberties—measures that the Governments whom he supported failed to introduce. The first is the Race Relations (Amendment) Bill, which I hope will shortly become law, and the second is the Human Rights Act 1998, which is already law and is due to come into force on 2 October. That shows that the balance of our approach is to strengthen the civil liberties of the individual and at the same time to seek to ensure that the criminal justice system, while continuing to be just, is more efficient and effective than it has been in the past. Although I had to leave the Chamber very briefly, I understand that the hon. Member for Gainsborough (Mr. Leigh) said that he accepted that the present system was being abused—and that is the truth of it.

I come to the central point raised by the right hon. Member for Cities of London and Westminster (Mr. Brooke) and the hon. Members for Woking (Mr. Malins) and for Aldridge-Brownhills (Mr. Shepherd)—that the guillotine motion is somehow an abuse of process. I have already said that I do not like guillotine motions. It is palpable that I have always sought to ensure that debate proceeds properly.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) cannot have it both ways. It is the job of this House and of the other place to dispose of the legislative proposals that are before them. I do not think that there has ever been a piece of legislation that has not been improved as a result of the legislative process; that is the job of this House. Given that, the hon. Gentleman cannot complain about the fact that the Bill has finally emerged in an improved form. Of course that is always the case; that is exactly as it should be. It would surely be an arrogant Government, whatever their majority, who sought to render the role of this House entirely nugatory by never being willing to listen to proposals to improve legislation. Making such proposals is the role of this House.

I return to the issue of guillotines. I served on the Opposition Front Bench in one capacity or another for sixteen and a half years—

Mr. Hogg: Not long enough.

Mr. Straw: My father was not in the other place at the same time.

During the 1980s there were many occasions on which I took part, with the same hyperbolic anger, in debates on guillotines—

Mr. Stephen Day (Cheadle): Not as regularly.

Mr. Straw: If the hon. Gentleman looks at the chart, he will see that in the 1988–89 Session, for example, there were 13 guillotine motions—including, I say to the hon. Member for Hertsmere, three in respect of criminal justice: one was the Official Secrets Bill. At that stage, our tactic in opposition was to string things out as far as possible. Gradually, we learned, and in the 1990s there was a high degree of co-operation between Opposition and Government, which I thought was to the advantage of both Houses.

The truth of what has happened—it is on the record—is that it is currently virtually impossible to achieve agreement with the Opposition about any progress on any Bill. On one issue after another, even when they support the Bill, they cannot deliver their own side to vote for a sensible programme. It is for that reason, in sorrow not in anger, that we have tabled the motion.

Question put, That the amendment be made:—

The House divided: Ayes 170, Noes 311.

Division No. 289] **[8.51 pm**

AYES

Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clifton–Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Ewing, Mrs Margaret
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Mackinlay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Alasdair *(Galloway)*
Nicholls, Patrick
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paterson, Owen
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Rt Hon John D *(Strangford)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Stephen Day and
Mr. Peter Atkinson.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corston, Jean
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzsimons, Mrs Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen

Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Home Robertson, John
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Clive Betts and
Mr. Jim Dowd.

Question accordingly negatived.

Main Question put:—

The House divided: Ayes 306, Noes 180.

Division No. 290] **[9.3 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corston, Jean
Crausby, David
Cummings, John

Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzsimons, Mrs Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Home Robertson, John
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
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Stringer, Graham
Sutcliffe, Gerry
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Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Clive Betts and
Mr. Jim Dowd.

NOES

Abbott, Ms Diane
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clifton–Brown, Geoffrey
Collins, Tim
Corbyn, Jeremy
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel

Ewing, Mrs Margaret
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Fisher, Mark
Flight, Howard
Flynn, Paul
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Hopkins, Kelvin
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McDonnell, John
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Marshall-Andrews, Robert
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Alasdair *(Galloway)*
Moss, Malcolm
Nicholls, Patrick
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Opik, Lembit
Ottaway, Richard
Paterson, Owen
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sedgemore, Brian
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Skinner, Dennis
Spelman, Mrs. Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Rt Hon John D *(Strangford)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Sir Robert Smith and
Mr. Stephen Day.

Question accordingly agreed to.

Resolved,

That the following provisions shall apply to the remaining proceedings on the Criminal Justice (Mode of Trial) (No. 2) Bill—

TIMETABLE

1. Proceedings on Consideration and Third Reading of the Criminal Justice (Mode of Trial) (No. 2) Bill shall be completed at today's sitting and shall, if not previously concluded, be brought to a conclusion five hours after the commencement of proceedings on this Motion.

QUESTIONS TO BE PUT

2.—(1) This paragraph applies for the purpose of bringing proceedings on the Bill to a conclusion in accordance with paragraph 1.

(2) The Speaker shall put forthwith the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

(3) On a Motion made for a new Clause or Schedule, the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(4) If two or more Questions would otherwise fall to be put under sub-paragraph (2)(c) on amendments moved or Motions made by a Minister of the Crown, the Speaker shall instead put a single Question in relation to those amendments or Motions.

MISCELLANEOUS

3. Standing Order No. 15(1) (Exempted business) shall apply at today's sitting to proceedings to which this Order applies.

4. Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

5. No Motion shall be made to alter the order in which proceedings on the Bill are taken or to recommit the Bill.

6. No dilatory Motion shall be made in relation to the Bill except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

7.—(1) This paragraph applies if—

(a) a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) has been stood over to Seven o'clock; and

(b) proceedings on this Motion have begun before then.

(2) The bringing to a conclusion of any proceedings which, under this Order, are to be brought to a conclusion after that time, shall be postponed for a period equal to the duration of the proceedings on the Motion for the Adjournment of the House.

8. Standing Order No. 82 (Business Committee) shall not apply to the Bill.

SUPPLEMENTAL ORDERS

9. The proceedings on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall, if not previously concluded, be brought to a conclusion one hour after they have been commenced; and Standing Order No. 15(1) (Exempted business) shall apply to those proceedings.

10. If at today's sitting the House is adjourned, or the sitting is suspended, before the expiry of the period at the end of which any proceedings are to be brought to a conclusion under this Order, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

Orders of the Day

Criminal Justice (Mode of Trial) (No. 2) Bill

Not amended in the Standing Committee, considered, pursuant to Order [this day].

New Clause 3

COMMITTAL FOR SENTENCE

'. The following shall be inserted after subsection (1) of section 38 of the Magistrates' Courts Act 1980 (committal for sentence on summary trial of offence triable either way)—

"(1A) Provided that where the court has previously decided under section 20 above that an offence ought to be tried summarily it shall not then use its powers under this section in respect of the same offence.".'.—*[Mr. Kidney.]*

Brought up, and read the First time.

9.15 pm

Mr. David Kidney (Stafford): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss amendment No. 12, in clause 1, page 2, line 5, at end insert—

'( ) The court shall not, in the event of a conviction, be permitted to commit the accused to the Crown Court for sentence.'.

Mr. Kidney: I call new clause 3 the Scottish amendment. In current Scots law, a class of case exists whereby the accused can be denied a trial by jury through the decision of the prosecutor, not the court. The quid pro quo is that the accused knows that, if convicted and sentenced, the maximum sentence cannot exceed three months' imprisonment. There is therefore a cap, about which the accused, the court and the prosecutor—who determines the court that will deal with the trial—know in advance.

The Bill takes a step towards the Scottish system, but does not go the full distance. It proposes that magistrates should make the decision about whether the accused can be tried by jury or whether he will have to be tried in the magistrates court. However, it does not change the law that provides that the magistrates, after convicting, could send the accused to the Crown court to receive a longer sentence than that which the magistrates can impose—a maximum of six months for one case. The new clause attempts to create a closer relationship between decisions made in England and Wales and those made in Scotland about trial and sentencing occurring in the same place.

I declare an interest because I am a former solicitor with 20 years' experience in criminal cases. However, I do not currently practise and I have no interest in criminal law other than that of a legislator and citizen. I fall into the category of hon. Members whom my right hon. Friend the Home Secretary described earlier as those who are opposed in principle to the Bill. In fact, I object to the entire Bill, but, in tabling the new clause, I resort to a minor principle of honesty in sentencing. I am supported in that by an editorial in *The Times* on 25 February. In considering the second Bill, not the original measure, it referred to the danger of people being forced to be tried in the magistrates court against their wishes and being sent to the Crown court for sentencing. The editorial states:

> It remains unfair for a person to risk a long sentence without benefit of a full trial.

In making the change to the law, my right hon. Friend the Home Secretary enjoys the support of most of the police. I have a briefing from the Police Superintendents Association of England and Wales, which was issued in April. I presume that other hon. Members also have a copy. It states that we should all support the Home Secretary's endeavours to "cut the wastage" in the criminal justice system. I am not sure whether the Home Secretary and Home Office Ministers believe that a jury trial constitutes "wastage" in the system. However, my right hon. Friend might agree with the following claim by the association:

> In further restricting the right of some defendants to elect trial he will go a long way to removing the abuse of the system that many criminals, and some in the legal profession, perpetrate daily in our courts.

I could stomach such prejudice if abuses such as overcharging the accused, dropping cases and reducing charges at the last minute were also mentioned. Nevertheless, I refer to that briefing because, at the end, it states:

> As we see in other jurisdictions, such as Scotland, injustice will not ensue from the removal of the right to elect trial for what amount to relatively minor crimes.

In that briefing, the police also rely on the Scottish system as being an exemplar of how the system in England and Wales should be.

I would argue that, as a matter of principle, the trial court should deal with the sentence in most cases. The rationale for giving defendants in either-way cases a right to elect is that, if they are at risk of receiving a sentence that is higher than the magistrates can impose, they should at least be given the opportunity to choose to be tried in the Crown court. It is one thing for a defendant, who has voluntarily waived his or her right to jury trial, having been warned of possible consequences, to be committed on conviction to the Crown court to receive a more severe sentence, but if that right is removed the logic should be to limit the power of the magistrates to commit those whom they convict of either-way offences to the Crown court for sentence.

My right hon. Friend the Home Secretary and other Home Office Ministers might say that the difference is that they are not going the whole hog on the Scottish system, where the procurator fiscal decides whether there should be a trial by jury. The procurator fiscal has access to the accused person's previous convictions, whereas under the Bill, as we shall hear at great length later tonight when the relevant amendments are debated, magistrates courts will not have access to previous convictions when taking decisions about the place for the trial.

My worry is that, in England and Wales, those accused who are denied the right to trial in Crown court will have no guarantee that they will not up end in the Crown court and receive a longer sentence than the magistrates could have imposed. As well as undermining much of the Government's projected cost saving, that is bound to result in justifiable feelings of unfairness among the defendants concerned, given that the magistrates will have told them that their cases are not deserving enough to be tried in the Crown court, but that they are still serious enough to require being sentenced there.

[Mr. Kidney]

The Home Office has conducted various research. One of its research projects suggests that most people who elect to be tried in the Crown court have many similar characteristics to those whom the magistrates send to the Crown court for a sentence beyond their powers. For example, 90 per cent. of those who elect to be tried in the Crown court have previous convictions. Therefore, it is easy to suggest that, if magistrates determine the place of trial in future, they might decide to commit many more people to the Crown court for sentence after conviction than the Home Office currently estimates will happen.

Mr. Edward Garnier (Harborough): It is very easy to be misled by statistics, especially those provided by the Government. The figure for those appearing before the Crown court with the records that the hon. Gentleman describes relates to all defendants in all trials. It relates not only to those who elect trial by jury, but to those who have no choice in the matter who are sent to the Crown court either by the magistrates on committal or because the matter for which they are being tried must go before the Crown court. I am sure that the hon. Gentleman would not wish to take at face value the statistics provided by the Government on that matter.

Mr. Kidney: I entirely accept that point. In so far as the hon and learned Gentleman suggests that perhaps more than a tenth of those who elect trial by jury are people of previous good character, that only goes to support another of my objections to the Bill: people should be entitled to choose trial by jury for what I regard as serious offences.

If people are committed to the Crown court for sentence by the magistrates, who have taken upon themselves the right to conduct the trial, because they decide at the end of the trial that the person should receive a greater sentence than they are capable of imposing, that will mean that one of the Home Office estimated cost savings will be lost. After all, the biggest factor in the cost savings is that people will receive shorter sentences of imprisonment from the magistrates court rather than the Crown court. If magistrates do not pass sentence and send people to the Crown court for longer sentences, that cost saving will not arise.

I am fortified in that view by a briefing from the Association of Magisterial Officers, which many of us received back in April. The association describes itself as the trade union of magistrates courts staff, so when I picked up the briefing I thought that it would favour the Government's proposal to give more work to magistrates courts and improve the reputation and prestige of its members. However, the association opposes the Bill and says that although the Government claim that it will achieve cost savings, such savings are illusory. If magistrates have to try people who wanted to be tried in the Crown court, they will send more cases to the Crown court for sentencing.

Mr. Nick Hawkins (Surrey Heath): The hon. Gentleman rightly referred to the important briefing from the Association of Magisterial Officers, but he did not say that that association is particularly important because it represents a large majority of legal staff who work in magistrates courts, up to and including those employed as the deputy justice's clerk. The Government, if they are to be believed, give the impression that everyone involved with magistrates courts supports the Bill, but, as the hon. Gentleman has made clear, senior staff such as those clerks strongly oppose it. Does he agree that that represents a serious criticism?

Mr. Kidney: Yes. Almost three quarters of magistrates courts staff are claimed to be members of the association, so it represents a significant body of opinion. Practitioners who might have had an interest in the Bill becoming law oppose it in principle. That is compelling evidence.

The Legal Action Group opposes the "clear unfairness" of allowing magistrates to deny trial by jury and commit people to the Crown court for sentence. The new clause would prevent that. If the Bill is a matter of principle for the Government, that principle ought to be that the court that hears the trial should hand out the sentence. If the Government argue that delay is the problem and that they are solving it, surely interposing a procedure whereby a magistrate would send a defendant to the Crown court for sentence would cause delay, not remove it. If their argument rests on cost, I argue that committals for sentence would cause extra cost in themselves because of the practicalities and because sentences dished out in the Crown court would be longer than those given by the magistrates court. For all those reasons, I ask hon. Members to support the new clause.

Mr. Humfrey Malins (Woking): I shall speak briefly to support amendment No. 12, which I have tabled and which would achieve much the same as the new clause moved by the hon. Member for Stafford (Mr. Kidney). We are concerned about committing to the Crown court for sentence people who have been forced to accept trial in the magistrates court. A number of members of the judiciary and law practitioners think that it would terribly unfair to say to a defendant, "We've forced you to be tried in this court, but we reserve the right to send you to the Crown court for sentence." At present, the magistrates court tells a person charged with an either-way offence such as a theft that the offence can be tried there or in the Crown court and that he can opt for either venue. However, if the defendant consents to be tried in the magistrates court and is convicted and the magistrate then discovers that he has a string of previous convictions, the court reserves the right to send him to the Crown court for sentence. So far, so good—defendants know what is going on.

What troubles me is that, under the Bill, the court may say to the defendant, "We have considered the nature of the case and the circumstances of the offence, and we believe that the punishment that we have the power to impose for the offence is adequate, and we have come to the conclusion that you must be tried here." "Okay," says the defendant, "if that is what you say." It is a little incongruous to say at the end of a case, if the person is convicted, "Sorry about that. We're going to send you to the Crown court."

9.30 pm

Mr. Robert Marshall-Andrews (Medway): Does not that underline the practical absurdity of magistrates not being able to take previous convictions and character into account when deciding whether someone should be sent to the Crown court? May I ask the hon. Gentleman to

reflect on a particular example? Suppose that the defence for someone charged with possession of drugs who has previous convictions for drugs offences is that the drugs were planted because he had refused to be a police informer. That is a perfectly ordinary case. He says that he wants to go to the Crown court, but he cannot tell the magistrates that he has previous convictions. The magistrates refuse him and he is tried in the magistrates court. When the magistrates find out about his previous convictions, they say that they wish they had sent the chap to the Crown court because he is going there anyway. Does not that illustrate the absolute absurdity of the present state of affairs, and the fact that the Bill will cause enormous delay and immense expense?

Mr. Malins: I do not think that anyone in the House could have illustrated the absurdity of the situation better than the hon. and learned Gentleman, whose record is very distinguished. He has hit upon a very good point. It seems slightly odd to me that that can be expected to happen. It also seems slightly unfair, and I should be grateful if the Government would reconsider that possibility.

Mr. Garnier: I support the thrust of new clause 3, which was so sensibly introduced by the hon. Member for Stafford (Mr. Kidney), and the amendment tabled by my hon. Friend the Member for Woking (Mr. Malins). Their concerns are abundantly sensible and, I suggest, not capable of contradiction. As my hon. Friend the Member for Woking said, they were brilliantly reinforced by the example given by the hon. and learned Member for Medway (Mr. Marshall-Andrews).

One of the further reasons why the new clause and the amendment deserve consideration is that on Second Reading the Home Secretary relied on the Scottish example to justify not allowing the criminal defendant the right of election. He said:

> Scotland is, rightly, held out to be a nation with a more effective criminal justice system than ours. There, the decision on mode of trial has never rested with the defendant, but is made by the prosecutor.—[*Official Report*, 7 March 2000; Vol. 345, c. 886.]

He said that that offered a complete response to the question that he was endeavouring to answer. He made use of that example by relying on a false premise.

In Scotland, the prosecutor chooses the venue, but the sheriff who tries the summary case is the equivalent of a stipendiary magistrate or a circuit judge in this jurisdiction, not a bench of lay magistrates. Moreover, the maximum sentence available on summary trial in Scotland is three months, not six, and unlike in this country, the summary court has no power to commit a convicted defendant to a higher court for a more severe sentence if it feels that its powers are insufficient.

On Second Reading, the Home Secretary was trying to persuade the House of Commons that the Scottish example was of some value to us in our deliberations on the Bill. For the reasons that have been outlined by the hon. Member for Stafford in his new clause, and those outlined by my hon. Friend the Member for Woking, the Home Secretary's arguments are without merit. I invite the House to pay considerable attention to what the hon. Gentleman and my hon. Friend have just said.

Mr. Simon Hughes (Southwark, North and Bermondsey): I apologise to the hon. Member for Stafford (Mr. Kidney) for arriving slightly late. I heard the end of his speech and all that of the hon. Member for Woking (Mr. Malins), and I understand the argument.

I support in general—because it is logical—the proposition that people should know in advance the potential consequences for them of a certain plea, but I want to make a point that is slightly different from those that have been made so far. If ever there was an argument for not legislating now, it is evidenced by this debate.

We should consider the terms of reference for the Auld committee. A review is in progress: Lord Justice Auld is going around the country collecting evidence. He is also going abroad and looking at other jurisdictions, and considering the Scottish experience. He has asked some profound questions, which relate to issues such as this but which also go wider. He asks, for example, whether there should be only one form of court. Should the magistrates court and the Crown court be merged to avoid the committal process? Should there be two types of judge, a full-time professional judge and a part-time lay judge? Should the work be divided between them, but in the same court?

Should there be different rules about who might be on a jury? Many of us are disqualified from jury service. Is the way in which we form juries correct, or ought we to review the methods of selection in order to include people who may currently be excluded? Some say that juries are currently very unbalanced, because many "professional" people submit the equivalent of sick notes, with the result that juries do not represent the true balance of the community as we would wish them to.

Should there be more stipendiary magistrates, or more lay magistrates? We could have an important debate about that. Which would command more confidence among the electorate, and the public as a whole? Which would cost more?

Mr. Deputy Speaker: Order. May I invite the hon. Member to home in on the new clause? He is buzzing around it rather too much.

Mr. Hughes: I am trying not to do that, Mr. Deputy Speaker. I am trying to make the point that the question whether a limit should be placed on the sentencing power of the lower court is one of a set of interrelated questions that ought to be considered together. We could say, "Yes, this is logical in itself", but many earlier questions should be answered before we answer the question posed by the hon. Member for Stafford.

I shall be interested to hear the Government's reply, but I would be far more interested to hear that an up-to-date objective assessment will be available to us by December this year. Lord Justice Auld has said that he expects to report in December, that he is on time, and that he expects to have the evidence. It would be good for the parties to have an opportunity, in the run-up to the general election, to decide how to respond. We could each submit our views in our manifestos; we could have considered internal party debates, and could go to the electorate with our views.

We could have a real debate about the best criminal justice system. That debate might include a view about whether the sentencing power of the lower court—assuming that the two-tier court structure is retained—should accord with the Scottish system. In Scotland,

[Mr. Hughes]

once someone knows that he will be dealt with in the lower court—whether he has chosen that, or has been told that it will happen—he knows that the tariff cannot be changed, that the possible sentence cannot be upped, and that there is no risk of a complete change in the balance of prejudice or disadvantage.

Finally, let me make a practical point. Like others, I speak from experience. As anyone who has been in court will know, an important consideration for defendants is what the potential sentence will be. That consideration is bound to influence a plea. People sometimes plead guilty although they are not guilty, for all sorts of reasons. If they think the sentence will be limited, they may feel that the risk is worth taking.

It should be borne in mind that taking away a right will also take away a power, and may disadvantage a person further. My colleagues and I are unhappy about taking away that right: we have already argued our case. We will not support the Bill on Third Reading, however it may have been amended, because we think that the process has been dealt with in the wrong way. However, both the hon. Member for Stafford and the hon. and learned Member for Harborough (Mr. Garnier) ask perfectly proper questions. This should be one of a series of interconnected considerations, on which we should reach a comprehensive and serious view.

The Minister of State, Home Office (Mr. Charles Clarke): My hon. Friend the Member for Stafford (Mr. Kidney), with whom I have served on the Select Committee on the Treasury, has a strong and genuine view, which he has held throughout. I pay tribute to the integrity with which he consistently makes his case. I think I am right in saying—he will correct me if I am wrong—that his fundamental objection is to the approach taken throughout the Bill as a whole and that, even if the new clause were accepted, that would not change his view about the matter as a whole.

Mr. Kidney *indicated assent.*

Mr. Clarke: My hon. Friend confirms that that is his view. *[Interruption.]* The Whips suggest that I was trying to bargain, but there was no doing business there. However, joking aside, I appreciate his confirming that. I am glad that he has made the position clear.

I will deal with my hon. Friend's points in reverse order. On the illusory savings point, I addressed that at great length in Committee. The Government rest their case on the Bill being a modernisation of the criminal justice system, which is justified in its own terms. We are required under the law of the land to set out our estimate of the savings. We must set out in a memorandum our estimate of the savings, which we have done honestly and directly, but the Bill does not rest on the accuracy of those assumptions or, indeed, on the fact of there being savings at all.

It is possible that the assumptions that we have made will not, in practice, turn out to be exactly as we predict. That is entirely understandable, but that does not, in our view, change the case for or against the Bill in any respect, because it is about modernisation of the criminal justice system.

My hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews) raised points about the reputation issue, which, if he permits me, I shall deal with in the discussion on the next group of amendments—which addresses that point directly—rather than reiterate my points now.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) advances the argument for delaying all this—again, we discussed the matter in Committee at some length—to wait for Auld, as it were. I accept that there is a perfectly coherent argument for that, although I do not accept—I have not accepted it with any process of commission change, inquiry or review of any part of the Government's work—that that inquiry or review, whatever form it takes, should prevent reform as we go forward; in this case, it takes the form of the Auld inquiry. There is a case for looking at it in the way he suggests, but I do not accept that case. I do not think that it is right.

Mr. Simon Hughes: Can the Minister explain why the Government commissioned a senior Lord Justice to conduct an inquiry, specifically asking him to address that question, if, in the meantime and since he was asked to do it, they have been determined to legislate when they have not had any answer? I do not understand the logic. They did not do it on fox hunting—they set up a commission, got the inquiry and then announced how they were going to proceed.

Mr. Clarke: The terms of reference of the Auld inquiry go far wider than simply the mode of trial issue. By the way, the first mode of trial Bill was presented before Mr. Justice Auld was appointed. We embarked on that course of action because we thought that the reform was justified in its own terms. As I say, there is a perfectly respectable argument that says that we should not do anything about any of these things until Auld reports, but I do not accept that argument and nor do the Government.

Mr. Garnier: The point I wish to make follows on from what from the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) said. Let us assume that the Bill becomes law, but that, none the less, Sir Robin Auld in his inquiry reaches a completely different conclusion about the value of the jury. What will the Government do then?

Mr. Clarke: We will look at all Sir Robin Auld's recommendations. I do not think the issue is about a verdict on the value of the jury. There is no issue about the value of the jury. I was going to address a point made by my hon. Friend the Member for Stafford on the matter. I do not share the view that jury trial is wasteful, in the wording of the briefing from which my hon. Friend read. I do not think that is a correct way to look at it. I do think that aspects of the way the criminal justice system works are inefficient and ineffective, and it is reasonable to look at that from a wide range of points of view. That is what the Bill is about, but the word "wasteful"—I agree with my hon. Friend—is wrong.

In the same way, I do not think that anything we do in the Bill prevents us from looking carefully at precisely what Sir Robin Auld recommends when he comes to do so, but the core point was raised by my hon. Friend when

he described the measure as the Scottish amendment. He talks of the trade-off between the sentencing powers and the prosecutor taking the decision.

Much was made by the hon. and learned Member for Harborough (Mr. Garnier) about what my right hon. Friend the Home Secretary said about the Scottish example. The point of that example is that in the Scottish system—a completely different system, as is acknowledged by all parties in the debate—the prosecutor takes the decision as to the mode of trial. We are not proposing that. That is simply not the proposal in the Bill and before the House. We propose that a magistrates court—a magistrate—takes that decision, not that the prosecutor takes it, so the trade in the proposal is simply not appropriate to this situation.

The example that my hon. and learned Friend the Member for Medway gave, and to which the hon. and learned Member for Harborough referred, was just that—an example. The defence's ability to choose in these circumstances is not absolute.

9.45 pm

The fact is that this group of amendments would remove the ability of the magistrates court to commit a case to the Crown court for sentence if there has been a mode of trial hearing. It has long been a feature of our criminal justice system in England and Wales that the magistrates have a power to commit a case for sentence if the circumstances of the offence suggest that the punishment that the court would have to impose following a conviction would be inadequate. We believe that there is nothing inherently unfair with that procedure, as a defendant will generally be committed to the higher court for sentence only because his previous criminal record has aggravated the offence. Our estimate is that, as a result of the Bill, about 8 per cent. of formally electing cases will be committed to the Crown court for sentence.

Mr. Kidney: I cannot forbear from saying that the practice of magistrates committing for sentence after the trial is as long-standing as the accused's right to choose trial in the Crown court rather than the magistrates court. However, that is by the bye. My hon. Friend said that the Scottish system was different because, in that system, it is the prosecutor who takes away the accused's right of jury trial, whereas, in the Bill, it will be the magistrates who do it. However, the principle of the two systems is the same, as the accused will not have a choice in either. What difference does it make if the prosecutor rather than the court makes the decision?

Mr. Clarke: I think that there is a qualitative difference—perhaps my hon. Friend does not share this view—between the decision on mode of trial being made by the prosecutor and the decision being made by a court with a right of appeal to the Crown court. I do not think that the two processes are the same thing at all. I think that the decisions are quite different in character and in approach, and that, therefore, there is no comparison between them. As I said, the Scottish system has an entirely different history and set of circumstances, and it deals with the matter in that way. I think that there is a difference in approach that should be reflected quite directly in our system.

Our critics have suggested that there will be many more cases in which defendants are committed for sentence because so many who opt for that route have lengthy criminal careers. However, it does not automatically follow that defendants have to go to the Crown court for sentence just because they have a long criminal record. We believe that magistrates are able to deal with most defendants' previous records without committing them for sentence. Nevertheless, the power to commit for sentence is an important safeguard. It ensures that the courts can impose an appropriate punishment in cases that unexpectedly turn out during the trial to be more serious than was anticipated, or in cases in which a defendant's previous conviction has seriously aggravated the offence.

Mr. Simon Hughes: Before the Government presented their proposals, did they consider the Scottish option of the prosecutor making the choice? Did they also consider the option of limiting the right to commit cases to the Crown court? Did Ministers evaluate those options, and can they present any evidence to support their conclusions?

Mr. Clarke: There was very full consideration of those issues. My hon. and learned Friend the Member for Medway has already mentioned the royal commission and all the processes surrounding it. I have to confess, however, that I do not think that very full consideration was given to the idea of going straight to the prosecutor, as the hon. Gentleman suggests, simply because most people in this country would think that that is a proposal too far. Therefore, although the option was on the agenda for discussion, I would not say that it was considered very fully. I think that most hon. Members and most members of the public would not think that using the prosecutor in that way is the right way to proceed.

Mr. Marshall-Andrews: With respect to my hon. Friend, I wonder whether he will deal with the central point. How can it be right that a magistrates court can take upon itself the responsibility to try a case, knowing nothing of the defendant's previous convictions, but then abnegate responsibility for sentencing that person when they do? Does he not understand from his experience that the two cannot be divorced and that the nature of the defendant's background impinges on the trial? What my hon. Friend is asking magistrates to do is not only wrong but impossible.

Mr. Clarke: I understand that. It is a powerful argument for the reputation clauses in the first Criminal Justice (Mode of Trial) Bill that was considered by the other place. It was a case against which he, along with many others, argued. Indeed, he argued against the whole Bill, as he is entitled to do. There is a case for bringing in reputation. It is one that the Government were prepared to consider directly, but many hon. Members, including my hon. Friend, argued that we should not do so.

I have attempted to deal with the arguments that have been made. I hope that my hon. Friend the Member for Stafford will consider withdrawing his new clause. If he decides not to do so, I will urge my colleagues to vote against it.

Mr. Kidney: I am grateful for, but not thrilled by, the support that I have received from Opposition Members. I am especially grateful for all that the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) said because it accords with my view that the Bill is wrong

[Mr. Kidney]

in principle, that the Lord Justice Auld review ought to consider all the matters together and that we should not take this one out of context now.

As the hon. Gentleman was not here when I spoke, I should just mention that in its briefing the Association of Magisterial Officers set out a number of practical changes in the procedures of the magistrates and Crown courts which would go a long way to meeting the Government's objections to the state of affairs in those courts.

My hon. Friend the Minister found me out very early. I would be against the Bill even if he accepted the new clause. It would be a self-indulgence to insist on a vote when other important issues remain to be debated tonight; so with the leave of the House, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

DETERMINATION OF MODE OF TRIAL

Mr. Malins: I beg to move amendment No. 5, in page 1, line 12, at end insert—

'(aa) any written representations from the victim;'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 15, in page 1, line 13, leave out paragraph (b) and insert—

'(b) all the circumstances of the offence and of the accused including his antecedents if any; and'.

No. 6, in page 1, line 13, leave out—

'(but not of the accused)'

and insert "and of the accused".

No. 9, in page 1, line 17, leave out "paragraph (b)" and insert—

'paragraphs (a), (b) and (d)'.

No. 8, in page 1, line 19, at end insert—

'and

(d) the antecedents of the accused.'.

No. 19, in page 1, line 19, at end insert—

': and

(d) whether in all circumstances of the case a denial of jury trial would impinge upon the rights not only of the accused but also of the community at large to have the matter considered and adjudicated by a jury.'.

Mr. Malins: It occurs to me that we now have approximately one hour to debate not only this but other groups of amendments. That imposes on me the need to be brief because other right hon. and hon. Members want to speak.

This group of amendments relates to matters to be considered by the court when determining mode of trial. I speak initially to amendment No. 5, but I shall also speak to my amendments Nos. 6, 9 and 8. Amendment No. 5 refers to taking into account any written representations from the victim. Amendment No. 6 would make the clause read that the court shall consider

any of the circumstances of the offence and of the accused

rather than

but not of the accused.

Amendment No. 8 entitles the court to take into account the antecedents of the accused in reaching its decision. Amendment No. 9 is merely a tidying up.

I recall the Home Secretary saying at the beginning of our proceedings this afternoon that he could do business with the Opposition on the reputation clause, so I look to the Government tonight to take into account what they hear and to promise to do something in the spirit of what is suggested.

Mr. Charles Clarke: To clarify the terms of trade, as it were, if the Government accepted amendments on reputation, would the hon. Gentleman support the Bill, and does he believe that his Front-Bench spokesmen would?

Mr. Malins: I cannot speak for the Front-Bench spokesmen, and the nearest I have ever got to the Front Bench is to go and ask the Whip on duty what time the next vote is. I therefore have to speak for myself alone.

Much reference has been made to trial by jury, magistrates or stipendiary magistrates. I do not think that the House would wish us to talk in terms of having a better trial in one venue or another. As I said on Second Reading, a trial before a lay bench can be very good or very bad, depending on the day. The same applies to a stipendiary magistrate and to a jury. It is not so much about having a better trial, because all the venues can give a defendant a wonderful trial or not such a wonderful trial, depending on the circumstances. It is a question not of a better trial but of a different trial. We have to focus on defendants' ability and need, and hitherto their right, to ask for a jury trial because it is what they want.

The hon. and learned Member for Medway (Mr. Marshall-Andrews) is to be congratulated on everything that he has done on the general theme of taking all the factors into account—including the effect on the reputation of a defendant, when that is at stake. That is why I shall speak briefly and then hand over to other Members who want to contribute to the debate.

It is important that, when the court considers whether the offence should be tried summarily or on indictment, it should be fully informed on the case. That means everything; it does not mean holding back from the court some of the defendant's background in respect of his previous convictions. I should have much less objection to the Bill if it permitted magistrates, when hearing representations, to hear from the defence much more about the defendant—about his or her background and antecedents, his or her life style, job or reputation—or, for example, to hear what victims think and what the effect has been on them.

If one is to make a decision about punishment and mode of trial, it is important for the court in question to be fully informed as to the background. On Second Reading, the Home Secretary said, as though it were the most powerful argument:

It cannot be right that we continue to allow repeat offenders with strings of previous convictions to demand full Crown court trials for trivial offences that can and should be heard in magistrates courts.

He continued:

A 26-year-old man with 15 previous convictions covering a total of 63 offences, including 36 offences of theft, elected trial for the offence of stealing one bottle of champagne. I ask the House

whether it is sensible to have a system that allows that kind of election for trial.—[*Official Report*, 7 March 2000; Vol. 345, c. 888-95.]

Let us suppose that the Home Secretary is right. Under my amendments, what would happen? The court would hear everything about the defendant from his own lips—including his antecedent history. In the case of the person with the 63 previous, who has stolen a bottle of whisky, the court could—under my proposals—say that no, that person would be tried in the magistrates court, or the court could say yes if that was just. The Home Secretary's point would thus be completely covered. If the Minister thinks that is not so, he must tell me.

Likewise, under my proposals, the defendant who wants the court to take into account the fact that he is a person of entirely good character and would like to be tried by his peers can say that to the court. The court can then take that into account. If it decides against the defendant, that decision is subject to appeal to the Crown court.

Mr. Simon Hughes: If the hon. Gentleman's proposals were accepted and magistrates courts heard the panoply of arguments, would that court have no further jurisdiction after it had decided on the mode of trial? Thereafter, would different magistrates and a different clerk have to deal with that defendant? When any such group had dealt with a defendant, those people could no longer be involved in the case.

Mr. Malins: It is common practice that one cannot try a case in a magistrates court if one has heard the bail application. It is as simple as that. When I hear bail applications, I hear all the antecedent history and am thus debarred from taking the trial. That is everyday practice in magistrates courts. There would be a fresh bench.

It is miserable not to permit a court to take into account everything about the defendant—including background, antecedent history, previous convictions and general reputation. That is wrong, unfair and unjust. If the magistrates court makes the wrong decision, the Crown court can put it right. I venture to suggest that, if my amendments were accepted, most people would think that the position was much fairer than it is at present.

Mr. Garnier: I speak to amendment No. 19, tabled by myself and other Opposition Members. It would insert in clause 1, and thereby in section 19 of the Magistrates' Court Act 1980, a further paragraph. At the moment, section 19(1) of the 1980 Act, as amended by clause 1 of the Bill, would say:

The court—

It being Ten o'clock, the debate stood adjourned.

BUSINESS OF THE HOUSE

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, the Local Government Bill *[Lords]* and the Learning and Skills Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Dowd.]*

Question agreed to.

Criminal Justice (Mode of Trial) (No. 2) Bill

Not amended in the Standing Committee, again considered.

Question again proposed, That the amendment be made.

Mr. Garnier: The Act would say:

(1) The court shall consider whether the offence

ought to be tried summarily or on indictment.

(2) For the purpose of subsection (1) above the court shall consider—

(a) the nature of the case;

(b) any of the circumstances of the offence (but not of the accused) which appears to the court to be relevant; and

(c) whether, having regard to the matters to be considered under paragraph (b), the punishment which a magistrates' court would have power to impose for the offence would be adequate.

We ask that there should be a further paragraph (d) which reads:

whether in all circumstances of the case a denial of jury trial would impinge upon the rights not only of the accused but also of the community at large to have the matter considered and adjudicated by a jury.

I make it clear at the outset that my arguments, and those of my party, against the Bill as a whole do not depend on attacking or denigrating the lay magistracy. Magistrates do a magnificent job, for no pay and mean expenses. Over 90 per cent. of all cases that fall within the criminal or quasi-criminal jurisdiction go before magistrates. That includes parking and motoring matters, licensing applications and cases that we would all recognise as criminal. Magistrates form a vital part of the jigsaw of local justice, which the official Opposition want to strengthen and enhance. Our argument is not that magistrates cannot do the job that the Bill gives them, but that, as a matter of justice and fairness, they should not have to.

The right to jury trial has always been regarded as central to our system of criminal justice. That is because the system, unlike many others, is adversarial. Serious criminal cases brought by the state should not be tried by the state's appointees, but should be tried by fellow citizens drawn at random. That has always been regarded as particularly important to defend the rights of minorities and dissidents who are likely to be, or could be, unpopular with judges and appointed magistrates.

The truth of that proposition—I should have thought that the contrary was unarguable—has been tested in a great many cases throughout history, but I just want to refer to two examples, in relatively recent times.

In 1975, a young, former South African, active campaigner against apartheid was charged with theft from a bank. There remains considerable suspicion that the case was a set-up by the South African security services. The case was vigorously prosecuted, but the jury at the central criminal court in London would have none of it, and the defendant was properly acquitted. He is now a Minister of State in the Foreign and Commonwealth Office. Under the terms of the Bill, there is a near certainty that he would now be denied jury trial.

The Parliamentary Secretary, Lord Chancellor's Department (Mr. David Lock) *rose—*

Mr. Garnier: Will the hon. Gentleman allow me to finish the paragraph?

[Mr. Garnier]

The second example that I would like to bring to the attention of the House is that of Clive Ponting, who was tried at the central criminal court, just after the Falklands war was completed, for leaking Government documents relating to the Belgrano. Despite directions from the trial judge, in effect to—

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Deputy Speaker. Ponting did not leak those documents. He sent them to me, and I treated them as a proceeding in Parliament.

Mr. Deputy Speaker: Order. The hon. Gentleman knows better than that. The hon. and learned Gentleman had not given way. Mr. Edward Garnier.

Mr. Edward Leigh (Gainsborough): My hon. and learned Friend the Member for Harborough (Mr. Garnier) mentioned the Belgrano.

Mr. Garnier: Let me—*[Interruption.]*

Mr. Deputy Speaker: Order.

Mr. Garnier: Let me accept, in the spirit of cross-party co-operation, that what the hon. Member for Linlithgow (Mr. Dalyell) said is perfectly right, but I am aware of the way in which time is marching on and I do not consider that the fact that that particular detail was not included in my remarks alters the thrust of what I am attempting to say. Undeniably, the hon. Gentleman knows more about the facts of the Clive Ponting case than most of us, but the point is that Clive Ponting was acquitted despite the vigorous directions of the judge.

A further reason why we submit that paragraph (d) should be added to the section is that the ethnic minority communities, or a large number of members of those communities, have a perception that they do not receive equal treatment in front of the magistrates. No one suggests that that is a universal practice, but it is a strongly held perception in such groups.

The right to elect trial is the most valuable method of curing problems—both real and perceived. I make that point as a public supporter of the lay magistracy—I made that clear earlier—and even though I do not share the perception of ethnic minority communities that they do not receive equal treatment before lay magistrates. Magistrates will decide whether a case should remain with them or go to the Crown court. Unless they bear in mind such considerations, and bear in mind the rights of the accused and the rights of the community at large, who both have an interest in seeing that justice is done, they will arrive at what will be seen as unfair decisions.

Any number of bodies interested in criminal justice—they range from the Criminal Bar Association to the Society of Labour Lawyers—find this Bill wholly objectionable. To a small extent, their concerns might be mitigated were paragraph (d) in amendment No. 19 to be inserted into the Bill. Of more importance than the concerns of the Criminal Bar Association, the Bar Council, the Society of Labour Lawyers, the Society of Liberal Democrat Lawyers or, indeed, the Society of Conservative Lawyers are the concerns of the Society of Black Lawyers. When such a body, speaking out of genuine interest and genuine knowledge of the fears of its community, expresses doubts about the wisdom of the Bill, the House should pay careful attention. In making those remarks, I remind the House and, in particular, this Home Secretary of the concerns of Mr. Imran Khan, the solicitor instructed on behalf of the Lawrence family to appear for them at the Macpherson inquiry.

I also remind the House of the words of Mr. Peter Herbert, the chairman of the Society of Black Lawyers. He said that it feared that the Bill, without the corrections that we seek to make to it, would add to the loss of confidence in the summary justice system that many of its clients already have.

Mr. Douglas Hogg (Sleaford and North Hykeham): It would greatly assist the House, and certainly my hon. and learned Friend's colleagues, if he would tell us what his opinion of the Bill would be if the Government accepted amendment No. 15, which was tabled by my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) and which would include the reputation and livelihood tests. Although I am against the Bill, if Ministers were to accept that amendment, I would regard the Bill as greatly improved to the point that I would probably withhold my opposition to it on Third Reading. It would help if my hon. and learned Friend would tell us the view that Opposition Front-Bench spokesmen take of amendment No. 15.

Mr. Garnier: I am happy to do that. In my view, the Bill is fundamentally flawed from top to bottom and I do not believe that the House should give it passage. I am not as charitable as my right hon. and learned Friend in thinking that even an amendment tabled by my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) would cure the fundamental objections that the official Opposition have to the Bill. I made my views on what the future of the Bill should be clear on Second Reading. I have heard and learned nothing from the Government to persuade me that the view that I took then was wrong. The principle that I supported on Second Reading in opposition to the Bill is one that should honourably be maintained. I am not persuaded that any tinkering—even if it might mitigate some of the worst effects of this bad Bill—would overcome my overall principled objections.

Mr. Charles Clarke: This point is similar to that made by the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg). Am I correct in my understanding that the Opposition Front-Bench position will not change, whatever amendments we may pass this evening?

Mr. Garnier: The position is entirely clear—this is a bad Bill in principle. We spoke and voted against it on Second Reading. Although I understand the practicalities of the voting arithmetic and I know that the Bill will move to another place, I am happy to say that this is a bicameral Parliament and it is up to the other House to add their views to those of this House before the Bill becomes an Act.

Mr. Leigh: The point made by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) is very important. Towards the end

of the Committee proceedings, it was clear to me that the Government were considering making a concession on this point. I see the Minister nodding. I hope that further discussions can take place on amendment No. 15, which is vital because it would greatly improve the Bill if magistrates could take into account someone's good character.

Mr. Garnier: Further discussions may well take place, but I will not negotiate with the Government across the Dispatch Box. I repeat that this is a bad Bill in principle, and, as the Opposition spokesman, it is my job to argue—cogently, I hope, and with some persuasion—against the principle. I think that I have the support of the Opposition and of the Liberal Democrats.

If the Government want to table amendments, we will consider them. As I said a moment ago, I cannot control the destiny of the Bill. The Government have the majority, and we are merely interested bystanders.

Mr. Hogg: Participating bystanders.

Mr. Garnier: We are interested and participating bystanders, but, to the extent that this is a joint enterprise in the sense of the criminal law, I can acquit myself of having been guilty of supporting the Bill.

Mr. Dominic Grieve (Beaconsfield): Does my hon. and learned Friend agree that the Minister's questions are rather strange? Either the Bill will be improved by such an amendment, and the Minister thinks so, or it will not be. If it will be improved, the Minister should be ready to accept that without giving the impression that it is a concession in return for something else.

Mr. Garnier: That is a fair point and it was well made. If the Government want to make the Bill less bad, let them do so—they have the power to do so—but it is not my job, on behalf of the official Opposition, to tear up my principles and my principled objection to the Bill simply because the Minister and the Home Secretary have been embarrassed this afternoon. I am sure that Liberal Democrat Members agree.

Mr. Simon Hughes: I certainly associate myself with that view. Does the hon. and learned Gentleman agree that if we were to introduce a means to decide the venue by requiring the defendant to provide information on his antecedents, there would be greater prejudice against someone with a criminal history, even though that history might be irrelevant to the offence that they had been charged with?

Mr. Garnier: The Government have introduced into this debate and earlier debates many points that do not address the serious problems that we are having to face as a consequence of the Bill's introduction. If the Government want to make suggestions about how they can mitigate the Bill's worst consequences, that is a matter for them. I am not prepared to allow them to amend the Bill on the hoof this evening.

I shall conclude because I know that other Members want to contribute to our limited discussions. I have made the point about the ethnic minority communities, and there is a valid point that the public interest would be served if the interests of the community at large could be considered by the court in deciding venue. I hope that the House will agree.

The criminal justice system is largely consensual. We do not have—I know from experience as a recorder—armed guards and prisoners in shackles, restrained in the dock. Indeed, a number of defendants in court before me have sat not in the dock, but in the lawyers' seats just a little way from the judge's bench. The reason why defendants are left in court by themselves almost, on trust, is that, guilty men are sentenced—perhaps unfortunately, from their point of view, to a long term of imprisonment—knowing that they have been justly convicted by their fellow citizens who have heard the evidence during a trial.

The Government are putting in danger the consensual nature of our criminal justice system. It is all the more important that the consensual issue is reflected through the addition of amendment No. 19. I appreciate that my overriding objection to the Bill is one of principle, of which I spoke on Second Reading. Nothing that the Government have said or done since has tempted me to move from that position. If we are to have an appalling Bill, let us do our best to mitigate its appalling consequences.

10.15 pm

Mr. Gareth Thomas (Clwyd, West): I speak as someone who has grave reservations about the wisdom of proceeding with the Bill, especially in the light of the fact that the Auld commission has been charged with the task of comprehensively reviewing the criminal justice system. Incidentally, I also speak as a member of the Bar.

I tend to support the Government on the amendments. Although many hon. Members have raised valid points concerning the reputation clause, I take the view that, logically, it is right, in order to avoid the possible charge that a reputation clause is socially divisive, for the Government to have moved—they take the view that the venue should be determined judicially and not left to the defendant—to a neutral position on the antecedents of the defendant, having clearly been stung by criticism levelled against the Bill in the other place.

I see the force in the argument that allowing weight to be given to reputation and antecedents would create the danger of a socially divisive system—a Rolls-Royce system for those with an unblemished character and a summary trial system for those, perhaps including very many members of ethnic communities, who have records.

Mr. Hogg: It is difficult for the court to form a view of whether punishment would be adequate, as it is directed to do under proposed new section 19(2)(c), without knowing the antecedents of the accused. In the absence of knowledge, it is difficult to determine an appropriate penalty.

Mr. Thomas: I take on board what has been said. Although I have made broadly positive comments about the clause, the Government should address the following point. Does not common sense suggest that a bench of magistrates will, one way or another, want to take into account the character of a defendant? Even if magistrates do not want to do so, is it not true, given what some uncharitably call the intellectual dishonesty of this

[Mr. Thomas]

country's higher judiciary and others call their simple ingenuity, that a body of precedent will develop on appeal—the principle of interlocutory appeal is embedded in the legislation—which will in some way or another bring into play the question of character?

My hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews) has told us that the previous Lord Chief Justice pointed out that it is unrealistic to expect decision makers not to take into account a defendant's character in some way, so how confident can the Government be that antecedents will not come into play at the end of the day?

Mr. Leigh: I have a lot of respect for the hon. Gentleman, but I do not think that he is being fair to the Government, because the Bill is absolutely clear. New section 19(2)(b) states that the court can consider

any of the circumstances of the offence (but not of the accused) . . .

Therefore, no case law can develop because the magistrates court will not be able to consider the circumstances of the accused. Considering antecedents is not socially divisive: men and women of good character can come from any social background.

Mr. Thomas: Given that the hon. Gentleman is a member of the Bar, I am surprised that he underestimates the courts' ingenuity in getting around such provisions. I draw his attention to new section 19(2)(a), which states that the court can take into account circumstances including

the nature of the case.

I have a bald question for my hon. Friend the Minister to answer, if he can. Is it his understanding that a case that lawyers might describe as "a typical shoplifting case", in which the only issue is dishonesty and the defendant is of previous good character, would have to remain in the magistrates court? To what extent is that a realistic assessment, given that, as we know, the previous Lord Chief Justice is not alone in taking the view that common sense suggests that character must be taken into account?

I sense that the Government are ambivalent about the issue. It is clear that they were stung by the arguments advanced in the other place that the first Bill would have been socially divisive. However, in view of the throwaway remark that my right hon. Friend the Home Secretary made earlier tonight, that the Government were prepared to "do business" on the question of the reputation clause, I wonder whether they know what they want to do in that respect. Given that others want to participate in this debate, I conclude my remarks on that note.

Sir Nicholas Lyell (North-East Bedfordshire): I rise to commend amendment No. 15. First, however, I should make it clear that I regard the Bill as fundamentally unsound and I do not believe that the requests for a bargain made by Home Secretary and the Minister of State are appropriate. It is the duty of the Opposition to oppose and then to try to improve a Bill if they can. The Bill is a bad one, but it would be less bad if my amendment were made.

Amendment No. 15 would ensure that, in deciding where trial shall take place, the court shall be entitled to take into account all the circumstances, both of the offence and of the accused. The Lord Chief Justice—who supported the first Bill, which I did not—recommended that provision, and the Home Secretary knew that when he introduced the current Bill; regrettably, however, the right hon. Gentleman left the impression that the Lord Chief Justice supported the Bill as it stood. The Bill would be a better Bill if it were amended as I propose.

I tabled an amendment similar to amendment No. 19 in Committee, and I should like to speak in support of it now. When we are considering jury trial, it is not only the rights of an accused to be tried by jury that should be taken into account. There are the rights also of the citizens of this country as a whole, expressed through each little parliament which a jury constitutes, to set the standards of criminal justice. It is one of the great linchpins of our democracy.

This is nothing theoretical. I can say as a former Attorney-General that when we—the Director of Public Prosecutions, the director of the Serious Fraud Office, or other senior prosecutors—came to discuss cases and questions of prosecution, one of the matters that was always considered was whether a jury would be likely to convict in the circumstances of the case. That is a salutary consideration for those who have the honour to govern the country from time to time. It is not the Government who decide the criminal prosecution system. The Attorney-General and the Law Officers as a whole are Her Majesty's Law Officers and they stand independently in a quasi-judicial position. It is salutary that they should consider the views of ordinary people.

Mr. Grieve: It is all the more remarkable that little parliaments exist to deal with matters that the Government consider so trivial that they do not wish a person to have that protection.

Sir Nicholas Lyell: That is why the Government are deeply mistaken in their view. As my hon. Friend says, one of the great benefits of our system of justice is that it is largely consensual. One of the reasons for that is the huge spectrum of either-way cases where people have a right at present to choose trial by jury. If they want trial by jury, they choose it. If they do not, they accept the system. Either way, and even if they plead guilty later, they are confident and comfortable with the system of justice which we in England and Wales are proud to have and regard as second to none.

Mr. Hogg: On amendment No. 19, does my right hon. and learned Friend agree that there are cases where the prosecution might be deemed oppressive or the procedures adopted by the prosecution authorities might be deemed unreasonable? In such cases, the jury might refuse to convict. The refusal of the jury is a proper constraint on the ability of the prosecution to prosecute, or on the ability of the police to prosecute in the way that they did.

Sir Nicholas Lyell: I agree with my right hon. and learned Friend. It is a protection against tyranny; it would be a fundamental mistake to seek to remove it.

Mr. Marshall-Andrews: I say somewhat unwillingly that I cannot support the amendments, which would effectively reintroduce the livelihood and reputation clause. As much of the debate has been spent by the

occupants of the Government Front Bench telling those of us who fought against the clause, "There you are, it is all your fault", perhaps I might go into a little history, which will take not very long.

Jury trial has long been in the sights of a number of people, not a million miles away from the Treasury, who believe that people going to it who are not charged with terribly serious offences are getting Rolls-Royce treatment which they do not deserve. It has long been the idea that that treatment should be taken away from them. They hit what appeared to be the immovable rock that, for some people with great reputations, livelihoods and jobs—not necessarily posh people or rich people, but people who have fought against the system and managed against all the odds to make themselves respectable and to have jobs—the loss of livelihood is far more important than it is for many others who are charged with much more serious crimes.

Thus there was a problem. It was overcome by the Runciman commission, which introduced the reputation solution. Thereafter, it was enthusiastically endorsed by a number of others. I quote:

> There will be safeguards, including a requirement on magistrates to consider the effect of conviction on a defendant's reputation and livelihood when considering the mode of trial.

That was my right hon. Friend the Home Secretary at the beginning of the Bill's consideration. He was speaking not to the House, because the Bill was not announced in the House. It was announced at the Police Federation, at which my right hon. Friend made a speech indicating how central and important "reputation and livelihood" were if unfairness was not to be created. Of course, the Home Secretary missed the point, which was well set out in the House of Lords—that a safeguard is created for one class and immediately removed from another, creating partial justice.

What is partial justice? Is it worse than justice given to a few? The Government's solution was to take justice away from everybody. Nobody could have it. That was the result. Now, reputation cannot be taken into account at all. The crass absurdity of that position is emphasised time and again by anybody who knows anything about the criminal justice system. It will give rise to massive injustice and cause huge delay.

10.30 pm

The point raised by my hon. Friend the Member for Clwyd, West (Mr. Thomas) was absolutely right. Shoplifting offenders are now out of the system. They will not be able to have jury trial at all.

The position is worse than that. The example was given of Mr. Peter Hain, as he then was, before he became Minister of State. I can tell the House that his chances of getting a jury trial under the Bill would be very small, if not non-existent. Moreover, if he had been tried in front of a stipendiary magistrate in the south-western magistrates court, in the atmosphere prevailing when the anti-apartheid movement was active, his chances of acquittal would have been zero.

If that is what those on the Front Bench want to impose on people in this country, I am extremely surprised. It comes from a Government who we always believed would uphold the traditions of civil liberty.

Mr. David Taylor (North-West Leicestershire): I thank my hon. and learned Friend for giving way. No doubt he would agree that reputation and livelihood can be central issues, but is it not the case that many offences are at present summary only, and that the charge could damage the reputation and livelihood of the accused? I cite as an example indecent exposure by a minister of religion.

Mr. Marshall-Andrews: That is right, and a line must be drawn somewhere. That line should be very low; it is probably drawn too high at present. However, it should not be extended to offences of dishonesty, which can ruin and destroy reputations and are much more prevalent than the type of offences cited by my hon. Friend.

Mr. Hogg: I am grateful to the hon. and learned Gentleman. He is opposing amendment No. 15 on the ground that it induces two classes of justice. I think that he would agree that, when it comes to sentencing, there are by his own criteria already two classes of justice, because the court, when determining whether to send to the Crown court for sentence, will necessarily have regard to the antecedents of the accused appearing before that court.

Mr. Marshall-Andrews: That is because the magistrates' powers are limited. It is not merely a question of their wanting to go further on a sliding scale. If they want to impose a sentence of more than six or 12 months, or whatever the limit is, they must commit. Before that, under the present system, they would not know about the antecedents. The explanation is perfectly reasonable.

I maintain my opposition, which is based on the partiality of justice. The Bill is rotten at its core. Everybody who practises in the criminal justice system, outside the Magistrates Association and the Police Federation, knows it in his heart. I implore the Government, while there is still time, to rethink the legislation.

Mr. Simon Hughes: I add my support, along the lines of the argument of the hon. and learned Member for Medway (Mr. Marshall-Andrews). The amendments in the present group do not solve the difficulties of the Bill. They do not make a bad Bill a good Bill.

There is one amendment in the group that has the joint support of those on the Conservative Front Bench and my hon. Friends and me. It seeks to make sure that there is a consideration of the wider public interest. That was well expressed, if I may say so, by the former Attorney-General. The central argument for jury trial is that it is the people, not the establishment, who make the decision, whereas it is, by definition, somebody on behalf of the state who makes the decision to prosecute, so the functions must be separated. Therefore, the wider interest needs to be represented.

According to the Government's figures, we are talking about never more than 5 per cent. of the cases in the past five years ending up in the Crown court, and sometimes less.

The Government put in the reputation clause, which was rightly rejected in the other place, principally because it created a two-tier system of justice. An obvious example is a that of a head teacher who would be thought to be at greater risk of damage to his or her reputation than an unemployed person entering adulthood. That is

[Mr. Simon Hughes]

clearly discriminatory, and, on that basis, the Lords rightly threw it out. The Government were then completely stuck about what to do.

The revealing correspondence between the Home Secretary and the former Lord Chief Justice, recently retired, shows that the Government do not have a position of principle. The Government seek to take away the option of jury trial for everyone who has that option but for no other principle than that there is some vague benefit, arguably, that the resulting justice will be more efficient and cost less. There is no principle there.

The strongest argument in practice for not going into the prehistory is that, if antecedents were allowed—the circumstances of the accused—then, by definition, the person with a record would be less likely to be looked on favourably by the court. The court is more likely to think that it can try the case. However, there is a paradox, which has been well put by Justice, which says:

> The controversial provision for the court to consider reputation and livelihood, which discriminated in favour of those with apparently good character has been removed; but this is likely to lead to more cases being retained by magistrates. It should be also noted that the new criteria are likely to lead to a new, and diametrically opposite, discrimination. Sentences are likely to be higher in respect of people with previous criminal convictions, who may therefore be outside the court's sentencing powers.

The courts discover that someone has previous convictions and so think that they have too little power to sentence them, so they are sent to the higher court for a trial by jury—

Mr. Hogg: For sentence.

Mr. Hughes: For sentence—and those with previously good character will be more likely to be tried summarily. One old discrimination, namely, reputation, is being substituted for a new discrimination, and neither is a satisfactory resolution. That compares with the old and present alternative, which is that the defendant makes the choice, and has to be accountable only to himself for the choice that he makes.

Mr. Jeremy Corbyn (Islington, North): The hon. Gentleman will recall that, in the debate on the Football (Disorder) Bill last week, we had a similar discussion about the role of people's past records in deciding what sort of justice would be available to them—in that case, for a police officer. Does the amendment that the hon. Gentleman supports mean that any examination of people's previous records could not be taken into account in deciding whether they had a right to a jury trial?

Mr. Hughes: Liberal Democrats support only amendment No. 19. We do not believe that there should be a revelation of antecedents, and so on. The circumstances of the accused should not come into consideration at the beginning, only the circumstances of the offence; otherwise those with previous convictions are bound to be discriminated against.

Mr. James Clappison (Hertsmere): Is it not the nature of the Government's proposal that we are being forced to choose between the lesser of two evils?

Mr. Hughes: That is exactly the issue. We have a perfectly good, workable system, with fewer and fewer people choosing to go to the Crown court, with lower costs and fewer delays, and we are being offered two definitely less advantageous and less libertarian alternatives. Both alternatives prejudice the defendant. As the hon. Gentleman rightly said, we should reject both. Let us stand firm; we should not believe that the Bill can be remedied by the first five amendments in the group.

Mr. Hogg: I want to comment briefly on amendments Nos. 15 and 19. I adopt the same position as my hon. and learned Friend the Member for Harborough (Mr. Garnier). The Bill is a bad measure, but the question is whether we should accept amendment No. 15. We should not make a bargain because the Bill is bad. However, the measure would be much less bad if amendment No. 15 were incorporated in it.

I accept that there is a perfectly legitimate difference of opinion; I understand that the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) and the hon. and learned Member for Medway (Mr. Marshall-Andrews) take a different view, but I feel strongly that justice requires the courts, when determining venue, to have regard to character and antecedents. I therefore urge the Government, in the interests of making a bad Bill less bad, to accept amendment No. 15, or a similar proposal.

My right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) spoke to amendment No. 19, and I strongly endorse his comments. There is a class of prosecutions which can reasonably be deemed oppressive—or, alternatively, in which the investigation or prosecution process prior to trial has been oppressive. The right of a jury to throw out a case that it believes should not have been brought, because it is oppressive or has been badly handled, is an important safeguard of citizens' liberty.

We would not need amendment No. 19 if we were not embarking on the Bill. However, as we are embarking on it, we need a safeguard that is the same as, or similar to, that advocated by my right hon. and learned Friend the Member for North-East Bedfordshire. I therefore commend amendment No. 19 to the House. I fear that we will not divide on it, but I commend it to those on the Government Front Bench in the hope that Ministers may take the spirit of the amendment on board.

Mr. Clappison: I should have liked to speak for longer, but time moves on quickly, and Government Front-Bench Members need to deal with several matters.

I agree with the views of my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell). The Government's proposal is wrong in principle, and they have found the worst way in which to implement it. The Bill is a bad measure.

Mr. Leigh: It is obvious from my remarks in Committee, and earlier this evening, that I have considerable sympathy with the Government's objective. I know that some of my hon. Friends, Liberal Democrat Members and the hon. and learned Member for Medway (Mr. Marshall-Andrews) rightly take a purist line about the Bill. I understand their view, but we must be aware of the general public's opinion, the cost to the criminal justice system and the widespread view that people who have criminal antecedents abuse that system. That may not be a popular view; hon. Members tend, rightly, to put

civil liberties to the fore. Those who argue the case that I am putting do not always express the opinion of many Back Benchers, who take a purist view. The Government are right to take the action that they propose.

None the less, the Government must listen carefully to the debate. The current Home Office team does that, and its members are generally concerned about the criminal justice system. I hope that Ministers will take away from the debate the clear view from all parties that, whether we are opposed in principle to the Bill or whether we simply seek to amend it, we believe that proposals such as those in amendments Nos. 6 and 15 would considerably improve it. That is a perfectly sustainable argument.

10.45 pm

There is widespread concern that being charged with a small offence such as shoplifting could affect a person's livelihood. I am sure that the Minister accepts that and is trying to find a way forward. I support the amendments, but the hon. and learned Member for Medway eloquently put the alternative view that they would create two classes of justice—and that point was strongly supported by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes). In a sense, they are right. Two classes of justice would be created, as a person without antecedents would have the absolute right to elect for trial by jury and receive gold-plated treatment, while those with antecedents would not have that right. However, we must accept that. In a world that is never ideal, surely it would be better to have justice for some people.

Mr. David Taylor: The hon. Gentleman talks about gold-plated justice. Can he make more explicit his apparent belief that the justice afforded in magistrates courts, whether by lay magistrates or stipendiaries, is substantially inferior to that afforded by the jury system? Is that what he is saying?

Mr. Leigh: The hon. Gentleman and I had that debate in Committee. He has a long and distinguished record of service as a magistrate and is rightly convinced, as are all of us who have appeared in magistrates courts, that magistrates are fully equipped to deal carefully with the evidence. They represent the local community, just as juries do, and I recognise where the hon. Gentleman is coming from. He is committed to the magistrates courts system. However, in the previous Parliament a Member, in a fit of absent-mindedness, walked out of the Army and Navy Stores carrying a couple of books. The case went to a summary trial and he was found guilty, but he insisted on trial by jury and appealed to the Crown court. Eventually, he was found not guilty.

Would any Member of Parliament accused of such an offence, which would finish his career, prefer not to go to the Crown court? Let us be honest with ourselves. *[Interruption.]* The hon. Member for North-West Leicestershire (Mr. Taylor) points to himself and says that he would rather go in front of the beak—the London stipendiary magistrate. He would rather appear before my hon. Friend the Member for Woking (Mr. Malins), but, with respect, I would rather appear before a jury—not case-hardened individuals like my hon. Friend, but people with a fresh insight on the criminal system. That is why this issue is so important to so many people. To dismiss it out of hand by saying that the amendments must be thrown out, and that the Bill is rubbish because we cannot get it absolutely right, is not the right way to proceed.

There is a middle way, which is to proceed, but only after adopting the amendments. They would protect the person of good character who came before the criminal justice system, perhaps for the first time, and allow him to insist on trial by jury. That is an essential compromise. The Government may be unable to accept the amendments tonight, but when they are confronted by the other place—an independent House where they do not have an overwhelming majority, whose members do not come in to vote for whatever is placed before them by the Whips—I hope that they will accept similar proposals.

Mr. Charles Clarke: In the time available to me, I shall make two points. In answer to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes)—yes, as a Member of Parliament and as an individual, I would be happy to be tried by magistrates. I have great confidence in magistrates. A lack of confidence in them has lain beneath a great deal of the debate. It was put most clearly by the hon. Gentleman, who said in Committee:

> That leads to the question whether we trust magistrates more than judges. I shall not beat around the bush: I trust a judge and jury more than I trust the Bench.—[*Official Report, Standing Committee D*, 25 May 2000; c. 35.]

He later said that he stood by what he had said. That is at the core of much of the opposition to the Bill. My answer to that is to improve the magistrates system if it needs improving, but to have confidence in it and to promote it.

Secondly, in answer to the points made by my hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews), I shall list the offences that are currently dealt with directly by the magistrates without defendants having a choice, although they relate to reputation and dishonesty: assault on a constable, keeping a brothel, cruelty to animals, cruelty or neglect of children, night poaching, stealing, unauthorised taking of a conveyance—

It being five hours after the commencement of proceedings on the allocation of time motion, MR. DEPUTY SPEAKER, *pursuant to Order [this day], put forthwith the Question already proposed from the Chair.*

Amendment negatived.

MR. DEPUTY SPEAKER *then proceeded to put forthwith the Question necessary for the disposal of the business to be concluded at that hour.*

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 282, Noes 199.

Division No. 291] **[10.51 pm**

AYES

Adams, Mrs Irene *(Paisley N)*	Benn, Hilary *(Leeds C)*
Ainger, Nick	Benton, Joe
Allen, Graham	Berry, Roger
Anderson, Janet *(Rossendale)*	Betts, Clive
Armstrong, Rt Hon Ms Hilary	Blackman, Liz
Ashton, Joe	Blears, Ms Hazel
Atherton, Ms Candy	Blizzard, Bob
Atkins, Charlotte	Boateng, Rt Hon Paul
Austin, John	Borrow, David
Banks, Tony	Bradley, Keith *(Withington)*
Barron, Kevin	Bradley, Peter *(The Wrekin)*
Bayley, Hugh	Bradshaw, Ben
Beard, Nigel	Brown, Russell *(Dumfries)*
Beckett, Rt Hon Mrs Margaret	Buck, Ms Karen
Begg, Miss Anne	Burden, Richard

Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corston, Jean
Cousins, Jim
Crausby, David
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darvill, Keith
Davey, Valerie *(Bristol W)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzsimons, Mrs Lorna
Flint, Caroline
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
George, Bruce *(Walsall S)*
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
Mallaber, Judy
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Wilson, Brian
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Gerry Sutcliffe and
Mr. Robert Ainsworth.

NOES

Abbott, Ms Diane
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Baldry, Tony
Ballard, Jackie
Barnes, Harry
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bennett, Andrew F
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James

Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton–Brown, Geoffrey
Cohen, Harry
Collins, Tim
Corbyn, Jeremy
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Cryer, John *(Hornchurch)*
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon David *(Haltemprice)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Dunwoody, Mrs Gwyneth
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Fisher, Mark
Flight, Howard
Flynn, Paul
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gerrard, Neil
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Hopkins, Kelvin
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Key, Robert
Kidney, David
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McCafferty, Ms Chris
McDonnell, John
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Mackinlay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNamara, Kevin
Madel, Sir David
Mahon, Mrs Alice
Malins, Humfrey
Marshall–Andrews, Robert
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Paterson, Owen
Portillo, Rt Hon Michael
Prentice, Gordon *(Pendle)*
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sedgemore, Brian
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(Mid–Norfolk)*
Skinner, Dennis
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Wareing, Robert N
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wigley, Rt Hon Dafydd
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Peter Atkinson and Mr. Stephen Day.

Question accordingly agreed to.

Bill read the Third time, and passed.

Local Government Bill

Lords amendments considered.

Clause 24

PROPOSALS

Lords amendment to Commons amendment No. 10: No. 2, in page 16, line 21, at beginning insert—

("Subject to section (*Alternative arrangements in case of certain local authorities*),").

11.5 pm

The Minister for Local Government and the Regions (Ms Hilary Armstrong): I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker (Mr. Michael Lord): With this it will be convenient to discuss Lords amendments Nos. 3 to 15 and 17.

Ms Armstrong: This group of amendments increases the choice that local people will have about how their local communities are governed. The amendments are also consistent with the Government's policy of seeking to ensure that each council acts in a manner that demonstrates openness, accountability and efficiency. I am grateful to the Liberal Democrats for the amendments, which will enable small shire districts with a population of 85,000 or fewer to develop their own constitution according to those principles.

Mr. Nigel Waterson (Eastbourne): We have already rehearsed quite well the arguments on the Bill. However, the Minister's claim that the amendments increase choice for local government takes the prize for brass-necked effrontery. This has always been the Henry Ford Bill: it offers buyers any colour they want as long as it is black.

Until now, the Bill has presented three options to local councils, but I have yet to find a council that is even remotely interested in the option of a council manager while about 1 per cent. of councils want directly elected mayors. That has left effectively one option for most councils—a cabinet system. More recently, the Government have tried to peddle a bogus fourth option. However, that option still requires an executive system and the Secretary of State's permission, and it applies to categories of council rather than to individual councils.

The official Opposition's attitude to the options has been the same throughout our consideration of the Bill. If the proposals for new local governance are so good and so popular, why not ask people to choose? *[Interruption.]* If the proposals are so good for local government, why have they been roundly rejected by councils such as Camden and Brighton and—

Mr. Deputy Speaker: Order. Conversations are being held on both sides of the House, but hon. Members must listen to the hon. Member who is addressing them.

Mr. Waterson: Why have the proposals been criticised so roundly by so many Labour Back Benchers? Why have they been criticised so effectively and clearly by the Labour Campaign for Open Local Government, which consists of 1,000 members and several hundred Labour councillors? *[Interruption.]* The Minister scoffs whenever I mention those facts. However, every time that we have debated these issues, I have challenged her to tell us who actually wants these changes—other than, I assume, Ministers at the Department of the Environment, Transport and the Regions and a few acolytes in the New Local Government Network and in other new Labour-oriented organisations and lobby groups. Who is calling out for the reforms?

The plain fact is that the Minister was slow hand-clapped at the recent Local Government Association conference because, across the board, local government is not keen on these changes to council structures.

The amendments in this group throw a fascinating light on the Government's attitude to local government—as it does on Liberal Democrat Members' attitude to local government.

Mr. Don Foster (Bath): Hear, hear.

Mr. Waterson: I shall come to Liberal Democrat Members in a moment. They will have to be patient, but I will come to them, I promise.

The Government's line has consistently been that the committee system is discredited and out of date, and that it does not fit in with modern requirements. They have also taken the line that it is impossible to have proper scrutiny, transparency and openness without a clear executive scrutiny split. Indeed, the Minister even suggested recently that best value could not work effectively without such a split.

Yet lo and behold, on the basis of the amendments cobbled together between the Government and their friends in the Liberal Democrats, more than 20 per cent. of councils around the country are to be excused the new structures. One asks why that might be.

Mr. Simon Thomas (Ceredigion): Does the hon. Gentleman agree that the situation is worse in Wales because not one council will be able to take advantage of the proposal in the new amendment? All the authorities in Wales are unitary, not shire or district authorities, so councils such as my own, which has a small number of residents, will not be able to take advantage of the proposal.

Mr. Waterson: I am grateful to the hon. Gentleman for that intervention because it just shows how, in their hurry to fall over themselves to help the Government out again, the Liberal Democrats forgot about Wales. I hope that the voters of Wales will have regard to the hon. Gentleman's intervention.

Ms Armstrong: The hon. Member for Eastbourne (Mr. Waterson) has obviously not read the Bill. It contains a subsection which makes it clear that the National Assembly for Wales will determine the future of the legislation in relation to Welsh authorities.

Mr. Waterson: Well, we will leave it to the National Assembly for Wales.

Mr. John Gummer (Suffolk, Coastal): Will my hon. Friend help the House by explaining why it is suitable to exempt some councils, but not to give other councils the

chance to choose? Why does he suppose that the Minister should try to tell the House that she is extending choice, when all that she is doing is giving a small amount of choice to very small councils?

Mr. Waterson: My right hon. Friend points out accurately that the Minister made no attempt in her perfunctory introduction to explain the logic behind the amendments. The logic is simply that the Government needed the Liberal Democrats' support and, in return for a deal over clause 28, they were prepared to horse-trade—not my word but that used in yesterday's debate by Baroness Hamwee, the Liberal Democrat spokesman in the Lords—to come to a solution. The solution involved the lucky 20-something per cent. of councils. If it is such a great idea, why are the Government still so determined to impose the structures on the other 80 per cent. of councils? As my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) said, why are they not to be given the same choice as the 20 per cent?

Obviously, the Opposition welcome the timely escape of the 20 per cent. of district councils with a population of fewer than 85,000, but what about all the others? If it is good enough for those in that category, why is it not good enough for all councils? Why the arbitrary figure of 85,000? It has already been suggested in the House of Lords that the measure might be subject to judicial review, but if one out of five councils are to be exempted, why not allow all councils to choose? If the benefits are so obvious, Ministers will be able to demonstrate that many councils will choose to have a cabinet system.

With all due respect to him, the Minister in the other place, Lord Whitty, lost the plot during the debate, but at least he did the courtesy of speaking for rather longer than the Minister for Local Government and the Regions who opened the debate in the House tonight. He said:

> Commons amendment No. 10 goes to the heart of the Bill.

He said that the new constitution would give

> increased efficiency, transparency and accountability.

He castigated the Opposition, saying that what they proposed was

> in total opposition to a main plank of the Bill.

11.15 pm

Lord Whitty continued:

> The amendments open the possibility that for certain councils the options for new constitutions from which local people can choose will, in addition to the range of executive constitutions, include constitutions based on a modernised committee system.

With no logical connection, he explained that those small shire district councils are to be exempted, yet he then spoke of

> delivering the increased efficiency, transparency and accountability which the Government . . . wish to see.—[*Official Report, House of Lords*, 24 July 2000; Vol. 354, c. 21-22.]

As the Minister for Local Government and the Regions has constantly told this House that we must have such constitutions to deliver transparency, efficiency and accountability, how will that 20 per cent. of councils manage? Answer comes there none.

Mr. Michael Fabricant (Lichfield): Perhaps I can answer my hon. Friend by telling him that it is the minority Labour group on Lichfield district council which is so disappointed that Lichfield, which has a population of 92,000, will have this new system imposed on it. Is he aware that not only the Labour minority but the Conservative majority believe that the change will cost more, that it will obscure any transparency and will create a democracy deficit in Lichfield?

Mr. Waterson: My hon. Friend makes a powerful point in his usual fashion. The effect of the Government's proposals has been to break down party political barriers on councils such as Lichfield and to unite the parties against what the Government are trying to do.

My hon. Friend alluded to those councils that are on the limits of the exemption. In the House of Lords, yesterday, Lord Hanningfield drew attention to the plight of councils such as Rushmoor, which is unfortunate enough to have a population of 86,000. Because of that extra 1,000 people, the full Monty will be imposed on Rushmoor by the Government. I have already referred to the possibility of judicial review. There is also the plight of the other 80 per cent. of councils. They will, in effect, have only one option forced on them.

Our objections to the system have been well rehearsed, but it is worth reminding the House of them. There is the element of compulsion, to which we object profoundly and which has caused great resentment in local government. In many cases, a small group of people will take all the decisions. Some councillors will be consigned to the back benches by the proposals. The role of the officers in the new structures has not been thought through. It is difficult to see how effective scrutiny can be undertaken by such councils as the London borough of Newham, which has 59 Labour members and one independent Labour member. Who on that council will carry out convincing and transparent scrutiny?

It is not only the official Opposition or even—until a few days ago—the Liberal Democrats who object to the proposals. A range of organisations in and out of local government, Labour councillors, Labour Back Benchers, academics and others have all raised those concerns over and over again.

Until recently, the Government were not prepared to take notice of any of the provisions, but a problem arose because of their lordships' attitude to the Bill. This is where the Liberal Democrats come into the picture—[HON. MEMBERS: "Hear, hear"]. I said that I would return to them and I always keep my promises. The amendments reveal as much about the Liberal Democrats as they do about the Government.

As I have explained, in yesterday's debate in the House of Lords Baroness Hamwee admitted to horse-trading. Therefore, there is no pretence from anyone involved in this rather shabby little deal of any principle, of any logic; it is simply a matter of political horse-trading. The Government needed the support of the Liberal Democrats in the Lords on clause 28 and on their structures for local government, and the Liberal Democrats extracted a price. *[Interruption.]* But that shabby deal points a penetrating shaft of light on the Liberal Democrats' real role and purpose in this Parliament and their true relationship with this Labour Government. It strips away any pretence that the Liberal Democrats are a real party of opposition or, indeed, that they are friends of local government.

The Liberal Democrats helped the Government out on clause 28, and at the same time they sold out 80 per cent. of local government in this country. It is worth reminding

[Mr. Waterson]

the House of the comments of the principal Liberal Democrat spokesman, the hon. Member for Bath (Mr. Foster), only a couple of months ago in Committee, when he said:

> If councils like the models proposed by the Government, they can . . . move in that direction, but the structures should not be imposed on them.—[*Official Report, Standing Committee A*, 16 May 2000: c. 158.]

We know that the hon. Gentleman is a Liberal Democrat, but even Liberal Democrats, if only for their own sanity, must be expected to hold the same views for more than a few weeks.

Linked with the Liberal Democrats' deal over these amendments in the Lords was their policy on clause 28. It is the policy that dare not speak its name, because, as far as the Liberal Democrats are concerned, it takes its place alongside their views on legalising drugs and on a federal Europe—the sort of things that people do not expect to see in their local "Focus" leaflets. They are indeed the stealth party of British politics, because if that shrinking band of people who vote for them knew what they stood for, they would not vote for them.

Our views on the Government's proposals for structures are well known. Our reservations have been set out on Second Reading, in Committee, on Report and in the Lords. We have made clear our view that there should be no compulsion. We have made clear our view that the Government are entirely wrong; they are looking at life down the wrong end of the telescope if they think that tinkering with structures will make any difference to local democracy, and if they believe that more people will turn out and vote, or stand for election, as a result of their fiddling with structures.

I do not intend to invite my right hon. and hon. Friends to divide the House on these amendments. We want at least some councils to benefit from the fourth option, for which we have consistently campaigned. The difference between us and the Government and between us and the Liberal Democrats is that we have always campaigned for that option to be available to all councils, irrespective of size, throughout the country.

Mr. Don Foster: I am delighted to have the great honour to follow the hon. Member for Eastbourne (Mr. Waterson). His speech was such that it caused his right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) to leave the Chamber, and, having listened to the hon. Gentleman, there is no doubt whatever that, to use a phrase that has been used once before, I feel that I have been

> savaged by a dead sheep.—[*Official Report*, 14 June 1978: Vol. 951, c. 1027.]

The sad fact is, however, that the hon. Member for Eastbourne made a large number of comments with which I happen to agree. He and I spent a long time in Committee and we share the clear view that it is totally wrong of central Government to impose on local government how it should organise its decision-making processes. We have consistently made it clear that we are opposed to central Government seeking to do that.

I now come to the decision that we should take, given the position of the Government. [HON. MEMBERS: "Ah."] Conservative Members are concerned about deciding what to do. Let me remind them that any crocodile tears that they shed for local government are ill placed in view of their party's clear commitment to get rid of, for example, local education authorities and to remove from local government many of its current powers and thereby, in effect, remove any possibility of it having any power whatever.

The Liberal Democrats take a different view. We believe in the importance of strong and vibrant local government. We believe in the importance of local government being given a power of general competence and the ability to carry out all the functions that it believes are in the best interests of the people whom it seeks to serve. It should also have the ability to raise the funds to carry out the activities within the power of general competence. As a result of pressure by Liberal Democrats in Committee, we have achieved that aim in the Bill. Furthermore, as a result of Liberal Democrat pressure, we have persuaded the Government to change their attitude on issues such as whether executives should meet in secret. We have long argued that executives should meet in public and we have now persuaded the Government of that view.

Mr. James Gray (North Wiltshire): I was interested to hear the hon. Gentleman say that he is strongly in favour of executives or cabinets meeting in public. Is he therefore criticising Liberal Democrat-controlled North Wiltshire district council, which stubbornly insists on meeting in private?

Mr. Foster: The hon. Gentleman is well aware of my position on this issue. I have said to him in other circumstances that I believe it is important that local councils—whether they are Conservative, Labour, Liberal Democrat or under no overall control—hold their council meetings in public. I have made it clear to him, as I repeat to the House as a whole, that if there are examples of Liberal Democrat councils not following the recommendations that we make, I shall certainly take it up with them. However, because we genuinely believe that local government should have the power to make such decisions, the ultimate decision on the matter is one for the local council.

Mr. John Bercow (Buckingham): Is the hon. Gentleman not aware that his obsequious collaboration with the Government, as reflected most recently in the proposal before the House, has led to the hissing out of office of the ridiculous Liberal Democrats on Aylesbury Vale district council and the reconquest of that authority by sound and distinguished Conservatives?

Mr. Foster: There will be plenty of opportunity for electors across the country to decide whether they believe it is sensible for a political party to seek to persuade the Government to change their view on particular matters, or whether that party should simply hold a position that will not make a blind bit of difference to what happens in local government.

11.30 pm

We are debating whether the House should support an amendment moved in the House of Lords by the Liberal Democrats. The amendment will ensure that at least some

councils are excluded from three proposals that central Government seek to impose on them. The key decision that this House must make is whether to accept that at least some councils—rather than none at all, as the Conservatives would have it—should be given the opportunity to find their own way forward in decision making. The issue is not whether we would tonight persuade the Government to change their view and to drop their imposition of operating methods on all forms of local government, as we would like them to do; it is simply whether all councils in Wales and 82 councils in England will receive the benefit to which I have referred.

Mr. Richard Livsey (Brecon and Radnorshire): I thank my hon. Friend for the valuable negotiations that he has had with the Government to allow the National Assembly for Wales to let councils in Wales decide their own structures.

Mr. Foster: I thank my hon. Friend. It is possible in the Chamber simply to oppose the Government and to get nowhere, but there is another way forward, which is to have constructive opposition and to make at least some progress.

Mr. Fabricant: There are those who think that the Liberal Democrats have woolly minds in woollier hats, so, to demonstrate to the House the Liberal Democrats' thought processes, will the hon. Gentleman explain how he arrived at the figure of 85,000? Why not set the threshold at 100,000? Will he explain in detail how the horse-trading worked?

Mr. Foster: No, I will not. I simply say that if the Conservatives had their way, the figure would be zero, and, as a result of their achievements, not a single council would have escaped the imposition of these measures. As a result of what the Liberal Democrats have achieved, at least some councils have escaped. Does the hon. Gentleman believe that it would be right for the Conservative party to vote against that concession? Would he vote against it—yes or no?

Mr. Fabricant: If something is wrong in principle, it is wrong for all, and not only for 20 per cent.

Mr. Foster: The hon. Gentleman's clear answer is that he is prepared to say to 82 councils in England and all the councils in Wales that are exempt from the Government's proposals as a result of the Liberal Democrats' negotiations that they must have those proposals imposed on them.

Mr. Waterson: Surely the hon. Gentleman accepts that if the amendments that he is peddling are to have a shred of credibility, the least he can do is try to explain to the House how the Liberal Democrats arrived at the figure of 85,000 to set the line between councils that are exempt and those that are not.

Mr. Foster: It is quite simple. The hon. Gentleman has clearly got himself into a fixed mode of simply opposing and nothing more. In constructively opposing, we realise that the Government are prepared to allow no concessions in respect of any councils. The Liberal Democrats start from the clear position of preferring the provision to be imposed on no councils. However, knowing that we shall not be able to persuade the Government of that view, we seek at least some exemptions.

I think that we have done extremely well to reach such a position. There are those in the Local Government Association who are absolutely delighted with what we have done and are concerned that they have not had Conservative party support on the issue. The proposal is not the Liberal Democrats' ideal position. We accept entirely that it is a compromise, but, given that, we hope at least that the House will support it.

Mr. John Gummer (Suffolk, Coastal): I am pleased to follow the hon. Member for Bath (Mr. Foster), who has managed to give horse-trading a bad name. His difficulty is that when people horse-traded, at least they got a horse; he has a rather miserable camel. He cannot explain the basis of the 85,000 figure. I wish to debate the issue because I believe he has accepted that figure specifically to exclude my local council and, if I may say so, Mr. Deputy Speaker, your local council—a good, sensible council in my case and a not so good, not so sensible council in your case, but united in a belief that the Bill is unsatisfactory because it does not give them the chance to choose for themselves.

The Liberals have the effrontery to say that they went in for constructive opposition. Constructive opposition for the Liberals means dropping their principles on clause 28 and the proposed new clause. Constructive opposition is to give way on both clauses and in return get 20 per cent. of the sum of their principles on one.

Mr. Foster: Will the right hon. Gentleman explain how the Liberal Democrats have given up on their principle of opposition to clause 28?

Mr. Gummer: The hon. Gentleman knows very well that the Liberals did a deal with the Government in the House of Lords on clause 28. Everyone else knows that; if he does not, he better talk to Baroness Hamwee, who is the expert on horse-trading. They struck that deal by not doing what they had intended originally. The same is true of the proposed new clause, yet they have the effrontery to say that we who have stood by our principles have in some way let the local government world down.

The hon. Gentleman said that he wanted strong and vibrant local government as long as it covered a population of under 85,000. Cannot it be strong and vibrant while being bigger than that? He is not prepared to stand up and fight for all local government.

I turn to the real villain of the piece, if it is not unparliamentary to say so—the Minister for Local Government and the Regions. I have always doubted whether she had an argument on this point. I did not serve on the Committee, but I have never heard her make the argument in the House. Today, she had an admirable opportunity. She could have explained in detail—we can be here for hours listening to her—why it was necessary for the Government to tell Labour councils that did not want to be told how to run themselves how to do so.

Let us imagine that the proposition had been a Conservative one. Would the right hon. Lady have said, "Oh yes, this is the sort of transparency we want"? No, she would have said, "Labour, Liberal and Conservative councils up and down the country do not want it." Why,

[Mr. Gummer]

then, is she not saying that now? It is because the Government have become hung up on the proposition and do not know how to get off it. The Liberals gave the Government a chance to get away with 20 per cent., but if they had pushed a bit harder, they might have got 40 per cent. Anyone who can give up one principle can give up many more, so why did the Liberals not give up a few more of their principles and buy a few more votes? They have plenty of principles, most of them contradictory, so they could give up a lot just to get what they want from the Government.

The Minister for Local Government and the Regions has not explained why a population of 85,000 is all right, but one of 90,000 is not. She did not even take the opportunity to intervene on my hon. Friend the Member for Eastbourne (Mr. Waterson). The reason she did not bother is that she knows that she has a parliamentary majority: she will not bother to explain anything about local government affairs so long as she knows that she can ram any measure through the House. That is yet another example of how the Government treat the House with contempt. However, on this occasion, the right hon. Lady is not only treating the House with contempt, but is doing the same to every local authority that has asked her to give it the chance to make the choice itself.

My local authority would like to try different ways of running itself to meet the needs of its electorate—not the right hon. Lady's electorate, but its electorate who choose the authority. Yet her response is to tell my authority that it can choose anything—so long as it is something that she agrees with. The Government will not let the authority make the choice, simply because the population it covers just happens to total more than 85,000 people. We are not even talking about 85,000 electors—why did the Liberals not specify electors, rather than just a population threshold? Having given up their principles, could they not have screwed a bit more out of the Government?

The difficulty for the Conservatives is that we are not prepared to give up our principles, because ours is a party of principle. The Liberals' principles change from place to place—

Mr. Adrian Sanders (Torbay): Will the right hon. Gentleman give way?

Mr. Gummer: I have a little more to say about Liberal principles and then I shall give way to the hon. Gentleman, who no doubt intends to be helpful. He will have to contain himself for a moment, even though he has not got long in the House—his is a seat which will be won by a large Conservative swing at the next general election.

Let us hear about the principles espoused by the hon. Member for Bath. He told us that the Liberal principle was that everything had to hang out—everyone had to know everything and everything had to be done in public. My hon. Friend the Member for North Wiltshire (Mr. Gray) pointed out how odd it is that the authority in North Wiltshire—which is not all that far from Bath; indeed, it is the neighbouring constituency—holds closed meetings. The hon. Gentleman replied that authorities should hold open meetings—but not if they do not want them.

Mr. Don Foster *indicated dissent.*

Mr. Gummer: Yes, he did—he said that he would have a word with his colleagues, but that, in the end, they would make up their own mind. That strikes me as an interesting principle: anyone, anywhere can make up their own mind about any principle.

It is apparent that there are differences of principle, not merely between constituencies but between wards. In my constituency, the Liberals espouse different principles in neighbouring wards—indeed, in neighbouring houses. Liberal canvassers bang on the door and ask, "What do you want us to tell you?", and if the householders respond differently, they say different things. As someone said, if God had been a Liberal, we would have had the 10 suggestions. The problem with the Liberals is that their principles are so flexible that they cannot remember what the last one was. Now I give way to the hon. Member for Torbay (Mr. Sanders) who might remember what it was he wanted to ask me when he first rose.

Mr. Sanders: Will the right hon. Gentleman tell us the Conservative principle in respect of the capping of local authority budgets? What is the latest position on that?

Mr. Gummer: That was a very good principle when local authorities wanted to spend other people's money with a precept on taxation—*[Interruption.]* Liberal Members fall about with laughter, but, at that time, they did their usual trick: they said that they would give freedom to local authorities, but would not increase taxation—*[Interruption.]* Like his colleagues, the hon. Member for Colchester (Mr. Russell) is good at throwing out the odd sentence or two, but in his own constituency finds it difficult to explain Liberal principles. That is because those principles are different from his—his views are different from his neighbours' views. Liberals all have different views from their neighbours. It is not surprising that the Government managed to buy off the Liberal Democrats—the price was low.

11.45 pm

I turn to the—

Mr. Bob Russell (Colchester): Sit down; you've lost it.

Mr. Gummer: The hon. Gentleman, who never had it, cannot tell others that they have lost it.

Fundamentally, we have a dictatorial Government who are using their majority to stop locally elected people deciding how they will run their own council. Liberal Democrats are intervening to try to claim credit for keeping 20 per cent. of councils out of the unacceptable maw which the Minister has presented to us but has never explained.

As usual, the Liberal Democrats have connived yet again in the destruction of democratic choice in local authorities. Like anyone who knows that what is being said is true, their only answer is to giggle. Giggling is the only logic that they can put forward. They cannot explain why 85,000 is a magic figure. They cannot explain either

why they went for a population of 85,000 and not an electorate of 85,000. Similarly, they cannot explain why they have had a special deal for Wales, but only if the Welsh Assembly agrees. They cannot explain the arguments that they advanced to the Government. They cannot explain why they did not hold out for more; nor can they explain why they went back on their principles on this issue and on clause 28. They can explain nothing to us, and that is because they are dealing with the inexplicable.

When we come to the elections next year, Liberal seats will fall one after the other throughout the wards that they fight. It is good to welcome to the Conservative party a Liberal Democrat who has crossed the floor in Bromley for precisely the sort of reasons that have emerged this evening.

Mr. Desmond Swayne (New Forest, West): And in New Forest.

Mr. Gummer: Indeed. They cross the floor once they begin to see that the party in Parliament has few real principles, will not stand up for them and then pretends that an abject surrender to the Government is somehow a success. Principles? Of course Liberal Democrat Members have principles. There are as many principles as there are Liberal Democrat Members, and they are all utterly different.

Ms Armstrong: I shall respond fairly briefly. I am not sure whether I should respond to the right hon. Member for Suffolk, Coastal (Mr. Gummer), who has not been present for many of the debates and so has not heard the arguments that have been advanced. However, I remind him that there was a Joint Committee which asked us to consider how we could make particular arrangements for small councils, especially those that had a history of non-party political control. That is now extremely difficult to define because a Bill that has passed through the House allows for the registration of political parties. Many independent parties—ratepayers, residents and so on—have registered as political parties. We therefore have no sound definition of no political control because everyone is a member of a party. We therefore considered other ways of responding to the Joint Committee's wishes and to the points that were made in Standing Committee.

On that basis, I shall respond to the debate. I assure hon. Members that the principles that are expounded in the Bill of transparency, accountability and efficiency will be required of all councils. It is choice not for councils, but for local people. The right hon. Member for Suffolk, Coastal seems not to have understood that there has been real change in his party's policy. Perhaps he can spend some time talking to his colleagues and catching up.

Mr. Waterson: Can the Minister explain how, in 20 per cent. of councils under the proposals, transparency, efficiency and accountability will be delivered?

Ms Armstrong: Those councils will have to demonstrate that. They will also have to demonstrate that they have effective scrutiny and overview functions built into the way in which they operate.

Mr. Gummer: If that is what councils with a population of less than 85,000 can do, why cannot councils with less than 100,000 or 120,000 population do likewise? Why cannot my council be given the same choice, and why cannot my electors be given that choice?

Ms Armstrong: The right hon. Gentleman's electors, like the electors of every right hon. and hon. Member, will be given substantial choice within the framework of the Bill—much more choice than they are allowed at present.

I am grateful to hon. Members for their contributions, and I commend the amendment.

Lords amendment agreed to.

Lords amendments Nos. 3 to 15, and 17 agreed to.

Clause 44

INTERPRETATION OF PART II

Lords amendment to Commons amendment No. 120: No. 19, in page 26, line 3, leave out ("paragraph 5A") and insert ("paragraphs 5B to 5I")

Mr. Deputy Speaker: With this it will be convenient to consider Lords amendments Nos. 21, 22 and 31 to 35.

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Beverley Hughes): I beg to move, That this House agrees with the Lords in the said amendment.

Lords amendments Nos. 31 to 35 add several modifications to the schedule that was introduced into the Bill in the Commons on Report. That schedule sweeps up a number of amendments to the Local Government Act 1972, which are consequential upon the establishment of executives and elected mayors under part II.

Amendments Nos. 19 to 21 are consequential upon amendments Nos. 31 to 35. Amendment No. 22 is a minor drafting amendment.

Lords amendment agreed to.

Lords amendments Nos. 21 to 23, and 25 agreed to.

Clause 91

PROHIBITION ON PROMOTION OF HOMOSEXUALITY: BULLYING

Lords Reason:

The Lords disagree to Commons amendment No. 377 for the following Reason.

Because the prohibition on the promotion of homosexuality contained in section 2A of the Local Government Act 1986, as amended by Clause 91 of the Bill, should remain in force.

Ms Armstrong: I beg to move, That this House does not insist on its amendment to which the Lords have disagreed.

Mr. Deputy Speaker: With this it will be convenient to consider Lords amendments Nos. 27 to 29 and 39 to 41.

Ms Armstrong: The House may already know that, following events in the other place last night, the Government have decided not to seek to reintroduce in this Bill the repeal of section 28. I want to start by explaining the reasons for that decision and then to reflect on last night's events.

[Ms Armstrong]

The House will know that the Bill contains many measures that are vital to the reform of local government. Part I contains new powers for councils to promote the well-being of their communities, and everyone has welcomed those. Parts II and III will replace council structures, give people real choice over how their communities should be governed and tighten up standards of conduct. The clauses on welfare services will improve the quality and diversity of support services to vulnerable people.

As important as the repeal of section 28 is—it is important and it remains important to the Government—we cannot afford to lose the hard work that the Government and Parliament have put into those parts of the Bill; nor can we afford to delay the benefits that they will bring to our communities, so we have decided, with extreme reluctance, not to seek to reintroduce the repeal in this Bill. Therefore, at this stage, for all the reasons that I have outlined, we will not ask the House to oppose the Lords proposals and insist on the Commons amendments.

The arguments in favour of retaining section 28 were never very strong. Much of the concern about the repeal was whipped up by sections of the media, fed by the opponents—*[Interruption.]*

Mr. Deputy Speaker: Order. The House must listen to the Minister.

Ms Armstrong: As you know, Mr. Deputy Speaker, my father used to sit in that Chair, and he always said, "No one should ever go into the Chamber having had a drink, because it always shows."

Much of the concern about the repeal was whipped up by sections of the media, fed by the opponents of repeal on a diet of exaggeration, misinformation and sensationalism.

We acknowledge that parents in particular are concerned that effective safeguards are in place to ensure that children and young people are taught in an appropriate and supportive way in schools. That is why we worked with the Churches and others to bring forward the comprehensive measures in the Learning and Skills Bill.

From last night's debate in the other place, we learned again of the difficulty that the unelected House has in passing any legislation that strengthens the rights of the gay and lesbian community. We learned again of the corrosive effect that misinformation and misrepresentation can have on public opinion, stirring up unnecessary fears and then playing those back as a reason to justify obduracy and intolerance.

Most importantly, we learned what lies behind the sentiments of the hard core of section 28 enthusiasts. The leaders of the campaign against repeal like to mask their views behind concerns for educating young children and protecting taxpayers' money. We have dealt with the first concern in the Learning and Skills Bill; the second never amounted to much. Why, therefore, do the enthusiasts continue to argue for the retention of section 28?

12 midnight

Every now and then, the mask slips. It slipped last night. Baroness Young said that, if section 28 was repealed, it

> will be legal to promote gay rights in citizenship lessons, which, I understand, are shortly to become compulsory.—[*Official Report, House of Lords*, 24 July 2000; Vol. 616, c. 102.]

In other words, the champions of section 28 made it clear that it is not only the promotion of homosexuality—whatever that means—that causes them problems, but teaching children that minorities, like everyone else, have human rights and that they should be regarded as equal citizens.

We also heard about fears that bordered on paranoia—for example, that teachers might promote homosexuality through English and history lessons to get round the Government's guidelines. What does that reveal about the trust that section 28 enthusiasts place in our teachers, and in the parents and others who sit on governing bodies and control what is taught in our schools?

During the many debates that we have held on section 28, the Government have been accused of being obsessed with the issue. But who are the real obsessives? What sort of world do they think that we live in? What sort of education do they want our children to receive? We heard the answer last night.

Section 28 was born out of a climate of prejudice and discrimination. It was introduced by a Conservative Government who were intent on dividing our society. The defenders of section 28 want to perpetuate a society in which gay men and lesbians are regarded as second-class citizens with second-class rights; a society in which legitimate concerns for children and young people are replaced by irrationality, fear and intolerance; a society that creates the climate for homophobic bullying and other violent assaults on gays and lesbians. Those views unfortunately held sway last night. They must not be allowed to triumph.

Labour Members remain committed to the repeal of the unnecessary and divisive legislation. Legislation on children is clear; section 28 adds confusion, which led to problems in the past. We believe that the section must go.

Mr. Don Foster: The Minister said clearly that the Government believe that section 28 should be repealed as quickly as possible. What measures do the Government intend to introduce to ensure that that happens?

Ms Armstrong: We are committed to repealing section 28. I have discussed that with colleagues throughout the Government today. We will continue to consider the precise way in which we intend to repeal the legislation. We want to ensure that we get it through not only this House, but the House of Lords. We will, therefore, have to introduce the most appropriate measure, as soon as we are able, to ensure that we repeal the legislation and make it clear that we want both a tolerant and supportive society for all our citizens, and proper respect and protection for children at school.

Dr. Evan Harris (Oxford, West and Abingdon): With respect, the Minister has not answered the question posed by my hon. Friend the Member for Bath (Mr. Foster). Members on both sides of the House who support her view want to know whether she can guarantee that the

Government will repeal section 28 in the lifetime of this Parliament by any means other than insisting on the measure.

Ms Armstrong: Given the views of the House of Lords, which is blocking repeal, I am unable to give that assurance. The hon. Gentleman has been a Member long enough to know that, whatever we do about the House of Lords this side of the election, the procedures of this House do not allow any Minister to guarantee that the Government will get legislation through in any given period. We are not in a position to give such a guarantee and—unlike others, perhaps—I am not prepared to mislead the House in any way. However, the House must understand that we will find ways in which to repeal the legislation.

Mr. Jeremy Corbyn (Islington, North): I listened carefully to my right hon. Friend's reply to the hon. Member for Oxford, West and Abingdon (Dr. Harris). Can she say categorically whether the Government will introduce in the next Session, which will start in November, a Bill that will carry into law the Labour party manifesto commitment to repeal section 28?

Ms Armstrong: As I explained to the hon. Members for Bath (Mr. Foster) and for Oxford, West and Abingdon (Dr. Harris), whatever we do—even if we introduce a simple Bill in the next Session—we will be unable to guarantee that it will get through both Houses and pass into law this side of the general election.

Mrs. Lorna Fitzsimons (Rochdale): Constituents have written to me in confidence to express their heartfelt feelings—their desire for us to repeal the legislation. My right hon. Friend will be aware that they are vulnerable people and that we must represent them here. The last thing that they need is the door slamming in their face because of procedural matters relating to the House of Lords. Surely she agrees that it is our duty to find a procedure that will finally remove the legislation from the statute book. Section 28 must be repealed.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Lady is making a speech, not an intervention.

Ms Armstrong: We are determined to find the most effective way to get legislation to repeal section 28 through both Houses and on to the statute book. It is our responsibility to find a means to do that that we know to be effective. As my hon. Friend says, we must not wind people up only to disappoint them, and we are considering ways to introduce effective measures to ensure that section 28 goes. I have made the Government's views absolutely clear to the House. Those views are shared across the Government and we want to find ways to repeal this pernicious and prejudicial legislation. We will do what we can to achieve that, but we must be effective.

Mr. Phil Willis (Harrogate and Knaresborough): This is one of the most cowardly acts by the Government. They believe that it is far more important to save the provisions in the Bill that bully councils into accepting structures than it is to save a principle that the Minister has spent 15 minutes arguing for.

Ms Armstrong: The hon. Gentleman may well read his remarks tomorrow and think about them. He, as a council leader, and members of his council have urged on me the importance of the promotion of well-being and the duty of community planning contained in the Bill. His friends on the Local Government Association are determined that the Bill should go through. They want to ensure that we repeal section 28, and so do I. Sending the Bill back to the Lords would not achieve either the repeal of section 28 or the passage of the Bill.

Mr. Stephen Twigg (Enfield, Southgate): I am sure that my right hon. Friend will not be distracted by Conservative Members who want to uphold bigotry and prejudice—we have no doubt about that. I believe that the overwhelming majority of people on both sides of the House want to secure the repeal of section 28 at the earliest opportunity. Let us do that in a way that can be successful. From working with my right hon. Friend over the past three years, I have no doubt of her commitment and that of the Government to doing what the people on the Tory Benches do not want them to do.

Mr. Deputy Speaker: Order. I remind the hon. Member for Enfield, Southgate (Mr. Twigg) that in the House we refer to each other as hon. Members.

Ms Armstrong: We have consistently worked with anyone who is interested in finding a way forward that reassures parents and repeals section 28, which has supported prejudice. We want to tackle intolerance and prejudice.

Mr. Corbyn: I thank the Minister for giving way a second time. She will recall the number of attempts that have been made ever since section 28 was introduced to get rid of it, and this is yet another. I want to hear from her exactly by what means the Government intend to introduce clear legislation with a chance of getting through before the end of this Parliament. Otherwise, people will feel that once again the whole issue has been fudged, and the criminalisation of young people will continue as a result of this legislation.

Ms Armstrong: I assure my right hon. and hon. Friends that we are determined to find the most effective way of getting rid of section 28. It is because I want to work with others in the House to ensure its repeal that I am not able to tell my hon. Friend the precise way of doing it. We must work effectively with all supporters of repeal. I am determined to do that, and will continue my efforts. By so doing, we will get rid of section 28 more quickly than we would if I made declaratory statements tonight that might not in the end deliver this objective as quickly and as effectively as we want.

Mr. Waterson: Some Ministers are capable of making a graceful retreat, but the Minister is not one of them. As she well knows, we support aspects of the Bill and tried to improve them in Committee. It is no good going on about the good things in the Bill and how they would be prejudiced by holding the line on section 28. The plain truth is that this proposal should never have been tacked on the end of the Bill in the first place.

12.15 am

Mr. Stephen Twigg: The hon. Gentleman has just told the House that the measure should not have been included in the Bill. In 1988, however, it was perfectly acceptable

[Mr. Stephen Twigg]

to implement the provision that we seek to repeal via a local government Bill. Was that an error on the part of the then Conservative Government?

Mr. Waterson: The hon. Gentleman will know, as he served on the Standing Committee—with some distinction, but in considerable silence—*[Interruption.]* Admittedly, he spoke more often than most. Anyway, as the hon. Gentleman will know, I have always suspected that the Government tacked this proposal on to the Bill simply to draw attention away from the major changes that they sought to make to local government.

The Minister's next point was that this had all been got up by the media, which had produced a storm of opposition across political parties and across the country, and had persuaded all major religious leaders to oppose the Government's plans. That is not convincing either. Almost as unconvincing was the Minister's blaming what she called the unelected House. According to the leader of her party in the House of Lords, that House now enjoys greater legitimacy as a result of the reforms. The Minister spoke of the chances of anything happening this side of an election to continue reform of the Lords. That is in the hands of the present Government, who have signally failed to do anything.

The Minister talks of "obsessives". Who are the real obsessives? I believe that they are sitting on the Government Benches tonight.

I will not get into the argument about homophobic bullying yet again, but—hopefully for the last time—let me make this point: bullying, whatever its cause or excuse, is wrong, and any teacher worth his or her salt should crack down on it ruthlessly.

There is an element of covering old ground in this debate, and I will not cover as much of it as I could. I will say, however, that it is the Government who have chosen to waste so much valuable legislative time on this issue. As I have said, the Minister referred to obsessives. The Government's actions reveal their obsession with the "PC" aspects of the proposal, and with the views of the chattering classes.

Ann Keen (Brentford and Isleworth) *rose—*

Mrs. Fitzsimons *rose—*

Mr. Waterson: I am spoilt for choice. I shall give way first to the hon. Member for Brentford and Isleworth (Ann Keen).

Ann Keen: Can the hon. Gentleman explain the "obsessive" desire of Conservative Members and those in another place to disregard the strong advice of the National Society for the Prevention of Cruelty to Children, Childline, Barnardos and all the other children's and young people's organisations? Why are they so obsessive about denying the evidence adduced by those bodies, and their recommendation that the evil situation brought about by section 28 should be ended by the repealing of that section? Why oh why do Conservative Members continue to ignore that advice?

Mr. Waterson: I am afraid the hon. Lady is plain wrong. Only the other day, in a written answer, the hon. Member for Stretford and Urmston (Ms Hughes), the Under-Secretary of State for the Environment, Transport and the Regions, pointed out that the NSPCC and Childline did not have corporate views on the issue. The hon. Lady should do her homework.

As I have said, it is the Government who have chosen to proceed on this course. It is they who have got themselves into their present position. Conservative Members believe that this is simply a smokescreen to draw attention away from the major parts of the Bill.

The Government suffered a crushing and well-deserved defeat in the Lords last night. It was a victory for common sense. As on other issues, it was the House of Lords which stood up for the British people against a patronising, out-of-touch Government run by and for a liberal elite.

Mrs. Fitzsimons: Would the hon. Gentleman care to put it on record that he agrees with, I think, the majority of people that homophobia is wrong, evil and pernicious? Does he agree that the problem is that the debate surrounding the issue has legitimised homophobia, and will he dissociate himself and his party from any such sentiments?

Mr. Waterson: With respect, I think that it is that sort of argument which has clouded the issues.

I feel sorry for the Minister, because she has been left to carry the can this evening. Not a single member of the Cabinet is present. *[Interruption.]* Here we are. The Secretary of State for Culture, Media and Sport, right on cue, as befits the master of theatrics in our country, has appeared, but, apart from him, not a single member of the Government is on the Front Bench—not the Deputy Prime Minister, who leads the Department of the Minister for Local Government and the Regions, nor any other Minister.

The Prime Minister is rapidly backing off this piece of legislation.

Mr. Stephen Twigg: Will the hon. Gentleman give way?

Mr. Waterson: No. I will make some progress.

If we turn to the famous memo that was written by the Prime Minister himself, are we to presume that he no longer regards this as an eye-catching initiative with which he would want to be personally associated? To quote his memo:

> It is bizarre that any Government I lead should be seen as anti-family.

If it is so important to the soul of the Labour party that the section be abolished or repealed, why was it not a pledge in the manifesto? At least the Liberal Democrats can claim that it was in their manifesto. They take some pride in that, even though, as I have said, it is unlikely to appear in their Focus leaflets in Eastbourne or anywhere else. *[Interruption.]* I should be happy to give way on that point.

There has been a sudden flood of guidance on the issue of sex education. We welcome those guidances as far as they go, but, in part, they are designed to get the Government off a hook of their own making.

Both Lord Whitty in the Lords yesterday and the Minister tonight seem to have been labouring under the misapprehension that it is all about protecting minority

rights. They have that protection elsewhere in law. The provision has only ever been of a narrow effect. That was made clear by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), who was the Minister dealing with section 28. He said:

> I recognise that there may be a need for teachers to touch on the subject of homosexuality in the classroom.

He went on to say:

> objective discussion of homosexuality in the classroom, in the way that I suggested a short time ago, would be perfectly proper, because it is not promotion of homosexuality.—[*Official Report*, 15 December 1987; Vol. 124, c. 1019.]

That is borne out by the memorandum attached to that legislation.

Dr. Harris: As the hon. Gentleman is aware, section 28 states that it will not be permissible to teach the acceptability of homosexuality, which is clearly saying that homosexuality is unacceptable. How can that be an objective discussion of a sexuality which someone has not chosen but happens to be? How is it an objective discussion to deny someone the ability to teach that something is acceptable?

Mr. Waterson: That is not what the section says. We have had debates on that very subject and quoted teachers who said that they felt able under the legislation to discuss homosexuality with pupils on the general level, but also with specific pupils who had that particular issue to raise, so I do not think that there is anything in that point.

In passing, I commend Conservative councils such as Kent, which said that, if the measure passed, they would make their own local rules to have the same effect.

To answer the point made by the hon. Member for Rochdale (Mrs. Fitzsimons), section 28 has never been about prejudice, bigotry and intolerance. It has a limited but important impact. It is a guarantee to parents and to council tax payers that local authorities will not spend public money on promoting homosexuality in schools. That is how to cut through the verbiage and the posturing.

Perhaps the saddest aspect of all is that the Government have not learned the lesson of this pitiful debacle. They have still not seen the light. They have promised—although they will not tell us how—that they intend to return to the repeal of section 28 at some vague time. Frankly, instead of talking in those terms, they should apologise to parents, teachers and religious leaders throughout the country. They should apologise to the House and to the Lords for wasting so much precious legislative time on this metropolitan obsession. Above all, they should apologise to the British people for trying to foist this tawdry piece of political correctness on them.

Mr. Gordon Marsden (Blackpool, South): It was not my right hon. Friend the Minister for Local Government and the Regions—who has spoken so strongly and forcefully in this debate—who dropped this poisonous incubus into the Local Government Bill. Conservative Members and their supporters in the other place have whipped up the issue, making it the issue that it has become. No amount of posturing or crocodile tears, with statements that they are concerned about issues such as homophobic bullying, can disguise the fact that they have deliberately orchestrated and augmented the bigotry that has surrounded section 28. In 1986, when the Bill was first debated, Lord Willis described clause 28 as the first page of a "charter for bigots". A charter for bigots it was, and a charter for bigots it remains.

Conservative Members are pretending that the provision is nothing to do with bigotry and everything to do with protecting children and the rights of people in schools, but they have paid no attention whatsoever to the details of the Learning and Skills Bill or to the guidance that the Government have introduced, including the very wise amendments tabled in the other place by the Bishop of Blackburn. If Conservative Members had any honesty, they would admit that, bit by bit, any rationale for defending section 28 has been stripped away, both by the changes that the Government have made and by the way in which their opposition has been conducted, particularly in the other place.

The hon. Member for Eastbourne (Mr. Waterson) accuses hon. Members of being obsessive about the issue. How dare he say that? If it were an issue of protecting the position of black people in society, would he accuse us of being obsessive? If it were an issue of protecting the position of Jewish people in society, would he consider it obsessive? If it were a question of protecting the rights of women in society, would he consider it obsessive?

Mr. Stephen Twigg: Does my hon. Friend agree that, unfortunately, some of them would—

Mr. Deputy Speaker: Order. If the hon. Member for Blackpool, South (Mr. Marsden) is giving way, he should himself resume his seat.

Mr. Marsden: I give way.

Mr. Twigg: The point that I was seeking to make to my hon. Friend is that those of us who have listened to the debates on the Race Relations (Amendment) Bill will know that, sadly, some Opposition Members would consider concern with those issues to be obsessive.

Mr. Marsden: My hon. Friend may be right in that assessment, but I would exempt the vast majority of Opposition Members from it.

Mr. Twigg: What about the hon. Member for Aldershot (Mr. Howarth)?

Mr. Marsden: I am not looking at that hon. Gentleman.

The important issues that have to be addressed in our consideration of the Bill are protection, fundamental rights and public health. One of the dangers and detrimental effects of retaining section 28 is that it seriously hobbles the advice that local authorities are able to give. If Conservative Members, particularly the hon. Member for Eastbourne, are serious about not wishing to promote a climate of homophobia, they could do no better than go to Baroness Young and tell her to call off her dogs of war from the Christian Institute, whose members are going across the country fomenting difficulties.

Dr. Julian Lewis (New Forest, East): Will the hon. Gentleman give way?

Mr. Marsden: No, I will not give way.

[Mr. Marsden]

Labour Members, like all people of sense and reason in this place, want to see the end of section 28 as soon as possible. We accept that that has to be done in a manner that does not allow the bigots in the other place a field day by going round this course again. One thing, however, is extremely important. I said that Members of the other place had dropped a poisonous incubus into the Bill. I stand by that. Baroness Hamwee said last night:

> I regard Section 28 as bad legislation. If it is not repealed today, what effect will that have? Reference has already been made to the certificate attached to the Bill. Will the Bill, when enacted, be incompatible with the European Convention on Human Rights? Will it contravene our own Human Rights Act, which comes into force into October?—[*Official Report, House of Lords*, 24 July 2000; Vol. 616, c. 118.]

Those were powerful and relevant comments. They will be taken on board and, whether or not section 28 is ruled null and void in the near future by action in this House, which is what many of us profoundly wish, my belief is that, one way or another, it will be consigned to the dustbin of history, where it so deservedly belongs. It will be so consigned not just because of the views of the British people on fairness and tolerance, but because it is bad law and it contravenes the Human Rights Act.

12.30 am

Mr. Don Foster: I am delighted to follow the hon. Member for Blackpool, South (Mr. Marsden), not least because in his closing remarks he referred to the words spoken in another place last night by Baroness Hamwee. She made the Liberal Democrat position clear. As the hon. Gentleman has just said, she put a number of questions to Lord Whitty about whether the Bill could be said to comply with the European convention on human rights if the content of section 28 were retained. The House should be aware that, in response to Baroness Hamwee, Lord Whitty made clear the Government's view that if section 28 continued to be part of the Bill, the legislation would not conform with the convention.

Although I do not agree with the position of the hon. Member for Eastbourne (Mr. Waterson) on this issue, I am delighted that he at least had the good grace to draw attention to the fact that the Liberal Democrats were the only political party that had the courage to include their commitment to repeal section 28 in their general election manifesto. Lest there be any doubt, let me say that the Liberal Democrats remain absolutely committed to the repeal of section 28.

I have enormous regard in many ways for the right hon. Member for Suffolk, Coastal (Mr. Gummer), but he misled the House when he suggested that the Liberal Democrats had been involved in a deal on section 28. He is simply and absolutely incorrect on that issue. We have been and we continue to be implacably opposed to section 28. The Liberal Democrats will do everything possible to bring about the abolition of section 28 at the earliest possible opportunity. We recognise, of course, that the procedures both in this House and in another place will make that difficult. That gives credence to our view that it is a matter of urgency that we get on with the further repeal of the House of Lords as quickly as possible.

Dr. Harris: Reform.

Mr. Foster: Yes. Perhaps that was an inadvertent slip, but it is one that I happen to believe in.

The hon. Member for Eastbourne accused the Minister of not being prepared to make a graceful retreat. I am delighted that the Minister is not making a graceful retreat on this issue.

Mr. Shaun Woodward (Witney): I am grateful to the hon. Gentleman for giving way, not least because he was referring to what was said by the hon. Member for Eastbourne (Mr. Waterson), whose comments from the Conservative Front Bench traduced what the children's charities are saying. They are saying that the problem is real. To suggest that those involved in a charity such as Childline do not worry about the issue is a gross distortion of reality. The hon. Gentleman, his party and others who support the failure to repeal section 28 must bear that responsibility, and recognise that tonight, there are children who are not protected and who are suicidal and that, in the next year—*[Interruption.]*—some will die—

Mr. Deputy Speaker: Order. The hon. Gentleman is not addressing the House—he is making an intervention.

Mr. Foster: None the less, Mr. Deputy Speaker, I am grateful for what the hon. Gentleman says, because he draws our attention to a very real issue. It has been suggested, both in this House and in another place, that there is no evidence that section 28 has had any impact in causing homophobic bullying.

In reality, however, there is real evidence that section 28 has a direct impact on many young people. For example, many teachers—whether by design or through misunderstanding—have been put in a difficult position, or have chosen not to deal with homophobic bullying. There is clear evidence that such bullying has led not only to serious problems for individual children but, in at least one well documented case, to the loss of life. The hon. Gentleman is absolutely right to draw attention to that matter.

Section 28 was undoubtedly born of prejudice against gay and lesbian people. There are four reasons for Liberal Democrats' consistent opposition to it. First, we genuinely believe that the legislation is based on discrimination on the grounds of people's sexual orientation. Secondly, we are firmly of the view that the provision is redundant in respect of schools.

Mr. Damian Green (Ashford): About 45 seconds ago, the hon. Gentleman said that section 28 was the source of all sorts of evils. Now he says that it is irrelevant. He cannot hold both positions. He might hold one or the other, but not both.

Mr. Foster: The hon. Gentleman is wholly wrong—*[Interruption.]* If he wants an explanation, I shall give him one.

There is no doubt that the existence of section 28 on the statute book has led some teachers—rightly or wrongly, because of their interpretation of the legislation—not to take action in the face of observed homophobic bullying. There is evidence to back up that claim; it is a fact.

Dr. Julian Lewis: Name a school.

Mr. Foster: I have previously referred to the research carried out by my noble Friend Lord Tope, and I made it

clear that my noble Friend is prepared to send details of that research to any right hon. or hon. Member who wants to study it.

The hon. Member for Ashford (Mr. Green) made the accusation that I could not say that the provision was redundant. It is redundant. As hon. Members are well aware, in recent legislation the House has provided that decisions on sex education in schools should be made not by local education authorities but by the teachers, parents and governors of individual schools. The provision is thus redundant because it refers to activities that are assumed to be the responsibility of LEAs but in which they cannot, in fact, be involved.

Thirdly, section 28 is a meaningless piece of legislation for the simple reason that it is impossible to define the word "promote" in the phrase "promote homosexuality". Indeed, I would go so far as to say that it is not possible to promote homosexuality. Some people seem to suggest that that is of exactly the same order as, for example, promoting an interest in train-spotting—or even in joining the Conservative party. The two things are simply not the same, and it is simply not possible to promote homosexuality.

Fourthly and finally, as I said, I believe that section 28 has led to confusion in the minds of many teachers as to how to address the issue of homosexuality in our society.

I hope that it is absolutely clear to the House that we are implacably opposed to the continuation of section 28, and that we will work with all those, of whatever political party and of none, whose desire it is to see it abolished. Further, we wish that abolition to take place as quickly as possible.

The Minister has made it clear that the Government are anxious for section 28 to be abolished, but she has failed to tell us how quickly that is to be done, or by what mechanism. We shall work with her as long as it is absolutely clear that the Government's desire is to see the abolition of section 28 at the earliest possible opportunity—and I say to her that that can be achieved. It can be achieved by the introduction of a single clause Bill, even during the spillover period of this Parliament, at least to test the waters. It would be an example of good faith on the part of the Government, and show that they were prepared to work with those who, like us, oppose section 28, to see whether that would be an appropriate mechanism.

I very much hope that before this debate is out, we shall hear more from the Minister about a commitment to speed, and some indication of the procedure by which we shall achieve the end that I believe she and I share.

Mr. John McDonnell (Hayes and Harlington): I shall speak on the narrow point of strategy that has been discussed this evening. I was in local government for 25 years before I entered the House, and I know and understand the importance of the Bill to many of our colleagues in local government, and the powers that it can confer on local councillors to do good in our communities.

However, I was also in local government in 1987. I was chief executive of a local government organisation when the clause that eventually became section 28 appeared, and I was therefore an officer advising local authorities on its effects. To be frank, we know why it was brought forward—as part of a homophobic campaign, as other campaigns have been waged against other minority groups in advance of elections and for political gain.

Dr. Lewis: I think that the hon. Gentleman's memory is slightly at fault. I remember that the provision was brought forward in the light of publications like "Jenny lives with Eric and Martin", which were being put into schools, to the dismay of many parents.

Mr. McDonnell: There was an element of publicity surrounding publications like that, but I thought that the debate had moved forward from then, because in the discussions that took place about such publications, many of us learned many lessons. I believed that local government must come to terms with its powers and its relationship with schools as the education authority across a range of such matters. At that stage, I thought that we had moved forward. The first few years after 1987 were difficult, but after that there was an informed debate.

I genuinely thought that all political parties had moved on. I thought that we had all learned lessons about our relationship to minority groups, about mutual respect, and about how legislation should be used to protect, rather than undermine, human rights.

That is why I say, just on this narrow strategic or tactical point, that although I respect the need for the local government legislation, I also respect the role that the House should play in the protection and promotion of human rights. I pay tribute to Members, such my hon. Friends the Members for Blackpool, South (Mr. Marsden) and for Enfield, Southgate (Mr. Twigg), who have worked hard to shape the legislation so that it satisfies all concerned.

12.45 am

Mr. Woodward: Last year, the shadow cabinet of the Conservative party thought that, as a matter of human rights, this issue was worth two minutes' discussion. It thought that the views of every children's charity, the National Union of Teachers and all those interested in the protection of children merited just two minutes' consideration. What does my hon. Friend think about that in the context of human rights?

Mr. McDonnell: I was hoping that when we debated this issue 13 years on from 1987, we would come at it with mature reflection about the implications for our communities—the minority and the majority—and that we would have learned lessons from what has happened. The Lords have thrown out every compromise that has been offered to them—in some cases, the compromises went too far—and sent us the message that section 28 should remain in force. If there is to be a constitutional battle between the elected House and the unelected House, let us have it on the issue of human rights.

As a matter of tactics, we should send the Bill back to the Lords. If we have to stay another couple of weeks to debate the issue and confront the unelected House on a key issue—*[Interruption.]* Hon. Members may laugh when I suggest that perhaps we should work for an additional fortnight. Most of my constituents will have at best two weeks' holiday this summer, so why do we not stay here to confront the House of Lords? Why do we not draw a line in the sand on this fundamental issue of

[Mr. McDonnell]

human rights? On that basis, I give notice that I shall not vote to accept this part of the Bill. I will call a Division, because we should send the Bill back to the Lords to say clearly that we will not accept an unelected House undermining our promotion of human rights.

Mr. Gummer: The problem is that the Government have not convinced the majority of people of the sense of repealing section 28. I say that, even though I have a long record of taking what many would describe as a liberal view on this issue. However, in her representation of the debate in the other place, the Minister missed out some serious speeches and, in particular, that of the Bishop of Winchester, who cannot in any circumstances be referred to as a bigot. It does not help our discussion of the issue if both sides of the House merely shout "bigot" at each other.

We have to face up to the fact that the majority of people in Britain have not been convinced that it is sensible to allow the promotion of homosexual behaviour in schools. Every test of public opinion has shown that fact to be true. It is also true that, in the past, the House of Lords has shown itself to be more liberal than the House of Commons. The reform of the laws that made homosexual behaviour criminal was very much made possible by the House of Lords. Criticism of the other House in these circumstances seems to be unjust and historically inaccurate.

Are we taking seriously the debate that took place in the other place? Some people are bound to express themselves badly on such matters and others have a deep-seated antagonism to this particular minority. However, it does not help the debate to suggest that everybody who has doubts about the repeal of the section is in that category. I beg the right hon. Lady to take seriously the fact that people such as the Bishop of Winchester speak for the majority, and in a democracy she needs to convince the majority before she makes this change.

Ms Armstrong: The right hon. Gentleman said that we had failed to convince people on the question whether local authorities should promote homosexuality in schools. We have made it clear in the Learning and Skills Bill that local authorities have no role at all in the teaching of sex education in schools. There is a role for governors, in consultation with parents, to determine what is taught and how it is taught, and they must take account of guidance from the Secretary of State for Education and Employment. The right hon. Gentleman continues to push the point about section 28 when it is absolutely clear that the law does not relate to what he is speaking about.

Mr. Gummer: The right hon. Lady is missing the point, which is simply that the Government seek to repeal section 28 when it is clear that the majority of people in Britain do not support that. The House of Lords, in its decision, has echoed the voice of the majority. I merely say to the right hon. Lady that if she is to be credible in this matter, she needs to be able to show that she has the support of the majority, which she should be able to do if her case is as watertight as she makes out. What worried me about her opening remarks is that she simply spoke loudly about people who have genuinely sought to discuss the issue.

I want to put three simple points to the right hon. Lady. If section 28 does not mean anything, why has she tried to introduce this measure so often, with such obsessive pressure? If, on the other hand, it is meaningful, why is it wrong to say that society is tolerant but is not neutral on the matter because it does not want homosexual activity to be promoted? That is not a homophobic position; it is a perfectly reasonable position which happens to be shared by the majority of people in Britain. If the right hon. Lady does not think it reasonable, she must convince the majority of her position. She has not done so.

Thirdly, we may live in a secular society, but it is serious when the Government decide that they will ride roughshod over opposition from the Churches and other faith groups. Again, I recommend that the right hon. Lady read the speech by the Bishop of Winchester, who expressed the deep Christian view of the majority of churchgoers in this country, who should not be ignored or called bigoted. The right hon. Lady suggested that every one of those people was bigoted. That is a great pity, and I hope that she will withdraw the remark.

Mr. Tom Levitt (High Peak): She did not say that.

Mr. Gummer: I hope that when the right hon. Lady reads *Hansard*, she will realise that it is at least reasonable to infer that from what she said. [HON. MEMBERS: "Oh."] I am trying to be as polite as possible; the right hon. Lady made it clear that she thought that everybody on the other side of the argument was bigoted. I am prepared to say that I may be mistaken, but she ought to read her words.

If the right hon. Lady maintains her view, will she explain to the House whether she wants homosexual behaviour to be promoted? Is that what she wants? If not, what is wrong with having a section that prohibits it? She has not answered that question because she has never faced up to it. I remind her that when I tried to get the Government to agree to insert specific words about the promotion of marriage, they turned down that amendment. Would not it be an odd world in which we were allowed, by the repeal of a measure, specifically to promote homosexuality, but not specifically to promote marriage?

Mr. Ben Bradshaw (Exeter): I do not want to rehearse the arguments all over again; they have been rehearsed quite enough times. Most Labour and Liberal Democrat Members, and even some Conservative Members who, sadly, do not have the courage of their convictions, share my depression.

I should, however, correct the false assertion of the hon. Member for Eastbourne (Mr. Waterson) and, I am sorry to say, the right hon. Member for Suffolk, Coastal (Mr. Gummer), about the position of the Churches. As far as I am aware, the only Church leader in the United Kingdom who has spoken clearly against the repeal of section 28 has been the Catholic Cardinal Winning in Scotland. The majority of the Church of England bishops in the House of Lords yesterday voted with the Government. *[Interruption.]* Conservative Members can check *Hansard* if they have the energy. I have it in front of me; the ratio of Church of England bishops who voted with the Government was about 6:2. So, please, no more of Conservative Members trying to claim that they talk on behalf of the Churches. The Churches are divided. Many decent Christians, such as myself and other Labour Members, believe that the legislation is pernicious and needs to go.

Is not the real issue facing us that, once again, the overwhelming will of the democratically elected House of Commons has been thwarted by an unelected House of Lords which is riddled with homophobia? Does my right hon. Friend the Minister agree—I hope that she will assure us in her winding-up speech—that the Government have a moral obligation to deal with the matter in a stand-alone Bill as soon as possible, to respect the House's overwhelming will?

I disagree with my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell). I do not see what would be achieved by a ping-pong session between this House and the House of Lords all summer, giving Baroness Young more publicity for her homophobia and bigotry. That is the last thing that we and vulnerable young gay and lesbian people need. I beg him not to do what he said he would do.

May I point a way forward for my right hon. Friend and her fellow Ministers? Does not this problem show that the time has come to stop pussyfooting about extending human rights legislation? Is there now not an overwhelming case in Britain for a Government Bill or a manifesto commitment—I do not mind which—to ban discrimination on the basis of sexual orientation wherever it occurs, to deal with the subject once and for all? Would that not also have the advantage of putting clear blue water between a Labour party that is committed to basic human rights for all and a Tory party that is mired in homophobia and hypocrisy?

Mr. Simon Thomas: The tone of some of the comments, particularly the sedentary ones, has been especially unpleasant and not made for healthy debate. As somebody on the Opposition Benches who has supported the Government throughout on the matter, I am disappointed that they have not been prepared to press forward and seen fit to take the Bill through both Houses again.

We have heard much from Conservatives Members, who are great traditionalists, about the will of the people, but if this House cannot express the will of the people, what is the point of it? As this House has many times made its view on repeal of section 28 very clear, surely the matter should be taken forward. It is a great pity that, for practical reasons at this stage in the Session, we cannot do so. It is also a pity that, more than anything, the section 28 issue has characterised the Bill. There are more important issues in it that the Lords and Conservative Members could have tackled.

The Government could have done one of two things when it came to section 28. They could have let it wither on the vine. It has already been superseded by the role of governors in sex education in schools. It would certainly have been superseded by European legislation on equality. In fact, we voted earlier on a motion on such draft regulations.

However, having chosen to open the debate, the Government must accept that they have triggered an upsurge of prejudice and fear. I have seen that fear during many difficult discussions in my constituency, especially with Christian groups. I believe that, for the most part, that fear is born, not out of prejudice, but out of ignorance of what section 28 is or is not achieving, and of the Government's intentions. With respect, I suggest that the Government left a gap at the start of the process, when it was not clear what the Bill would contain and many ordinary Members of Parliament had difficulty determining the path that the Government had plotted for us. There was a lack of leadership and the Government are reaping the consequences of that.

I urge the Government to show that leadership. From the Prime Minister down, they have made it clear that they want the repeal of section 28, and it is clear that they have the support of the majority of Members of Parliament. Therefore, there is the parliamentary will to achieve that end. It is incumbent on the Minister for Local Government and the Regions to state tonight how the Government intend to proceed. I understand that she cannot make any guarantees and I respect that, but Ministers have had time in the past 24 hours to consider the next step. Will that next step consist of a short, sharp Bill, or of amendments to other Bills?

The Government should make it a priority to cure a pain in our public policy that is thwarting sensible discussion of what should be taught in schools. Irrelevant though the issue is, it is distorting that debate. The Government should give a clear commitment tonight that they will sort the matter out, once and for all, that they will allow Parliament to sort it out, and that it will not be left to drag on for much longer.

1 am

Mr. Corbyn: I was a Member of Parliament in 1987, when the awful clause 28 was introduced. I remember the homophobic speeches that were made at the time, the prejudice displayed by the Government of the day, and the effect outside Parliament. Homophobic bullying was given easy passage, which resulted in the isolation and punishment of many young gay and lesbian people, who were left in terror. Ask anyone who works with organisations such as Childline about that period and what has happened since then, and they will say the same.

There is no division of opinion among Labour Members on whether we should get rid of section 28. The issue has been discussed for a long time within the Labour party and the broader community. Many of us have fought elections, and been elected, making a clear stand against section 28 and the homophobia goes with it. I am proud that my party has done that.

However, the issue tonight is essentially one of tactics. My hon. Friend the Member for Blackpool, South (Mr. Marsden) made a powerful speech in which he, rightly, pointed out that the European convention on human rights and our own human rights legislation will ensure that if the Bill is enacted in its current form, it will probably be outlawed at some point, because of the implicit ban on the promotion of homosexuality that it contains. My hon. Friend the Member for Exeter (Mr. Bradshaw) said, rightly, that the issue has to be addressed and asked the Minister for Local Government and the Regions to state, specifically and clearly, how it will be dealt with. I asked my right hon. Friend for a similar assurance during her opening remarks, but I am sorry to say that I am not satisfied with her answer.

If the House of Lords rejects the Bill and we send it back and there is a ping-pong match between the two Houses, the Lords might, at some point, realise that the Commons is serious about the Bill, serious about human rights and serious about getting rid of section 28. If we do that now, that will be a clear and immediate response. I say with the

[Mr. Corbyn]

greatest respect to my hon. Friend the Member for Exeter that doing that will not give Lady Young massive publicity; instead, she will have been challenged immediately. However, if we delay, those who want to retain section 28 will have longer to campaign on the issue.

Coming back to a Bill in the spill-over period would be a good thing; coming back to a Bill in the next Session would be less good, but it would at least show a commitment. However, if we do not address the issue at all in this Parliament and return to it only in the next Parliament, we shall have negated our responsibility to get rid of section 28, which is an issue on which many of us were elected.

The way to deal with this issue is to say to the House of Lords, "Sorry, you are not correct on this. We are determined to get rid of the prejudice within our society, which has been encouraged by section 28."

Mr. Stephen Twigg: There is no doubt that the overwhelming majority of Members want to see the repeal of section 28. If we believed that by sending it back to the House of Lords tonight through the Bill we could achieve its repeal, we would do so. The judgment upon which my right hon. Friend the Minister has made her case tonight is that we shall not be able to bring about the repeal of the section by taking that course. Nothing that my hon. Friend the Member for Islington, North (Mr. Corbyn) has said tonight has persuaded me that we can do so. Let us unite as people who want to repeal section 28 and get rid of it at the earliest opportunity.

Mr. Corbyn: I thank my hon. Friend for that intervention. We are united in wanting to get rid of section 28. We are discussing how we should do that. With great respect to my hon. Friend and the Minister, I have not heard anything tonight that suggests that delay will make it easier to get rid of the section. I suggest that, if anything, delay will make that slightly more difficult.

We were elected in May 1997 with a large majority. Issues such as this should have been dealt with immediately. If that approach had been taken, the repeal of the section would have been achieved more quickly than is likely now.

Mr. McDonnell: We are having a tactical discussion and trying to find a way forward. Does my hon. Friend agree that a simple commitment from those on the Government Front Bench, announced tonight, that a one-clause or simple Bill would be brought forward within weeks—in other words, in the spill-over session—would send a message to the Lords that we are serious?

Mr. Corbyn: If the Minister is able to help us with that, my hon. Friend's suggestion might take us some way forward. There is no reason why the Government could not prepare a short one-clause Bill now, publish it immediately, and show that we are determined to get rid of the obnoxious section 28 as quickly as possible. Unfortunately, my right hon. Friend has not encouraged me to believe that that is likely to happen.

Mr. Gerald Howarth (Aldershot): I understand the passion with which the hon. Member for Blackpool, South (Mr. Marsden) expresses himself on this issue. In fairness, he should understand that others of a different persuasion feel equally passionately about it. This is the place where we try to resolve such difficulties. If the hon. Gentleman is looking for someone to blame, he should focus on the occupants of the Government Front Bench. As has been said repeatedly, the issue was not the subject of a Labour party manifesto commitment. The Government chose to tack it on to the Bill in the hope of sneaking it through Parliament.

I pay tribute to Baroness Young, who, by common consent, except among Labour Members perhaps, has fought a remarkably courageous campaign, with enormous fortitude and with enormous support from the people of Britain. It is widely recognised that last night, despite packing the other place with more cronies—another 30 since this issue was last debated there—the other place spoke for the people and parents of Britain.

It was not simply a Tory victory last night. Baroness Young would not have won had she not had the support of Labour peers, Cross-Bench peers, the bishops and the Muslim community. Those who are supporting the retention of section 28 constitute a broad coalition of the British people. Those who are in favour of its repeal are members of the Labour and Liberal parties. The issue is not about homophobia and it does not involve a tolerance of bullying. None of us on the Opposition Benches has any truck with bullying. That must be rooted out wherever it occurs in our schools.

The Government knew that they were losing ground on the issue. To placate some of the more reasonable members of the Cabinet, they produced the proposals for guidelines for sex education. They tried to do a deal with some of the bishops. They bought off some of them, but not all.

It is astonishing that the Government refused to accept an amendment which drew on the very words of the Home Secretary in the Government's own document "Supporting Families". If Labour Members have a complaint, it is about their own Government.

I can tell the hon. Member for Exeter (Mr. Bradshaw) that four bishops voted with my noble Friend last night and four voted against, but the former Archbishop of York perhaps gave the casting vote in support of those who were in favour of the retention of section 28.

Mr. Bradshaw *rose—*

Mr. Howarth: As the hon. Gentleman would not give way to me, I will not give way to him.

Mr. Bradshaw: Name the bishops.

Mr. Howarth: The names are all in *Hansard*. The bishops who voted for retention were the Bishops of Bradford, Manchester, Rochester and Winchester. Those who voted against were the Bishops of Bristol, Oxford, Portsmouth and St. Albans. The hon. Gentleman can read that in *Hansard*, just as I did.

Another point made was that charities such as Childline, the NSPCC and Barnardos were in favour of the repeal of section 28. That is contradicted by an answer given by the

Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Stretford and Urmston (Ms Hughes), on 19 June at column 5W. She was asked what discussions had taken place

with *(a)* Childline, *(b)* the NSPCC and *(c)* Barnardos about the repeal of section 28 of the Local Government Act 1988.

She replied:

The Government have had no discussions with Childline, the NSPCC or Barnardos about the repeal of section 28. I understand that the organisations do not hold official positions on the repeal.—[*Official Report*, 19 June 2000; Vol. 352, c. 5W.]

I shall not detain the House further, save to repeat that it was a coalition in their lordships' House last night which secured the protection of children, which parents throughout the country want. May I say to the Prime Minister that the campaign for repeal is an eye-catching initiative, with which he is personally associated, and he will be associated with that endeavour right up to and including the next election?

Mr. Woodward: I shall speak briefly as a trustee of Childline, as a former deputy chairman of Childline, and as someone who has been responsible for child protection. Childline has counselled 1 million children in the past 12 years. Whatever the hon. Member for Aldershot (Mr. Howarth) may wish to say about Childline or however he may wish to traduce it and the other charities involved in child protection, it is a gross distortion of what the charities have said and the evidence that they have produced.

The truth is that children are not protected by the current law. Those Opposition Members who have no interest in listening to facts and no interest in listening to children's charities are wilfully damaging, not protecting, children in Britain today. Nobody in Britain wants the promotion of homosexuality. People in Britain want tolerance, fairness and understanding.

Mr. Howarth: Will the hon. Gentleman give way?

Mr. Andrew Lansley (South Cambridgeshire): Will the hon. Gentleman give way?

Mr. Woodward: I will not give way, and the hon. Member for Aldershot (Mr. Howarth) knows well why I will not do so. Every time I have asked him to give way, he has petulantly refused to do so. I shall return the compliment. He cannot face criticism. His comments are based on ignorance, intolerance, prejudice and a failure to consult children's charities.

1.15 am

If Conservative Members had once done children's charities the courtesy of spending time with them, they would have learned—*[Interruption.]* Conservative Front-Bench spokesmen moan about this, but I have never seen a single Conservative Front-Bench spokesman at the offices of Childline. They have never consulted the children's charities. Why are they not interested? They had a two-minute discussion in shadow Cabinet in which they decided that it was so-called good family values—or short-term political opportunism—to ignore the evidence of every single children's charity and every single teacher who said that the section was a mistake. They do not care about the damage that they do. They do not care about the children who, in the next 12 months, will be suicidal and who will take their own lives.

Conservative Members will not listen, but if they care one jot about children, if they care one jot about a Sarah Payne—*[Interruption.]* Listen carefully. *[Interruption.]* Those of us who are involved in child protection know that unless one listens to the problems that are raised by the children and their families they become a serious matter, sometimes ending in death.

I can tell Conservative Members that there will be children who will telephone Childline or the Samaritans and talk of suicide and despair, and if the House chooses, out of prejudice, intolerance and short-term political gain, to ignore those children, it will fail our country in a way which is singularly irresponsible.

Dr. Harris: I have three points in refutation of some of the points made by Conservative Members. First, it is not the view of any medical organisation, psychological or psychiatric authority that homosexuality can be promoted. That is like saying that femaleness can be promoted. It cannot. Unless hon. Members have discovered some new developmental biological insight, or developmental psychological insight—

Dr. Julian Lewis: Will the hon. Gentleman give way?

Dr. Harris: I did not intervene on Conservative Members, so I shall not take interventions from them. Unless they can show such research, section 28 is founded on scientific nonsense.

Secondly, section 28 does not allow for young people to be told that homosexuality is acceptable as "a pretended family relationship". That means that young people should be told that homosexuality is unacceptable and that anyone who is homosexual and has any kind of family relationship is somehow unacceptable. That is what is unacceptable to those of us who believe that gay and lesbian people have a right to private family lives and to the freedoms and privileges that other British citizens rightly enjoy. That is why that part of section 28 is anathema.

Thirdly, Conservative Members have attempted to say that they care deeply about the problems of bullying, including homophobic bullying, while supporting section 28. There is clear research on the effect of section 28 on the mental health and freedoms of young people who are teased for being gay or lesbian or because they are felt to be gay or lesbian.

Research by the College of Ripon and York St. John presented this month at a conference of the British Psychological Society shows that a large proportion of lesbian, gay and bisexual pupils who are bullied by their classmates try to commit suicide, and that 17 per cent.—nearly one in five—display symptoms associated with post-traumatic stress disorder in later life. The authors of the report clearly link that to section 28.

Dr. Rivers, one of the authors of the report, states:

I would suggest that there are fewer guidelines to censure bullying when it's over the issue of sexuality.

He believed that repealing section 28 would help. He said:

Section 28 is a major stumbling block to discussing sexual orientation and homophobic bullying.

[Dr. Harris]

The research evidence therefore suggests something that Conservative Members will not accept: section 28 helps homophobic bullying. They can ignore the scientific research, but they must recognise that they are doing so.

What about the decision that faces us tonight? I have a great deal of respect for the Minister for Local Government and the Regions and her commitment to repealing section 28. I also pay tribute to Labour Members who have spoken in favour of the Government's view. However, we must consider the current position. We are three years into the tenure of an all-powerful Labour Government, who have a huge majority and have defied the law repeatedly through illiberal measures on asylum seekers, the imposition of tuition fees—there was a great deal of ping-pong on that—the loss of the right to trial by jury, and the reduction in some disability benefits. They have fought and defeated the Lords on those issues, yet no progress has been made on repealing section 28.

Perhaps we are worse off than when we started because we have handed our opponents a victory, which will succour prejudice, give momentum to the view of those who oppose the human rights of lesbian and gay people, and kindle homophobia and the sort of hate crimes that we have witnessed in their severest form recently. Could the Government have taken action earlier to avoid our current position?

The Government must urge the repeal of section 28. They could have made it a manifesto commitment. A vote against the Government's position tonight will send a message to those in charge of manifestos that the House of Lords shows greater respect to Government manifesto commitments. If, like us, the Government had included their policy to repeal section 28 in their manifesto, we would probably not be in our current position.

The Government could have introduced the provision in their first Bill on local government. It would have been better to do it immediately and associate a popular Government with an important measure, which may not be populist according to the tabloid press. We would be further away from a general election and there would be less electoral leverage for the more intolerant parts of the media, and less of a chance for our opponents to whip up homophobia around election time.

The Government could have repealed section 28 in a House of Commons Bill, which would have allowed for the operation of the Parliament Act. I know that they were urged to do that. The Library report states clearly that if a House of Commons Bill had been introduced earlier in the Session, the Parliament Act—the cure for Lords obstinacy—could have been used.

It did not take a rocket scientist to realise that the House of Lords would oppose repealing section 28. It does not take much to realise that headlines in the newspapers—even *The Guardian*—which suggested that, if the Government lost, they would make the announcement that they made today, would improve the Lords' chances of defeating the measure. That happened on measures such as the reduction of the age of consent. The Government should give no clue to their future tactics because that aids our opponents.

Another option was proper reform of the House of Lords, ridding it of the hereditaries. Sixty-four hereditary peers voted against repealing section 28. That figure is far greater than the majority that was achieved in the House of Lords. If the Government had not conceded on hereditary peers, or if they had proceeded more quickly to fuller reform, we would not be in our current position. If the Government had secured a proper turnout of Labour peers the first time, and fewer than the 18 rebellions, through pressure that the Whips are more than capable of exerting, the provision would not have been lost in the House of Lords. *[Interruption.]*

Mr. Deputy Speaker: Order. There is far too much noise in the House. This important debate is of concern across the nation and the hon. Gentleman should be heard.

Dr. Harris: I pay tribute to Liberal Democrat peers who have twice voted to repeal the measure—the turnout was 100 per cent.—and to the Labour peers who spoke so eloquently.

There is another option. As other hon. Members have suggested, the Government could insist on getting their way and, although I respect the views of the hon. Member for Exeter (Mr. Bradshaw), that would not give Baroness Young further opportunities. Conceding defeat would give succour to our opponents. Baroness Young and her colleagues want the Government to concede defeat, but I could not abide giving them that victory tonight. If we insisted on the Lords reconsidering, that would send a signal from the Prime Minister that the matters referred to in the memo are of no consequence to Labour Members and Labour Ministers. I hope that an honourable Labour Government will not give way on human rights to the so-called family lobby; gay issues, as referred to in that memo, are a human rights matter.

We have lost again on a human rights issue. What signal does that send out from the Government? I am afraid that they have sent out other similar signals. With a few honourable exceptions, Labour Members voted against a proposal made from these Benches to ban discrimination in employment on the ground of sexual orientation, and for nearly three years after taking office, the Government continued to sack gay members of the armed forces even though they knew that they would have to stop doing so. They also voted against a proposal made from these Benches to allow pension sharing and voted to allow the extension of sentences for all hate crimes, not just racially motivated crimes.

The Government have apparently wavered on abolishing the offence of gross indecency and have in terms ruled out giving adoption rights to lesbians and gays. Also, we must ask, where is the age of consent Bill? It could have passed into law on 23 February had the Government business managers introduced it into the House of Lords earlier. If the Lords had accepted the Bill, it would have become law; under the Parliament Act, it would have become law had the Lords rejected it.

Mr. Bradshaw: That is an argument for supporting my suggestion to move forward with an overarching Bill to outlaw all discrimination on the ground of sexual orientation rather than for indulging the hon. Gentleman's pet scheme of playing ping-pong with the bigots in the House of Lords.

Dr. Harris: My hon. Friends and I would welcome an overarching Bill, but one has not been promised tonight.

I invite the Minister to give such a promise, but, given the Government's record on some of these issues, she is unlikely to do so. I do not doubt the hon. Gentleman's personal commitment, but he should examine the voting records. It would be useful if he and others sent Ministers the message that they want more progress to be made on these matters.

There are other options. The hon. Member for Islington, North (Mr. Corbyn), my hon. Friend the Member for Bath (Mr. Foster) and I have invited the Minister to make specific suggestions. There could be a new Bill in the spillover period, though I fear that that might not work. At least she could offer such a Bill now. There could be a new Commons Bill in the next Session, which would offer the promise of using the Parliament Act. There could be an overarching equality Bill. The Government could show that the memo culture of worrying about gay issues does not apply to them. The Minister could at least guarantee that a pledge to repeal section 28 will appear in the next Labour manifesto. Can she give such a guarantee or say that that is her wish?

Unless we get a guarantee, all that tonight will represent is a victory for intolerance and prejudice, a failure of Government policy and a failure of Labour party policy. That will give aid to our enemies. Amendments such as that tabled by the Bishop of Blackburn, which were not the first preference of Members on these Benches, will have been accepted for nothing. No alternative has been offered by the Government and the atmosphere is one of suspicion.

I want the Minister to do what the opponents of this measure do not want her to do. They want her to continue with her line of offering nothing substantial except a vague commitment. We want her to offer a clear commitment.

1.30 am

Ms Armstrong: We have had a wide-ranging debate. Hon. Members on this side of the House and below the Gangway have made substantial points in support of the repeal of section 28. Those points have been made before, but are none the less very strong indeed. My hon. Friends the Members for Blackpool, South (Mr. Marsden), for Exeter (Mr. Bradshaw) and for Enfield, Southgate (Mr. Twigg) made strong speeches making it absolutely clear that, whatever the official legal position, young people who think that they are gay or lesbian have faced difficult consequences because of the way in which they have been treated at school.

Most Conservative Members have made it clear that they do not believe that homophobic bullying should go on in schools, and I am pleased that they have done so. However, they refuse to listen to any of the evidence that shows clearly that such bullying does occur and that section 28 is used—probably wrongly—to legitimise the reasons for not tackling the problem. Whatever their position in the House, those who want to see the end of such activity should take careful note of the clear evidence of many children's charities across the country, because the introduction of section 28 has had a negative effect. That may not have been the intention of some Conservative Members when they passed the legislation in 1988. However, that has none the less been the consequence.

It was interesting to listen to the meanderings of some Conservative Members. I remind them of what their party leader said in February 1999. He must wish that that was long enough ago for people to have forgotten what he said. He told his party that it must be seen as "open, inclusive and compassionate" as opposed to its past "elitist" image. The Tory party is now tearing up its proposal for a common-sense revolution. It has also torn up its commitment to openness, inclusiveness and compassion.

Many of my hon. Friends and some Opposition Members urged me to send the Bill back to the Lords. My hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) made his position clear, as did my hon. Friend the Member for Islington, North (Mr. Corbyn) and the hon. Member for Oxford, West and Abingdon (Dr. Harris). They do not understand the procedures of the Palace of Westminster. If we send the Bill back, we risk not only not repealing section 28, but the whole Bill. If we remove the Baroness Young clause and send the Bill back to the Lords, who vote on it and once again insert it, the Standing Orders and guide to proceedings of the House of Lords make it absolutely clear that if the Lords insist on their disagreement, without offering alternatives, the Bill is lost.

My hon. Friend the Member for Hayes and Harlington said clearly that he respected the Bill and the issue of human rights embodied in the repeal of section 28. I share his respect for both those things. It is because we want the battle on human rights to constitute the dividing line between us and the Tories, between this House and the House of Lords, that I know there is simply no point in sending the Bill back in the way that he wishes. We could have no battle with the House of Lords: it could simply reaffirm its position and there would then be no opportunity for the House to consider or debate the Bill again. On that basis, I urge my hon. Friend to think again.

The hon. Member for Oxford, West and Abingdon gave us a litany of what the Government might now do, and all his suggestions are real possibilities. However, accepting those suggestions tonight without securing consensus across this House and with the House of Lords might not be the most effective way of ensuring that we get rid of section 28.

Those who know me well are aware that I am not in favour of gesture politics. *[Interruption.]* I said, "Those who know me well"; I do not think any Tories know me well. I am not in favour of gesture politics. I want actual repeal of section 28, and the extension of human rights in this country. I want to be part of making that a reality, and I believe that Liberal Democrats, Welsh nationalists and my hon. Friends share my determination. I want to work with them to find an effective way of guaranteeing the repeal of section 28.

We will repeal the section. The hon. Member for Oxford, West and Abingdon said that we could do it this way and that way; he said that we could do it by putting something into the manifesto. We need to consider all the possibilities properly and to come up with a method that works, rather than one that just throws the issue up in the air. The hon. Member for Ceredigion (Mr. Thomas) attacked us for doing that.

We are determined to get rid of section 28, and determined to find the most effective way of doing so. The Government are committed to that; I believe that the House is committed to it; and I ask Members to support the Government.

Question put, That this House does not insist on its amendment No. 377, to which the Lords have disagreed:—

The House divided: Ayes 381, Noes 36.

Division No. 292] **[1.38 am**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Amess, David
Anderson, Janet *(Rossendale)*
Arbuthnot, Rt Hon James
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Atkinson, Peter *(Hexham)*
Banks, Tony
Barnes, Harry
Bayley, Hugh
Begg, Miss Anne
Beggs, Roy
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Bercow, John
Beresford, Sir Paul
Berrningham, Gerald
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunt, Crispin
Boateng, Rt Hon Paul
Borrow, David
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Brown, Russell *(Dumfries)*
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burns, Simon
Butler, Mrs Christine
Butterfill, John
Caborn, Rt Hon Richard
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Cash, William
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chaytor, David
Chisholm, Malcolm
Chope, Christopher
Clapham, Michael
Clappison, James
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clelland, David
Clifton-Brown, Geoffrey
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Collins, Tim
Colman, Tony
Connarty, Michael
Cormack, Sir Patrick
Corston, Jean
Cran, James
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davis, Rt Hon David *(Haltemprice)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Day, Stephen
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dorrell, Rt Hon Stephen
Dowd, Jim
Duncan Smith, Iain
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Mrs Lorna
Flight, Howard
Flint, Caroline
Flynn, Paul
Forth, Rt Hon Eric
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fox, Dr Liam
Fraser, Christopher
Fyfe, Maria
Gale, Roger
Garnier, Edward
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibb, Nick
Gibson, Dr Ian
Gill, Christopher
Gillan, Mrs Cheryl
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Gummer, Rt Hon John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harman, Rt Hon Ms Harriet
Hawkins, Nick
Hayes, John
Heal, Mrs Sylvia
Heald, Oliver
Healey, John
Heathcoat-Amory, Rt Hon David
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Hope, Phil
Hopkins, Kelvin
Horam, John
Howard, Rt Hon Michael
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howarth, Gerald *(Aldershot)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jack, Rt Hon Michael
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkin, Bernard
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Key, Robert
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Laxton, Bob
Leigh, Edward
Lepper, David
Leslie, Christopher
Letwin, Oliver
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Dr Julian *(New Forest E)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Lidington, David
Lilley, Rt Hon Peter
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Loughton, Tim
Love, Andrew
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
Macdonald, Calum
MacGregor, Rt Hon John
McGuire, Mrs Anne
McIntosh, Miss Anne
McIsaac, Shona
Mackinlay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
McNamara, Kevin
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Madel, Sir David
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
Maxton, John
May, Mrs Theresa
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Moss, Malcolm
Mountford, Kali
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Nicholls, Patrick
Norris, Dan
O'Brien, Stephen *(Eddisbury)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Ottaway, Richard
Palmer, Dr Nick
Paterson, Owen
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Portillo, Rt Hon Michael
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prior, David
Prosser, Gwyn

Purchase, Ken
Quinn, Lawrie
Randall, John
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Robathan, Andrew
Robertson, Laurence
Roche, Mrs Barbara
Roe, Mrs Marion *(Broxbourne)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Ruffley, David
Russell, Ms Christine *(Chester)*
St Aubyn, Nick
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sayeed, Jonathan
Sheerman, Barry
Simpson, Keith *(Mid–Norfolk)*
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Starkey, Dr Phyllis
Steen, Anthony
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Streeter, Gary
Stringer, Graham
Sutcliffe, Gerry
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Temple–Morris, Peter
Tipping, Paddy
Todd, Mark
Townend, John
Tredinnick, David
Trend, Michael
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyrie, Andrew
Viggers, Peter
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Waterson, Nigel
Watts, David
Wells, Bowen
Whitehead, Dr Alan
Whitney, Sir Raymond
Whittingdale, John
Wicks, Malcolm
Widdecombe, Rt Hon Miss Ann
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wilshire, David
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Tony McNulty and
Mr. Don Touhig.

NOES

Abbott, Ms Diane
Allan, Richard
Ashdown, Rt Hon Paddy
Ballard, Jackie
Beith, Rt Hon A J
Brake, Tom
Brand, Dr Peter
Bruce, Malcolm *(Gordon)*
Burstow, Paul
Campbell, Rt Hon Menzies *(NE Fife)*
Corbyn, Jeremy
Cotter, Brian
Davey, Edward *(Kingston)*
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Gidley, Sandra
Gorrie, Donald
Harvey, Nick
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kirkwood, Archy
McAllion, John
Moore, Michael
Oaten, Mark
Öpik, Lembit
Rendel, David
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tyler, Paul
Wallace, James
Webb, Steve
Willis, Phil

Tellers for the Noes:
Mr. John McDonnell and
Dr. Evan Harris.

Question accordingly agreed to.

Subsequent Lords amendments and reasons agreed to.

Learning and Skills Bill *[Lords]*

Lords amendments considered.

Clause 117

SEX EDUCATION

Lords amendment to Commons amendment No. 180: in line 4, at beginning insert—

("In exercising any function which may affect the provision of sex education in maintained schools, every local education authority must have regard to the guidance issued by the Secretary of State under section 403(1A).

(7) Except to the extent provided in subsection (6),").

1.56 am

Mr. Deputy Speaker (Mr. Michael Lord): With this it will be convenient to discuss the Lords amendment to Commons amendment No. 182.

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Malcolm Wicks): I beg to move,

That this House agrees with the Lords in the said amendment.

I am pleased to say that we are now close to the end of our consideration of the Bill. I hope that the amendments will not detain the House for long tonight.

Hon. Members will recall that the amendments on sex education made in this House focused on protecting children from inappropriate materials, including those produced by health authorities. We have to consider two amendments to amendments agreed in this House. The first, to amendment No. 180, is a Government amendment that ensures that when local education authorities carry out any activity that may have a bearing on the provision of sex education, they must have regard to the Secretary of State's guidance on sex and relationship education.

The Government tabled that amendment in another place in response to amendments tabled by Baroness Young that would have provided that, if a local education authority gives training and advice to teachers or governors on the subject of sex education, it should have regard to the fact that marriage provides a strong foundation for stable relationships and is the most reliable framework for raising children. The Government believe that the amendment was unacceptably narrow and that it would be wrong to focus on marriage as a single issue in that way.

We recognised, however, that it was important to consider the role of LEAs. They play a key part in supporting schools; for example, by providing information, training and advice. We thought it right for LEAs to have regard to the principles set out in our guidance when performing that role, and had already sent copies of our sex and relationship guidance to every LEA to encourage them to do so.

Both in principle and to ensure the successful passage of the Bill, we believed it right to table an amendment to make it clear that LEAs must have regard to that guidance when carrying out activities that may affect sex education. The amendment does not change the existing provision that, of course, the key responsibility for sex and relationship education must remain with the head teacher and the governing body, and that the local authority has no duty in the policy or delivery of sex education.

The second Lords amendment, tabled by the Bishop of Blackburn, inserts an addition to amendment No. 182, passed in this House, to provide that the Secretary of State's guidance should secure that children learn the nature of marriage and its importance for family life and the bringing up of children. The amendment would preserve the remainder of Commons amendment No. 182, at the heart of which is the protection of children from inappropriate teaching and materials. It is consistent with our guidance, and with our personal, social and health education framework.

In the other place, the Opposition tabled an amendment to stipulate that the guidance must be designed to secure that pupils are taught that marriage provides a strong foundation for stable relationships and the most reliable framework for raising children. We believed that the amendment carried risks of stigmatisation for many children in schools.

Mr. Gerald Howarth (Aldershot): Will the hon. Gentleman give way?

Mr. Wicks: Not at the moment.

The Government therefore supported the Bishop of Blackburn's amendment, which, as I have said, is consistent with the Government's guidance and the PSHE framework, and resisted the Opposition amendment. The amendment was carried in another place and I encourage the House to support it. Our sex and relationship education guidance recognises the significance of stable relationships as well as marriage. It is thus rooted in the reality of life for many of our children. That reality was echoed by the Bishop of Blackburn when he introduced his amendment in another place.

Today, there has been much comment during the debate on the Local Government Bill. The Minister for Local Government and the Regions has set out our position on that measure. Recent events do not change the provisions in the Learning and Skills Bill or the guidance that the Secretary of State has issued. Nor do they diminish the serious responsibility behind our actions—to support heads and governors in delivering effective sex and relationship education.

Our guidance is clear: schools should consider the needs of all pupils when developing a policy on sex and relationship education. Teaching on such matters needs to be sensitive so as not to stigmatise children because of their home circumstances. As we have emphasised repeatedly, schools need to be able to deal with homophobic bullying.

In agreeing to these amendments, the House should wish the Bill well on its way to Royal Assent.

2 am

Mrs. Theresa May (Maidenhead): It is rather appropriate that we are discussing amendments on the Learning and Skills Bill immediately after the debate on the Local Government Bill. The measures have two aspects in common. They were both the subject of crushing defeats for the Government in another place. Valiant efforts were made by Baroness Young and Baroness Blatch on sex education

provision in the Learning and Skills Bill, and by Baroness Blatch on the measure in general. Both Bills, and the amendments that we are discussing tonight, relate to the debate on section 28.

The Learning and Skills Bill, of course, relates to the reorganisation of post-16 education and training. It may be a pity, therefore, that, in its last gasp in the House, it is subject not to a debate on the threat to school sixth forms, which the Bill introduces; not to a debate about the changing of sixth form funding, which the Bill introduces; not to a debate about the abolition of training and enterprise councils and the relationship of business men to the Learning and Skills Council; not to a debate about the sudden introduction of city academies brought into the Bill at the last minute by the Government; and not to a debate about the introduction of Connexions, a scheme which means that not every young person will have careers guidance in the future.

Instead, the amendments that we have before us tonight relate to sex education. The fact that these amendments are before us tonight is entirely the fault of the Government and their obsession with the repeal of section 28, contrary to the commonsense views of the mainstream majority of people in this country—because the clause to which these amendments refer was inserted in the Bill as an attempt by the Government to achieve a compromise in another place, which would have enabled them to repeal section 28. It was nothing to do with the Government's views on marriage, or on sex education generally.

The clause and the amendments have everything to do with section 28. I accept that, in her closing remarks in the debate in another place on 18 July, the Minister, Baroness Blackstone, said with reference to the speech that had been made by Baroness Blatch:

> I was disappointed by her remarks. I thought she was being unduly cynical in her suggestion that the Government are bringing forward these amendments simply in order that Section 28 of the Local Government Act should be repealed. The Government are bringing forward these amendments because, unlike the previous government, they believe that it is right that pupils in our schools should get the best possible sex education"—[*Official Report, House of Lords*, 18 July 2000; Vol. 615, c. 871.].

Well, I must tell the House that the reality of the Government's position was, unfortunately for that Minister, given away this morning on Radio 4 by the Minister for Local Government and the Regions—who spoke in the previous debate—when she made it clear that the references to sex education and guidance in the Learning and Skills Bill had been introduced only as a compromise, with the specific intention of making it easier to repeal section 28, by making section 28 redundant and making any attempt to retain it perverse.

In that, of course, the Government failed, as a majority of their lordships chose to reflect the views of parents and others on that subject. However, in this entire debate we have seen the hypocrisy of the Government, and we have seen how very out of touch they are with the British people.

The debate so far on this clause and amendments has focused not only on the practical implementation of guidelines on sex education, but in particular on the extent to which the importance of marriage should be reflected in the guidance given, and should be set out on the face of the Bill.

This is an issue on which we see clearly how much the Government rely on spin rather than substance. When the review—*[Interruption.]*

Mr. Deputy Speaker: Order. We cannot have these interventions, especially from the Front Bench.

Mrs. May: When the review of the national curriculum took place, and it was initially revealed that the Government did not intend even to refer to marriage in parts of the curriculum such as personal, social and health education and sex education, there was a public outcry. I dare say the *Daily Mail* had something to say about that—and that might have had something to do with the fact that the Government then responded, given that we know the Prime Minister's views on responding to the concerns raised by the *Daily Mail*—and the Secretary of State made soothing noises to the effect that of course the Government were going to reflect the importance of marriage and family life in the curriculum.

Indeed, anyone reading the publication issued by the Home Secretary entitled "Supporting Families" would have been forgiven for believing that the Government were indeed strong on family values. It says:

> This Government believes that marriage provides a strong foundation for stable relationships . . . we do share the belief of the majority of people that marriage provides the most reliable framework for raising children.

It seems that the Government's views on the importance of marriage and of marriage as

> the most reliable framework for raising children

were absolutely clear in that Home Office document.

As ever with this Government, the words that they produce in glossy brochures do not reflect the reality of their deeds. Those words do not appear in the amendments—indeed, attempts here and in another place to insert them were resisted by the Government. Their actions show that they are not interested in family values or in recognising marriage. Their words say one thing, their actions another.

Perhaps nobody told the Government that this could be a touchstone issue. The Prime Minister seems to recognise the importance of the family as a touchstone issue. The memorandum from "TB" dated 29 April 2000 and headed "Touchstone Issues" says:

> They are roughly combining "on your side" issues with toughness and standing up for Britain. They range from: the family—where partly due to MCA—

the married couples allowance—

> and gay issues, we are perceived as weak . . . all of these things add up to a sense that the Government—and this even applies to me—are somehow out of touch with gut British instincts.

The memorandum concludes:

> On the family, we need two or three eye-catching initiatives that are entirely conventional in terms of their attitude to the family. Despite the rubbish about gay couples, the adoption issue worked well. We need more.
>
> I should be personally associated with as much of this as possible.

I do not know whether the Secretary of State or the Prime Minister would see sex education as an eye-catching initiative on the family, but if they did, they palpably failed in that regard.

[Mrs. May]

The Government were not prepared even to repeat their own words about the importance of marriage and stable family relationships as

the most reliable framework for raising children.

Those were the Government's words, but they have not been prepared to bring them before the House in the form of amendments to the Bill to ensure that it reflects the views of people in this country.

The Minister said that that phrase was rejected because it stigmatised children. I suggest to him that he speak to the Home Secretary, because they were the words of this Government. They were set out in the document entitled "Supporting Families". *[Interruption.]* The Under-Secretary of State for Education and Employment, the hon. Member for Redditch (Jacqui Smith), says that I should examine the context of that statement. It also refers to

strong and mutually supportive families and relationships outside marriage.

It is entirely right that it should refer to such relationships, but the hon. Lady should learn the meaning of the words that the Government wrote. They said:

we do share the belief of the majority of people that marriage provides the most reliable framework for raising children.

They do not refer to the only framework, or to the only reliable framework for raising children, but to

the most reliable framework for raising children.

The Government are now rejecting those words by saying that they stigmatise children. I suggest that Education Ministers talk to the Home Secretary, who wrote the words and gave the impression that the Government were interested in family life and the importance of marriage. Once again the spin, the glossy brochures and the headlines have not been reflected in the Government's actions.

The amendments relate to the guidance on sex education that the Secretary of State must issue. We have a number of concerns about those proposals. The first concerns the suggestion that the Secretary of State will issue guidance to which governing bodies and head teachers must merely have regard.

Ministers have again pretended that the measures will replace section 28 and that they have greater force than they really do. They require governing bodies and head teachers not to follow the guidance, but merely to look at it when drawing up their school's sex education policy. It is incumbent on Ministers, who are trying to pretend that the Bill will ensure that marriage and family life are being taught properly in sex education lessons, to show how that will be the case if people are required only to "have regard" to the guidance issued by the Secretary of State.

Mr. Michael Fabricant (Lichfield): For the avoidance of doubt, will my hon. Friend confirm that to have regard to the guidance is neither a direction nor a regulation?

Mrs. May: I am happy to confirm precisely that point. My hon. Friend has, perhaps, put it more succinctly than I have. Heads and governors are not required to take any particular action on the school's sex education curriculum. The Secretary of State may revise his guidance at any time, so we are not even confident that the guidance referred to in the Bill will remain in place.

I turn now to the amendment moved by the Bishop of Blackburn, which adds to the guidance provision the requirement that when children in maintained schools receive sex education,

they learn the nature of marriage and its importance for family life and the bringing up of children . . .

I knew that the Government were control freaks, but I was not aware that they were going to mandate children to learn certain things. One can mandate teachers to teach certain things, but ensuring that children learn them is an entirely separate matter.

There are flaws in the guidance provision that has been inserted into the Bill. The main flaws from the Government's point of view are that it does not replace section 28 and it does not do the job for which it was intended. It introduces some guidance to schools on sex education and the context in which it should be taught. It is a great pity—[HON. MEMBERS: "Ah."] I am so glad that Labour Members share my disappointment at the views of their Front-Bench colleagues. It is a great pity that, having for so many months tried to pretend that they are in favour of marriage, family life and family values, the Government, when challenged, were not prepared to have the courage of their convictions and insert a clause to that effect in the Bill. They rejected the words of their own Ministers about the importance of marriage.

Perhaps we should read some more leaked Government memos to find an explanation. *[Interruption.]* That woke them up. Perhaps each one is wondering whether the memo that they leaked will be quoted now.

2.15 am

Mr. Fabricant: Where is TB?

Mrs. May: Where indeed?

In his memo, Philip Gould—a name well known to Labour Members—cited the problems that the Government were having and said:

The cost of all this has been high. We are outflanked on patriotism and crime; we have been assailed for spin and broken promises; we are not believed to have delivered; we are disliked on the Left for being Right-wing, on the Right for being politically correct.

Labour Members did not need somebody like Philip Gould to tell them that. They could have found it out on any doorstep, while canvassing on any street, by asking people's views on the Government; it is reflected in any conversation that one has.

Mr. Gould went on to say:

We have got our political strategy wrong . . . We quickly seem to have grown out of touch. Our Ministers simply do not seem as in touch as they were in Opposition . . . We need to be far simpler and more professional. We need to get back in touch. We need to reinvent the New Labour brand.

One way in which the Government could have done so was through the marriage provision in the sex education amendments. Refusing to accept the amendments tabled by Baroness Young shows that they are completely out of touch with the attitudes of most people in this country—with mainstream and commonsensical views.

The Government have tried to portray themselves as a Government of family values. They have palpably failed to do so. They have tried to pretend that they believe in marriage, yet, when put to the test, they have refused to do what was necessary to put that belief into action. This

Government are living by spin and spin alone. They have been shown to have no convictions, no principles, no values. Their action on this Bill shows that they do not believe in anything. They are living by spin, and by spin this Government will die.

Mr. Phil Willis (Harrogate and Knaresborough): Like much of Second Reading, Report stage and Third Reading, very little of that 18-minute speech by the hon. Member for Maidenhead (Mrs. May) was about the substance of the Bill. I am sure that the House noticed, even at 17 minutes past 2, that children were hardly, if ever, mentioned. The entire emphasis of what we are supposed to have been debating for the past couple of hours rests on young people. Fifteen minutes of the nine and a half hours on Report and Third Reading was spent on the substance of the Bill—I am sure that the Minister would concur—yet the hon. Lady had the audacity to say that matters have not been conducted properly.

Conservative Governments—of whom the hon. Lady was not a member, although certainly many of her hon. Friends on the Front Bench were—had 18 years in which to put guidance on sex education on to the statute book. Apart from the national curriculum, in which there was some good advice, nothing appeared. It is sheer hypocrisy when the first thing said by the spokesperson—and the other members—of a party that says that it wants to free schools and give power back to head teachers and governors, giving them freedom over the curriculum, is that there must be statutory requirements to ensure that every school delivers a curriculum on sex education exactly as they think it should be.

I do not wish to hold the House up for long. The amendments, the guidance in the Bill and that which the Secretary of State has produced will not make a jot of difference in the vast majority of our schools. Their governors, heads and staff are already giving students the most appropriate and effective sex education and guidance.

My sadness tonight arises from the fact that the Minister for Local Government and the Regions did not, as she said on the "Today" programme, "get the balance right," even though the Government truly wanted to get rid of section 28 and replace it with guidance that commanded a consensus among most Members of both Houses of Parliament.

As they go home tonight happy to have defeated the Government, especially on section 28, the hon. Member for Maidenhead and her right hon. and hon. Friends should reflect on the following account. I remember sitting beside the hospital bed in Leeds of a young man who had attempted suicide because, as a homosexual, he had not been able to get the support in school that he should have been able to get. I worry that such fear will persist in our schools and among our teachers. Conservative Members may feel that they have done a good job tonight, but I can assure them that they have not. In most schools, what they have done will make no difference, but for a small minority of our children, it might make all the difference.

The Liberal Democrats will not oppose the amendments, because we believe that the Bishop of Blackburn has got it just about right. There is no balance to be struck between family life versus something else. We should honour all children, whatever their circumstances, and we should make sure that we support every family that a young person lives in and is nurtured by. Remember the Conservative Government and the appalling debacle of the family lives of their Ministers—that shows the hypocrisy of what we have seen tonight.

Mr. Stephen O'Brien (Eddisbury): On the first anniversary of my taking the oath, I am glad to have just gone into the Lobby on the winning side for the first time.

I wish to comment on the amendment to clause 117 from the perspective of both children and parents. It is neither politically incorrect nor anachronistic to say that until children enter the world on their own, schools and learning institutions stand in loco parentis. There is a real connection between schools' and parents' responsibility to teach, and none of us should be ashamed that, as parents, we have that role. One of the things shared by all of us who have the privilege of being parents is a determination to give our children stakes in the ground—not least because in due course, our children will make their own decisions. They must not do so in the absence of principles that they can hold on to and standards that they have been taught by their parents and in schools and other learning institutions—I recognise that the Bill deals with post-16 education. We must give those who are charged with teaching children, including parents, the opportunity to ensure that children learn about the nature of marriage and its importance to family life.

Although the noble prelate the Bishop of Blackburn has negotiated a concession from the Government, I do not accept that it is a measure that the vast majority of parents in this country want for their children. They want their children to learn that marriage provides the most reliable framework in which to bring up children. As we attempt to pass good legislation, it is incumbent on us to ensure that we are not driven by a so-called politically correct agenda, but that we reflect in law a responsibility that parents want to have available to them. That is why it is critical that we ensure that children are taught about marriage, the value of marriage and its being the most reliable way in which children can be brought up—and that that is reflected in the Bill.

I regret that the Government have not gone far enough. It is a shame that they have decided that they must try to tilt the balance back towards a series of potential interest groups, without taking full cognisance of the power of what parents think and wish to see reflected in the Chamber as we consider appropriate legislation.

I was disappointed to hear the hon. Member for Harrogate and Knaresborough (Mr. Willis) suggest that my hon. Friend the Member for Maidenhead (Mrs. May) had not mentioned children. If he had been listening to her, rather than seeking to ensure that his prepared comments fitted, he would have heard her mention children often. Children should be our central concern in this context. It was somewhat tendentious when he described a tragic attempted suicide as a result of someone's homosexuality. It should be remembered that children and young people who are heterosexual can also go through such traumas and tragedies. It is important that we do not try to draw false analogies from such cases for the sake of argument.

I find it difficult wholeheartedly to support the amendment, but, as far as it goes, it is much better than what went before. I wish that the amendment stated that

[Mr. Stephen O'Brien]

marriage was the most reliable way in which to raise children. However, the amendment is as good as we shall get tonight.

Mr. Gerald Howarth: I am delighted to be able to take up the remarks of my hon. Friend the Member for Eddisbury (Mr. O'Brien). During the short time that he has been a Member of this place he has added a great deal to our proceedings and has made a substantial contribution to the effectiveness of the Opposition when confronting the massed ranks of the Government—although some members of those ranks seem to have gone to bed now.

We are debating an important issue, and I congratulate my hon. Friend the Member for Maidenhead (Mrs. May) on setting it out comprehensively and effectively. She rightly paid tribute to Baroness Blatch, who has done sterling work in opposition, and was also a fine Minister.

The hon. Member for Harrogate and Knaresborough (Mr. Willis) attacked the Conservative party. He said that we Conservatives were in government for 18 years and had done nothing about this issue. We did do something about it when there was a problem. The problem arose when left-wing Labour councils were beginning to produce inappropriate teaching material. That is how section 28 came into being. We now have the new guidelines on sex education, which run to about 33 pages, because they are the quid pro quo with which the Government have sought to placate worried parents.

By saying that they would repeal section 28, the Government tried to appeal to another interest group and appease the minority lobby. However, to reassure middle class, middle Britain, they decided to introduce the guidelines to show that they care about family life and marriage. They want to have it all ways. They want to appeal to every interest group without nailing their colours to the mast.

2.30 am

The astonishing thing about the guidelines is that the Government are reluctant to back the institution of marriage as the most reliable foundation for bringing up children. It is monstrous that the Under-Secretary of State for Education and Employment, the hon. Member for Croydon, North (Mr. Wicks), who is usually a courteous Minister, would not give way to me. He must answer the point that if the Government are not prepared to use the words of the Home Secretary in the document "Supporting Families", which was sent out to the nation as evidence of the Labour Government's concern for family life in Britain, they are not entitled to be taken seriously in their support for the institution of marriage and for inculcating in our children the idea that marriage forms the most reliable framework for raising children.

The Government have unquestionably betrayed the full force of the argument by not fully supporting the concept of marriage. In the guidance that has been issued, they bracket together marriage and stable family relationships. They yoke those two together because they do not want to offend or stigmatise those who are not married, for fear of losing their votes.

The House will be relieved to hear that I shall not rehearse the arguments that I advanced earlier in our discussions on the subject. I drew attention to the publication from the Office for National Statistics, which contained research findings showing that there was a clear increase in emotional disorder among young people from homes where the head of the household was a single parent or where the parents were cohabiting. The incidence of emotional disorder among those young people was up to three times higher than in households where the parents were married.

I do not believe that we as a nation should be morally neutral on the issue. We owe it to our children to give them a lead. It is a sad reflection on our times that we are even having the debate. In previous years, it was taken for granted by the nation that marriage formed the most reliable framework for raising children and a strong foundation for stable relationships. The debate illustrates that that is not so now. We can no longer take it for granted; indeed, the Government do not wish to take it for granted, so far has the family fallen into crisis in this country, as the Bishop of Southwark observed.

We cannot afford to be morally neutral. As adults, we owe it to our children not to run away from our responsibilities. We should set out in the clearest terms to them how we believe it is best for children to be brought up. That is the difference between the Opposition and the Government. We believe that emphasising marriage with a clarion call is the answer; they are afraid to do so because they fear that it will alienate some of their natural supporters.

Essentially, the argument centres on the two amendments, one proposed by my right hon. and noble Friend Baroness Young, which mirrors the amendment that I introduced in this place and contains the precise words used by the Home Secretary, and the other containing the words of the Bishop of Blackburn, which were designed as a compromise. Anyone can see that they are less robust than the words in the amendment proposed by my noble Friend. My noble Friend, who was defeated on the matter, welcomed the Bishop of Blackburn's amendment, as I do—but it is not as strong as it could be.

Mr. Gordon Marsden (Blackpool, South): Given everything that we have been told tonight about the Churches' support for section 28, why does the hon. Gentleman think the Bishop of Blackburn introduced his amendment?

Mr. Howarth: I am coming to precisely that point. I was about to quote the Bishop of Blackburn, and the hon. Gentleman has kindly given me a trailer. In the House of Lords on 18 July, the bishop said:

this Bench remains full square—

I emphasise the words "full square"—

about the importance of marriage. It has consistently done so and nothing that I have said in this House on any occasion during the passage of this legislation or the Local Government Bill can call that into question.—[*Official Report, House of Lords*, 18 July 2000: Vol. 615, c. 857.]

I do not doubt that that is what the bishop believes, or that other bishops also believe that, but I cannot square that statement with the way in which the Bishop of Blackburn and eight other bishops voted down the amendment proposed by my noble Friend Baroness

Young, which spelled out the central importance of marriage much more clearly than did that tabled by the Bishop of Blackburn. Why on earth did nine bishops of the Church of England—who, as the Bishop of Blackburn said, remain full square behind the importance of marriage—vote against an amendment that spelled out clearly and unambiguously how important marriage is?

Mr. Chris Ruane (Vale of Clwyd): Tell us.

Mr. Howarth: The hon. Gentleman invites me to explain. Unfortunately, or fortunately, I do not sit on the Bishops Benches, but I have written to the Archbishop of Canterbury asking him to explain to Christians throughout Britain how on earth the Church of England can send out such a confusing message. By their votes, the bishops ensured that my noble Friend's amendment was defeated, so they have some accounting to do for the way in which they voted. After all, they are members of the other place. That is why I asked the Archbishop of Canterbury why they voted as they did.

The fact that the Bishops were not prepared to be as robust as their words would suggest that they intended to be, is a crisis for the Church of England, but I pay tribute to the Bishop of Winchester, who has been unambiguous on the matter throughout.

Whether we like it or not, family life in Britain is in crisis, and we in Parliament must do something about it. I fear that the Government have not been resolute; they have been infinitely too timid. They continually look over their shoulder, or stick their finger in their mouth and lift it up to the wind to find out which way the wind is blowing, or which focus group has sway at a particular time. They are more concerned about that than standing up for principles. As my hon. Friend the Member for Maidenhead says, the Government have no principles. They are motivated entirely by their consideration of how the focus groups tell them they should be behaving, instead of adopting a programme that is principled and clear.

The Bishop of Blackburn's amendment is an improvement on what we had before, but the mess that we are in is entirely of the Government's making. The amendment is the quid pro quo for the repeal of section 28. In so far as it goes some way to resolving the matter I welcome it, but I hope that when we return to government we shall be able to address the problem properly.

Mr. Nick St. Aubyn (Guildford): I congratulate my hon. Friend the Member for Aldershot (Mr. Howarth), who has fought long and hard on the issue, on another outstanding contribution to the debate. We are discussing an issue that affects the many, not the few.

I am sure that you, Mr. Deputy Speaker, like me, noticed that, in the previous debate, a score of Labour Members leapt to their feet to make speeches on a minority issue. However, when it comes to a majority issue, such as marriage, which affects the majority of people in this country, not one Labour Back Bencher wants to make a contribution to the debate. The entire debate is being led by those of us on the Conservative Benches. That tells us all we need to know about the Government and the Labour party. The Government's agenda is driven by the few, not the many. We witnessed another example of that tonight.

Labour Members have bandied about the accusation of bigotry against anyone who dares to disagree with their point of view. That is an outrageous abuse of the courtesies of Parliament, let alone the truth and the facts. Let us remind ourselves of genuine bigotry. Bigotry is historically applied to major events such as the crusades, with Christians versus Muslims, the 30 years war between Protestants and Catholics, and racial and ethnic bigotry. We witnessed such bigotry in the last century in German attacks on the Jewish race. Those were serious cases of bigotry, which led to millions of people losing their lives.

What we heard about earlier constituted an abuse and a devaluation of the word bigotry. We were considering prejudice at worst. In the case of this evening's debate, we were considering mere differences of opinion. I have not met an hon. Member whom I regard as bigoted about gender politics.

Dr. Evan Harris (Oxford, West and Abingdon): Does the hon. Gentleman accept that there were homosexual victims of the Nazis, and that they were victims for no other reason than their sexuality?

Mr. St. Aubyn: The hon. Gentleman makes a valid point, but those victims were a tiny number in proportion to those who were affected by racial bigotry. We should keep the matter in a proper perspective.

Mr. Gordon Marsden: How many homosexuals would have to have died in the death camps for them to be significant?

Mr. St. Aubyn: The hon. Gentleman—whom I know well; I have known him for many years—is deliberately and mischievously misinterpreting my point. As I said earlier, the hon. Member for Oxford, West and Abingdon (Dr. Harris) made a valid point. However, the thrust of my argument was that millions died as a result of ethnic and religious bigotry and that we should therefore keep matters in perspective. We are in danger of losing the thread of the amendment.

Mr. John Austin (Erith and Thamesmead): How little bigotry is acceptable?

Mr. St. Aubyn: We have to use such terms carefully. Tonight's discussions have been about differences of opinion. When Labour Members dress those up as bigotry, they overplay their case and undermine any credibility that their argument might have had in the first place.

Several hon. Members *rose—*

Mr. St. Aubyn: I should like to make some progress—*[Interruption.]*

Mr. Deputy Speaker: Order. It would be helpful if the hon. Gentleman dealt more directly with the amendment that we are considering.

Mr. St. Aubyn: I am grateful to you, Mr. Deputy Speaker. You are right to call the House to order. We are considering sex education guidance. The hon. Member for Harrogate and Knaresborough (Mr. Willis) was incorrect to say that the previous Government ignored the issue. They not only spelt out in statutory terms the way in which local authorities should deal with homosexuality, but set out clear guidelines to schools in circular 5/94.

2.45 am

Many Conservative Members are reluctant to go beyond giving mere guidance to schools because we recognise that governors, teachers and parents show more common sense than politically motivated representatives of LEAs in dealing with those issues and many others that schools have to consider. I have reservations about issuing guidance that emanates from a Secretary of State and tells individual schools how to deal with a specific subject. Far too much direction comes out of the Department for Education and Employment: the more top-down direction of schools there is, the more demoralised teachers become. Since the Government came to power, we find that half the teachers in the profession are thinking of leaving in the next 10 years. That would critically undermine not only sex education in our schools, but all education and the development of standards, which was one of the previous Government's great triumphs.

Tonight's debates have clearly shown that a metropolitan attitude prevails on the Labour Benches and pervades ministerial offices. That attitude has no place in many schools, which do not want the Department to be able to produce guidance that would undermine their perspective on the relevant issues. We had no compunction about favouring the proposal that identified marriage as the most reliable framework for raising children. Do Labour Members challenge that statement? If so, they challenge the views of Labour Ministers. However, if we agree, should not we enshrine that principle in legislation?

Hon. Members spoke earlier about the effect of section 28 on homophobic bullying. I am grateful for the Government's draft guidance, which was out for consultation until mid-April and suggested how their proposed new guidance would look. Paragraph A.10 clearly states:

> Section 28 does not apply to schools and should not affect the delivery of sex and relationship education in schools. It does not affect the activities of school governors or of teachers. It does not prevent the objective discussion of homosexuality in the classroom, and schools can provide counselling, guidance, advice and support to pupils.

None of that is prevented by section 28. The premise of the earlier debate on the subject was false and the hon. Member for Harrogate and Knaresborough described a false position. No doubt the tragic case to which he referred had many sad causes, but clearly section 28 was not one of them. According to the Government's own guidelines, that legislation cannot affect the delivery of such advice and education in an individual school.

I have been a member of the Education and Employment Select Committee for the past three years and I cannot remember a single witness describing section 28—or, indeed, the previous Government's guidance, which is to be updated—as an obstacle to a head teacher or any teacher preventing homophobic or other bullying in a school. Therefore, I was not surprised to learn in evidence given to the Committee only a couple of months ago by Her Majesty's chief inspector of schools that no head teacher has ever raised the issue with him either.

The hon. Member for Oxford, West and Abingdon mentioned scientific evidence in the earlier debate. I have studied the evidence to which he referred, but not in as much detail. Like much scientific evidence, it is no doubt professionally produced. However, it is not convincing. Anyone who can produce a good argument can usually find some scientific evidence to back it, but there may also be scientifically gathered evidence to refute it. Surely the experience of head teachers as expressed to the Office for Standards in Education, to hon. Members and to those who have served on the Education and Employment Select Committee is far more weighty evidence than a scientific study that was driven from the start by a desire to prove a particular point of view for whatever reasons—no doubt they were noble ones.

Dr. Harris *rose—*

Mr. St. Aubyn: The hon. Gentleman wants to intervene to talk about that evidence, and I encourage him to do so.

Dr. Harris: Even the chief inspector admitted that his approach was hardly scientific, because during his inspections he did not ask any head teachers whether they reported this problem, whereas the research to which I referred asked people what their experience had been. The chief inspector produced no evidence to back up his view.

Mr. St. Aubyn: I am grateful to the hon. Gentleman for enabling me to emphasise my point. If one asks questions in a certain way, a certain response may be expected. That invalidates the opinion poll exercise even more than I had realised. If, with no hidden agenda, one talks to teachers and they do not raise the issue as a problem, in all seriousness it is probably not a genuine problem. That is where the argument against the Conservative position on this issue falls down. What we have heard this evening is moral bullying: Labour Members claim to take the moral high ground and then bully Opposition Members into accepting the measure by sheer force of numbers, even though they represent a small minority view within the population as a whole.

I have some problem with the argument that section 28 could not be effective because it is not possible to promote homosexuality. Again, the Government's guidelines, the consultation period on which has just finished, recognise that it is possible in sex education to promote some attitudes and some forms of behaviour rather than others. I welcome the idea that we should promote responsible behaviour by teenagers with a view to discouraging unwanted pregnancy. This country has a serious problem of far too many teenage pregnancies. If, as a result of this new guidance, we discourage teenagers from taking risks and following patterns of behaviour that result in unwanted pregnancies, we will have performed a service for them and improved their chances of having a successful life and establishing a stable family environment in which they can, in due course, bring up children and enable them to have a good education.

I should be grateful for the Minister's comments on the issue of human rights. I presume that because the guidance to schools has no statutory force, it is merely guidance and there would be no comeback if schools went outside the proposed framework, because no human rights issues are involved. However, our discussions have raised some of those issues.

We must consider the human rights not only of some of the groups whose position has been championed by Labour Members, but of parents, teachers and children. Children have the right to be given objective and fair instruction, and not to be exposed to a point of view and a relentless argument with which the vast majority of families do not agree.

This issue comes down to a matter of trust. From what we have seen, the Government have lost the trust of the people of this country on this important issue. In her winding-up speech on the previous Bill, the Minister for Local Government and the Regions said that she wanted the Government to get away from gesture politics. We all know that everything about the handling of this issue has been to do with that. It was entirely unnecessary to broach the issue of section 28, as is made clear in the Government's own guidelines. The fact that they did so showed that they were trying to appeal—with a gesture—to a specific part of what they saw as their core vote. As so often, not knowing what they believe in, they ended up showing that they believe in nothing at all.

We need to reconsider our whole approach to how we give guidance to schools. We need a more diverse schools system. Tonight we could be having a debate about how we could develop free schools; we could be having a debate about how the very minor concept of city academies, which the Government have floated in the Bill, could be expanded into a much more dynamic and diverse schools sector. Instead, we have been dealing with what is a very narrow amendment.

Let me explain something to the Minister for School Standards, who is clearly somewhat confused. It had not occurred to him that city academies were the thin end of the wedge of the full Conservative policy of free schools. Had we approved a much more fully fledged city-academies approach, the need for the amendment would have fallen by the wayside. Let us suppose that we developed genuinely free schools, genuinely rooted in their home communities—schools whose values and approaches were driven from the bottom up, rather than from the top down. It was, of course, the top-down approach of extreme Labour local education authorities that demanded the response of section 28 in the first place, 12 years ago. If we were to develop the bottom-up, grassroots approach to education—always under the overarching discipline of a national curriculum and a system of inspection by Ofsted—we could trust the common sense of the British people to deliver the right sort of education about sexual development for our children. We would not need guidelines.

When we achieve that, under the next Conservative Government, we can look forward to less regulation, less direction, and less interference in the daily lives and the very good job that nearly all teachers do in our schools today.

Mr. John Hayes (South Holland and The Deepings): I have no desire to detain the House unnecessarily, but I consider three points worthy of amplification.

As ever, my hon. Friend the Member for Guildford (Mr. St. Aubyn) presented his arguments in primary colours. He gave us an unusual but stimulating view of Germany in the 1930s, and, warming to his theme, brought to the debate his usual eloquence and style, if not alacrity.

My first point is that this should not be a partisan matter. We have all brought certain prior assumptions—indeed, certain prejudices—to the debate: all of us, by the time we become Members of Parliament, have such prejudices. It is nonsensical, in a frail and faulty world, to pretend that people on this side of the Chamber are more prone to such prejudices than those on the other side. I think that those Labour Members who are examining their consciences will acknowledge that.

There is a second reason for us not to be unnecessarily partisan. Surely we can all reach an agreement about the value of marriage, which is well proven as the best means of bringing up children. Statistics and studies have been quoted. I refer Members to the work of Patricia Morgan at the Centre for Policy Studies, but many other studies show that children brought up in a marriage have the best life chances. It affects their education, their social development, and a number of other factors. Surely we can reach a common view about the desirability of promoting marriage in our schools.

Mr. Gerald Howarth: Notwithstanding the overwhelming evidence produced by report after report that marriage tends to be the most reliable framework for the raising of children—although that is not always the case—the Government refuse to accept that evidence wholeheartedly. They are doing so only very grudgingly.

3 am

Mr. Hayes: I take a slightly more generous view than my hon. Friend does of these things. I think that there are many decent and honourable Labour Members who would agree with our assumptions about marriage and with our conclusions that marriage is the best way of bringing up children. Although I certainly acknowledge that, sadly, that agreement does not seem to have been embodied in some of the Government's actions or embodied sufficiently in their approach to the Bill, I do not think that one could argue that the Minister, for example, does not take these matters seriously. He always takes seriously matters affecting our children and our schools.

There should be some consensus in the Chamber, not only about what we bring to this debate but about our conclusions on the value of marriage and its place in our society. I do not accept the received wisdom that Governments do not make a difference to the way in which society regards marriage. I think that Governments can affect that perception through the tax and benefit system and through a range of legislation. I certainly think that Governments can affect the way in which we bring up our children. Values and attitudes are as important as anything else that schools deliver to children. Values and attitudes are very much about moral assumptions, social assumptions, assumptions about relationships and, yes, assumptions and judgments about sexual activity.

[Mr. Hayes]

I do not for one minute buy the moral relativism that is part of the agenda of some people on the left. As I said, I suspect that some Labour Members do not buy it either.

The second point that I wanted to make is about our concern for young people.

Mr. Willis: There is something in what the hon. Gentleman is saying. However, almost every objective study on social disadvantage and social exclusion among young people has concluded that such young people, particularly those who are involved in crime, feel bad about themselves—they have an appalling self-image. Given that the majority of young people in our inner-city schools come from homes in which there is not a traditional marriage relationship, what message does the hon. Gentleman think that he and his colleagues are sending to those young people? Are they not telling them, "The relationships and homes that you are living in are very much less valued"? How will that help to give those young people the confidence that they need to go out into the world?

Mr. Hayes: The hon. Gentleman will understand that the lack of self-worth that he has described is reinforced—indeed, it may be caused—by the lack of stability, certainty and order in those children's lives. The point about stable family relationships and marriage is that they provide order in children's lives and thereby increase their sense of belonging, stability and self-worth.

Dr. Julian Lewis (New Forest, East): The point that the hon. Member for Harrogate and Knaresborough (Mr. Willis) was urging on my hon. Friend amounts to nothing more than this: if someone comes from an unsatisfactory background, the last thing one should do is tell that person that that background is unsatisfactory because it will damage his or her feelings of self-worth. Surely it is only honest to show people what advantage they can have if, in future, for themselves, they improve on the background from which they suffered in their youth.

Mr. Hayes: My hon. Friend's point is valid in the sense that we do have to provide for young people role models and images of what they may aspire to. The message that we should want to transmit to our young people—through education, but in other ways as well—is that they can aspire to a life that is stable and certain and based on principles such as loyalty and duty. Loyalty and duty may be unfashionable concepts. When one talks about loyalty and duty, some people think that one is being archaic. However, they are important—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am beginning to think that the hon. Gentleman is straying far too far from the amendment, which is about sex education. May I suggest to him that he returns to the point of the amendment?

Mr. Hayes: I am happy to do so, Mr. Deputy Speaker. I was putting sex education in the context of marriage—stressing the importance of marriage—as the amendment is specifically about that subject, and emphasising why marriage was an important role model for young people, but I will move on.

Mrs. Maria Fyfe (Glasgow, Maryhill): Is the hon. Gentleman suggesting and putting on the record that concepts of duty and loyalty are possible only within marriage and not within a loving relationship between people who are not married?

Mr. Hayes: Of course I would not make that point. Of course, those concepts are not only possible, but often occur in other relationships. They occur in relationships that are outside the family. They occur in professional relationships. They occur in all sorts of relationships, but as you have made clear, Mr. Deputy Speaker, we are dealing specifically with the subject before us, and the subject before us is marriage in relation to children and sex education.

Mr. Gerald Howarth: Is it not the case that marriage is the ultimate test of loyalty and commitment? That is what distinguishes marriage from any other relationship. It is the Government's unwillingness to accept that there is a difference between co-habitation and stable relationships, as they would put it, and marriage that is at the heart of our complaint about the way in which the Government are handling the issue. Marriage is by definition a statement of loyalty. It is a statement of commitment, which co-habitation is not.

Mr. Hayes: I certainly believe that. In fact, I get married as often as I possibly can for exactly that reason, but my hon. Friend is absolutely right. Marriage is that test of commitment, that test of loyalty and duty. That is why it is important.

I must move on before interventions oblige me, or at least encourage me, to stray from the subject at hand. The third point that I want to make is about section 28. It seems to be undeniable that the cocktail that we have before us in the form of an amendment was mixed in order to pacify and placate interests in the House of Lords that were unsympathetic to the abolition of section 28. There is no question about that. That has been made clear during tonight's proceedings.

For that reason, I ask the Minister: would we have the amendment before us had it not been framed in that context? Would the amendment have been tabled on Third Reading in the Lords if we had not had the prevailing tide, if you like, of the possible abolition of section 28? In that sense, I ask the Minister to think again even at this late stage about whether he can put together something more convincing, not just for the House of Commons but for people beyond the House?

My final and concluding point is that guidance is not sufficient. It seems to be important, because of what I said earlier—*[Interruption.]* I disagree with my hon. Friend the Member for Guildford, a former member of the Liberal party, who takes a rather different view. I made my decision about liberalism at an early age; he made his rather later.

I take the view that it is important for guidance to be issued. As I said, I do not take a morally relative view about the matter. I do not take the view that in a frail and faulty world one can always trust all people's discretion.

Mr. St. Aubyn: Does my hon. Friend not share my reservations that perhaps not this but a future Secretary of State might develop guidelines with which neither he nor I would be happy, and that the more these guidelines are entrenched in law, the more damage they might do if they end up being the wrong guidelines from the wrong Secretary of State?

Mr. Hayes: That is almost an argument against any legislation because we entrust in Government and, in particular, in Secretaries of State much discretion to bring to the House, to debate and to persuade the House to enact guidance on a whole range of things not just in the education sector, but in all other aspects of life, which we honour and follow.

Therefore, I do not take the rationalist view that if we leave people unfettered and unrestricted, they will always make the right judgment. I just do not agree philosophically with that view. On the contrary, I tend to support the view of my hon. Friend the Member for Maidenhead (Mrs. May), who said clearly that the problem with guidance was that it might not be followed, and did not have the weight of regulation or direction. It might lead to a curate's egg of provision in schools across the country.

Mr. St. Aubyn: Is my hon. Friend saying that, given that we have only guidance which is not subject to the regulatory approvals process or the negative procedure in the House, perhaps the guidance should in all cases be scrutinised by the Select Committee on Education and Employment, to which he in his time made such a valuable contribution?

Mr. Hayes: I hardly deserve that praise, in view of the slightly barbed remarks that I made about my hon. Friend earlier, but, given his characteristic generosity, I expect nothing less from him. He is right to say that the Government would need to be accountable to the House for the guidance. We would need to monitor it carefully to ensure that it was efficacious. There is no question about that, and my hon. Friend yet again makes a valuable contribution to the debate.

I have made my concluding remarks—*[Interruption.]* I know that that will disappoint hon. Members across the House. I cannot finish without saying that I was disappointed that the hon. Member for Harrogate and Knaresborough (Mr. Willis) made an intemperate attack on my hon. Friend the Member for Maidenhead. He brings a great deal of breadth and depth of knowledge about education, but, too often, he lets his own prejudices interfere with that, and we saw that tonight. In the cold light of day, he will regret saying that my hon. Friend did not care about children or young people. None of us would be sitting here, or in my case standing here, tonight, if we did not care very dearly about young people, children and schools.

Mr. Wicks: Of all the Parliaments in all the world, only the House of Commons could in all seriousness at 12 minutes past 3 o'clock in the morning discuss the importance of marriage and family life. It proves that the English still maintain their dry sense of humour. It may well be that the next debate on ragwort, about which I have learned a lot in the past hour, is a more fitting subject. It may be that the ragwort is at its worst at this time in the morning, but we shall hear later.

Despite discussing them at this time of night when our families are asleep, family values are an extremely serious issue. I genuinely regret the way in which the hon. Member for Maidenhead (Mrs. May) introduced the subject. As I think we have seen from a number of speeches this evening, and from speeches in the other place, the matter deserves serious attention. We are talking about our children's well-being and their need for appropriate and sensitive sex education within the context of family and personal relationships. Those things are a crucial part of anyone's education. We are also concerned about the risks that our children face—ignorance about sex, stigmatisation, fear, disease and teenage pregnancy.

We have to grow up as a Parliament in discussing matters such as sex education. In Committee, we managed to have sensible and serious discussions. We did not agree with one another on everything and we occasionally divided, but the hon. Member for Daventry (Mr. Boswell) introduced subjects from the Conservative Benches in a serious way.

Many of us were struck by the contribution made by the hon. Member for Hertsmere (Mr. Clappison), when he said that as a parent—I hope that I paraphrase him accurately—his main concern was that nothing should get in the way of the provision of objective, thorough, sensible and professional sex education of children. He said that he wanted his children to receive factual, impartial and objective information about those matters, and for nothing to get in the way of its delivery. He spoke for many parents.

3.15 am

In all the controversy and furore over the issue—the debate has often not been about sex education but about matters that were discussed earlier this evening—the Government have sought a decent consensus. During the passage of the Bill, we listened on this and on other matters. We have amended the measure. We took seriously the Bishop of Blackburn's amendment. That is why the Bill states that children should

> learn about the nature of marriage . . . and its importance for family life and for the bringing up of children.

We acknowledge the importance of marriage. However, the guidance refers to stable relationships because we also understand that, in the complex family world in which young Britons live, many children are not able to be brought up—for the whole or indeed any of their childhood—within a stable, married couple relationship. Many of us may regret that. However, a third of children are born outside marriage. The parents of a large proportion of our children will divorce. Many children in families where their parents are married suffer if their parents are at war with one another—that point was not brought out in the debate; nor is it often acknowledged as evidence. Many children live in one-parent families or in step-families.

We can be consistent in saying that we need to teach our children about marriage, and in having a sensible understanding of the circumstances in which many of our

[Mr. Wicks]

children are brought up. Many of them are brought up outside marriage, but in perfectly stable relationships where parents are doing a wonderful job. Others have chaotic family circumstances and they suffer as a result. We need to bring some intelligence and sensitivity to bear on the matter.

Mr. Gerald Howarth: Will the Minister give way?

Mr. Wicks: I give way to the hon. Gentleman. I apologise to him for not doing so at the beginning of the debate.

Mr. Howarth: I thank the Minister for his courtesy.

Why did the Home Secretary say that marriage provides a strong foundation for stable relationships and that it is the most reliable framework for raising children? Does the Minister agree with the Home Secretary, or has the Home Secretary got it wrong? Does he not speak for the Government?

Mr. Wicks: The Home Secretary got it absolutely right. Before I was a Member of this place, I was director of the Family Policy Studies Centre and paid some attention to such matters. The Government's family policy document was also right to recognise their diversity, complexity and sensitivity—as I have done, and more important, as our schools and teachers need to do.

We were asked how the guidance will be applied. First and foremost, we acknowledge and emphasise that in schools such matters are for head teachers and governors. We should place confidence in them. Our governing bodies are remarkable examples of local democracy. Parents and teachers elect governors—many of us will have been members of governing bodies. Those people have the welfare of children at heart. It will be for teachers and governors to apply our guidance. That is important.

We also emphasise that parents must be consulted on the school's policy on sex and relationship education. Furthermore, from this autumn, Ofsted will have a statutory responsibility to inspect personal, social and health education. That is another safeguard.

I hope that in the next Session we will learn to discuss such issues in a slightly more sensitive and intelligent way. Although people get excited about these matters because of the values and prejudices that we all hold, we need to enable our children to have proper education about sex, family life and personal relationships. If they do not receive that education, the risks that face them are extremely serious.

I commend the amendment to the House.

Lords amendment agreed to.

Lords amendment to Commons amendment No. 182 agreed to.

PETITION

Post Office Closures

3.20 am

Mr. David Taylor (North-West Leicestershire): The 85,000 people in my mixed urban-rural constituency value and depend on the 36 sub-post offices that serve them.

Despite the excellent report "Counter Revolution" presented to Parliament last month by the Secretary of State for Trade and Industry, there remain local misgivings about the future of our post offices. Ravenstone Women's Institute has assembled a petition whose 568 signatories believe that the vital network of rural and urban post offices could be decimated if they are cut off from benefits and pensions work.

The petition states:

> The petitioners therefore request that the House of Commons should not take any action that would jeopardise the survival of the current network but should address the underlying financial and economic pressures that are speeding the closure of post offices, local shops and bank branches.
>
> And the petitioners remain etc.

It is my honour to present the petition to Parliament on behalf of residents of the village of Ravenstone and the surrounding area.

To lie upon the Table.

Ragwort

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Betts.]*

3.21 am

Mr. Owen Paterson (North Shropshire): I begin by declaring an interest. I receive a modest income from agricultural land and I own a small number of horses and ponies.

May I invite Members, after our rather earnest and intense deliberations of this evening, perhaps to smile and make the odd joke during this debate? I congratulate you, Mr. Deputy Speaker, and Madam Speaker and her team, for choosing this debate today, because in parliamentary time it is still 25 July, which is St. James's day, and ragwort, or senecio jacobaea, used to be called St. James's wort and was in full flower on this day—25 July.

As colleagues return to their constituencies this week, they will see a tall weed up to 3 ft high, with clusters of angry yellow flowers, growing everywhere. It can be seen on roadsides, on the verges, along railway tracks, on waste land, in hedgerows and in pasture land. I am amazed to have found out this week just how few colleagues know what ragwort is, and this ignorance extends to the media. A farmer told me at the weekend that the BBC, reporting on the impact of bypasses early this week, showed a field full of ragwort and described it as "a wildflower meadow".

Ragwort is in fact a vile and highly poisonous weed, causing more damage to animals in this country than all other poisonous plants put together. It is a biennial, producing a rosette in the spring of the first year, which flowers in July-August of the second year. Seeds can lie dormant for 20 years and each plant can produce 150,000 to 200,000 seeds, which travel in the wind for miles. These seeds land with a 70 per cent. germination rate. Ragwort will grow on the poorest land, and has increased dramatically in recent years.

Animals will normally not eat ragwort while it is growing if there is any alternative food. However, once it is cut and dried, as either hay or haylage, it becomes extremely difficult to detect, but it also becomes palatable to all farm animals. Ragwort contains pyrrolizidine alkaloids, the best known being jacobine, jacodine and jaconine. They are cumulative in effect and cause progressive liver failure.

As may have been seen in the Bars of the Palace of Westminster tonight, the liver has an amazing capacity to absorb punishment, but once 70 to 75 per cent. of the liver is damaged, it can no longer carry out its essential functions, in particular detoxification. Despite its large functional reserve, liver damage cannot be repaired, and only 2 lb of ragwort is enough to destroy 75 per cent. of the liver of a large animal such as a horse.

Symptoms of liver damage are yawning, weight loss, poor condition, sunburn and diarrhoea. They may occur within days. Staggerwort was another name for ragwort, as, in the later stages, it affected the brain, causing unco-ordinated movement and an abnormal gait. In some cases, animals may develop a mania, attacking any other animals or humans that approach. Death soon follows. That process can be rapid or can be drawn out over many agonising months.

There is veterinary evidence that sheep, cattle, pigs and even tortoises can be poisoned by ragwort. However, because most livestock are slaughtered at a young age, the impact is not widely noticed. Ragwort is, however, taking a terrible toll of the country's horses. It is impossible to establish an exact figure as every death would require confirmation by an autopsy. However, there is hardly a person in the horse world who does not know someone who has lost a horse to ragwort poisoning.

Last year, the British Equestrian Trade Association—BETA—conducted a national equestrian survey revealing that 2.4 million people ride and that 500,000 private households own more than 900,000 horses or ponies. Roughly £1.5 billion is spent on horse purchases and equipment and a further £1.3 billion on looking after the horses. On top of that, professional stables look after a further 120,000 horses, spending £200 million running their businesses. The British Horseracing Board has confirmed that racing alone employs 60,000 people with assets of £2 billion, contributes £450 million annually to Government tax revenues and has exports worth £90 million a year. BETA calculates that total expenditure is about £2.5 billion a year.

Unless ragwort is brought under control, this huge business will be put at risk. As Dr. Derek Knottenbelt of the Philip Leverhulme large animal hospital at the university of the Liverpool has said:

> It is unlikely that any meadow hay could now be regarded as totally free of ragwort in the UK. This means that damage can be occurring in the horse over the winter without any sign.

That point was brought home to me in a dramatic manner by my constituent, Richard Matson of Twemlows hall, Whitchurch, who has diversified from milk, cheese and pig production to a variety of horse-related activities. He grows 60 acres of grass for haylage, but this week will have to mow and burn nine acres because of ragwort that blew in as seed from his neighbour's land. The agents looking after that land deny responsibility. That will cost him £2,800. A legal action would cost far more as would the loss of his reputation if he sold contaminated haylage.

I had a fax yesterday from Mr. Crockford of Abbott and Co., which is a large hay and straw merchant in Cirencester. He says:

> The changing face of the countryside means that there are an increasing number of people who do not even recognise Ragwort as a noxious weed, or may even confuse it with other plants.
>
> We have recently had a claim against our Company where, in spite of our best efforts, hay which was supplied did contain Ragwort. The customer fed this, and the resultant damage to their horses meant that our Insurance Company paid out £6,500 in compensation. In this case you could also ask why the customer continued to feed the hay; presumably because they were unable to identify dry Ragwort in the bale. Obviously in these circumstances, our credibility as a National Forage Company is jeopardised through no fault of our own.
>
> It is absolutely essential that this notifiable weed is identified and eliminated.

I also had a fax from Bob Phillips, the company secretary of the Association of British Riding Schools and chairman of the Shropshire British Horse Society. He confirms that the

> biggest problem is for horse owners who have to buy their fodder in. They are at the mercy of harvesters who are at best unaware or at worse unscrupulous . . . I do feel that this dangerous plant should be controlled in a more managed way than at present.

[Mr. Owen Paterson]

The British Horse Society, the National Farmers Union, the Country Landowners Association and the British Horseracing Board have all given me valuable information. They are all deeply concerned about the disastrous increase in ragwort. They are supported by the National Equine Welfare Council, the Royal Society for the Prevention of Cruelty to Animals, the Blue Cross, the Donkey Sanctuary and the International League for the Protection of Horses. Many of those organisations have led campaigns for the eradication of ragwort and are to be congratulated on their work.

The only sure way to remove ragwort is to pull it up and burn it. Cutting will reduce seed production, but if it is left on the ground, it will still present a serious risk to animals and may still set seed. The Ministry of Agriculture, Fisheries and Food recommends 2,4-D as a herbicide, but warns that it may damage clovers and other plant species. In New Zealand, a weedkiller called Escort, which is made by DuPont, is extremely effective on ragwort, but allows grass to survive. It is not currently available in Europe.

In the late 1970s, large numbers of the ragwort flea beetle were introduced to the Meander valley in Tasmania and that experiment was highly successful. It was repeated last year in King county, Washington, USA. In Victoria, Australia, where lower milk yields and reduced beef production were estimated to cost annual losses of £4 million, ragwort was reduced by 60 to 70 per cent. by the combined actions of the cinnabar moth, the ragwort flea beetle and the ragwort seed fly.

Eighteen years ago, damage to livestock in Oregon was running at $2.5 million annually, and whole areas were ungrazeable. The Oregon department of agriculture introduced the same three insects, and estimates the annual savings to be $3 million. It takes eight to 10 years to build up a moth population large enough to control the plant. What research is the Ministry undertaking into more effective chemical and biological herbicides? Is the increase in ragwort related to the reduction in the cinnabar moth population? MAFF spends £50 million on food safety and animal research; how much is spent on ragwort? The cinnabar moth has a most distinctive black and red caterpillar. Why have its numbers dropped in recent years?

In the meantime, the Government must enforce the existing law more effectively. That means applying the Weeds Act 1959. Section 1, entitled "Power to require occupier to prevent spreading of injurious weeds", states:

> Where the Minister of Agriculture, Fisheries and Food . . . is satisfied that there are injurious weeds to which this Act applies growing upon any land he may serve upon the occupier of the land a notice in writing requiring him, within the time specified in the notice, to take such action as may be necessary to prevent the weeds from spreading.

Ragwort, senecio jacobaea, is listed as an injurious weed.

I have written to the Minister several times over my three years in Parliament, and on 10 December 1998, he wrote back to me, stating that

> long-standing Ministry policy has been to take action under the Act only where a serious threat to agriculture is confirmed.

However, that is not what the Act requires. He continued:

> The Ministry confines any investigations to complaints from occupiers of agricultural land who consider that their land is threatened by such weeds spreading from other land nearby.
>
> Where non-agricultural land, including gardens and land used solely for horses, is under threat from the spread of injurious weeds, the local authority may be able to take action under specific byelaws (where they exist), under section 215 of the Town and Country Planning Act 1990 or under part III of the Environmental Protection Act 1990.

The Minister stressed that local authorities have the power to deal with nuisances, but he went on:

> However, it is for individual local authorities to decide how to use their powers taking all factors into account. It should be emphasised that the Ministry does not have any powers to compel a local authority to pursue any particular course of action here.

Frankly, that is not good enough. MAFF is utterly feeble in refusing to use the considerable powers given it in the Weeds Act, and local authorities are among the worst offenders in allowing ragwort to grow on their land and on roadsides under their control. Many are inept at using powers granted to them under existing law. As I have shown, the contamination of hay and haylage now poses a massive threat to all livestock, and the Minister must broaden his interpretation of the law. Any ragwort poses a threat to livestock production throughout the country.

The Government are keen to encourage diversification of the rural economy and must recognise the growing importance of "horsiculture". The contrast of this situation with the pollution of land by chemicals could not be more marked. The Environmental Protection Act 1990 states that

> contaminated land is any land to be in such condition by reason of substances in, on, or under the land . . . that significant harm is caused or there is a significant possibility of such harm being caused.

That provision triggers the involvement of local authorities and the mighty Environment Agency.

Ragwort is a harmful pollutant and should be treated as such in law wherever it is found. MAFF's regional service centres, or what is left of them after yesterday's announcement, will continue to employ 350 officers who go out to farms. It would cost nothing to extend their remit to taking a much more aggressive stance on ragwort. It should be an integral part of their role in promoting environmental initiatives.

Education is vital. All too many people see only a pretty flower. MAFF is in constant correspondence with farmers and landowners, and material on ragwort should be included to heighten awareness at little cost. Bad publicity works. Last year, Chequers was excoriated in the equine press for having extensive ragwort. Yesterday, I diverted my journey here and drove by Chequers, and I am delighted to say that I could find no ragwort on the estate.

The law must be altered so that any landowner or public authority with land that contains the weed should be liable to a heavy fine, and that must be enforced by the police. Local authorities and agencies or companies controlling roads and railways need to be targeted.

Finally, the risk to human health should not be underestimated. Dr. Knottenbelt said:

> There is mounting evidence to suggest that ragwort is poisonous also to humans. The poison is almost certainly absorbed through skin. It is unknown whether it is safe to eat meat from animals that have eaten the plant but the alkaloid appears to remain stable in blood and organs.

In 1995, MAFF researched the toxicity of honey from bees that had been put in ragwort-infested fields. That proved conclusively that the honey contained pyrrolizidine alkaloids. It is also thought that milk can contain toxins. In South Africa, a disease known locally as bread disease occurs among certain native tribes where seeds of senecio isatadeus are mixed with food grains by mistake.

Ten years ago, ragwort was extremely rare. Now it is visible everywhere, spreading everywhere, seriously damaging livestock and threatening human health. The Government must act before ragwort is totally out of control and it is too late. If MAFF cannot enforce the law and get it strengthened, it should hand over responsibility to a Ministry that can.

3.35 am

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): I congratulate the hon. Member for North Shropshire (Mr. Paterson) on securing this debate, although I would have preferred it to be a little earlier in the evening. Nevertheless, he raises important issues and I certainly assure him that, under this Government, we are determined to root out injurious weeds wherever they may be found. One insect to do with the hon. Gentleman's questions on biological control is the crown boring moth, which has been experimented with. Having heard some of the earlier debates, I think that there are a few of them in this place.

Much work has been done on biological control in Canada, the United States of America, Tasmania and New Zealand. Several studies in the United Kingdom have looked mainly at a plant closely related to ragwort—groundsel—to which similar biological controls apply. The studies include those called

> Botryis-cinerea kills groundsel Senecio vulgaris infected by rust;
>
> Patchiness and spatial patterns in the insects community on ragwort Senecio jacobaea:
>
> Population dynamics of Cinnabar moth—

which the hon. Gentleman rightly said was a predator of the weed—

> and ragwort in grassland.

Although the Ministry of Agriculture, Fisheries and Food chief scientist's group is not currently involved in any MAFF-funded research and development on the biological control of ragwort, the hon. Gentleman might be interested to know that the Institute of Arable Crops Research at Long Ashton in Bristol is participating in a European Union-funded, multinational project, "COST 816", which is exploring biological control of a range of weed species in Europe. Although ragwort is not currently included, groundsel is. Any information discovered on the control of groundsel applies to ragwort.

I shall try to deal with the point about the way in which the law works in respect of the control of ragwort. I shall concentrate on the details, because the matter is important. I stress that, to people who have horses and donkeys, the issue is very serious. There is no doubt that horses and donkeys that eat the weed can die in a most agonising way. I do not want in any way to underestimate the importance of the matter, which is why the Weeds Act was introduced. I am pleased to see my hon. Friend the Member for Brigg and Goole (Mr. Cawsey) with me in the Chamber, along with other Members. I know that they take such series seriously on behalf of anyone who keeps horses or is involved in horse-related businesses.

It might help if I explained the background. The 1959 Act applies to Great Britain and empowers Agriculture Ministers to take action against occupiers of any land to prevent the spread of five species of weed. Those are spear thistle, creeping thistle, curled dock, broad-leaved dock and common ragwort. Common ragwort tends to give rise to the great majority of complaints that MAFF receives.

Section 1 of the Weeds Act empowers, but does not require—that is the point that I make to the hon. Gentleman—the Minister of Agriculture to serve notice on the occupier of any land on which injurious weeds are growing, requiring the occupier in the time specified in the notice to take such action as may be necessary to prevent the weeds from spreading. At this point, I should emphasise that it is not illegal to have the weeds growing on individual plots of land; the issue is control of the weeds and the risk of seeds spreading to adjacent land and causing commercial damage to agricultural activities.

Under section 2 of the 1959 Act, where notice has been served and the person concerned unreasonably fails to comply with the requirements of the notice, he or she shall be guilty of an offence and, on conviction, liable to a fine. Those provisions might have been imperfectly understood. It is not an offence to permit injurious weeds to grow on land one owns or rents, but it will be an offence if, without good reason, one fails to comply with a formal notice served by MAFF requiring one to deal with any injurious weeds within a specified number of days.

Section 3 of the Act contains default powers that enable the Minister to take action himself if that is required because action has not been taken by the landowner. In practice, default powers are used infrequently. Most landowners approached by MAFF officials following up a complaint quickly realise that it is better and more responsible to deal with the weeds themselves than to have MAFF exercise its statutory powers of entry, employ a contractor and send in a bill for the work done. It should be emphasised that the majority of complaints investigated are quickly resolved.

It might be helpful if I explained responsibilities in respect of weeds growing on roadside verges.

Mr. Paterson: Before the Minister moves on from the Act, does he agree that line 3 of section 1(1) uses the words "any land" and that there is nothing in the Act that gives MAFF the ability to interpret that as meaning strictly agricultural land, as he said in his letter to me?

Mr. Morley: It is a question of legal interpretation. The point at issue is that the powers under the Act are designed for use in respect of agriculture and they have been given to the Minister of Agriculture, Fisheries and Food. The land in which MAFF is interested is land that would be defined as agricultural land under the

[Mr. Morley]

Agriculture Act 1947. Much of the land that is the subject of complaints about weeds does not fall within the definition set out in the 1947 Act, and that is part of the problem.

The responsibility for control of ragwort on highway verges rests with highway authorities. When complaints are made to MAFF, we draw them to the attention of those authorities so that action can be taken.

There is some doubt about the policy of enforcement of the 1959 Act in cases where land used to graze horses is threatened by ragwort growing nearby. That arises from the fact that each complaint about injurious weeds received by MAFF is dealt with on its own merits; however, MAFF has responsibility for farmland and farmed animals, not for animals kept for non-agricultural businesses or for recreation. Generally speaking, it has not been MAFF's practice to investigate complaints about weeds threatening land used for horses, ponies or donkeys, because priority is given to protecting livestock.

I appreciate nevertheless that, at the summit meeting for the farming industry chaired by my right hon. Friend the Prime Minister, it was made clear that equine-related activities were highly relevant to the Government's encouragement of diversification. MAFF now has lead responsibility for most issues relating to horses, so we need to give some thought to the way we operate the 1959 Act. Commercial equine activities are a business and one which we embrace as a legitimate form of agricultural diversification, so it is not unreasonable for us to treat them as an agricultural business. However, whether that extends to all paddocks in which people keep individually owned horses for leisure and recreation is an issue which we have to consider carefully, not least because of the huge resource implications that such an extension would have for MAFF.

There are certain issues that we need to think about, but we ensure that all complaints from farmers who have diversified into equine enterprises and to whom ragwort poses a threat are fully investigated. As the hon. Gentleman will appreciate—I am sure that he will not disagree—responsibility for all matters of horse, pony and donkey welfare rests first with those who own them. As well as ensuring the normal shelter, feed and water, owners need to be aware of the danger of ragwort and other poisonous plants.

I pay tribute to the ragwort awareness and eradication campaigns initiated by bodies such as the British Horse Society and the Country Landowners Association. Some have been local in nature and some have been national campaigns. They have been backed by bodies such as the Royal Society for the Prevention of Cruelty to Animals. The Ministry's officials offer assistance on such points as currently recommended control methods to be included in campaign literature. As well as awareness campaigns, the educational work carried out by specialist equine organisations is of practical help to horse and pony owners. I urge those owners to follow the advice to ensure that any bought-in hay is warranted as free of ragwort before it is purchased—a point made by the hon. Gentleman.

The Department of the Environment, Transport and the Regions is producing a new code of practice for maintaining its roads, and is considering a recommendation that it should adopt the same procedures for ragwort elimination as apply on motorway and trunk roads. The MAFF press release of 5 July announced that its advisory material on weeds, which was already available on request from regional service centres, has also been placed on the MAFF website. One full-colour leaflet deals with the identification of weed species. It is well produced and helpful to people who may not be able to recognise the range of poisonous weeds. The other leaflet offers general guidance on control measures. It will get some practical advice to a far wider audience than the Ministry normally has business contact with. It will be reviewed regularly to ensure that control recommendations are fully in accordance with current best practice.

There are serious issues in relation to ragwort control and a range of other poisonous weeds. We are trying through the Ministry to join in the various awareness campaigns that bodies such as the British Horse Society are involved in. We make a range of information available, and we are making that available to a wider audience. When problems with ragwort are brought to the Ministry's attention, we take action. However, it must be stressed that our priority is agricultural land, which is defined under the 1947 Act. That is where some confusion arises. Some people are not quite clear about where responsibility lies and why MAFF cannot respond immediately to all complaints.

Mr. Paterson: Give the changing role of the RSCs, does the Minister see a role for officers who are travelling from regional offices to farms to be more active when they see ragwort, by reporting back and getting something done about it?

Mr. Morley: That is a fairly reasonable point to make. There is nothing wrong when people from our various agencies, especially the Farming and Rural Conservation Agency, which will be merged into mainstream MAFF as part of the changes, look out for such infestation and draw it to the attention of landowners.

Generally speaking, when complaints are raised with MAFF and when we raise them with the landowner concerned, action is taken. It is in only a few cases that we may be forced to use the powers that we have under the Act. Although there are changes taking place within the regional service centres to which the hon. Gentleman alluded, there will continue to be a regional presence of MAFF in all parts of the country. There will still be points of contact with the Ministry so that issues of this sort can be taken up.

We recognise that the hon. Gentleman has raised an important matter, and we do not take it lightly. We are doing what we can in relation to our powers within the area of our responsibility. However, it must be understood that MAFF is not responsible, for example, for people's gardens or their allotments. Landowners have a responsibility to control weeds. Our priority is agricultural-based businesses.

We recognise that equine activities are evolving, and we are keen to promote and support them. We will give further consideration to how we can use our powers to protect the industry, especially where a commercial element is involved.

Question put and agreed to.

Adjourned accordingly at ten minutes to Four o'clock.

House of Commons

Wednesday 26 July 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

MESSAGE FROM THE QUEEN

QUEEN MOTHER'S 100TH BIRTHDAY

The VICE CHAMBERLAIN OF THE HOUSEHOLD reported Her Majesty's Answer to the Address, as follows:

I have received your Address concerning the one hundredth birthday of Her Majesty Queen Elizabeth.

It gives me great pleasure to hear of the loyal affection of the House and the nation on this special occasion, and to ensure that your message is conveyed to Queen Elizabeth.

PRIVATE BUSINESS

CITY OF LONDON (WARD ELECTIONS) BILL *(BY ORDER)*

Order for further consideration, as amended, read.

To be further considered on Wednesday 25 October.

Oral Answers to Questions

WALES

The Secretary of State was asked—

Spending Review (Local Government)

1. **Mr. Win Griffiths** (Bridgend): When he last met the First Secretary to discuss the impact of the 2000 spending review on local government. [130876]

10. **Sir Raymond Powell** (Ogmore): What discussions he has had with the First Secretary about the effect of the 2000 spending review on local government in Wales. [130886]

The Secretary of State for Wales (Mr. Paul Murphy): Madam Speaker, as this is the last occasion on which you will preside over Welsh questions, may I, on behalf of all Welsh Members of Parliament, wish you well in your retirement?

I have met the First Secretary on a regular basis in the run-up to the 2000 spending review. I welcome the excellent settlement that we have secured for Wales, which includes amounts consequential on allocations to the Department of the Environment, Transport and the Regions for local government. It will, of course, be for the National Assembly to decide how the consequential amounts will be allocated in Wales.

Mr. Griffiths: Given that the National Assembly has that flexibility in allocating spending in Wales, will my right hon. Friend confirm that my right hon. Friend the Chancellor's recent statement on spending has the direct consequence that an extra £338 million could be available for local government in Wales over three years, and that additional sums could also be available for education, housing and social services? Will he also confirm that those welcome additional resources will be badly needed by local government as it takes up new duties and challenges in the provision of services, especially for children and elderly people?

Mr. Murphy: I can confirm that, if the National Assembly were to spend the consequential amounts on the services to which my hon. Friend referred, the figure that he gave would be correct. As I said earlier, it is entirely for the National Assembly to decide how to spend its money. However, I am sure that the Assembly and the House will agree that the settlement that Wales received last week from my right hon. Friend the Chancellor of the Exchequer, which amounts to £2,000 million over and above the normal increases over the past three years, is the best settlement that Wales has received for many years.

Sir Raymond Powell: Will my right hon. Friend get the message across to all the people in Wales that this is the best settlement that local government has ever had? Should not local government be satisfied with what it has got and begin to ensure the proper provision of housing, education and other services? Should not the £101 million that has been given for housing in Wales be used to tackle the backlog of repairs and shortages that the Tories left in Wales when they left government?

Mr. Murphy: My ministerial colleagues and I will do everything that we can to get that message across. My hon. Friend is right to say that, after nearly two decades of neglect, there is much to be done in Wales, especially in the valley communities that he and I represent. That is why objective 1 status was given to west Wales and the valleys, and why we are extremely pleased at today's news that the European Commission has finally given its approval to the plan for objective 1 status.

Mr. Dafydd Wigley (Caernarfon): The hon. Member for Bridgend (Mr. Griffiths) quoted figures for local government and education, and the hon. Member for Ogmore (Sir R. Powell) quoted a figure for housing. However, would not the total be £80 million a year higher if that same amount did not have to be taken out of the Welsh block to provide match funding for the European projects? We welcome the Secretary of State's announcement of the decision in Brussels, but local government in Wales is very worried at the news from the Department of the Environment, Transport and the Regions that it expects an increase in council tax of as much as 10 per cent. Will the right hon. Gentleman give a categoric assurance that enough money will be provided to prevent that?

Mr. Murphy: The right hon. Gentleman will be aware that last week's settlement with regard to structural funds means that £421 million extra is going to Wales, over and above the Barnett formula. We have never had that money—nearly £0.5 billion extra—in the past. It releases money in the block for match funding, and is therefore excellent news for Wales. I believe that local government will be very glad to receive the settlement, and I only wish that Plaid Cymru was glad too.

Mr. Nigel Evans (Ribble Valley): The question asks when the Secretary of State last met the First Secretary. We have the honour of having the First Secretary with us today. May I take the opportunity of congratulating him on his recent appointment as a Privy Councillor?

The question relates to local government. Is it not a fact that the people of Wales have had enough spin from the Government and that it simply will not wash with them any more? The recent local council tax rises of five times the rate of inflation are quite incredible. In all but two counties, the council tax increase has more than eaten away the 75p increase in pensioner incomes in Wales. Is it not the case that the Government give with one hand but grab back with two hands? What reassurances can the Secretary of State give to the people of Wales that, given the settlement, next year's council tax rises will be within the rate of inflation?

Mr. Murphy: First, the National Assembly is looking very carefully at the way in which it distributes its grant. There is, as the hon. Gentleman knows, a consultation process taking place which will be completed in September, to which he and others can make representations.

After two decades of neglect of local government in Wales, to tell us what should happen with public spending is very rich coming from the hon. Gentleman and his party. I repeat what I said to the right hon. Member for Caernarfon (Mr. Wigley)—local government in Wales is extremely happy with the overall settlement given by my right hon. Friend the Chancellor of the Exchequer in the spending review last week. Local government and all the people of Wales will benefit from what has occurred during the past seven days in this House of Commons.

Mr. Llew Smith (Blaenau Gwent): Although I think that most people would accept that this settlement is the best that Wales has had, at any time and from any Government, my local authority is concerned that the formula for the distribution of local authority moneys by the National Assembly still does not take deprivation into account. As the poorest authority in Wales, we expect that formula to reflect poverty and to begin to rectify some of the injustices of many a long year.

Mr. Murphy: I understand my hon. Friend's concern. He has raised the matter with me on a number of occasions. Again, I repeat what I said to the hon. Member for Ribble Valley (Mr. Evans). The National Assembly is reviewing the way in which the grant is distributed in Wales, and there is a consultation period that ends in September. I hope that both my hon. Friend and his local authority of Blaenau Gwent will be making representations to the Assembly. I hope that that review will take into account the deprivation to which he quite rightly refers.

Farm Incomes

2. **Mr. Nicholas Winterton** (Macclesfield): If he will make a statement on trends in farm incomes in Wales. [130877]

The Parliamentary Under-Secretary of State for Wales (Mr. David Hanson): The Government and the National Assembly for Wales have taken all appropriate steps to assist Welsh farmers to achieve a sustainable agricultural industry. I am hopeful that the Agenda 2000 common agricultural policy reforms, coupled with the rural development plan for Wales and the industry's own resilience and coherent approach to rural development in Wales, will result in an improved level of farm incomes in Wales.

Mr. Winterton: We have been told by my hon. Friend the Member for Ribble Valley (Mr. Evans) that the First Secretary of the Welsh Assembly is present today, for which we are very grateful. Will the Minister give his view on why the Welsh Agriculture and Rural Development Secretary, Christine Gwyther, has been dismissed? Does the hon. Gentleman not agree that that is important, because the farming crisis in Wales is particularly acute? Average hill farming incomes have fallen this year to just over £2,700. What will the hon. Gentleman do about this crisis, which affects much of rural wales?

Mr. Hanson: I am sure that the hon. Gentleman will realise that decisions on the Assembly Cabinet are rightly and properly a matter for the First Secretary, and that it is not for me to comment. However, jointly, the Assembly—with Christine Gwyther in position—my right hon. Friend the Minister of Agriculture, Fisheries and Food and I secured at the No. 10 Downing street summit an extra £14.7 million in Wales for less favoured areas, an extra £10.6 million agrimonetary compensation in Wales and an additional £2 million to be spent on business advice to farmers. That is in stark contrast to the BSE party.

Mr. Richard Livsey (Brecon and Radnorshire): Thank you for calling me, Madam Speaker. We send our very best wishes for your retirement from these Benches.

I was very pleased that the Secretary of State was at the Royal Welsh show yesterday, presenting my constituent, Mr. John Davies, with a farmer of the year award. However, will the Minister note that there are appallingly low incomes in farming in Wales at present, which are below the national minimum wage? Will he do everything possible, in co-operation with the First Secretary of the Assembly, to ensure that farming incomes increase? In particular, will he note that the agricultural budget for hill livestock compensatory allowances has been cut for next year?

Will the hon. Gentleman also note that the Welsh Development Agency has abolished rural business grants? That is a very serious matter—we suspect that those rural grants are being used for match funding for objective 1 areas. Does the hon. Gentleman agree that that is scandalous for the areas that are affected?

Mr. Hanson: There is certainly a partnership between the National Assembly and the British Government to help to support and develop farm incomes. My right

hon. Friend the Secretary of State visited the Royal Welsh show yesterday; my right hon. Friend the Minister of Agriculture, Fisheries and Food is there today; and I am going tomorrow. We shall listen to farmers and work in conjunction with the devolved administration to ensure that we support farmers and help them to develop and improve their incomes. The Government have given more than £19,000 of direct subsidy, on average, to each farm in Wales. That is a positive step by the Government. We shall do what we can to help to support farmers.

Mr. Huw Edwards (Monmouth): Does my hon. Friend agree that Welsh farmers will benefit from the Government's success in securing objective 1 funding, that Wales is benefiting from the success in agrimonetary compensation that has been achieved following the Downing street summit and that, under the previous Government, not a penny of objective 1 funding or agrimonetary compensation was secured from Europe?

Mr. Hanson: My hon. Friend is absolutely right; objective 1 was secured by the Labour Government, and it will benefit rural areas. The nationalists said that they could not do that; the Tories would not do it; but Labour did it.

EU Structural Funds

3. **Mr. Ian Bruce** (South Dorset): What recent discussions he has had regarding the matching of European regional funds. [130878]

The Secretary of State for Wales (Mr. Paul Murphy): The excellent spending review settlement for Wales announced last week included an additional £421 million for the structural funds programmes in Wales. That settlement unlocks funding within the block to meet match funding requirements.

I have talked with my hon. Friend the Member for Cardiff, West (Mr. Morgan) and the Assembly Finance Secretary, who agree that, as a result of the settlement, no worthwhile objective 1 project will be held back by a lack of resources.

Mr. Bruce: In the discussions that the right hon. Gentleman has had with the First Secretary, did the First Secretary query whether all the funding is additional and fully matches the European funds? After all, the previous First Secretary had to resign because he could not get that from the Government. Can the right hon. Gentleman confirm that all the match funding represents additional funds over and above the Barnett formula and all the normal streams of funds that go to Wales?

Mr. Murphy: As I explained moments ago, the £421 million, which amounts to £1.2 billion or £1.3 billion over nine years, that will come from Brussels is wholly additional to the block and to Barnett. The hon. Gentleman should remind himself that, for the 21 years that structural funding came to this country, not one penny was extra to the block, and it has taken a Labour Government to change that. It comes very rich from the Conservative party to tell us in Wales how to deal with public finances, given that the hon. Gentleman and the shadow Chancellor would put public services in peril because they intend to cut public finances.

Mr. Chris Ruane (Vale of Clwyd): Does my right hon. Friend agree that we have to give the Conservatives some credit for achieving objective 1 for Wales because, in 1979, the economy of Wales was mid-table of the 13 regions of the United Kingdom but, in 1997, when the Conservatives left office, we were bottom of the table?

Mr. Murphy: I agree with my hon. Friend. As he has said in the past couple of days about objective 1, we must get on with the schemes and projects with the people of Wales. The more we squabble, and the more people whinge about the excellent settlement, the less easy it will be to begin those schemes and projects. It is an excellent settlement for Wales, and we all know it.

Mr. Robert Walter (North Dorset): It is clear from the statements made last week that the European Commission's share of funds for objective 1 will be transferred to the National Assembly for Wales. It is also clear that the social fund will be taken from the Department for Education and Employment and given to the National Assembly. As the Secretary of State has said, that provides £421 million over three years, and we do not dispute that figure.

What is not clear is where the additional funding for objective 1 will come from. Where are the match funds that the Prime Minister promised Wales? The Secretary of State has said that they will be met from within the block grant, which exists for health, education, roads and local government. Which programme does he expect the National Assembly to cut to make the match funds available?

Mr. Murphy: I explained to the hon. Gentleman at some length in the Welsh Grand Committee how we would deal with the funds needed for programme match. They need not necessarily come from the block, but might come, for example, from lottery money, from money from the Department for Education and Employment or from the private sector. Where the match funds come from can vary. The hon. Gentleman seems not to understand—or does not want to understand—that this is a huge and significant breakthrough in how we deal with public finances in Wales. The overall settlement of an extra £2 billion is an enormous improvement on anything that Conservative Governments dreamt of, let alone gave us.

Mr. Barry Jones (Alyn and Deeside): My constituency would like access to the funds under discussion, but, in their absence, would be happy to accept a regional grant of £25 million for 1,400 aerospace jobs. Does my right hon. Friend know that a far-away, secretive quango is proving an obstacle to our getting those jobs? How can he help? Will he talk to the First Secretary and deliver the £25 million grant?

Mr. Murphy: My right hon. Friend has rightly raised that matter several times, as he represents Broughton. He is aware that the Government are committed to ensuring the success of the project and have given a loan of more than £500 million. Discussions are still under way in the

National Assembly, and my right hon. Friend can rest assured that I shall take the matter up with my hon. Friend the Member for Cardiff, West (Mr. Morgan).

New Deal

4. **Mr. John Bercow** (Buckingham): What recent discussions he has had with the First Secretary about the new deal for young people. [130880]

The Parliamentary Under-Secretary of State for Wales (Mr. David Hanson): My right hon. Friend the Secretary of State for Wales regularly meets the First Secretary to discuss a wide range of issues. I also hold regular meetings with the Assembly Secretary for Education and Training. One of the Government's chief aims is to get young people into work so that they can play a full and productive part in society. At the end of April, almost 14,900 young people in Wales had entered employment through the new deal programme.

Mr. Bercow: Given the facts that only 13 per cent. of new deal participants in Wales leave the scheme for unsubsidised employment, that only 10 per cent. of those on the training and education option end up with a qualification when they finish it, and that those participants are twice as likely not to get a job as they are to get one, why does the Minister not give up the unequal struggle, admit that his scheme is an expensive flop and offer an unqualified apology to the people of Wales?

Mr. Hanson: At almost every Welsh questions since I was appointed a Minister, the hon. Gentleman has raised that point. At almost every Welsh questions, we have proved that he is wrong. Some 14,900 people are in work in Wales because of the new deal. The Chancellor has extended the programme and made it permanent. One thing is clear: the Conservative party would scrap it. Perhaps on your retirement, Madam Speaker, given the hon. Gentleman's persistence, you might take him with you.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): Will my hon. Friend ignore the sneering nonsense of the hon. Member for Buckingham (Mr. Bercow) and recognise, as many of us do, the tremendous importance of the new deal in giving hope to young people in our communities? Will he ensure that new deal money and the programme's success are linked to objective 1 to multiply the benefits of both schemes?

Mr. Hanson: My hon. Friend makes a very important point. The new deal is a Labour initiative which has created great employment prospects in the valleys and throughout Wales, and will be maximised when it is linked to objective 1. A key fact is that the Conservative party opposed the new deal and would not support additional funds for objective 1.

Spending Review (Home Office)

5. **Mr. Simon Hughes** (Southwark, North and Bermondsey): What discussions he has had with the First Secretary on the subject of the comprehensive spending review in relation to Home Office matters in Wales. [130881]

The Secretary of State for Wales (Mr. Paul Murphy): I meet the First Secretary regularly to discuss a range of issues.

Last Wednesday's announcement by the Home Secretary of an extra £1.6 billion for police funding in England and Wales for the next three years is very good news. It represents an average annual increase in police funding of 7 per cent. and a further 4,000 recruits for England and Wales, bringing the total to 9,000 extra recruits over the next three years. The fire services too will receive a substantial increase.

Mr. Hughes: Has the Secretary of State seen the report in today's *Western Mail* that, of almost £7 million allocated by the Home Office to deal with domestic violence in England and Wales, this month Wales was allocated only £31,000, even though there were 15,000 reported incidents of domestic violence in Wales last year? Has the Secretary of State taken that up with the Home Secretary, and are those figures correct? If they are, and if the Secretary of State has not made representations, will he talk to the Home Secretary urgently so that resources that the community clearly feels are needed can be provided to deal with domestic violence in Wales?

Mr. Murphy: I accept the hon. Gentleman's point and the importance of these matters, especially given the news in the past few days about the terrible events in Barry. The hon. Gentleman may rest assured that I shall, of course, raise the matter with my right hon. Friend the Home Secretary.

Mrs. Jackie Lawrence (Preseli Pembrokeshire): May I welcome the extra money that was given to Wales last week for rural policing, especially the £1.3 million that is being given to Dyfed-Powys police in my area? Does the Secretary of State welcome, as I do, the fact that that will enable the new chief constable, Terry Grange, to carry out plans to increase police numbers and open new police stations in the Dyfed-Powys area? Does that not contrast clearly with the position of the previous Government, who flatly refused to allow Dyfed police to take on a further 72 officers?

Mr. Murphy: I very much agree with my hon. Friend. Dyfed-Powys received a considerable increase, as did north Wales, which received £770,000 extra, and my own county of Gwent, which received £103,000, which effectively means that there will be an extra 5,000 recruits in addition to the usual 11,000. Wales will get an extra 223 police officers, distributed throughout Dyfed-Powys, Gwent, north Wales and south Wales. On top of that, last week's announcement means that we shall have even more police recruits.

Mr. Owen Paterson (North Shropshire): Does the Secretary of State predict a rise or fall in crime in Wales next year?

Mr. Murphy: It is not for me to predict anything. However, I can tell the hon. Gentleman that the latest statistics show that recorded crime in Wales fell by 2.5 per cent last year, against a 3.8 per cent. rise in England and Wales as a whole. The largest fall in crime was in south Wales, where there was a reduction of 5.8 per cent.

Spending Review (Health and Social Services)

6. **Mr. Jon Owen Jones** (Cardiff, Central): What discussions he has had with the First Secretary about the effect of the 2000 spending review on health and social services in Wales. [130882]

The Parliamentary Under-Secretary of State for Wales (Mr. David Hanson): My right hon. Friend the Secretary of State met the First Secretary on a regular basis in the run-up to the 2000 spending review. The excellent settlement secured for Wales includes amounts consequential on allocations to the Department of Health which can be allocated by the National Assembly to improve health care throughout Wales.

Mr. Jones: When my hon. Friend next meets the Assembly's Health and Social Services Secretary, will he encourage her to use the unique opportunity of £750 million over the next three years to rise above vested interests and parochial concerns, and to invest and build a health service in Wales fit for the 21st century? Will he encourage her to find a fair funding formula based on people's health needs, and establish that throughout Wales?

Mr. Hanson: My hon. Friend is right in saying that additional resources are now available to the National Assembly to secure support and improve investment in the national health service in Wales. This year, the Budget gave £1,300 million extra to the NHS in Wales, and consequentials from the Department of Health will allow Assembly Secretary Jane Hutt an opportunity to ensure greater development of health services in Wales. It is clear that the Conservative party would not be able to meet those commitments, and health care would be poorer in Wales as a result.

Mr. Nigel Evans (Ribble Valley): Is it not true that people in Wales are being kept off the in-patient waiting list by being kept on the out-patient waiting list longer than ever before? When the Government came to power, the number of people waiting over three months for a first out-patient appointment was 28,401; today, that figure is 84,684. If anybody feels unwell in Wales, they should look not for an ambulance, but for a train so that they can get better health treatment outside Wales. When will the Minister ensure that the people of Wales get a better health service—indeed, the health service that they were promised at the last general election?

Mr. Hanson: Where would the Conservative party find the £1.3 billion extra this year if their tax guarantee were in place? Waiting lists and waiting times are important to the Welsh Assembly and to this Government. We have put the money in place to deal with them, and the hon. Gentleman's party would cut it.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [130902] **Mr. Brian H. Donohoe** (Cunninghame, South): If he will list his official engagements for Wednesday 26 July.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further such meetings later today.

I have written to Chancellor Schröder, President Chirac and Prime Minister Jospin on behalf of the people of Great Britain to convey our shock and heartfelt sympathies over the tragic air accident that occurred in France yesterday, which has led to the loss of so many lives. I know that the whole House will wish to join me in expressing our deepest condolences to the families and friends of the deceased.

Mr. Donohoe: I am sure that the whole House endorses the sentiments expressed by the Prime Minister.

Last week we heard the splendid news, for both England and Scotland, of the spending review. However, could one small change be made? My right hon. Friend will be aware that the floodgates have opened in terms of the illicit trade of alcohol into the UK. In my constituency, in particular, it has become a new profession at the cost of the retail trade. Given your retiral this week, Madam Speaker, and knowing that you like a wee dram, may I ask my right hon. Friend to have a word with the Chancellor about reducing the price of the duty on a bottle of whisky?

The Prime Minister: I know that my hon. Friend has a long-standing interest in this matter as chairman of the all-party Scotch whisky group. I accept entirely that the problem of smuggling exists, which is why we are taking action on it, but this is not a matter of small change. We need to maintain the real value of Government revenue, and the cost simply of freezing all alcohol duties on an indexed basis this year would be £165 million. I am afraid that that is money that we desperately need for the very public service changes that I know my hon. Friend wants.

Mr. William Hague (Richmond, Yorks): May I join the Prime Minister in expressing our sadness at yesterday's terrible air crash in Paris, with the loss of 113 lives? We join him in passing on our deepest condolences to the families in Germany and France—and now, we understand, one in Britain—who have lost their loved ones. As one of the partners in the Concorde enterprise, and given that our own air accidents investigation branch has unrivalled expertise, can the right hon. Gentleman say whether it will be involved in the

inquiry into the crash and will he assure the French Government that we stand ready to help in any way that we can?

The Prime Minister: I can certainly assure the right hon. Gentleman that we stand ready to help in any way that we can. I understand that our people are co-operating with the French authorities.

Mr. Hague: I am grateful for that reply. May I now turn to a domestic political issue?

On Monday night, the House of Lords voted in accordance with the wishes of the people of this country to defeat the Prime Minister's campaign to repeal section 28. Does he agree that, on this issue, the House of Lords has more accurately reflected public feeling than the House of Commons?

The Prime Minister: No, I believe that clause 28 is a piece of prejudice. It is right to remove it and I remain committed to removing it. The objection to its repeal—that somehow we would allow schools to have homosexual sex education lessons—and all the rest of the propaganda that was put forward during the course of the campaign has now been comprehensively put down and rubbished by the amendments that we have put forward, so, no I do not agree with him. It is the right thing to do and I believe that we should do it.

Mr. Hague: If the Prime Minister does not recognise that the Lords are more in touch with the country on this issue, it shows how out of touch he has become. He could at least listen to his own supporters in his own party on the issue: the Labour peer Lord Stoddart who said

there has been an outcry . . . throughout the country

and Lord Mishcon who said that the Government

misunderstand the mood of our people.—[*Official Report, House of Lords*, 7 February 2000; Vol. 609, c. 444-76.]

He could listen to more than a million people in Scotland who voted to keep section 28—more than voted for any party in the Scottish parliamentary elections. Is it not an undeniable fact that the Lords have more genuinely reflected public opinion on this issue?

The Prime Minister: A lot of the public concern on this was based on the belief that somehow, as a result of repealing clause 28, schools would be forced or allowed to teach gay sex education in schools. That is simply not true. As a result of the amendments tabled to the Learning and Skills Bill, as the right hon. Gentleman well knows now, it is made absolutely clear that sex education is for schools, parents and teachers, and, what is more, that any parent has the right absolutely to withdraw their children from sex education.

I think we know what the right hon. Gentleman is doing. It is exactly the same as he did over the asylum issue—it is pandering to prejudice and it is not a pretty sight.

Mr. Hague: That was a nice lecture from Mr. Eye-catching Initiative himself, wasn't it? Has not the right hon. Gentleman's crusade for political correctness gone far enough? He has been told by Church leaders to scrap his campaign; he has been told by Parliament to scrap it; he has been told by the public at every opportunity to scrap it; he has packed the other House full of his cronies and he still cannot get it through the other House. Will he now scrap the repeal of section 28 from the next Session and from his next election manifesto?

The Prime Minister: I repeat that the reason I believe it is right to repeal the clause is that, having taken account of the one serious objection put forward by people—their worry about sex education in schools—it is now a piece of prejudice pure and simple. The right hon. Gentleman knows that, I know that and so do Members of the House.

As for packing the other place with my cronies, I remind the right hon. Gentleman that the Conservative party still has more life peers than we do. I hear what the House of Lords says, but I believe that we took the right position on this issue and I shall continue to hold to it.

Mr. Hague: Is it not a hallmark of recent months that the Prime Minister is more and more adrift from the people of this country? He presses on today with section 28; he has let out thousands of violent criminals ahead of their parole date; he is spending millions of pounds on preparing to join a currency opposed by the British people; he has raised taxes on the poorest households in the country; and then he sends round a pathetic memo asking if anyone knows why he is out of touch. Does he agree that the Government—and this even applies to him—are out of touch with "gut British instincts"?

The Prime Minister: I notice that the right hon. Gentleman is not raising today the economy or public services. Why is he not doing so? It is because he has nothing to say about the real issues. I will tell him what concerns the British people: jobs—a million extra of them; the lowest inflation in Europe; interest rates at half the level that they were under the Tories; and extra spending on schools, hospitals, law and order and transport. The right hon. Gentleman's jokes are all very well, but he should get to the Dispatch Box now and debate the real policies.

Mr. Hague: We shall debate the real policies. There are 2,500 fewer police than there were three years ago; 150,000 more people are waiting to see a hospital consultant now than three years ago; and 98,000 more violent crimes were committed in this country last year than in the previous year. That has happened under the Prime Minister's stewardship. It is a pity that he cannot agree that the Government are out of touch with "gut British instincts" because he wrote that. He is out of touch not only with the people but with himself.

The Government have lived by spin and they are now dying by spin; they have lived by gimmicks and are now known for nothing but gimmicks; they have orchestrated leaks and are now drowning in them. The Prime Minister's sole purpose was to follow public opinion; he is now utterly out of touch with the majority in this country.

The Prime Minister: We finally got the right hon. Gentleman down to policy. He wants more police on the beat; that means more spending. He wants fewer people on waiting lists; that means more spending. He wants extra money for schools; that means more spending. We are committed to spending more money on such programmes. However, the right hon. Gentleman has a

policy of £16 billion worth of cuts. Perhaps when he next gets to his feet, he can explain last week's Conservative party research department note. It is very interesting, and tells us where the spending cuts will be made.

On health, the note states:

We will match the spending on health that Labour announced in the Budget.

However, on education, the notes states:

We will match what we can afford.

On crime, it states:

We will match what we can afford.

On transport, it states:

We will match what we can afford.

On defence, again it states:

We will match what we can afford.

If the right hon. Gentleman can give a commitment to match us on health, let us have commitments on the other programmes.

Madam Speaker: I call Mr. Eddie O'Hara.

Hon. Members: Where is the last question from the Leader of the Opposition?

Madam Speaker: Order. I can count. I call Mr. O'Hara.

Q2. [130903] **Mr. Eddie O'Hara** (Knowsley, South): As a member of the Chairmen's Panel, may I take the opportunity to thank you publicly, Madam Speaker, for your distinguished service to the House, and wish you all you wish for yourself in your retirement?

Let me put on my battered very old Labour hat. It is a matter of record that the Tories in government reduced millions of pensioners to poverty, and that the Liberal Democrats promised a rise in pensions in line with prices, not earnings, funded by an infinitely flexible penny on income tax. Is my right hon. Friend the Prime Minister aware that the eyes of pensioners are on his Government, and that their view is refracted through the prism of 75p? Will he assure me that the summer message to my pensioners in Knowsley, South is that £6 billion is just for starters and that they ain't seen nothing yet?

The Prime Minister: Of course, my hon. Friend is right about the Conservatives' record. They scrapped the earnings link, they put 1.5 million pensioners in poverty and they increased VAT on fuel. It was right for us to make pensioner poverty a priority. Consequently, 1 million pensioners are up to £20 a week better off through the minimum income guarantee, and 3 million pensioners will benefit from free television licences for the over-75s. On top of that, the winter fuel allowance is now £150. We know for certain that the Tories would take every one of those benefits from pensioners.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): May I entirely associate my right hon. and hon. Friends with the perfectly correct condolences expressed by the Prime Minister and the Conservative party leader following yesterday's tragedy? Moving back to the domestic political agenda and, indeed, the earlier exchanges, may I ask the Prime Minister when the Government propose to repeal section 28?

The Prime Minister: We have said that we will declare our position at some later time. We are obviously considering the best way to do so, but I can assure the right hon. Gentleman that we remain committed to repealing clause 28 because that is the right thing to do.

Mr. Kennedy: Does the Prime Minister agree, however, that even though the pose that the leader of the Tory party is yet again adopting on this matter is an affront, an equal but different constitutional affront is the fact that if a deal had not been done with Lord Cranborne, the hereditary peers still in the House of Lords would not have been in a position to thwart the clear, overwhelming view of the democratically elected House of Commons? I encourage him to continue and to stick to his convictions over the repeal of section 28, but will he go further and commit himself to establishing—sooner rather than later—a completely and thoroughly democratically elected House of Lords?

The Prime Minister: I cannot agree with the right hon. Gentleman's last remarks, but on his opening comment it is important that we repeal section 28 for the reasons that I gave earlier. We have dealt with the one justifiable objection that people had. We have even made sure that the very objection made to one particular piece of propaganda, which is the only piece that could ever be pointed to by opponents of the repeal—namely, something issued by Avon health authority—can be made no longer. There is absolute protection for parents and teachers and children in school.

I say this to Conservative Members: they may think that they will gain support in certain quarters, but I genuinely believe that this country is a tolerant country. We are sufficiently mature, in the 21st century, to say that people who are gay are entitled to the same treatment and rights as other people in our society.

Q3. [130904] **Mr. Alan W. Williams** (East Carmarthen and Dinefwr): May I congratulate my right hon. Friend on the excellent settlement for Wales in last week's comprehensive spending review? He will know that during the past year the Welsh nationalists have mounted a virulent and corrosive campaign over match funding. However, the settlement gives a 5.4 per cent. real-terms increase across all public spending and an extra £421 million for objective 1 funding. Does he agree that the priority is to develop imaginative schemes that will provide long-term jobs and growth in the gross domestic product, and help to repair the 18 years of damage under Conservative government?

The Prime Minister: Of course the objective 1 additional funding that has been made available for the next three years—some £420 million over and above the Barnett formula—will do a great deal for regeneration in Wales. Also, as a result of the new deal and, indeed, the strength of the economy, unemployment in Wales has fallen considerably. Once again, my hon. Friend will note

that the additional objective 1 money in Wales is precisely what would fall under the cosh of the Tories' £16 billion spending cuts.

Q4. [130905] **Mr. Alasdair Morgan** (Galloway and Upper Nithsdale): What would the Prime Minister say to my constituent Mr. Alistair Scott of Wanlockhead whose 30-year-old haulage business has just closed, largely because he cannot compete and return loads from England because he is up against hauliers who have many vehicles based in France, where they can buy DERV at 54p a litre as against 84p a litre in this country? What would he tell Mr. Scott—that things can only get better?

The Prime Minister: First, the hon. Gentleman's political party has not merely made no commitment whatever on petrol duty, but is committed to putting taxes up for business in Scotland. Secondly, it is of course correct to say that petrol prices have been higher here. I have explained on many occasions the reasons for that. It was important that we removed the deficit that we inherited when we came to office. The very best thing for business as a whole in Scotland and the rest of the UK is a strong, well-run economy. Under this Government, it has got that.

Q5. [130906] **Mr. Derek Twigg** (Halton): My constituency has some of the worst health statistics in the country, which is why the extra money for the NHS is most welcome. However, do we not have to ensure that those resources are targeted where they are most needed, and efficiently delivered? That is why the NHS national plan is most important. We do not need what the Leader of the Opposition talked about in his speech yesterday—the privatisation of the NHS.

The Prime Minister: The Opposition are committed to taking £1 billion for their private medical insurance plans, and that money will come straight out of the national health service. The benefit of the spending review is that it allows us to make an investment in our hospitals and in our primary care facilities, and to increase the number of nurses and doctors in the NHS. Taken together with the other spending—investment in education, skills and transport infrastructure—it offers the genuine chance of opportunity and security for all in our society.

Q6. [130907] **Mr. Edward Davey** (Kingston and Surbiton): The Prime Minister will be aware of a recent report commissioned by Britain's top universities, which recommended charging students top-up fees of up to £4,500 a year. Will he give the House a categorical assurance that the Government will not introduce top-up fees for students, and would not introduce them if they were re-elected?

The Prime Minister: We have no plans to introduce top-up fees. It is important that we get additional funds into our universities. Therefore, under the spending review we are putting extra money into the university system, which is vastly in excess of anything that he, as a Liberal Democrat, promised his electorate at the last election.

Q7. [130908] **Mr. Ivan Lewis** (Bury, South): Does the Prime Minister agree with me that politics is essentially about choices? People gloat at memo leaks while the Government get on with the job of repairing leaking school roofs that have disfigured our education system for too long; they concentrate on spin doctors while the Government get on with the job of recruiting new doctors to rebuild our national health service; and they launch bogus campaigns to save the pound while the Government deliver an economy of 1 million new jobs. My right hon. Friend's initials may be "TB", but "not to be" is the destiny of the Conservative party.

The Prime Minister: I certainly agree that there are clear choices. There is the choice between stability and boom and bust, and between lower unemployment under this Government and higher unemployment under the Conservative party. It is difficult to know exactly what choice to make when one reads interviews such as that with the shadow Chancellor in *The Spectator* a day or two ago. He was asked by the interviewer whether his plans meant that he would announce lower spending. He replied:

> We reject the language of cuts.

The interviewer asked:

> You mean you won't be cutting?

Answer:

> We may or may not be spending less.

[Interruption.] The right hon. Gentleman and his colleagues will have a lot of questions to answer between now and the election.

Mr. Peter Brooke (Cities of London and Westminster): Does the Prime Minister believe that focus groups are the stuff of leadership?

The Prime Minister: No. That is why, when we announce our additional expenditure plans or even when we take positions that are put to me by the leader of his party as unpopular, we do what is right.

Q8. [130909] **Mr. Harry Cohen** (Leyton and Wanstead): As this is the last Prime Minister's questions that you will preside over, Madam Speaker, may I congratulate you on controlling this near riot every week? If the Prime Minister offers you a law and order job, please accept it.

Will my right hon. Friend comment on the Commission for Racial Equality's report "Inspecting schools for race equality", which says that the Office for Standards in Education has failed to fulfil its lead responsibility to ensure racial equality and to challenge racism in schools? Many inspectors were unaware of that responsibility and considered it unimportant, like Christmas tree baubles. One of them said that Ofsted's priority was "under-achieving white boys". Ofsted's chiefs have whinged at the report's findings, which is pretty rich for an organisation that is used to dishing out criticism. When other organisations have been criticised, they have made changes and improvements. Will my right hon. Friend require Ofsted to do the same?

The Prime Minister: To be fair, Ofsted has indeed replied. It points out that the findings rely on analysis of only about 30 reports out of a total of more than 30,000.

It also says, however, that the CRE report contains criticisms that it will take on board, which I think is the right and responsible thing for it to do.

Q9. [130910] **Mr. Adrian Sanders** (Torbay): Millions of people take their main holiday abroad nowadays, but many also take a second holiday in a United Kingdom seaside resort. Will the Prime Minister give a lead to his hon. Friends and the country, and take a second holiday in one of those UK seaside resorts which have so much to offer the holiday visitor?

The Prime Minister: I will certainly consider that carefully, but at present I am concentrating on my first holiday.

Q10. [130911] **Helen Jones** (Warrington, North): Is the Prime Minister aware that extra education spending in my constituency has halved the number of infants in classes of more than 30 and financed 48 projects under the new deal for schools, many in the most deprived areas? Which of those investments in our young people does he think could be described as "reckless"—the extra teachers, the new classrooms, or the newly announced sure start programme for Warrington? Will he tell my constituents how many of those projects he thinks could survive £24 million worth of Tory cuts?

The Prime Minister: My hon. Friend is absolutely right to point out that many of the things that have been done in schools in her constituency, and constituencies up and down the country, are a result of the new deal. The Conservative party is opposed to the new deal, and committed to scrapping it.

As for the additional spending announced last week, we now know that the Conservatives are opposed to it, and would reduce it by £16 billion. We also know, from what I have read out today, that whatever the Conservatives may say about health spending—and I do not think they are credible on that either—they now accept that in each and every other area they will make substantial cuts.

Q11. [130912] **Mr. Michael Jack** (Fylde): Can the Prime Minister explain why, if state-owned British Nuclear Fuels can find £40 million from public funds to compensate the Japanese for nuclear fuel problems, we cannot find some public funds to compensate Britain's former Japanese prisoners of war?

The Prime Minister: As I have said before, we will make our decision on the issue of Japanese prisoners of war in due course; but neither the right hon. Gentleman nor any other Conservative Member can come to the House and start asking us to increase public spending. The right hon. Gentleman cannot say that he wants more spending when his party is committed to cutting spending.

Let me explain to the right hon. Gentleman and other Opposition Members what exercise they will be engaged in over the coming months and years. They will have to explain why, in every constituency in the country, £24 million worth of spending is to be cut. If they think that will be easy, let me read them what one of their shadow Finance Ministers said a few days ago. He said:

> The economies we have to find, I admit, will not be easy.

Q12. [130913] **Dr. Nick Palmer** (Broxtowe): Does my right hon. Friend agree that, as we head for the recess, the overwhelming majority of the British people are satisfied that we have focused not just on the needs of the moment, but on the needs of the next three years? We are not spending money on diversions, but are focusing on health, education and dealing with crime, as people want us to. Is my right hon. Friend satisfied that our direction is the direction of the British people?

The Prime Minister: That money is going directly into the services that people need. As the Chancellor pointed out last week, the big difference is that whereas under the last Government 42p in every pound of additional spending went on social security and interest payments on debt, under this Government 83p in the pound goes to the very public services that the country wants. Not only will we create a more just society through our spending, but we will create the economic prosperity of the future.

Sir Nicholas Lyell (North-East Bedfordshire): Just three weeks ago, the Prime Minister gave three reasons for refusing to drop his Bill to take away the right of every individual citizen to choose trial by jury. Is he aware that every one of those reasons has been demonstrated to be incorrect? First, he said that the Bill was supported by the Lord Chief Justice, but we now know that the Lord Chief Justice had written to the Home Secretary expressing strong misgivings. Secondly, he said that it was supported by the Runciman royal commission. *[Interruption.]*

Madam Speaker: Order. The House must come to order and hear the question.

Sir Nicholas Lyell: Secondly, the Prime Minister said that it was supported by the Runciman royal commission, but Professor Zander of that commission has expressly disavowed the Bill. Thirdly, he said that it would save money, and we now know that two thirds of that money comes from the fact that it is supposed that old lags with many previous convictions who now get 11 months' imprisonment will get just three and a half months from the magistrates. Does the Prime Minister accept that all his reasons were wrong?

The Prime Minister: No, I do not accept that any of them are wrong. I will send the right hon. and learned Gentleman the comments of the Lord Chief Justice supporting what we are doing. I will send him the comments of the royal commission supporting such a change. I will also send him the evidence from Scotland, where they have had such a change for many years without any of the problems that he claims for it here. As for the spending gains, yes the Bill will free up extra resources for the criminal justice system, although I have to point out to the right hon. and learned Gentleman that, as a result of his shadow Chancellor, even if it were the right thing to do, he could not afford to do it.

Madam Speaker: Thank you. Time's up.

National Lottery (Community Chest)

3.31 pm

Mr. Derek Wyatt (Sittingbourne and Sheppey): I beg to move,

That leave be given to bring in a Bill to amend the National Lottery Act 1998 to require lottery terminals to double as internet access points and a proportion of revenue from ticket sales to be kept in a community chest.

There are so many people in the Chamber; I did not appreciate how much interest there was in the Bill.

The Bill is in two parts. The first is a measure to ensure that there is a network of terminals for the lottery in every community throughout the United Kingdom. Local post offices will often be the most appropriate sites for that access, particularly in remote and rural areas, but we should also consider shops, petrol stations and village halls.

Under the original legislation there were supposed to be 35,000 lottery terminals, but there are now only 24,300 terminals in the UK. Highly populated urban centres are much better served than our more isolated rural communities. The Bill will ensure universal access to the national lottery.

In addition, all post office branches, local shops and petrol stations should have lottery terminals to access the internet for e-mail and e-commerce. Those terminals would quickly create nationwide network access for people who do not have information technology facilities at home. The Bill will help to resolve some of the digital divide—a key subject in last week's G8 talks. We should create 100,000 new terminals.

The measures outlined in my Bill provide a much needed boost for local post offices, which already provide an array of services to the community in addition to postal services. They are crucial for the dissemination of information, and they are a focus for local people to meet. We must find more creative new roles for them, and I suggest that this is one of those.

The second part of the Bill seeks to introduce an additional cause: the community awards cause. Currently, there are six good causes: arts, charities, sport, millennium, heritage and the New Opportunities Fund. At the end of the year, the millennium cause will cease and the six will become five. The Bill seeks to create a new cause: the community chest. I know that the Sports Council for Wales already has that cause.

Research by the House of Commons Library—I commend the report to the House and urge Members to read and digest its findings—demonstrates some interesting statistics. I have taken four constituencies at random: Sedgefield; Richmond, Yorks; Ross, Skye and Inverness, West; and Sittingbourne and Sheppey.

Since 1994, Sedgefield constituents have spent £537 per head on lottery tickets, or nearly £41 million. However, they have won only £5.3 million in lottery awards. Richmond has spent £334 per head of adult population, or £36 million, but has received just under £7 million in lottery awards. Ross, Skye and Inverness, West clearly knows something. It has spent £502 per head of adult population, which means expenditure of £30 million on tickets, and has received almost £10.5 million in return. Sittingbourne and Sheppey has spent £672 per head, or expenditure of £43.5 million, but has won only £1.2 million.

My Bill seeks to change the nature of the lottery good causes. It proposes introducing a new cause, the community chest, which will receive 20 per cent. of the revenue from ticket sales after prize money and costs have been allocated in each constituency.

The community chest good cause would still be able to spend revenues only on the five existing causes. The difference would be that it would be quicker than the current bureaucratic system, more effective and—dare I say it—more popular.

I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Derek Wyatt, Mrs. Diana Organ, Mr. Alan Meale and Mr. Lawrie Quinn.

NATIONAL LOTTERY (COMMUNITY CHEST)

Mr. Derek Wyatt accordingly presented a Bill to amend the National Lottery Act 1998 to require lottery terminals to double as internet access points and a proportion of revenue from ticket sales to be kept in a community chest: And the same was read the First time; and ordered to be read a Second time on Friday 3 November, and to be printed [Bill 171].

Speaker's Statement

3.37 pm

Madam Speaker: In 1992, when the House elected me to be Speaker, I pledged two things: to do my best to justify its confidence, and to do all in my powers to preserve and to cherish its traditions. Now, as I prepare to lay down this great office, it is for you to judge my performance against those promises. Be assured that on this occasion, I shall not rule you out of order.

For my part, being Speaker has afforded me a unique opportunity to serve Parliament, for which I am immensely grateful. However, before I go further, I wish to thank those who have given me such loyal service throughout the years. Although—thank goodness for me, and for you too—I have not come anywhere near Speaker Onslow's record of 31 years in this Chair, I have nevertheless seen three Clerks of the House, each giving invaluable service—Sir Clifford Boulton, Sir Donald Limon and the current occupant, Bill McKay. To each of them I owe a very great deal.

I also wish to pay tribute to my two secretaries. Sir Peter Kitcatt steered me through the first very strange and very demanding days of my new job and gave me absolutely splendid support. I was very fortunate, too, in his successor, Nicolas Bevan, who came new to the House, but swiftly acquired an encyclopaedic knowledge not only of Members' names and interests, but of the ways of Westminster. Since 1993 he has been constantly at my side, whether in this House or on visits abroad—never tiring, never ruffled, but showing great patience, great loyalty and personal commitment. My very best thanks go to Nicolas.

I owe a debt of thanks also to all the others who have served on my office and constituency staff, and on my personal staff in Speaker's House—and, of course, to the Deputy Speakers who throughout the years have supported me so well.

When I first entered the House, the Speaker was Selwyn Lloyd, and I recall his leaving speech. He paid very generous tribute to the Members of those days, but he went out of his way to mention what he described as their "collective faults". He summed those up as long-windedness, sedentary interruptions, points of order that are not points of order, and an inability to scrutinise Bills and statutory instruments as they should be scrutinised. Things don't change much, do they?

One of the privileges of the Speaker is to be able to represent this House abroad, both at Speakers' Conferences and on bilateral visits. I am glad to have been able to accept invitations to represent Westminster in every continent, and to have visited many countries, both large and small, on your behalf. What has always come across clearly to me is the respect felt abroad for the British system of parliamentary democracy. It comes across especially among the emerging democracies of central and eastern Europe, where there is a very keen desire to learn from our experience as they develop their own systems of government. I know that the advice and assistance that we are able to give at both parliamentary and staff level are enormously appreciated.

Sadly, however, I have to say that the high reputation of Westminster abroad is not entirely reflected at home. I know from my postbag how much disillusion about the political process there is among the general public. The level of cynicism about Parliament, and the accompanying alienation of many of the young from the democratic process, is troubling. It is an issue on which every Member of the House should wish to reflect. It is our responsibility, each and every one of us, to do what we can to develop and build public trust and confidence.

Let us make a start by remembering that the function of Parliament is to hold the Executive to account. [HON. MEMBERS: "Hear, hear."] That is the role for which history has cast the Commons. It is the core task of Members not merely to act as representatives of their constituents, important though that certainly is. It is in Parliament in the first instance that Ministers must explain and justify their policies. Since becoming Speaker in 1992, I have made my views known about that, both publicly and behind the scenes, to both Governments. I have taken action to ensure that those who advise Ministers should never overlook the primacy of Parliament. This is the chief forum of the nation—today, tomorrow and, I hope, for ever.

Question Time offers a prime opportunity to hold Ministers to account, and I share the disappointment at the slow progress that is made. Too many Back-Bench Members are being deprived, by the long-windedness of colleagues, of their chance to question Ministers. We are not moving down the Order Paper as we should. There is also an issue of quality as well as quantity. There is, from time to time, a risk that engagement with the real issues is seen to be overshadowed by political point scoring simply for its own sake.

Parliament's other prime function is the scrutiny of Government legislation. There is, I believe, throughout the House a general recognition that that is an area ripe for improvement. Committees of the House, as well as outside bodies, are making a substantial contribution to the debate. The issues are serious and complex, and there is no simple solution. The debate should not be conducted on party lines—nor on the simplistic basis of the Executive versus the rest of us. The objective, to my mind, must be improved scrutiny leading to better legislation—perhaps through the greater use of pre-legislative arrangements; I think that they might be useful to us. Again, the issue is as much one of quality of scrutiny as of quantity.

Furthermore, the House must be prepared to put in the hours necessary to carry out effective examination of the Government's legislative programme. If that means long days, or rearrangement of the parliamentary year, so be it. Of course, I have been here long enough to recognise the importance of enabling parliamentarians to enjoy a domestic life; it should not be impossible to meet both objectives—but where there is a clash, the requirements of effective scrutiny and the democratic process must take priority over the convenience of Members.

Those of you who were here when I submitted myself to the will of the House in 1992 will recall that I said, in all honesty, that for me the Commons had never been just a career; it had been my life. Now, after eight and a half years as Speaker, that is more true than ever. Quite apart from the honour of being Speaker and the many fascinations of the work, I have enjoyed the job. I was going to say that I have enjoyed every minute of it. Let me say that I have enjoyed almost every minute of it. That has been helped by the fact that I have presided over a House containing so many characters and so many

[Madam Speaker]

stalwart Members, on whom it depends so much. I have not had a boring day in my working life, and for all that, I am grateful to all of you.

When I came to the conclusion that it was right for me to go, my thoughts went to that famous passage in the book of Ecclesiastes, about there being

> A time to weep, and a time to laugh; a time to mourn, and a time to dance.

Well, my dancing days are long past—[HON. MEMBERS: "No!"]—and I promise the House that I shall not weep, but I shall certainly mourn the fact that an all-important phase in my life has come to a natural end. However, it is time for laughter as well, as we remember all the lighter moments that we have enjoyed together—

Mr. Chris Ruane (Vale of Clwyd): Name them.

Madam Speaker: There's an old sourpuss over there!

I say to you, rejoice in your inheritance, defend your rights and remember always that the privileges the House enjoys were dearly won and must never be squandered. You elected me in the springtime, and I shall retire in the autumn, which marks a fitting seasonal conclusion to my period in office. Therefore I say to you all, in a phrase that you all know so well, but which has never been more true than now: "Time's up." *[Applause.]*

Retirement of Madam Speaker

3.48 pm

The Prime Minister (Mr. Tony Blair): I beg to move,

> That this House records its appreciation of the great distinction with which the Right Honourable Betty Boothroyd has occupied the office of Speaker; congratulates her on the skilful manner in which she has upheld the authority and dignity of this House; appreciates the wisdom, good humour and skill with which she has presided over its affairs, which are universally admired both in this country and abroad; and accordingly expresses its warmest thanks to the Right Honourable Member for her many services to this House; and unites in wishing her a long and happy retirement.

Madam Speaker, it is pleasure to be the first to speak to the motion and to address my remarks to you, confident that I am speaking for everyone in the Chamber. You have been a truly outstanding Speaker and you have greatly enhanced the reputation of your office. You have presided over the House with authority and impartiality and, not least, with warmth and humour. Your tenure of the speakership has been characterised above all by your transparent love of this place and all that it stands for. As you said on your election:

> I have been a Member for nearly 20 years. For me, the Commons has never been just a career: it is my life.

You repeated that to us this afternoon.

Madam Speaker, you first came to the Commons more than 40 years ago as a secretary to a Member. In 1973, you were elected Member of Parliament for West Bromwich, West, and for more than a quarter of a century you have given exceptional service as a constituency Member also. Among those who will miss you most as you retire are your numerous friends in the black country.

When elected Speaker, quite characteristically you said at the time:

> I realise the weight of responsibility. It is something more massive, more demanding than anything that I have known before.

It is, indeed, one of the toughest jobs in politics, and historically one not without risk. You, Madam Speaker, are the 155th occupant of the Chair. Some of your predecessors faced severe problems. During the reign of Henry VI, four Speakers were lost in the 10 years between 1461 and 1471. Two were beheaded, one was imprisoned and one was killed at the battle of Tewkesbury. That puts the problems of handling my hon. Friend the Member for Bolsover (Mr. Skinner) into proper perspective.

Your judgments, made as they so often have to be, instantaneously—I believe that I speak for everyone—have been unerringly sound and fair. You can calm the House when it is angry and defuse it when it is tense. We all fear your knack of the legendary stifled yawn, which has been one of the most effective ways of bringing Members to a close.

Above all, however, you are a passionate parliamentarian. You are also—this has been another key to your success—a passionate Back Bencher. I know that there was one short aberration. For a few months between 1974 and 1975 you were an assistant Government Whip. I understand that, greatly to your credit, you were never entirely comfortable in that role.

In your acceptance speech on 27 April 1992, you summed up your feelings like this:

> I have been a Deputy Speaker, but always at heart I have been a Back Bencher, and . . . I have never sought, and I have never expected, to occupy one of the great offices of Government.—[*Official Report*, 27 April 1992; Vol. 207, c. 15.]

You may never have held one of the great offices of Government, but you have held and enriched the greatest office in Parliament.

Your decision to step down, Madam Speaker, was one of the best-kept secrets in politics. The clapping at that time and today may have been out of order, and there will have been part of you, with your strong sense of the traditions of this place, that perhaps felt disapproval. However, you will know, then and today, that it was a spontaneous expression of the House's deep affection for you.

It is not only people in this country who are going to miss you. You will be missed by people in many countries of the world. You have been a great ambassador for this Parliament and a passionate supporter of the Commonwealth. As we know, Prime Minister's Question Time is broadcast in many other countries, and while the performance of individual Members is not always greeted with acclamation, you receive rave reviews and, I am told, sackfuls of fan mail. You must let me into the secret.

You have spoken for the House on many historic occasions. I think for many of us the most memorable and moving was seeing you walk down the steps of Westminster Hall hand in hand with Nelson Mandela on his first official visit here as South Africa's President.

The role of Speaker, as you know better than us, can be a lonely one. You were always, by nature, a gregarious Back Bencher, enjoying the companionship of the Commons. But while maintaining the dignity of your office, you have never seemed remote, either to Members or to members of the public.

The House will miss you greatly. We would have liked you to continue. It is your decision, not ours that "time's up." But I am very mindful of your strict instruction to us a fortnight ago that we must be happy for you. Well, we are. Have a long and happy retirement. And do so in the certain knowledge that your great affection and respect for the House is reciprocated in the great affection and respect that the House feels for you.

3.54 pm

Mr. William Hague (Richmond, Yorks): It is an enormous pleasure on this occasion to support every word that the Prime Minister said and wholeheartedly to endorse the motion in his name.

For all of us, Madam Speaker, your retirement will mark the end of an era. Ever since I was elected to the House in 1989, you have occupied the Chair, first as Deputy Speaker, then as Speaker since 1992. For me and many other hon. Members, it is hard to imagine the Chamber without you sitting in that Chair.

Your election to the speakership was, of course, historic. After 700 years and 154 Speakers, the House finally elected a woman to take the Chair. I trust that the House will not take it as anything more than a general comment when I express my hope that you will be the first in a long line of distinguished Madam Speakers.

One of the reasons for that is that your speakership has been an outstanding success, as the Prime Minister said. That is true of the way in which you have conducted the day-to-day business of the House, and of the standing in which Parliament is held throughout the world. You have been a truly magnificent ambassador for the House in international gatherings and in welcoming distinguished visitors here.

In your eight years as Speaker, you have become a national and international figure, with your inimitable call to order instantly recognisable around the world—augmented in pitch by a packet of cigarettes every day. While the televising of our proceedings has no doubt been a major factor in your worldwide profile—coverage of Prime Minister's questions has turned you into a cult figure in the United States—it is also in no small part due to the authority and unique personality that you have stamped on the Chamber.

You have governed the House with exemplary courtesy, charm and, when necessary, a little firmness, on one occasion even turning off the microphone of my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) in full flow—not something that many of us would ever dare to do. Ministers prone to long-winded replies and even long-winded questioners have been subjected to a well executed and exaggerated yawn, which it turns out even the Prime Minister has noticed.

Much of the success of your job depends not just on knowledge of procedure and close attention to the minute details of Commons rules, but to the wise interpretation of those rules. As one of your distinguished predecessors, Mr. Speaker Lowther, said:

> The office of Speaker does not demand rare qualities. It demands common qualities in rare degree.

In carrying out your duties in the House, you have more than lived up to that criterion, and you have always been a source of wise counsel for a young Back Bencher or a seasoned Minister.

Defending the best traditions of the House is rightly one of the characteristics of your speakership for which you will be most remembered. You reaffirmed that in your statement today. You have been a redoubtable champion of the rights of Back Benchers of whatever party to hold Ministers to account, and in an age of spin doctors and soundbites, you have been insistent in calling on Ministers to make their policy announcements in the House. At a time when, to many, Parliament has appeared increasingly marginalised, you have done more than anyone to try to reassert its central role in our democracy and to resist its downgrading.

It has been said before that the position of Speaker in the House can be a lonely one. You are by tradition cut off from your previous party affiliations and the occasional refuge of the Tea Room, the Smoking Room and even the Bar, but you have been anything but cut off from the House and its Members. That has been true in your dealings with Members conducting parliamentary business, and it has also been evident in the magnificent hospitality that you have shown to Members and the innumerable charities and outside organisations which have been entertained in Speaker's House over the past eight years.

You said again today that for you the Commons had never been just a career—it was your life. After nearly 20 years as a Back Bencher and nearly eight years as our Speaker, nobody can doubt that. However, even that should not obscure the work that you have done outside the House with charities, your constituents in West Bromwich, West and in your position as chancellor of the Open university, which I know means so much to you.

Now you have an opportunity to have a life once more outside the Chamber, some of it, we hope, not too far away, but you will also be able to concentrate more time

[Mr. William Hague]

on one or two of your other great loves—visiting exotic places, and even hang-gliding when you get there. As we wish you a successful, long and happy retirement, you leave us in the sure knowledge that you have made an historic contribution to the House of Commons, and with our profoundest admiration and respect.

4 pm

Mr. Charles Kennedy (Ross, Skye and Inverness, West): It is sometimes remarked about the cockpit that is the House of Commons that instinctive all-party agreement usually means that the wrong decision will be reached. However, I think that the instinctive all-party agreement with which the House of Commons happily subscribes to the motion moved by the Prime Minister is a rare and telling example of hon. Members being collectively sincere and correct. I am very happy to associate myself and my party with the remarks of the Prime Minister and the leader of the Conservative party.

As has been said, Madam Speaker, you are the 155th Speaker of the House of Commons, but the first woman to occupy that historic post. All of us in politics who want there to be more women in this Chamber, either in the Chair or elsewhere, can look to you as a source of inspiration when it comes to the success of women in politics. However, there is a need for further success for women in politics in general.

Unlike some of your predecessors, you have never lost your head, either physically or metaphorically. You have presided over our daily dealings in this Chamber with charm and dignity, and also with the authority that all hon. Members require. I have acquired new responsibilities this Session, and I know that I speak for my predecessor as leader of the Liberal Democrat party, my right hon. Friend the Member for Yeovil (Paddy Ashdown), when I say that you have been a constant source of private advice and encouragement. I address you as Madam Speaker, and you call me "love"—which is a lot more affectionate than what I sometimes get called by my hon. Friends. You and I have even been known to share a fag together, and such memories are very welcome.

You were determined to become a Member of Parliament, Madam Speaker. You had to try five times to get elected to this place, but you made a sensational success of your parliamentary career when you got here. That tenacity is something that hon. Members of all parties can readily acknowledge.

The distinguished parliamentary commentator Norman Shrapnel once observed that too much silence in the Chamber was probably more ominous in a parliamentary democracy than too much noise. Sometimes we are too noisy, but let us never be silent. A good House of Commons should do its job, and that is what you have done, Madam Speaker. Many salutes—we wish you well.

4.3 pm

Mr. David Trimble (Upper Bann): It is a great pleasure, Madam Speaker, to endorse the motion moved by the Prime Minister, to which the leaders of the Conservative and Liberal Democrat parties, the right hon. Member for Richmond, Yorks (Mr. Hague) and the right hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy), have spoken. I entirely endorse everything that they have said, as do all my Ulster Unionist colleagues.

My party is one of the smallest in the House. My hon. Friends and I depend on the Chair to help us to contribute to the workings of the House. I want to extend to you, Madam Speaker, our appreciation of what you, and the Deputy Speakers, have done during your speakership to defend the traditions of the House and the position of the smaller parties.

In your comments, Madam Speaker, you invited us to pass judgment on the way in which you have discharged your role. The best judgment that I can make—and I am sure that I speak for all hon. Members in the House—is that I know that we did the right thing when we elected you in 1992. The statement that you made earlier confirms me in that knowledge. You reasserted the core functions of the House, which are to hold the Executive to account and to scrutinise legislation.

I would like to express in particular my appreciation of what you have said this afternoon, Madam Speaker. It is a very timely reminder to all of us of what we are primarily here for. You are quite right to say that, in some sections of public opinion, there is a degree of scepticism or cynicism about politics in general and the operations of this House. If anything, that cynicism has increased in recent years—perhaps inevitably, in a House with such a huge Government majority.

It is very important to reassert, as you have done, our primary function in terms of holding the Government to account and scrutinising legislation, and also to emphasise our need of the time to do that on the Floor of the House. It has been, I think, a retrograde step in recent years—indeed, in recent weeks—that time for debate and consideration has been curtailed so often. I hope that right hon. and hon. Members will reflect on the very wise words that you have uttered this afternoon.

Madam Speaker, you are, of course, the servant of the House, and you have been a magnificent servant of the House. You have also enhanced the standing of the House in the eyes of the public, not just here in the United Kingdom but elsewhere. We owe you a very great debt of gratitude, which I wish to express to you. I also wish you all the best on your retirement—I am sure that you will find many useful things to do in its service in various forms in the future.

4.6 pm

Sir Edward Heath (Old Bexley and Sidcup): Madam Speaker, I had the privilege of occupying the Chair for the first time when you were elected Speaker. This provided me with certain problems, because I felt that it would quite wrong of me to exercise any judgment or express any views whatever on the election, lest all my colleagues here might think that I was trying to influence the outcome.

I find myself in a rather similar position once again in regard to the election of your successor in some three months' time. I propose to adopt the same attitude. It is not for me, in any way, to try to influence opinion. However, last night I signed a letter which covers all the basics of the election of the Speaker and is being circulated to all Members of the House. They can form their own judgments on it and decide how they will react to it. I shall only add that, to any who wish to make

inquiries about it, I shall be available over the next three months—in some part of the world or other—[*Laughter.*] I will gladly answer inquiries—provided, of course, that hon. Members pay the telephone charges.

You, Madam Speaker, have occupied the Chair during two quite distinct periods of British politics. First, you were Speaker for a Government on the decline who had been in office for 18 years. Secondly, you were in office for a new Government of a different party, with one of the largest majorities in history. Looking back over it, I cannot recall any incident in which your conduct or comments aroused any real differences within this Chamber. That is probably the most remarkable thing of all in the years I have been in the House—now more than 50—and on that, I congratulate you most sincerely.

It was all summed up in the last words of your introductory speech, when you said:

> I now have to offer myself as the voice of the House—sensitive to the concerns of every Member, aware of the supreme duty of the Speaker to safeguard the rights of this House . . .—[*Official Report*, 27 April 1992; Vol. 207, c. 16.]

If I may say so, Madam Speaker, you have lived up to that standard to the greatest possible degree. I would like to express my personal admiration for you and for all you have done, and to thank you from the depths of my heart.

4.9 pm

Mr. Peter Snape (West Bromwich, East): Madam Speaker, the respect and affection in which you are held by all hon. Members is reflected in the shock that we felt when we heard your first announcement two weeks ago. There was genuine sorrow on both sides of the House that you should make, inevitably, the decision that you did, but that shock and sorrow are reflected in the constituency that you have represented with such distinction for so many years, and equally in my constituency, in the black country and in the west midlands generally.

My right hon. Friend the Prime Minister reminded the House that, Madam Speaker, you were first elected at a by-election in 1973. For eight months or so, you represented constituents, who, in that short period, came into the new West Bromwich, East constituency—others went into the constituency of the Minister of State, Department of Social Security, my right hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker). It says something for the impression that you made in those nine short months that, 26 and a half years later, many of my constituents still think that you represent them—

Madam Speaker: And still write to me.

Mr. Snape: I suspect that at least half of them wish you still did represent them.

If I may, Madam Speaker, I shall detain the House for a few moments with a couple of stories about the many years that you and I have served together, representing the borough of West Bromwich. We were elected in February 1974, and the old stagers among us will remember that it was pretty grim winter, but I shall avoid the political reasons behind that; I speak purely of the weather. You may remember, Madam Speaker, that when the results were declared, the then town clerk—that is what they were called in those days, with a salary to match—marched us through the back door of the Gala baths, past the empty dustbins and the stray cats in the town hall yard, through the back door of the town hall and down the empty corridors at 1.40 in the morning, and then proceeded to read out the results to an empty and snow-swept high street. I remember that, when we at last found some licensed premises, within the hour, you said, "Snapey, there will be some changes around here." *[Laughter.]* Sure enough, there have been some changes.

On another occasion, we decided, perhaps unwisely, to attend the West Bromwich carnival, sharing a pony and trap. It was a very small trap and a rather small pony, and in those politically incorrect days, Madam Speaker, you and I had not achieved the slim and sylph-like figures that we possess today. Half way down the high street, the shafts broke; the pony departed; and we were left with our legs in the air, facing the sky. "Now then, Snapey", you said, "you reckon to be a transport expert—get us out of this one." I am afraid, Madam Speaker, that I failed as miserably then as I have in other matters since.

The way in which you have represented the boroughs of West Bromwich and Sandwell and the black country as a whole has endeared you enormously to the people there, Madam Speaker. Their views were perhaps best reflected in the article written following your original statement by our good friend, Ken Tudor, in our local paper, the *Express and Star*. He said:

> Over the years I have watched her battle for constituents, reminding officials they worked for the people and that everyone deserved respect.
>
> In those moods she is a formidable woman, her manicured and expertly varnished fingers fencing in front of her as she puts her points over. Betty in that mood is the match for anyone, and always has the last word.

Well, I can say, with the benefit of having worked alongside you for 27 and a half years, that we have never had a cross word, largely because, like most males in such circumstances, I have never dared answer you back.

It has been an enormous privilege for me to work alongside you during these years, and on behalf of your colleagues in the west midlands group of Labour Members, dating from your time when you were a member of that group, and your constituents—and mine, too—in West Bromwich, Wednesbury, Oldbury, Tividale, Tipton and Blackheath, I would wish you to know how much you are loved and respected by all of them. No matter what honours are rightly heaped upon you in the years to come, among your parliamentary colleagues and your constituents across the black country, you will always be known as "Our Betty."

4.15 pm

Mr. Tony Benn (Chesterfield): One of the things of which I am proudest is that, way back in the 1960s, I came to support you, Madam Speaker, when you stood for Parliament. Forty years ago, of course, I did not realise that you would be the Speaker of the House.

I shall take up one point that you made in your statement: you have brought happiness to the House, and that has been reflected in how the House responded to your statement and among the many of us who have enjoyed your hospitality. I do not know whether this is true, but the story goes that the Father of the House made it possible for you to have a piano in the Speaker's House. If that is so, he brought his musical talents to bear in such a way as to make your evening parties more enjoyable.

You are the eighth Speaker under whom I have sat, and I can think of none who has had to cope with such massive changes. The Scottish Parliament, the Welsh

[Mr. Tony Benn]

Assembly, the Northern Ireland Assembly and the Mayor of London are all represented in the House, and we have also had to deal with Members of the European Parliament and the growth of the media. You have turned your mind to the constitutional changes that we need. As we move more and more towards a presidential system of government, you have asserted yourself as the Speaker of the House of Representatives. There is a difference, as you have said, between an executive and a representative body.

In addition, Madam Speaker, you have interpreted democracy not in terms of directives from above and discipline, but in terms of the debate, diversity, disagreement and decision that are the mainspring of a democratic Parliament. You have also represented us brilliantly abroad.

You said, Madam Speaker, that you would not call us to order during this debate, so I shall break all the rules of "Erskine May" and the House by saying what I know we all want to say—"Goodbye, Betty, and thank you for all that you have done."

4.17 pm

Mr. John MacGregor (South Norfolk): Madam Speaker, as a former Leader of the House and as the Member who seconded your nomination for the speakership, I want to add just a few words of my own. I can do so briefly because I agree with all the sentiments expressed so far.

We all had high expectations of you when you became Speaker, and you have far more than fulfilled them. You have shown a great mastery over the House, with appropriate firmness and with your sense of humour, tact and a twinkle in your eye whenever appropriate. I should like to comment on two of the points that you made earlier, which are important to you and to us.

First, the supremacy of Parliament is not just about statements being made here rather than on the "Today" programme. The issue goes much deeper than that. As a Minister in various Departments, I constantly found myself reminding officials that every policy had to be tested in Parliament, and that Parliament came first. I had also to remind them that I had a constituency responsibility that was also a high priority. You, Madam Speaker, have constantly reasserted the supremacy of Parliament.

Secondly, as the right hon. Member for Chesterfield (Mr. Benn) said, you have maintained our traditions superbly at a time of great change. Above all, you have recognised the realities of this place. We are not good at scrutinising various aspects of the Executive, particularly when it comes to secondary legislation. We must recognise that that means long hours and a heavy responsibility. I am grateful for the way in which you have always stressed those points.

Finally, reference has been made to the hospitality that you have shown to many of us and our spouses and families. We are all deeply grateful for it. On the many occasions on which my wife and I have hugely enjoyed that hospitality, you have demonstrated that you are a superb impresario, a great controller of events and a magnificent mistress of ceremonies. Bearing in mind the period when you trod the boards, I can also say that you are still a pretty impressive performer when you go before an audience. You have shown those qualities both in your hospitality and in this Chamber.

I thank you personally for all that you have done and I wish you well in what I am sure will be not a retirement but a long, happy and fulfilling life to come.

4.19 pm

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush): When you took the Chair in this great democratic Chamber, Madam Speaker, you made history, but I know better than most that you would not have been content to make it simply by being the first woman Speaker, important though that is. You wanted to—and did—stamp your authority and personality on this Chamber and you have done so in a way to which many hon. Members have referred in this short debate. I echo all their comments.

I must also say something about time and chance in political careers. Much has been said about your earlier life, of which I know little and will therefore say less, but one aspect of it was drawn to my attention today by a rather sad event. I heard of the funeral of Ken Lomas, who was the Member of Parliament for Huddersfield, West. I think that he beat you by a fairly small margin to be selected as the Labour candidate for that seat in 1962. But for time and chance, which affect what happens in our lives, we might never have had Madam Speaker and we would all have been the losers.

Recently, we have not always seen eye to eye on some aspects of the modernisation of the House—I have heard comments this afternoon about its importance. Throughout, you have held firm about the importance of defending Back Benchers' rights and of remembering that we are all here to represent the people who put us here. That is important.

I think that we all came to this House to make history, not merely to relive it. In doing so, we need to change. This House and some of its greatest Speakers have produced change and there has always been anxiety, stress and concern about whether the change is going in the right direction. My view is that the modernisation is, and that we need to improve the quality of the way in which we use time here, rather than focus on the quantity of that time. I think that we will do that.

What you have left me with in that debate, Madam Speaker, is the idea that we must ensure that we do not lose sight of the importance of the Back Bencher. You and all those who have gone before you have kept that firmly in their thoughts and I hope that all those who come after you will also do so. If we modernise the House with that thought in mind, we will succeed. We will look back and see areas where we have got it right and some where we have got it wrong, but we will know that we have continued to develop the proud traditions of democracy in this House. For all of that, thank you very much, Madam Speaker, and I also wish you a very happy retirement.

4.23 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Madam Speaker, when I was offered the opportunity to propose you—not once, I am happy to say, but twice—as the occupant of the Chair, I realised that it was a most exciting and wonderful day. Today shows that everyone not only acknowledges that you have been a unique

Speaker,

but that you have been a very special one. I do not mean that that is because you were the first woman Speaker; it is because you have brought to the office a quality of great humanity. You understand that this mixed body of men and women—who are all different and who all, on occasions, have pointed interests—are bound together by their commitment to the democratic system and their desire to represent what is good, what is best and what is important for their constituents.

We have heard of the many virtues that you have displayed and we all know about those. For me, the most important things have been your intelligence, your ability to listen to everyone from every part of the House and to bind us all together on those occasions when that was tremendously important, and above all, the fact that you have increasingly created a special role for the United Kingdom. You have done that.

I do not know whether you understand quite how unique you are within our politics. The voters see you as the representative of all that is good. Sometimes, they love it when you shout at Members, or when you represent with jokes the important aspects of our work. Above all, what they like about you is that they identify with you and feel that you are, indeed, "Our Betty".

I shall highlight one or two personal memories that are important to me. You and I have had some good old battles on various matters. However, when you leave the Speaker's House, for me there will not merely be sadness at your leaving official office, because of all the work that you have done in that capacity, but at the loss of certain very personal qualities. I think of the person who had worked here for 35 years but had not set foot in the Speaker's House, who stood alongside me at one of your parties and said, "This is the proudest day of my life." That kind of commitment and the understanding that we all have a piece of you is tremendously important.

Madam Speaker, if I were to be honest, the great state occasions when your natural dignity has incredibly enhanced the role of Speaker, have been significant. Certainly, seeing you walk down the stairs with Nelson Mandela is a memory that will stick in my mind for ever—[HON. MEMBERS: "Hear, hear."]. I also have personal memories, and I hope that you will forgive me if I highlight them. One is of you hanging out of a window at Speaker's House on the eve of the millennium, shouting "Happy new year" to everyone and getting a roar of recognition such as I have never heard in my life. For me, that was marvellous.

I do not need to tell you that you will be missed, Madam Speaker. You have presided over very real changes and, because you care about Back Benchers, you have been prepared to encourage experiments such as the extension of debate to Westminster Hall, changes in our hours and differences in the ways in which we operate. However, you were prepared to talk to everybody about what that would mean and how it should be carried forward.

I know that you will have a wonderful time, Madam Speaker. If I have one slight disagreement with you today, it is this. Many things will happen to you, you have a lot to do and many places to go to, but I simply do not believe that your dancing days are over.

4.26 pm

Mr. Peter Brooke (Cities of London and Westminster): Madam Speaker, there are myriad reasons why the memories of your speakership will live on in the minds of those of us who have been lucky enough to serve in this House during your remarkable tenure of office.

Madam Speaker, events outside the Chamber, such as your doing the Lambeth Walk in your apartments will be remembered for ever by those of us who were there. Of course, the mainsprings of memory are events in the Chamber, membership of which confers on you the authority that you exercise so notably on our behalf and much to our, and Parliament's, advantage. One afternoon in April 1992, I congratulated you and said that I would seek to remain within the bounds of order. You have richly rewarded me wholly beyond my desserts, however poor my self-discipline.

All of us view you from subjective perspectives but, on everyone's behalf, your speakership has been distinguished, robust, warm, direct, colourful, candid and kind. I have particular reason to know how fortunate I have been to serve in the Chamber in the last eight and a half years, and I am delighted that you have clearly enjoyed that time every bit as much. Thank you, Madam Speaker; I support the Prime Minister's motion.

4.27 pm

Mr. David Marshall (Glasgow, Shettleston): Madam Speaker, for more than eight years, since April 1992, you have been the honorary president of the British group of the Inter-Parliamentary Union, which has over 1,200 members from both Houses of Parliament, including associate members.

In the past six years, as vice-chairman and then chairman, I have had the pleasure and privilege of working with you on IPU matters, Madam Speaker. You have supported strongly the aims and values of the IPU and you have given a great deal of your time to our work, as well as taking great interest in it. You have presided over our annual general meetings, taken an active role in the selection of delegations to other countries and entertained many of the numerous parliamentarians from other IPU member countries who visit this country. You have done all of that with tremendous enthusiasm and great good humour.

Madam Speaker, you are the best known Speaker in the world, and at all of the IPU international conferences—which you, of course, cannot attend—many parliamentarians from the 139 member nations ask after you kindly and express their admiration for you. It is therefore appropriate that one of your last acts as Speaker of the House will be to represent the mother of Parliaments at the special IPU millennium conference of Presiding Officers of national Parliaments which will be held in the United Nations building in New York at the end of August and in which you will play a major role.

Madam Speaker, I very much regret the fact that you will not now preside over our AGM in the autumn, when I will stand down as chairman, having completed my three years in office. I therefore wish to take this opportunity to say a big thank you from all the members of the IPU for all your unstinting efforts on our behalf.

[Mr. David Marshall]

Two weeks ago, when you announced your intention to relinquish the position of Speaker, you said to the House, "Be happy for me". I, for one, am very happy for you and I wish you most sincerely a long, happy and healthy retirement.

4.29 pm

Mr. Dafydd Wigley (Caernarfon): As one who has also been bitten by the retirement bug, may I associate myself and my colleagues in Plaid Cymru with today's motion and the comments that have been made? I thank you, Madam Speaker, for the way in which you have handled the House with fairness to all parties, and acknowledge the way in which you have perhaps protected me from myself. During your time in the Chair, I have not been the recipient of a red card or been led to break the Speaker's Chair, which, regrettably, I cannot say for earlier periods.

You have presided over a period of significant constitutional change. You have had to deal with new institutions—the National Assembly for Wales; the Scottish Parliament; and changes in Northern Ireland—and the consequential effects that those have had on our procedures. "Erskine May" will rely heavily on the rulings that you made during that period.

When you were elected, you quoted Mr. Speaker Weatherill, who said that a Speaker has no friends. You will know by now that that just is not true. You will leave with the friendship of the whole House, and we wish you iechyd, hir oes a hapusrwydd—health, a long life and happiness—and many joyous memories of a job well done.

4.31 pm

Mr. Eddie McGrady (South Down): The privilege and honour of speaking on behalf of my colleagues in the Social Democratic and Labour party falls to me. May I convey to you, Madam Speaker, the apologies for the absence of my leader, who is not well?

Those of us in the minor parties in the House owe you a great debt of gratitude for your tolerance, understanding and help, both personal and on a party basis. The years in which you have held office have been difficult for parliamentary representatives from Northern Ireland, because we have had a great distraction from the affairs of this House as a result of the events occurring in our constituencies. You, in particular, took great cognisance of, and interest in, those difficulties and made allowances for us when, over that period, we failed to appear in the House at appropriate times. For that, we are individually and collectively extremely grateful.

Other speakers this evening have eloquently expressed, on behalf of the minor parties, the great care that you always took to ensure that minority opinions were heard on both sides of the House. You added that essential dimension to the debates in this Chamber. We shall always remember that and we hope that it will be continued by your successor. The example that you have set will be difficult to follow, but the atmosphere that you have created in the House will no doubt continue in your absence.

On a personal basis, most of us have appreciated the entertainment in your chambers. Perhaps I should rephrase that: we have appreciated the delights of cultural activity and the gatherings for music, wining and dining. By that mechanism, you put each of us at ease when we came to the Floor of the House.

We are grateful for your end-of-term report, which you gave the House this evening and which we must all take on board, ponder and act upon in the coming years. You will have been pleased that, at what was perhaps your last performance in the House, you played to a full House. I had great difficulty in getting a seat, as there was standing room only. That is the ultimate tribute to any office or performance. Thank you very much for all that you have done for us. We wish you many happy years of retirement ad multos annos.

4.35 pm

Rev. Ian Paisley (North Antrim): In the 30 years and more that I have been in the House, Madam Speaker, I have sat under various Speakers—that is, when I was permitted to sit under them, because some of them had me removed, as you did yourself.

I understand that when you fought your last election, you wore a green rosette. It was not the green of my friend, if I might call him that, the hon. Member for South Down (Mr. McGrady); it was the green of this House of Commons. Nevertheless, although you wore that green rosette for your election, you have dealt fairly with those who would rather have the orange.

At the beginning of my parliamentary career, I listened intently to the various Speakers of the House. Speaker King was a man of very distinguished character. Speaker Lloyd was a different character altogether. Perhaps he was distinguished in the Chair as being not distinguished at all. He was not a very distinguished Chairman, probably because he had been in the Cabinet too long, and I do not think that Cabinet Ministers make good Speakers.

Speakers Thomas and Weatherill were very distinguished, although different. People always asked who would follow the acts of Speakers Thomas and Weatherill, but you, Madam Speaker, have more than followed them, and you have today seen the unanimity that is in the House. It is not often that I can say a loud "Amen" to what the Prime Minister says, or even to what the Leader of the Opposition or the leader of the official Unionist party says—*[Interruption.]* We did walk together at one time.

You, Madam Speaker, gave the House at a difficult time in the politics of this United Kingdom a salutary example of what can be done by one parliamentarian, determined and dedicated to the task that was given to you. When you were elected I said that I could not have gone home if I had not voted for you, because I would have had to face the wrath of four Paisley ladies. I did not say that I was more afraid of the dog, who was also a female, because I might have been bitten on the calf, but I will say it today, and I am glad that my wife is present in the House for the occasion of your farewell.

Your unyielding determination to control the House and yet, as we would say in Ulster, give it its head, was amazing, and everyone here today admits that. I remember the day when I had a real tangle with you, Madam Speaker, and I was removed from the Chamber. At the end of the day, I actually walked out—I have been carried out from other places at various times—but out of respect to you I left the Chamber. The House did divide

and some colleagues supported me. Their number went into two figures, which was a record, I am told, for those who are thrown out of the House.

You, Madam Speaker, have shown stamina of which all of us are jealous. You have kept up with the work load, presided in the House and carried out the many duties attached to your office while always looking well. You were always in tremendous form and you brought a sparkle to the audiences that you addressed. That put back into our public life the fact that Parliament can be interesting. It is a good thing that we all have a sense of humour and that we can all laugh at ourselves. It is a good thing that, in the basics of our calling, we have a dedication to democracy.

I, for one, would like to say that your stand was deeply appreciated in Northern Ireland when an attempt was made to alter the rules of membership of the House so that others should have certain offices. Those who follow my way of life in Northern Ireland admired your stand in defending the ancient rules of the House, saying that the House could not be bullied even by appeals to European courts, but stood on its own as the sovereign Parliament of this United Kingdom.

We salute you, Madam Speaker, today. We wish you well and we believe that there is much ahead of you which will bring much credit to the House, of which you were Speaker, and also to the country that we all love.

4.40 pm

Mr. Nicholas Winterton (Macclesfield): Madam Speaker, you and I have one thing in common: we entered this splendid House, the mother of all Parliaments, at by-elections in the early 1970s. I remain firmly ensconced on the Back Benches; you have achieved the highest office that the House has to offer.

One or two hon. Members have reminisced about experiences in your company. I remember an occasion not so long ago when you were entertaining people in your wonderful apartments and you were let down by the pianist. You turned to several colleagues and asked, "Can you find me a pianist?" I fortunately knew of the proficiency on the piano of Sir Ivan Lawrence, who was then Member of Parliament for Burton. He fulfilled the role that was available that night. From then on, he became your in-House pianist.

I rise as the longest serving member of your Chairmen's Panel and as the current Chairman of the Procedure Committee. I salute you for the service that you have given the House in standing up for the authority and integrity of the Chamber of the House of Commons. Time and again, as Speaker, you have expressed your belief in the vital role of the Back Bencher. That is most valuable. It is too easy in a modern Parliament for the role of the Back Bencher to be underestimated and rendered irrelevant. Time and again, through your words and actions, you have shown the political parties and the Government of the day, of whatever party, that the House is about the role of the Back Bencher.

I salute you for the service that you have given as Speaker; it has been truly magnificent. I wish you the very best and happiest of retirements; it is well earned.

4.42 pm

Mr. Donald Anderson (Swansea, East): We have now reached the stage in our tributes when almost everything that can be said has been said, but not everyone has said it. Politicians will always find an opportunity for saying a few more golden words.

I rise on behalf of the members of the United Kingdom branch of the Commonwealth Parliamentary Association to say thank you, Madam Speaker, for all that you have done for us, and to tell the House about the esteem in which you are held throughout the Commonwealth and by all the many parliamentarians to whom you have given hospitality in what was described as your chambers. In every way, you have shown yourself to be a wonderful Commonwealth figure.

Even before the eight years of your speakership, you were a member of our executive and a joint honorary chairman of our group. During your speakership, you have always gone the extra mile in welcoming Commonwealth parliamentarians to our two main events—the March parliamentary seminar and the May visit. For many, the joyful welcome that you gave them was the highlight of their visit.

One of your last official functions—if not the last—will take place when we hold the millennium conference of the Commonwealth Parliamentary Association here, in the mother of Parliaments, in September. The conference will be held in London and subsequently in Edinburgh. When you made your announcement on 12 July, I was a little afraid that you might not be with us. We were relieved and delighted that you will, as President of the Commonwealth Parliamentary Association, preside at our functions, doubtless in the same happy way in which you have presided over the House.

On behalf of all Commonwealth parliamentarians, I repeat my thanks and wish you a very long and grand retirement.

4.45 pm

Mrs. Margaret Ewing (Moray): I happily associate myself and my hon. Friends from the Scottish National party with the motion and, indeed, all the words of praise that have been heaped on you, Madam Speaker, this afternoon. I sincerely thank you for your courtesy, which has meant that you have made yourself available to us when we wished to discuss matters directly with you; for your discipline, which was sometimes directed severely towards these Benches; and for your humour, which has earned you the laughter and love of friends throughout the House.

When you were elected you had the support of all the parties in the House, which in itself was no mean achievement. It is a matter of courtesy to record that you have retained that support during your eight and a half year tenure of office. All those candidates who aspire to be your successor might bear that seriously in mind. From these Benches, we wish you everything that you would wish yourself in your retirement and hope that that retirement will not be too private. We do not see you taking up embroidery and knitting and hope that you will be very much in the public eye and very much involved in public life.

4.46 pm

Mr. Peter L. Pike (Burnley): I feel that I should say a few words on your retirement, Madam Speaker. It will cause great sadness among television viewers, and the viewing figures for parliamentary programmes will fall. With all respect to my right hon. Friend the Prime Minister, I know that people such as my neighbour Mike Turnbull and millions of others in the country think that you are the No. 1 attraction in the House. They believe that you perform your role from the Chair with humour, dignity and a character that has endeared you to people way beyond the House, throughout the country and throughout the world who have watched our Parliament on television.

You will recall that I first met you at the Nelson and Colne by-election following the death of Sidney Silverman. I was a full-time party organiser running Bradley ward, one of the key wards in Nelson. It was evident from day one that we would not win because the tide was against us, but Paul Carmody, your agent, had us at the bus station delivering leaflets to shift workers at 5 o'clock in the morning and pushing leaflets through doors, making sure that your face was on the topside. We were not allowed to deliver the leaflets in any other way. In fact, we were given lessons.

Although the result was inevitable, your character and hard work kept the spirit of the workers alive throughout the campaign and they were willing to work right up to the last minute. On polling day, we had so many workers that I was not sure how we would be able to feed them all. Suddenly, a massive van arrived and four people carried out a potato pie. One of the Nelson party members was a master baker and we had the biggest potato pie that I have ever seen in my life.

At the West Bromwich by-election, you took the seat of Maurice Foley, who is perhaps best remembered for his role in the bombing of the wreck of the Torrey Canyon to try to get rid of its oil. In a quirk of fate, I took his council seat in Merton and Morden in 1962 when he resigned to try to get a parliamentary seat. Ultimately, he preceded you in West Bromwich.

You took the Chair as Deputy Speaker on 9 July 1987. On 10 July, when I was in the middle of a speech on industry, I looked up to see that you were in the Chair and, to this day, I remember asking what we should call you. You said, "Call me Madam." I am sure that you remember that that was not accepted for several weeks in the softback edition of *Hansard*, which continued to print "Mr. Deputy Speaker". However, the bound volumes are correct and you are called what you wanted to be called. From the moment you said "Call me Madam", you set your seal, and a few years later you became the Speaker of the House.

I thank you for the way in which you have performed your duties during the whole of that period, Madam Speaker. You have been a credit to the House and a credit to all of us. I wish you well on your retirement, and I hope that you enjoy the many years ahead of you.

4.50 pm

Mr. Dennis Turner (Wolverhampton, South-East): Madam Speaker, it would be appropriate for the black country to have the last word. As a black country man and a man of few words, all I want to say to you is "yo've been a bosting good spayker." We love you. We think the world of you in the black country, as you know. We shall still be together, because you will not be far away from us. On behalf of the Catering Committee, we have bought you a lovely bunch of flowers, and they are outside the Chamber. Thank you for all the work that you have done. We hope that you continue to enjoy your fish, chips and mushy peas. God bless you.

Question put and agreed to.

Resolved,

That this House records its appreciation of the great distinction with which the Right Honourable Betty Boothroyd has occupied the office of Speaker; congratulates her on the skilful manner in which she has upheld the authority and dignity of this House; appreciates the wisdom, good humour and skill with which she has presided over its affairs, which are universally admired both in this country and abroad; and accordingly expresses its warmest thanks to the Right Honourable Member for her many services to this House; and unites in wishing her a long and happy retirement.

Mr. Deputy Speaker (Sir Alan Haselhurst): May I say to the House on behalf of the three Deputy Speakers, who would otherwise be silent and who have worked closely with Madam Speaker during the past three years, that they wish to be associated with the sentiments that have been encapsulated in the motion passed by the House.

TRUSTEE BILL [*LORDS*]

Order for Second Reading read.

Motion made, and Question put forthwith, pursuant to Standing Order No. 90(6) (Second reading committees), That the Bill be now read a Second time.

Question agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

Census (Amendment) Bill *[Lords]*

As amended in the Standing Committee, considered.

Clause 1

PARTICULARS IN RESPECT OF RELIGION MAY BE REQUIRED

4.52 pm

Mr. Richard Ottaway (Croydon, South): I beg to move amendment No. 1, in page 1, line 12, after "religion", insert—

'or for giving a false answer to that question'.

The Bill seeks to amend the Census Act 1920, and it is anticipated that the census will take place in April next year. The Bill would permit a question on religion in the next census, and we have said that we would support it if answering the question was voluntary. The 1920 Act does not give the Minister the power to ask such a question, hence the private Member's Bill that is being introduced by my hon. Friend the Member for Mid–Bedfordshire (Mr. Sayeed) and adopted in Government time.

Having said that we would support the Bill if answering the question was voluntary, we have our doubts about whether it will be voluntary. The long title of the Bill is to

Amend the Census Act 1920 to enable particulars to be required in respect of religion.

In my opinion, the particulars sought are still required in respect of religion. Despite the Minister's assurances, which I accept she has given in good faith, we have our doubts about whether that will be done on a voluntary basis.

I have taken the liberty of seeking a legal opinion from Mr. Leolin Price QC, the head of chambers at 10 Old square. He has considered the Bill, this amendment, and the amendment tabled in Committee, and has said:

Not doing something which statute *requires* you to do is unlawful.

Clause 1(2) of the new Bill has the effect of excluding liability for any penalty for refusing or neglecting to state any particulars in respect of religion. It does not undo the requirement to provide the particulars. Failure to comply with that requirement is not made lawful; that remains unlawful, and an offence. Only the liability, or the penalty, is excluded. It is an offence not to provide the necessary information; all that has happened is that there is no penalty.

In Committee, my hon. Friend the Member for Chichester (Mr. Tyrie) ably argued that the question should be voluntary. For one reason or another, however, the Government chose to reject what I considered to be a well drafted amendment. We disagree with their decision.

The Minister may say that the question is voluntary. Perhaps removing the penalty gives the impression that it is. However, she will encounter a difficulty, in that the inclusion of a statement on the census paper that the question is voluntary is probably not in her gift, and would mean that she was acting ultra vires. The rejection of the amendment in Committee may well expose the Government to the possibility of a judicial review in the courts.

There will be people out there who, for some reason, will not want the question to be asked. Opinion is far from unanimous; indeed, there is a wide variety of opinion. Many groups have expressed their support for the question, but some consider it inappropriate, and I think it likely that it will be challenged in the courts.

The Bill amends section 8 of the Census Act 1920. Section 8(1)(d) states that it is an offence attracting a penalty of £10 to refuse to answer a question. The Bill removes that £10 penalty. However, section 8(1)(d) also states that it is an offence for any person to give a false answer to a question. The Bill does not remove the penalty for giving a false answer. If I, a member of the Church of England, write "None" in answer to the question on the paper, under the words "This question is voluntary", I am liable. I am committing an offence, because I have given a false answer to the question.

Mr. John Bercow (Buckingham): I note what my hon. Friend says about the answer "None", but if an individual answered "Not applicable", how would that be interpreted?

Mr. Ottaway: I must answer that on my feet, as it were, but I think that that would constitute a refusal to answer the question, and would therefore not attract a penalty. If, however, a Sikh wrote "Church of England", that would attract a penalty.

This is the difficulty in which the Government find themselves. Let us leave aside our argument that the question is not voluntary, although the Minister believes that it is. The fact is that those who answer it inaccurately will incur a penalty. I cannot understand the logic of a Bill that, while purporting to make a question voluntary, imposes a fine for giving an inaccurate answer to that question. Is that really what the Minister intended? I shall be more than happy to give way if she wants to elaborate on that—but it appears that she does not.

That is a legitimate question for me to ask. I hope that the Minister will address it when she responds. Is that what is intended? If it is what is intended, in something important such as a national census, it is opening a can of worms and a Pandora's box of litigation.

5 pm

The Minister may say that I am nit-picking, and ask who in their right mind would prosecute someone for putting an inaccurate answer down. Indeed, who would know whether someone had answered inaccurately? That is not the point. What is the point of deeming something an offence if there is unlikely to be a prosecution?

There is a second point. The question again gives strength to someone who seeks to challenge the Bill—or, more to the point, the order—by way of judicial review. I return to the opinion of Mr. Leolin Price QC. In his legal opinion to me, he says:

The Bill in its present form is in my view unconstitutional. Parliament cannot, without flouting constitutional principle, adopt the Bill in its present form.

But if it does, and if the Courts . . . have to recognise it as an Act of Parliament, that will not be the end of the matter. Apart from any possible effect of the Human Rights Act from October onwards, the draft Census Order, when available (prescribing the Census questions, including the religious questions) will be challengeable by judicial review—preferably by challenge to the decision to prescribe the questions, and preferably before any approving resolution of either House of Parliament.

The amendment is not based on any wish of the Conservative party to be difficult over the matter. We want the law to be put in satisfactory order before we give

[Mr. Ottaway]

it our full support, and eminent barristers did not, in truth, have to spend a significant amount of time researching the background to the amendment, because it was so plainly obvious that the Bill was defective. We cannot say that a question is voluntary if giving an inaccurate answer to it attracts a fine. That is the thrust of the amendment, which I urge the House to support.

Mr. Michael Fallon (Sevenoaks): I have some sympathy with the amendment. The description that my hon. Friend the Member for Croydon, South (Mr. Ottaway) has given, and the opinion that he has quoted, seem to reveal a fairly fatal flaw in the Bill. What we will have under the proposed statute is an event for which no penalty applies, but which in itself remains unlawful. That does not seem at first sight to be good legislation. I should be grateful if the Minister reassured us that that is not the interpretation that should be made of clause 1(2), because it seems unsatisfactory.

I have two questions for my hon. Friend about the amendment. First, the amendment might in some sense be said to encourage people to give a false answer. I know that that was in the original statute, but I am not so sure that we should write in further encouragement to people to supply false answers with impunity as they move down the census form.

Secondly, I am not wholly persuaded that the amendment cures the flaw at the heart of the Bill. We are dealing with something that remains unlawful by removing only the penalty. The amendment does not seem to tackle that. What we should be doing, surely, is dealing with the unlawful nature of the offence itself.

Mr. Andrew Tyrie (Chichester): I am sure that my hon. Friend is right that amendment No. 1 does not fully cure the Bill's inadequacies. An amendment that I tabled in Committee, which was rejected by the Government, would have made the question genuinely voluntary. Unfortunately, however, hon. Members cannot table the same amendment twice. In amendment No. 1, therefore, we are trying as best we can to highlight the Bill's flaws, while acknowledging that it is the second-best route to remedying weaknesses that will be put on the statute book if the Bill is passed.

Mr. Fallon: The House will be indebted to my hon. Friend not only for the information that he has just supplied but for his efforts to improve the Bill's drafting in Committee. I am only sorry that I myself was not selected to share in that work.

It seems that we are in danger of enacting highly unsatisfactory legislation. Parliament either imposes a requirement or it does not, in which case the matter should be voluntary. I do not know how we can say that although it is unlawful to give false particulars or to answer a question improperly, no penalty can apply to those who do so. I do not see the point of passing such a provision.

My hon. Friends are right to highlight the problem and to tackle it. If amendment No. 1 is the only way of tackling it, so be it, and I shall have to bow to my hon. Friends and to their overqualified legal advisers. However, perhaps my hon. Friend the Member for Croydon, South (Mr. Ottaway)—much later this evening, when he sums up the debate—will tell me how one deals with the point that the proposal may encourage the practice of supplying false information, and whether there is any other way of dealing with the problem that lies at the heart of clause 1.

Mr. Michael Jabez Foster (Hastings and Rye): The census procedure must be accurate, and it must be wrong to provide inaccurate answers to the questions asked. I see no inconsistency in providing for a question that is wholly voluntary, giving the form-filler the option of answering it, and imposing no penalty on those who do not answer it. A person in that category is entirely distinguishable from one who provides bizarre or inaccurate information whose effect would be to defeat the object of the census itself, which is to provide accurate information that can be used for planning and other purposes.

Those who are particularly keen to provide information about their religion have said that they wish to do so, perhaps because they are proud of their religion or faith and wish to make it known. For them, there would seem to be very little purpose in inaccurately filling in the form.

Dr. Evan Harris (Oxford, West and Abingdon): Religion is a very personal matter, and it is quite possible for people to be unsure whether they are one thing or the other. Some people may be in the midst of a conversion, for example, perhaps thinking that they are religious when they are not. Such people may be worried about providing inaccurate information, particularly if the information that they provide is to be checked. I think that that issue goes to the heart of the problems with the Bill.

Mr. Foster: I am not entirely sure that most people are confused about their religious convictions. However, even if they were, the census is only a snapshot, recording the particular religion that people profess when completing the form. I believe that no one is likely to be prosecuted if he or she has a change of view after completing the form.

Mr. Bercow: I listened intently and with interest to the intervention of the hon. Member for Oxford, West and Abingdon (Dr. Harris). In relation to the scenario that he described, in reflecting on the percentage of those who may fall into that category, may I ask the hon. Member for Hastings and Rye (Mr. Foster) how many noughts he thinks there would be after the decimal point before a figure appeared?

Mr. Foster: I suspect that the percentage would be very small indeed, and that very few people change their religion. Although I do not think that the hon. Member for Oxford, West and Abingdon was asking an irrelevant question, I think that the number of such people would not be important statistically. What is important is that the information given is accurate to the best of the form-filler's ability. I believe that the Bill provides for that, and I believe that it will happen. What is most important is accuracy, and the Government's ability to analyse the information.

Mr. Tyrie: The hon. Gentleman has laid great stress on the need for accurate responses. The Government spokesman in the Lords pointed out that if the question

were voluntary, the information collected, not only on that question but on others, would be rendered valueless. He said:

> it has been shown that making a question voluntary seriously affects the response not only to the question itself where response bias could devalue the information obtained, but also as regards other questions because people are confused about some questions being voluntary and others being compulsory.—[*Official Report, House of Lords*, 27 January 2000; Vol. 608, c. 1717.]

Is not the hon. Gentleman's point eroding the Government's idea of a part voluntary, part compulsory census?

Mr. Foster: I do not believe that that is so. All that the proposal will do is affect the sample. Obviously, the larger the sample, the more accurate the outcome. The only thing that will have an effect on its level of inaccuracy is people giving inaccurate responses. As in any opinion poll or survey there is wide variance, and the more people complete it, the more accurate it is. If fewer people choose not to complete the census because of its voluntary nature, it will not be as accurate.

My perception is that those to whom, owing to religious conviction, the matter is important, will complete the form. Indeed, religious faiths are keen for their followers to be able to do so. For those reasons, although it is right that there should be the opportunity to say no to the question, it is also right that the people who are asked a question should answer truthfully.

Mr. Eric Forth (Bromley and Chislehurst): This is all becoming ludicrously confusing. What started as a fairly straightforward, if unacceptable, proposition that the state should pry into some of the most private aspects of people's lives through the vehicle of the census—I know, Mr. Deputy Speaker, that you would not want us to debate that at this stage, although I hope that we shall have an opportunity to do so at some length on Third Reading—has become a matter of important detail.

Even from the speeches so far, it has become obvious—I did not have the privilege of serving on the Committee—that this is a very confused and muddled little Bill. Not only is it unacceptable in principle, it is becoming unworkable in practice. In other words, it is the ideal Bill for this Government to try to slip through the House as quietly and surreptitiously as possible. As you will know, Mr. Deputy Speaker, we do not have quiet and surreptitious Bills at this stage of the Session, as all Bills receive equal and proper scrutiny.

Mr. Edward Davey (Kingston and Surbiton): Will the right hon. Gentleman speculate on how the Government might want to check the accuracy of answers that people give to the question?

Mr. Forth: The hon. Gentleman has pre-empted something that I wanted to come to later. He will not want to deflect me from my introductory remarks—will he? He will recognise that we are at the throat-clearing stage, and that we shall come to the substance in due course. I am sure that, with his generosity of spirit, he would not want to hurry me through that process.

These are important matters and no one should be under any illusion that there is any levity in our approach to dealing with them. They touch on some of the most important aspects of the relationship between the Government and the authorities on the one hand, and the Government and the citizen on the other. Although the Government seem to treat such matters with the greatest levity, I hope that we on the Opposition Benches will never do so. In that I include Liberal Democrat Members, who I know take these issues seriously, as we have seen in the context of other legislation.

A series of questions must be addressed. I shall not dwell on the question of principle; that is a Third Reading matter. We are faced, under the amendment, with the question of practicability. What on earth will be the value of a census if it is to result from questions that are either voluntary, and therefore variable in the response that they elicit, and/or false—the matter of the amendment moved by my hon. Friend the Member for Croydon, South (Mr. Ottaway)?

I should have thought that, up to now, the general assumption has been that the value of conducting a census is that the authorities gain proper knowledge of matters that are relevant to policy making, which allows them more effectively to discharge the responsibilities and duties of Government. I would question whether religion is one of those matters, but that is a subject to which I shall return later.

5.15 pm

Dr. Harris: The right hon. Gentleman is right to say that there are many things one can learn about people that will make the job of Government easier. How people vote would be an extremely useful thing for Governments to know, but putting such a question on a form, even if answering it were voluntary, and saying that people will have committed an offence if the question is answered inaccurately, would make us pause for serious thought. Those who oppose the amendment have to answer the question: where will it all end?

Mr. Forth: I am grateful to the hon. Gentleman for bringing up that theme—I might want to pick it up later, albeit not in the current debate—because it does indeed give rise to serious thoughts. If we can start by probing people's religious beliefs, where will we finish? However, as I said, that is a matter for another debate, probably on Third Reading.

Mr. Fallon: My right hon. Friend should not be surprised—the current Government might well want to count up the number of people who have lost faith.

Mr. Forth: I suspect that they would not want to count the membership of a group that is growing so alarmingly, as other sources of information have told us.

We must directly face the question of the extent to which the answering of the questions is voluntary, rather than compulsory, and hence what value can be placed on those answers. We must also examine the dimension embodied in the amendment, which is the result of people giving false information in reply to the question. Even having heard the eloquent introduction provided by my hon. Friend the Member for Croydon, South, I am torn about how to vote on the amendment. I can perceive its attraction, but I am bothered by the perversity of not having a penalty for providing false information in the context of something as important as the census. We shall have to think our way through the problem, and I shall

[Mr. Forth]

probably do my thinking aloud, as is my custom; not only will doing so help me, but it might help other hon. Members.

My difficulty arises from the fact that, even if we do not dwell excessively on the extent to which reliable information is required in a census, which is linked to the question of whether or not answering the question is compulsory and penalties are attached, a new dimension altogether is brought to the fore when we consider the possibility of false information being provided. If people are going to be given the idea that they need not bother to answer the question, we have to judge the probability of a large number of people exercising their option not to answer the question and thereby entirely invalidating the data it provides.

In addition, the problem of differing answers has bothered me right from the start. I have heard it suggested that certain religious faiths are keen on the question being included. The implication of that is there is confidence that people of some faiths will be more eager to answer the question than those of other faiths. If answering the question is voluntary, not compulsory, that differential effect is likely to be exaggerated and will threaten to undermine the validity of the census itself.

Mr. Bercow: Does my right hon. Friend accept that his argument in respect of such practices applies to differential weighting not only between people of different religious faiths, but between people of religious faith and those of no religious faith?

Mr. Forth: I shall not be tempted by my hon. Friend's question, because I think that the matter is one for Third Reading. However, it is an issue to which I shall return, because we have not yet heard a satisfactory explanation of what the Government think will be the effects on their policy determination of the answers that they believe will flow from the exercise. To be blunt—I do not want to be delayed on this point now—what policies will be directed at people who have no religious faith as a result of the exercise? I shall return to that question. I flag it up and move on rapidly.

Mr. Steve Webb (Northavon): Will the right hon. Gentleman give way?

Mr. Forth: I hope that the hon. Gentleman will not try to lead me astray.

Mr. Webb: I would not dream of it.

The right hon. Gentleman has talked about the quality of the data collected from the question that can be answered voluntarily, and how that might be biased. It is well known that poor data collected from any scientific survey are worse than none at all. Biased data are positively misleading. It might be better not to have such data and not to make policy on that basis than to proceed on the basis of biased and loaded answers that will be obtained in the way the right hon. Gentleman has outlined.

Mr. Forth: That must be the danger. I hope that the Minister will spend a little time to see whether she can satisfy the doubts in the hon. Gentleman's mind and in mine about the multilayering of inaccuracy that is starting to enter the process.

First, we have the doubts about the voluntary nature of the question and the differential effect that we are suggesting that that might have. Those doubts are increased by the question raised by the amendment; that is, that we might have people who, for whatever reason, start to give false information. We have people who will not bother to answer, because we are told that the process is voluntary. We have people who will answer correctly because they want to have a differential effect on the policy outcome of their answer. A third category has entered the equation—people who for reasons I cannot quite guess at now might want to give false information on the form for a different effect altogether.

The question that the amendment raises is whether we believe that the provision of false information will be sufficiently serious that it should warrant a penalty, or whether the provision of false information should be penalty free. This is where I find myself in a dilemma. I do not criticise my hon. Friend the Member for Croydon, South for raising the question by means of the amendment, but I am left in a difficulty. I hope that the Minister will be able to help me. Does she judge that false information should be penalty free in this context? Perhaps she will say that, as the exercise is flawed anyway, some false information will not make very much difference.

If we have people withholding information by not answering the question, the Minister may ask, "What difference would positively false information make?" We are now beginning to see a subtle distinction appearing between non-information and completely false information. We are being told, apparently, that this will be penalty free. Surely it is a challenge to the concept of this part of the census, if not the census as a whole, if we are not careful. There is a real question about what is claimed to be the beneficial outcome of the exercise. That is, the extent to which the answering of the question is now voluntary, not compulsory, and the extent to which there will be no penalty attached either to the withholding of information or the provision of false information.

We must ask whether the exercise can be worth implementing. That may be the position only if the Minister will come clean and tell us—in more detail than hitherto—what she claims to be the beneficial policy outcome of the exercise. It has a flimsy basis because a multiplicity of weaknesses is appearing in the process. What is alleged to be the beneficial outcome of what is being proposed?

Mr. Bercow: I agree that it is difficult to fathom why individuals should want to vouchsafe false information. However, does my right hon. Friend agree with me—I think that it is relevant in terms of the purport of the amendment—that personal advantage is unlikely to be a motivating factor, given the many people who are expected to respond to the census and among whom any increased resources would over a period be spread?

Mr. Forth: I am not sure whether that is so. There may be no individual personal advantage to be gained, but there could be group or community advantage. That is one of the more worrying aspects of the measure. We must

try to flush out from the Government whether it is conceivable that a group of people could seek not only to identify themselves through the process, but to magnify—perhaps it would be more accurate to say maximise—their numbers in order to gain the policy advantages that we must assume underlie the entire exercise.

It worries me considerably how many people will claim to be Church of England because they think that Church of England adherents will benefit in some way from the exercise. I doubt very much whether that is the case, but perhaps the Minister will tell us otherwise. Going back to the question raised earlier, people with no religion or no religious belief, or who belong to no organised Church or faith, are most unlikely to gain any advantage from the exercise, so why should they give the answer?

It may be important for other reasons, which I cannot immediately think of, that we should know how many people in the totality of our society are adherents of one or other faith, Christian or otherwise, and how many people describe themselves as atheist, agnostic, humanist, secular or any number of other labels.

What would be the result? Is the question mere flim-flam? Is it all just for amusement? Is it purposeless, or is there some underlying reason that we have not yet been told?

Mr. Fallon: Is it not more likely that those seeking to maximise their numbers may be the smaller religions that sought to pass some threshold requirement for a particular policy or for a programme of national expenditure?

Mr. Forth: That disturbing possibility exists, and it brings me to my next point. How on earth will the accuracy of the information be verified or verifiable, making it useful as data? One can self-evidently verify whether someone has answered a question. The response is either there on the form or it is not. However, when we come to my hon. Friend's amendment and his introduction of the concept of false information, matters become much more complicated.

This may be a point that I should address to my hon. Friend rather than to the Minister, but I cannot imagine for the life of me what mechanism is likely to exist for the authorities to establish whether the information given on the census form in reply to the question on religion is accurate and correct, or whether it is misleading. If a Christian claims to be a Muslim, or a Jew claims to be an atheist, how on earth will we know? If we cannot know, that must call into question the extent to which my hon. Friend's amendment is meaningful. In that context, what is a false answer? Only the respondent can possibly know, in a matter of such intimacy as personal faith, whether the reply is accurate or not.

What at first blush appears to be simple and straightforward quickly tends to become complex and difficult to fathom.

Dr. Harris: In case hon. Members consider the case to be purely theoretical, may I give a personal example? I was born Jewish, of a Jewish mother, and there are many people born of Jewish fathers who may be considered Jewish or may consider themselves Jewish. I consider myself Jewish culturally, but I do not have religious belief. I would be worried, as would others, about giving an inaccurate answer whichever way I filled in the form, especially if an inaccurate answer would leave me liable to some sort of penalty.

Mr. Forth: That, of course, is true. Perhaps the Minister will be able to help us as she takes us through the process—in some detail, I hope—and tells us how she envisages the mechanism will work, how the policing or verification of it will be carried out and how, in the absence of penalties, any of it will be at all meaningful.

The question from the hon. Member for Oxford, West and Abingdon (Dr. Harris) raises another, perhaps unlikely, possibility—that some people may be persuaded to provide false information on the forms that would artificially boost the number of members that a faith appeared to have. I am not certain about the mechanism involved, but the motivation is clear enough. My hon. Friend the Member for Sevenoaks (Mr. Fallon) mentioned thresholds, and I hope that the Minister will say whether any such concept is involved in this matter. What are the policy implications? What number of adherents to a particular faith would be likely to spark a policy response?

5.30 pm

Mr. Bercow: The hon. Member for Oxford, West and Abingdon (Dr. Harris) made a good and challenging point. I do not want to be too introspective, but I too am Jewish, although my parentage is different from that of the hon. Gentleman. I identify passionately with the Jewish people and the state of Israel, but I confess that these days I go to synagogue only for funerals.

Mr. Forth: I hope that this does not get out of hand, but the Jewish faith is losing adherents at an alarming rate even in this brief debate. Perhaps I should sit down before the process goes much further.

The point raised by my hon. Friend the Member for Buckingham (Mr. Bercow) and the hon. Member for Oxford, West and Abingdon should be noted, however. From the start, I have considered the measure dubious and rather offensive. I think that I know why the Government want to introduce it, but I hope that the Minister will give the House the reason yet again. I hope too that she will tell us what will be the outcome in policy terms, and that she will give more detail about the mechanism by which the question will be posed, and answered without penalty.

How reliable does the Minister expect the information to be that will emerge from the penalty-free process? The amendment introduces for the first time the alarming prospect that the forms could be falsified for purposes that might be sinister. What is the link between the information that will be gained and policy formation? What might be the potential flow of resources into different communities, sects, cults or other groups?

A lot of important policy issues hang on this apparently straightforward amendment. I hope that we can go into more detail on Third Reading about the principle behind the Bill. I have not made my mind up about the amendment. I have listened to my hon. Friend the Member for Croydon, South, and will do so again if he succeeds in catching your eye again, Mr. Deputy Speaker. I shall certainly want to listen to what the Minister has to say. I hope that she will be on good form.

Mr. Andrew Dismore (Hendon): Yet again, I follow the right hon. Member for Bromley and Chislehurst

[Mr. Andrew Dismore]

(Mr. Forth). It is becoming a habit. Last Friday, the right hon. Gentleman blocked the Divorce (Religious Marriages) Bill. He was within his rights to do so, but the Bill was extremely important to the Jewish community in my constituency. This Bill is important to them also, and I hope that the right hon. Gentleman will not repeat his efforts to delay or block this Bill. That would inflict a double whammy on the Jewish community throughout the country.

I can only assume that the right hon. Member for Bromley and Chislehurst has not bothered to read the guidance notes to the Bill, which set out clearly how the matter can be resolved. They make it clear that people will not have to give information if they do not want to, and that an atheist can answer the question under discussion with the word "none".

Finally, the guidance notes state that people who belong to a religion that is not specified on the form can write the name of that religion in the space provided when they answer the question. For example, the hon. Member for Oxford, West and Abingdon (Dr. Harris) could take that opportunity to write his little essay about how he used to be an adherent of the Jewish faith but is no longer. People can use the space available to write what they like, and thus make the position clear.

Dr. Harris: Will the hon. Gentleman give way?

Mr. Dismore: No. I do not want to block the Bill. I want to make progress.

We are seeing a mountain being made out of a molehill. There are plenty of options for people who do not want to say what their religion is, or for those whose position is rather more complicated, because they can write in the box.

Mr. Ottaway *rose—*

Mr. Dismore: The right hon. Member for Bromley and Chislehurst referred to people wanting to boost the Church of England somehow. They could either put "Church of England" or tick the Christian box, which embraces all the various denominations of the Christian Church.

Mr. Tyrie: Will the hon. Gentleman give way?

Mr. Dismore: No, I will not give way.

We are seeing an attempt by the Conservative party, yet again, to block a Bill that is of fundamental importance to many people in this country, particularly the Jewish constituents whom I represent. I hope that Conservative Members will stop this nonsense and let the Bill go through so that we can make some progress. Let us not repeat what happened last Friday.

Mr. Tyrie: I shall have to begin my speech by addressing some of the points made by the hon. Member for Hendon (Mr. Dismore). *[Interruption.]* The Government Whip has suggested, from a sedentary position, that I stick to the amendment, which the hon. Member for Hendon was certainly not doing.

The hon. Gentleman made a series of points describing a Bill that we are content to support—at least I would be—in the Lobby. The problem is, that is not the Bill before us.

Mr. Deputy Speaker: Order. Perhaps I can help the House. I allowed the right hon. Member for Bromley and Chislehurst (Mr. Forth) considerable leeway in putting his arguments, many of which appeared to me to be more appropriate to a Third Reading debate than to this amendment. I fear that other right hon. and hon. Members may have been led astray by the right hon. Gentleman. I know that he would not want that to happen, and I certainly do not.

Mr. Tyrie: I just wanted to clarify that I shall not be dealing with the principle of a voluntary Bill which, as I said, I would be prepared to support, or the usefulness of the information when it has been collected, although I have my doubts about that. Nor shall I be discussing the cost-effectiveness of the measure, even though there are good arguments that survey data might provide such information more effectively and cheaply.

I shall, however, report on where we are—this is, after all, the Report stage of the Bill. I have to report that the Bill is in a mess. It is a bad piece of draft legislation, and I want to explain briefly how we have arrived at this point. Only by doing so will I be able to explain why the amendment in my name has been tabled.

The measure was introduced in the House of Lords. Their lordships thought that religion was a private matter and that answering the question should be voluntary. They therefore removed the financial penalty. On Second Reading, I asked how people would know, when they filled in the form, whether answering the question was voluntary. In Committee, the Minister gave me the answer. She assured me that the question that was proposed would be dealt with through the regulations, and said that the wording would be "What is your religion?" She went on:

> Underneath the question will appear the statement "This question is voluntary".—[*Official Report, Standing Committee D*, 5 July 2000; c. 13.]

I pointed out, as did my hon. Friend the Member for Croydon, South (Mr. Ottaway), that that would conflict with the long title of the Bill, which makes it clear that the Bill amends the Census Act 1920 to enable particulars to be required—not requested—in respect of religion. Therefore, there is a clear conflict between the Minister's desire to add the word voluntary to the census form and the long title of the Bill which makes it clear that completing the form is a requirement.

When I raised that point in Committee, the Minister said not to worry, and that

> these matters have been checked.—[*Official Report, Standing Committee D*, 5 July 2000; c. 16.]

I assume that legal advice was taken on this point. However, I have taken the trouble to obtain some legal advice of my own in the meantime. The legal opinions that I have received on this issue are clear. I should like to read out a small part of the legal opinion that I received

from the Vice-Chancellor of London university, Professor Graham Zellick, which I shall make available to the Minister after the debate. He says:

> It would not be lawful to state on the form that the question was voluntary as the Minister proposes (in Standing Committee). As there is no power under the Act, as amended by the Bill in its present form, to include voluntary questions, to provide for such a statement in regulations would be ultra vires, the statement itself on the form would be unlawful and both would therefore be open to challenge by way of judicial review.

I received a similar response from the National Secular Society. It said:

> Were the Government to persist in describing the questions as voluntary, which we are confident would be ultra vires, it would be laying itself open to an adverse judicial review decision at any time before the census.

That is how the Bill now stands, given that the Government rejected the amendment that I tabled in Committee and without the amendment.

I agree with my hon. Friend the Member for Sevenoaks (Mr. Fallon), who said that the amendment would only partly address the Bill's defectiveness. Therefore, it could be described as a probing amendment, but it is the only means whereby we can draw to the attention of the House the fact that the Government want to put a bad law on to the statute book. I make it absolutely clear that I cannot support the Bill in its current form.

The Government want to put shoddy legislation on to the statute book. Eminent lawyers agree that the Government's action would be unlawful if they were to describe the question on religion on the census form as "voluntary". The same eminent lawyers have told us that the Bill would be subject to judicial review and, therefore, that anyone or any pressure group could wreck the census by going to judicial review.

Mr. Deputy Speaker: Order. The hon. Gentleman is beginning to stray into arguments that he might wish to put on Third Reading if he were to catch the eye of the Chair. He must speak to the amendment, to which I thought he had finally returned a moment ago.

Mr. Tyrie: The amendment is intended to show the weakness of the Bill. I shall draw my remarks to a close by saying that it seems incomprehensible to me that the Government are not prepared either to accept the amendment or to table an alternative. The only reason that I can provide as to why they are not prepared to do so is that they have a huge legislative logjam in the Lords. If the amendment were accepted, the Bill would have to return to the Lords and that logjam would become significantly worse.

I am not prepared to vote for a Bill that is fundamentally defective just to help the Government out of the logjam in their legislative programme. That is not the way to run a country. I will not dispute the principle of whether the question should be added to the census form—the Bill has had its Second Reading—but I cannot understand how any reasonable person can expect independent-minded Members of Parliament to put such poor legislation on to the statute book.

Dr. Harris: I associate myself with the sentiments of the hon. Member for Chichester (Mr. Tyrie), although I would have made similar points on Third Reading if I had caught your eye, Mr. Deputy Speaker. I also associate myself with the dilemma faced by the right hon. Member for Bromley and Chislehurst (Mr. Forth) because the amendment is difficult to support if one believes that accurate information should be given in censuses. However, the Bill is so flawed that I am minded to support it at the moment because it removes what would be a great injustice.

I did not intend to speak to the amendment, but I should tell the hon. Member for Hendon (Mr. Dismore) that someone with his constituency should be more careful before traducing another hon. Member's private religious or cultural opinions; doing so by name, and then refusing to take an intervention that would have put the matter right. The trivial way in which he dealt with my dilemma about the difference between cultural and religious Judaism was insulting. His refusal to allow me to ask him to reconsider by taking an intervention during his rambling rant was even more unfortunate. When he reads the record tomorrow, I hope that he will reflect on what he has said.

5.45 pm

People feel strongly about religion and cultural matters. That is one reason why the promoters of the Bill want it to be enacted. The amendment displays the heart of the problem in the Bill, however, in that it is neither one thing nor the other.

Mr. Jonathan Sayeed (Mid–Bedfordshire): I have enjoyed some of the tortuous argument that I have heard so far. The purpose of the Bill is actually simple and clear. It seeks only to change the Census Act 1920 to permit a voluntary question on religion to be included in the census of England and Wales. Subject to secondary legislation, that question could be included in the next census in 2001. That would bring census legislation in England and Wales in line with that of Scotland and Northern Ireland, where legislation already permits a voluntary question on religion.

Mr. Forth: I hope that my hon. Friend is not suggesting that anything is desirable simply because it happens in Scotland and Northern Ireland. Surely the point of devolution—and of English devolution, should we ever have it—is that if we think that something in Scotland and Northern Ireland is daft, we will not do it.

Mr. Sayeed: I quite agree. I am not suggesting that we should have this provision in England and Wales simply because it exists in Scotland and Northern Ireland. I would point out, however, that this has been the law in Northern Ireland since 1969, and it has worked very well.

Before I discuss the amendment, I should like to make one point. I am indebted to the Minister and the Government for providing the parliamentary time necessary to enact—I hope—the Bill. Without that, it clearly would not have progressed.

Clause 1 makes it clear that particulars in respect of religion may be included in a census without any liability to penalty for anyone who refuses or neglects to state them. That is clear. The question on religion is in effect voluntary, subject to an Order in Council providing for such particulars to be stated in the census return and to subsequent regulations setting out the wording. That is where the hon. Member for Hendon (Mr. Dismore) was

[Mr. Sayeed]

wrong: the precise wording is not in the Bill, but will be given in later regulations, probably subject to the negative procedure.

In response to requests by me and other hon. Members, the Minister gave clear assurances in Committee that the wording of the census question on religion would make it clear to the person completing the form—the most important person—that the question was voluntary. The wording will be set out in the regulations that will be laid before the House once the Order in Council has been made.

The amendment proposed by my hon. Friend the Member for Croydon, South (Mr. Ottaway) aims to remove the penalty for giving deliberately false answers to the question on religion. I agree with my hon. Friend the Member for Sevenoaks (Mr. Fallon) that that is neither necessary nor desirable.

Clearly, removing the penalty for anyone who fails to provide the particulars with respect to religion, makes any question on religion in the census voluntary. Only the criminal sanction in section 8 of the 1920 Act makes the census compulsory in the first place. However one wraps it up, removal of the sanction makes the response to the question on religion voluntary. As the Bill stands, therefore, an individual may decide to answer the question on the form or may freely decide not to do so, without any fear of a penalty. It is entirely up to the individual.

However, it is reasonable to expect that anyone who freely chooses to answer the question should do so accurately. False information is worse than no information. I remind the House that the person who fills in the form is required to sign a declaration that it has been completed to the best of his or her knowledge and belief.

Mr. Fallon: My hon. Friend is enlightening the House as to the reasoning behind the clause. Is he saying, therefore, that to supply inaccurate information when answering the question is still unlawful?

Mr. Sayeed: I am saying what it says on the form—on past and, I presume, future forms. The form must be completed to the best of a person's knowledge and belief. A person may make a genuine mistake, but it would be foolish and unnecessary deliberately to permit falsified information.

Mr. Tyrie: Will my hon. Friend explain how one could make a mistake about one's religion?

Mr. Sayeed: I think that the hon. Member for Oxford, West and Abingdon (Dr. Harris) demonstrated how a person might be confused. I cannot say whether he would be confused when completing the form.

There is a sanction against supplying false information. It would run completely counter to the ethos and purpose of the census if we suggested in any way that it was permissible to give inaccurate information deliberately.

Mr. Fallon: Therefore, it is my hon. Friend's proposition that giving any inaccurate information deliberately must remain unlawful.

Mr. Sayeed: The simple answer is yes.

Dr. Harris: It is important that the hon. Gentleman recognises that there is a difference between being confused and being in a dilemma. I am not confused about either my cultural background, my birth background or my religious beliefs. It is merely that, because of my birth I was considered Jewish by my school and offered exemption from Christian religious education, but if I were asked whether I was a Jew by religion and followed those tenets, the answer would be no. Either way, knowing exactly what I am doing and making a conscious decision, I am liable to give the wrong information. It depends on the basis of the question—whether it refers to my birth religion or my religious faith.

Mr. Sayeed: I am sorry, but the hon. Gentleman has it wrong. All that he has to do is not answer that question, which the Bill at present permits.

Mr. Tyrie: Will my hon. Friend give way?

Mr. Deputy Speaker: Order. The hon. Gentleman should address the Chair.

Mr. Tyrie: If the person completing the form has a strong religious belief but leaves the answer to that question blank, would that be unlawful?

Mr. Sayeed: No. The Bill specifically permits someone not to complete that part of the form.

The amendment is not necessary. A person's freedom of choice about whether to answer the question on religion is established under the Bill as it stands. The amendment would not enhance that right in any way.

Mr. Edward Davey: Will the hon. Gentleman explain how he expects the Government to check whether people have filled in the form honestly and accurately? Is he expecting a Government agency to ask people their religion anonymously, face to face?

Mr. Sayeed: I was about to deal with some of the other comments made on Report. My hon. Friends the Members for Croydon, South (Mr. Ottaway) and for Chichester (Mr. Tyrie) have disputed the use of "require" and prefer "request". The demand is not new; it was made in Committee. Professor Zellick expressed a similar view.

Professor Zellick is well known as someone who is strongly against the Bill. In a letter in the *Jewish Chronicle* of 16 July 1999—when the question was mandatory—the professor said:

> The Institute for Jewish Policy Research, in a recent paper on the issue, recommends that Britain should adopt the practice, as in the few other countries where such a question is asked, of making it voluntary. That would certainly remove the main objection to the Bill.

Mr. Tyrie: Will my hon. Friend give way?

Mr. Sayeed: No, I will make a little progress first, but then I will give way to my hon. Friend.

My hon. Friend the Member for Croydon, South suggested that the use of the word "required" in the title of the Bill, in section 8(1)(d) of the 1920 Act and the schedule to it implies the notion of compulsion. Thus, while the Bill provides for the lifting of the financial penalty for non-compliance under section 8(1) of the 1920 Act, it does not make the question voluntary. In other

words, it would still be a legal duty to furnish the particulars, but it would not be a criminal offence to neglect or refuse to do so. I trust that that is an accurate reflection of his argument.

I too have discussed the matter with those who understand the legal arguments. I understand that the position of the Treasury solicitors is that the use of the word "required" in this context does not imply a statutory duty—*[Interruption.]* may I explain why—any more than the use of the word in the question, "What size of shoe do you require?" implies anything more than a request.

Mr. Tyrie: Does that not mean, therefore, that the 1920 Act was voluntary because that was the word used in the long title to require people to fill in census forms?

Mr. Sayeed: I am grateful to my hon. Friend for that question because I was about to deal with it. The use of the word "required" in the schedule to the 1920 Act makes the census compulsory. It is the removal of that sanction specifically in respect of religion that makes the question voluntary.

Mr. Edward Davey: I think that the House is perturbed by what the hon. Gentleman said about the advice of the Treasury. Subsections 3(b)(c)(d) and (e) of the Census Act 1920 use the word "requiring". Indeed, that is the way that people are required to give information. Therefore, the advice from the Treasury would seem completely to go against what is in the Act.

6 pm

Mr. Sayeed: As I have already said, the use of the word "required" relates to the schedule of the 1920 Act. It is not relevant to the Act's provisions because it removes the penalty.

Mr. Tyrie: Will the hon. Gentleman give way?

Mr. Sayeed: No, I want to make progress.

I was a little surprised to hear my hon. Friend the Member for Croydon, South say that the Economic Secretary was acting beyond her competence in giving certain assurances to the Committee. I believe that a Minister who gives assurances to the House or a Committee acts in good faith, and I expect a Minister who gives such assurances to follow those assurances through. Certainly, given the size of the Government's majority, there is little doubt that they can effect most legislative changes that they wish to make. The Economic Secretary's assurances were that, subject to the Bill becoming law and subject to an amending Order in Council, the 2001 census form would include a clear note setting out the voluntary nature of the question about religion. An Economic Secretary has the authority to give those assurances, as he or she—in this case she—is responsible on behalf of the Chancellor for making the appropriate regulations that would provide for the wording of the revised census form. I cannot see that the Economic Secretary is acting ultra vires, as was suggested.

Finally, I come to the remarks of my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth). I always enjoy listening to him as he is an extremely polished speaker. However, he sometimes reminds me of the right hon. Member for Chesterfield (Mr. Benn)—against whom I stood in an election way back in 1983—as he always sounds so very plausible until one starts to analyse exactly what he says. My right hon. Friend started by asking whether we might get inaccurate figures, and then went on to state that we were likely to get inaccurate figures. He ended by asserting that the figures will definitely be inaccurate. As I said, my right hon. Friend reminds me of the right hon. Member for Chesterfield because what is a possibility at the beginning of a speech is a certainty by the end. I have asked about the reliability of figures coming from a voluntary question, and was told that census officials expect that introducing such a question on a voluntary basis may affect the level of response to a certain degree, but that evidence suggests that that would not be to an extent that would compromise the integrity and value of the information obtained. I believe that that answers the points raised by my right hon. Friend.

The Economic Secretary to the Treasury (Miss Melanie Johnson): I have seldom listened to a debate in which so much of what several contributors said amounted to so little. I agree with the hon. Member for Mid-Bedfordshire (Mr. Sayeed) that something that may perhaps happen rapidly can become a flood of something that definitely will happen. That is exactly what we have witnessed this afternoon in several Members' discussions of the amendment.

I shall try to confine myself to the amendment. When the Bill becomes law, and subsequent to Parliament approving a draft order adding religion to other particulars already approved for inclusion in the 2001 census, the Government will make regulations under section 3(1) of the Census Act 1920, amending the provisions that came into force on 27 June, which set out the census forms to be used in England and Wales, including the question on religion and the statement that that question is voluntary.

It has been suggested that there would be no power under the 1920 Act, even if it was amended by the Bill, to include a voluntary question in the census, and that to provide for such a statement in the regulations would be ultra vires. I can assure the House that the legal opinion that my officials have taken on this matter confirms the view of the hon. Member for Mid-Bedfordshire that the removal of the penalty for anyone failing to provide particulars on religion makes the census question on religion voluntary, as only the criminal sanction in section 8 of the 1920 Act makes it statutory to comply with the census in the first place. Removal of the sanction in relation to religion can only have the effect of making the response to that question voluntary.

If the optimum value is to be obtained from the considerable investment in the census, it is important that the response to each question should yield the most accurate information possible. Several Opposition Members are concerned about that.

Mr. Edward Davey: Before the Minister addresses that point, will she confirm that the statutory cover for making regulations to enable the words, "This question is voluntary" to be added after the question, "What is your religion?" comes under section 3(1)(f) of the 1920 Act, which gives the Minister powers to make regulations

with respect to the forms to be used in the taking of a census.

[Mr. Edward Davey]

Are those the correct legal powers that the Minister will use to make those regulations? This important point was raised earlier by the hon. Member for Chichester (Mr. Tyrie).

Miss Johnson: I do not have the reference to that specific part of the Act before me at the moment. However, I shall go on to deal with some important issues.

It is important that people are clear that two matters are involved. The form is required to have the question, but the question is voluntary. For the most part, Opposition Members have failed to grasp that distinction.

Mr. Fallon: I am grateful to the Minister for helping to clarify that.

Does the obligation on a citizen to provide accurate information, with the possibility that a penalty may otherwise be imposed, still apply to section 8 of the 1920 Act?

Miss Johnson: As the hon. Member for Mid-Bedfordshire said a few minutes ago, people will sign at the bottom of the form to say that the information that they supplied—which, obviously, they do not have to supply, as the question is voluntary—is accurate, whatever formula is used on the form. One has to sign for the veracity of the information on the form.

There is a failure to understand what is going on.

Mr. Tyrie: Will the hon. Lady give way?

Miss Johnson: No, I should like to make this point, which Opposition Members need to hear. Before I do so, however, may I confirm that the power to which the hon. Member for Kingston and Surbiton (Mr. Davey) referred comes under section 3(1)(f) of the 1920 Act, which states that regulations may be made

with respect to the forms to be used in the taking of a census.

May I explain the nature of what goes on the form? Obviously, the census forms will be different in different parts of the country. Various geographic variations are accounted for by the fact that the particulars that are to be stated in the returns are recorded in the regulations, rather than the Bill or the Act. Several particulars relating to other matters in the census already have to be stated under the census order made on 15 March this year. Typically, differences between Scotland, Northern Ireland and Wales are demonstrated in various aspects of the form. It is under that provision that the exception will be made to make the religion question voluntary in the Bill. In that way, this can be a voluntary question that sits outside the requirement for the form to contain the question. I hope that I have made that completely clear, because Opposition Members have had difficulty in getting to grips with the notion over a considerable time. It is, however, fairly straightforward.

Form fillers are not only under a general statutory requirement to complete the form, but are expected not to provide false answers to questions—that is, they should not deliberately attempt to degrade the value of the census by supplying information which they know to be untrue. Indeed, they are required to sign a declaration. No one will question the sense of including that in order to ensure that responses to any other questions to be included in the census form are accurate.

The hon. Member for Mid-Bedfordshire was right to say that there would be no sense in including a question on religion, even on a voluntary basis, if no similar sanction was available for those who gave false information in answer to that question. Therefore, if a person freely chooses to answer the religion question in the 2001 census, it is important that the information should be accurate, even if the person says that he or she has no religion. It would be poor practice, legally and statistically, to work within a legislative framework that went out of its way to provide a loophole for the deliberate provision of false information, and I am sure that the House would not expect me to argue the case for that.

Dr. Harris: There are people in this country whose mother is Jewish as a result of having converted under a reformed or liberal rabbinate in this country or the United States. For religious political reasons, they consider themselves Jewish, but are not considered Jewish by the orthodoxy. The orthodoxy is the main Jewish religion here, and people are simply not considered to be Jewish if they are descended from a woman who was not converted by the orthodoxy. Some of those people will want to state that they are Jewish, but will know that, in the strict sense, that is false. They will therefore be subject to sanction, because the penalty for knowingly giving inaccurate information applies in this case. What does the Minister have to say to those people, of whom there are plenty?

Miss Johnson: People will give information that accords with the best of their knowledge and belief. That is a matter for them.

The Chief Secretary to the Treasury (Mr. Andrew Smith): It is common sense.

Miss Johnson: Too right; it is common sense. It would be difficult, if not impossible in many cases, to ascertain whether someone had provided false information. Responses are subjective and it is for the form filler, and possibly his or her deity or god, to know whether the answer to a particular question is true. I am not sure whether census officials intend to scrutinise forms to see whether responses are likely to be false. There could be no easy way of checking. The evidence from a quality check of answers to census questions, which was undertaken as part of the census rehearsal in 1999, indicates that few, if any, deliberate attempts were made to answer questions falsely. People genuinely try to complete census forms; they understand where the information goes and the purpose for which it is used. They also understand that it is confidential for 100 years. That means that the vast majority do their best to answer the questions honestly.

In the interests of maintaining statistical credibility for the whole census, it is important that the responses to all questions should have the same statutory sanction: that they should be as true, or as accurate, as possible. Making the answering of a question voluntary does not change that.

6.15 pm

It may be worth dealing with the statistical validity of information. It is nonsense to say that the data will be tainted, as the right hon. Member for Bromley and Chislehurst (Mr. Forth) suggested. The most recent experience in Northern Ireland, where a question is traditionally included in the census—*[Interruption.]* The hon. Member for Chichester (Mr. Tyrie) would do well to listen, as this is his amendment. I was telling him about arrangements that exactly parallel those that we are making. In Northern Ireland, where a question is traditionally included on a similarly voluntary basis, only some 7.3 per cent. did not respond. In the view of the Office for National Statistics, with that level of response, the data would still be very useful for the purposes for which they are required. I made a similar point on Second Reading or in Committee.

I am advised that removing the penalty for anyone failing to provide particulars with respect to the religion question effectively makes the question on religion voluntary. I am further advised that the power to make those regulations enables the religion question to be described in the census form as voluntary. The long title of the Bill refers to the amendment to

the Census Act 1920 to enable particulars to be required.

The word "required" is used because of a reference in the schedule to the Act. The effect of the Bill is to remove explicitly the penalty for failing to provide particulars on religion. That is what makes it a voluntary question.

Opposition Members seemed to assume that the religion question was not voluntary, and a number of the difficulties that they raised were entirely apposite. I join my hon. Friends, particularly my hon. Friend the Member for Hendon (Mr. Dismore), in wondering why yet another Bill is being blocked or questioned in this way by some Opposition Members.

Mr. Forth: It is called scrutiny.

Miss Johnson: Yes, scrutiny is a very good thing and I am all in favour of it. The right hon. Gentleman claims that the Bill is about boosting the numbers in certain faiths. We have been lobbied widely by religious groups of all faiths around the country, including the Christian faith and the Church of England, to ensure that we provide for such a question in the Bill.

The amendment is unnecessary. The question is voluntary and the dangers that Opposition Members foresee do not exist. I urge the House to reject the amendment.

Mr. Ottaway: The argument was encapsulated by the hon. Member for Hendon (Mr. Dismore) when he said that the Opposition were making a mountain out of a molehill. To one extent, he is right. If, as a member of the Church of England, I put the word "none" on my census form, does it make a difference? The point that the hon. Gentleman misses is that when the census order is challenged in the courts under the judicial review procedures, that will be a very serious mountain. It is a case not of what individuals do and say, but of whether the census takes place next April. We suggest that it will not, because the matter will go to court.

What is absolutely ludicrous is that one simple amendment, which was moved in Committee and has been moved again today, would remove all possible doubt. My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) said that he needed to be persuaded and wanted to make up his mind. The hon. Member for Oxford, West and Abingdon (Dr. Harris) was also concerned and wanted to be persuaded. I hope that he will join us in the Lobby. The reason for that was encapsulated by my hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed), who has taken a fair amount of flak on this matter, but he is doing a noble job. He was asked whether, if the question was not answered, that would be lawful, to which he replied that it would be lawful, but that a false answer would be unlawful.

The situation was summed up by my hon. Friend the Member for Buckingham (Mr. Bercow). When I said that if I put down the word "none" that would be to give a false answer which would attract a penalty, he asked what would happen if "not applicable" was put down, to which the answer was that if one is refusing to answer, that will not attract a penalty. Therefore, if a member of the Church of England writes "none" on the form, that will attract a fine, whereas if "not applicable" is written, that will not attract a fine.

I hope that I have persuaded the House that the measure is, in truth, a mess. It is a dog's dinner. It will end up in the courts and the Conservative party will have nothing to do with it. I urge hon. Members to support the amendment.

Question put, That the amendment be made:—

The Committee divided: Ayes 184, Noes 331.

Division No. 293] **[6.20 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic

Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith,
Rt Hon Sir Geoffrey
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Shepherd, Richard
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Rt Hon John D *(Strangford)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thompson, William
Tonge, Dr Jenny
Townend, John
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wigley, Rt Hon Dafydd
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Keith Simpson and
Mrs. Eleanor Laing.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry
(B'ham Hodge H)
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*

Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sayeed, Jonathan
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wilson, Brian
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Kevin Hughes and
Mr. Robert Ainsworth.

Question accordingly negatived.

Order for Third Reading read.

6.33 pm

Mr. Sayeed: I beg to move, That the Bill be now read the Third time.

The next census is only nine months away. The Bill will amend the Census Act 1920 to enable a question on religion to be included in the 2001 census. The question will be voluntary.

I thank hon. Members from all parties for their valuable contributions to all stages of our proceedings. I especially thank my right hon. and hon. Friends, who sought, quite properly, to ask questions about the validity of the framing of the Bill, its purpose, and whether it would achieve its aim. They are right to ask such questions; it is part of the function of the House to question all legislation. I also thank the Government for providing time to ensure that the Bill makes progress.

The Bill offers an opportunity to gather valuable information. Along with information gleaned from the census question on ethnic groups, the question for which the Bill provides will help to produce baseline figures from which central Government may monitor policies on racial disadvantage and social exclusion. Local authorities and health authorities will be better able to plan the services for their areas using those figures.

Mr. Forth: My hon. Friend is revealing more than we have managed to winkle out of the Government so far. That is proper, because we are considering my hon. Friend's Bill. However, does my hon. Friend anticipate that policy may be determined and money may be directed to specific religious groups and affiliations on the basis of information yielded by the question on religion in the census?

Mr. Sayeed: On answers to the religious question alone, the answer is probably no. However, combined with the information from other questions, the answer is probably yes. That is proper. It is the function of local government and central Government to reduce disadvantage. If the information, which answers to the religious question would provide, combined with other information, demonstrates disadvantage, it is right and proper that the House should consider voting for, and the Government should consider proposing, extra funds for those who need more support.

Mr. Forth: Is my hon. Friend suggesting that it is likely or probable that what he describes as disadvantage—we may need to consider that in more detail—can be reasonably, properly or accurately allied to religious affiliation in such a way that will make policy direction practical and feasible?

Mr. Sayeed: I believe that I clearly stated that, by itself, the question on religion probably would not provide

[Mr. Sayeed]

the answers that demonstrate disadvantage, but that, combined with other questions, it may do so. If it does, Governments should take note.

Dr. Harris: Will the hon. Gentleman give an example of the way in which that might work? The next step is obviously to ascertain whether it is worth doing, but it would be helpful to hear a specific example.

Mr. Sayeed: I am happy to assist the hon. Gentleman. We believe that there are approximately 2 million Muslims in this country. As far as I know, there are only two Muslim state-funded schools. A Muslim state-funded school must follow the national curriculum, just as a Church of England school, a Catholic school or a Jewish school has to follow the national curriculum. The information that the census reveals is not individualised, but covers groups of about 150 people at a time. If it shows a high concentration of Muslims in a specific area, and they want a state-funded Muslim school, a local authority may decide that it would be right to provide it, just as in the past, local authorities have decided that it was right to provide state funding for Jewish, Church of England or Catholic schools.

Mr. Forth: Our debate is proving to be the most productive of all the discussions so far, and I am grateful to my hon. Friend for that. However, on what basis does my hon. Friend believe that Roman Catholic, Jewish and other religious schools have already been successfully established throughout the country, without the benefit of the information that the new question on the census form would provide? How will the new information suddenly transform the educational and social landscape in the way in which my hon. Friend describes?

Mr. Sayeed: I do not suggest that that will happen suddenly. However, over a period of time, it could happen. I remind my right hon. Friend that many Jewish schools were initially set up on a private basis and given state funding later.

Dr. Harris: Will the hon. Gentleman give way?

Mr. Sayeed: I should like to make a little progress on that point. I believe that it is important to improve race relations in this country. Sometimes groups believe that there is prejudice against them when that is not the case. However, we cannot know whether there is prejudice without the facts. I also believe that prejudice and discrimination take place—sometimes for historical reasons, but sometimes because we do not know the facts and therefore cannot give support where it is necessary.

The Bill represents a modest step to improve race relations, which is one reason why I was happy to support it and introduce it to the House once it had been agreed that answering the question on religion would be voluntary. The wording of the proposed census question has been subject to detailed consultation with not only the users of census statistics, but a wide range of religious organisations including the Christian Churches, the Board of Deputies of British Jews, the Muslim Council of Britain, the Network of Sikh Organisations, the Buddhist Society and the National Council of Hindu Temples.

Dr. Harris: What about the National Secular Society?

Mr. Sayeed: I am not aware that the National Secular Society is promoting the inclusion of a question on religion in the census form. Indeed, I would find that somewhat quixotic.

Dr. Harris: It is proposed that the form should include a box that people could tick to show that they take no religious view. Many of those who describe themselves as secular, humanist or atheist would wish to tick such a box. They are categories of people, as are those who subscribe to religions, so one would have thought that their representative groups would have been consulted. Perhaps they have.

Mr. Sayeed: The hon. Gentleman should read the Committee debates and get a copy of the proposed census form, which was amended according to the assurances given by the Minister in Committee. If he does so, he will see that a series of religions have been specified and that a box may be ticked. People may tick the "none" box or write in their own religion or, as the Bill allows, not answer the question at all. Provided that the measure makes progress, the form will make it clear that people do not have to tick the religion box if they do not wish to do so.

Not only were the detailed cases for the information that such a question could provide carefully assessed, but the public concerns and sensitivities to such a question were considered by the Office for National Statistics in the light of the criteria set out for the selection of census questions. In particular, public reaction to a question on religion was assessed in two major tests of census questions: the 1997 census test and the 1999 census rehearsal. Both exercises showed that the public are generally prepared to answer such a question, at least to a level comparable with that achieved by most other census questions, and that the quality of the responses is sufficient to provide the information that would meet users' express needs. If those two criteria cannot be fulfilled, amending the 1920 Act will be pointless.

To reflect the sensitivity with which some people regard religion, the Bill deliberately provides for the question on religion to be voluntary. However, as I said on Report, although census officials think that making the question voluntary may affect the response, I understand that evidence suggests that the integrity and value of the information obtained will not be compromised. Such a question is necessary now as opposed to 30, 20 or perhaps even 10 years ago because we have a pluralistic, multi-faith, multicultural society. Many people in today's society choose to identify themselves in terms of their religion or culture, and the 2001 census provides a once-in-a-decade opportunity to collect information from groups that increasingly prefer primarily to identify themselves in such a way.

I return to why the Bill is sensible and why I was happy to take it up in the Commons. There are tensions in all multicultural, multiracial, multi-faith societies. Discrimination fuels those tensions. If we know the facts,

we can better plan what we are to do. This modest change to the 1920 Act will help us to gather the facts and, if we wish to do so, make a fairer society. I commend the Bill to the House.

6.46 pm

Mr. Malcolm Chisholm (Edinburgh, North and Leith): I support the Bill and congratulate the hon. Member for Mid-Bedfordshire (Mr. Sayeed) and the Government on taking a lead on the issue. It was said on Report that Scotland had introduced such a measure before England, but I have to tell the House that the Scottish Executive opposed including a religion question in the census a few months ago while the Government in Whitehall and people such as the hon. Gentleman were arguing the case for it. The fact that England was in a sense ahead had some influence on the Scottish Parliament. The Parliament and, in particular, the Equal Opportunities Committee looked at what was happening in England, but, more important, listened to what many groups in Scotland were saying.

Initially, the Scottish Executive said that there was no religion question on the census because nobody had asked for one, but when the Equal Opportunities Committee listened to ethnic minority groups and the Commission for Racial Equality in particular, it became absolutely clear that there was a big demand for such a question to be included. There is an important lesson here about how we listen to society and, in particular, to minorities in society, although numerically larger religious groups also support the inclusion of such a question for two important reasons: monitoring factors, to which the hon. Member for Mid-Bedfordshire referred, and its importance in terms of delivery of services.

It is significant that such a question is to be included for the first time, although there were concerns about compulsion. The Government have achieved the right solution by making the question, in effect, voluntary. I commend my hon. Friend the Economic Secretary for her clear explanation of the legalities.

Mr. Forth: Were you here?

Mr. Chisholm: I was present throughout the debate on Report, apart from about five minutes, and I was very impressed by my hon. Friend's explanation. However, I was not impressed by the pedantic points that were made. The correct solution has been found and I commend the Government and the hon. Member for Mid-Bedfordshire for what they have done.

6.48 pm

Mr. Forth: I have not yet heard anything to persuade me of the Bill's value—quite the opposite, in fact—and I was obviously sitting in a different Chamber in a different House of Commons from the hon. Member for Edinburgh, North and Leith (Mr. Chisholm). The muddle that emerged from our interesting and useful debate on Report simply convinced me that the Bill is not only unnecessary, but undesirable and almost certainly unworkable and useless. There is plenty of scope, therefore, for further debate on Third Reading before the House plunges ahead and accepts a Bill that could be mistaken.

We have had from my hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed) the clearest and most honest explanation yet of what the Bill is all about. There was a lot of obfuscation and mistiness in the early stages, but the mist is clearing and we can see the measure for what it is. My hon. Friend made play of the fact that many religious groups have been consulted and are all keen for the Bill to make progress. That may or may not be so, and we may or may not in our different ways be impressed by those organisations so as to drive legislation through the parliamentary process and on to the statute book. Whether the Muslims, the Hindus, the Sikhs, the Christians—Catholic or Protestant—all want the Bill is relevant but not conclusive. Simply to say that lots of people up and down the country want something does not necessarily make it good or desirable—nor does it give us sufficient reason to legislate on the matter.

The latest figures that I saw suggested that about 7 or 8 per cent. of the population in England regularly attend church. Perhaps we should apply a reasonable test when people claim a religious affiliation to show whether or not that is realistic. That would patently not be possible within the mechanisms available in the census.

However, that raises a relevant issue. The ludicrous way in which the Government decided to measure unemployment was to ask people whether they feel unemployed and whether they think they are looking for another job, and if so to put them down. The traditional claimant count method was much more reliable. It is too late to put such a provision in the Bill. The fact that a number of people—we do not know how many, because the question is not yet on the census form—of the Muslim, Hindu, Sikh and Christian faiths think that this would be a jolly good idea is not enough to persuade me that it should be ushered on to the statute book. It is a relevant factor, but that is all.

My hon. Friend the Member for Mid-Bedfordshire went on usefully to deal with the semi-hidden part of the Bill, which is all this business about disadvantage. He suggested that if we find out where people of different claimed faiths live, we will be able better to direct our policies and our money. That is probably the real reason for the Bill. That worries me considerably. If we are to direct taxpayers' money on the basis of religious faiths—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. That matter is not in the Bill. Perhaps I should have brought the right hon. Member to order. The House will forgive me for not doing so, but I am not going to let him get away with it now that I have my wits about me.

Mr. Forth: There I was, Mr. Deputy Speaker, following up the points so admirably made by the promoter of the Bill. Of course, I accept your ruling. That goes without saying.

We are left with the mechanisms that flow from the provisions of the Bill and the proposed question. Running through all our debates on Second Reading, in Committee and on Report, and through the Bill, narrow though it may be, is the issue of the value that the responses to the question are likely to have if they are voluntary. Having arrived at Third Reading, the question that we must ask ourselves is, if the Bill is to have the benefits to which my hon. Friend alluded, and if it is up to people whether they answer the question, what reliability can we place on the data that will flow from the answer? That is an important question. If people answer the question only if they feel like it, depending on the extent of their

[Mr. Forth]

motivation, we may get a bias in the results that could give rise to unintended or undesirable policy effects, given what my hon. Friend described as the ultimate objective.

Many people have said that the voluntary nature of the question in the Bill has saved its bacon. Funnily enough—I admit it is a paradox—if the question had been mandatory and subject to penalties for non-answer or false answer, I might have been more persuaded that the answer to the question would have value. The Government have conceded the point and said that they are a bit nervous about this aspect, so are prepared for the question to be voluntary or without penalty. That threatens to undermine the whole thrust and validity of the Bill.

However, it is not that simple, and we are left with a paradox. Can the question be voluntary if it is merely without penalty, so that people do not have to answer the question and no penalty is attached? I was almost persuaded of that until my hon. Friend pointed out that at the end of the census form, even with this question included in it and without penalty, people have to sign a declaration, under penalty, saying that everything that they have said in the form is true.

That raises the question that my hon. Friend the Member for Croydon, South (Mr. Ottaway) raised in his excellent amendment, on which we have just voted. If people were minded to mis-state, falsify or mislead in their answer to the question, would they be subject to a penalty under the terms of the declaration—although not under the amendment, which was lost? If so, how would we ever know? I suppose we have reached the ultimate irony. How can we ever know whether the question has any meaning given that it touches on a matter of faith, which is the most personal and individual aspect of a person's existence, and how do we know whether it has been answered properly? Will inspectors lurk outside people's houses and see where they go to worship? Will they match that behaviour with the form, or will we accept that everyone who bothers to answer the question is bound to answer it correctly? I do not know the answer to that. Even on Third Reading, there remain many questions that have not yet been satisfactorily answered.

We were taken through the logic which says that there remains a legal duty to comply with the census form but that it is not an offence not to comply and there is no penalty if people do not comply. However, as I understand it, there is a penalty when it comes to the declaration. People can apparently meander through the census form, come to this question, scratch their head, decide whether they are interested or want to bother replying, give an answer that may or may not be true, and when they come to the declaration say, "Oh dear, I thought I was going to get away with this, but perhaps I'll get caught under the declaration." Presumably, the declaration applies to the totality of the form, even as amended by the Bill. We may end up with a circularity that will put individuals in a difficult position.

All in all, one is left wondering whether this measure has the value that people ascribe to it. In the end, we will all have to strike a balance and decide whether we believe that it is proper for the state to intrude in people's private lives through the vehicle of the census form as amended by the Bill. What puzzles me about Labour Members is that I thought that most of them were wedded to idea of civil liberties and individual rights but, now when it suits them—or probably when they are told to—they conveniently abandon those views. That issue came up in the Football (Disorder) Bill and now in this Bill. In fairness—I do not often say this, so I shall say it very quietly and hope that no one notices—on this occasion the Liberal Democrats are taking a much more principled view than Labour Members. Judging by what the Liberal Democrats said about the football Bill, and what they have said about this Bill, I conclude that their views are much more in line with what I always understood to be their traditional attitude to individual and civil liberties. Labour Members, meanwhile, seem much more prepared to abandon such attitudes, almost casually.

Some of us Conservatives are not prepared to do that, and I have not yet heard anything—even from my hon. Friend the Member for Mid-Bedfordshire, and certainly not from the Minister—to persuade me that the Bill justifies support from the House and should be enacted. It is simply not good enough for anyone, not even my hon. Friend, to say, "Because lots of religious people and organisations think the Bill is a good idea, that's it".

Mr. Sayeed: I did not say that.

Mr. Forth: If I have misquoted my hon. Friend, I will give way to him.

Mr. Sayeed: I know that my right hon. Friend does not wish to traduce me. I specified those who were in favour of the Bill, but I did not say that, because they were in favour of it, it should become law.

Mr. Forth: I apologise to my hon. Friend if I misinterpreted what he said. If he meant that if organisations such as those he cited expressed support for the Bill we should take that into account, of course I agree with him. After all, our job is always to take into account the widest possible range of views. We must ask, however, how many of those living in the United Kingdom—the number is now approaching 60 million—can be said to be represented even by the eminent organisations mentioned by my hon. Friend. I would hazard a guess that that applies to only a certain proportion.

I accept that it is difficult to strike the right balance, but we must ask ourselves how comfortable people will feel about being asked to tell the Government and other authorities about their religious beliefs—and whether, having been asked that question, they will be prepared to answer it comfortably, openly and honestly. Many may well not want to answer it, which leads us to question the validity of the outcome of the exercise.

I am worried by a more serious possibility: that people who have no religious view, or are not prepared to express a view that they have, will be disadvantaged. That may apply to individuals, groups or communities. If moneys were indeed directed in some serious way, yet to be fully revealed, to those with certain religious affiliations, by implication those moneys would be withheld from other groups. One wonders whether, once such a process was fully under way and better understood, a reverse process might enable people to be persuaded in future to give certain information on the form in order to gain advantage.

I have not yet heard enough to convince me that the Bill will be of benefit. I understand why some may want it, and why others may feel nervous about it; I certainly

do. Unless I hear a much more compelling argument for the Bill between now and the vote, I am inclined to oppose it.

7.3 pm

Dr. Harris: Let me say at the outset that—according to its letterhead—I am an honorary associate of the National Secular Society. Speaking as a Back Bencher, I think many of my views are in line with those of the society.

The right hon. Member for Bromley and Chislehurst (Mr. Forth) made a number of good points, not least in admitting that—in this as in so much else—the Liberal Democrats are both principled and consistent. In fact, Conservative Members are not consistent in their descriptions of my party, but we will accept that last description.

I wish to make four general points. I shall make them briefly, because I do not wish to detain the House. The first relates to the point made by the hon. Member for Chichester (Mr. Tyrie) during the debate on the amendment. As I said then, I intended to make the same point on Third Reading. It is a legal point relating to the opinion given by the vice-chancellor of London university. I shall not repeat what the hon. Gentleman said, but I agree with him: there is clearly a difference of legal opinion, and it would have been nice if we had had more time to establish which opinion was more likely to be right. The possibility of a judicial review, causing delay, may threaten more than just a religious question in the census.

My second point is this. The Bill leaves us with a question that is "intrusive", according to a letter to the Minister from the National Secular Society dated 24 July. The society says that the question is also

> much too simplistic to ascertain accurately people's religious beliefs

—I agree with that—

> or affiliations—or lack of them.

Like me, the society is

> concerned that the results would be inaccurate and misleading, and . . . would be used by religious bodies to obtain further unjustified privileges.

That, I think, goes to the heart of the matter.

The Minister did not reassure me when she spoke about the amendment. Retaining a penalty for knowingly giving false information will not remove the worry that is felt. The Minister defended the penalty by saying that it would not be enforced. That is an interesting approach to dealing with failure to fulfil a legal duty, and, I suspect, not one that the Minister would wish to advertise as being part of Government policy in other areas of the law. The danger is that people who have no strong religious belief but who may have been baptised or born into a certain religion will be much more tempted not to answer the question than to tick the box marked "No religious belief".

Such people—especially if they are not as deeply involved with these matters as some of us who care passionately about the right to religious freedom, or the freedom not to be religious—may worry about having claimed to have no religious belief, although they have been baptised, when they are asked to state that they have filled up the form accurately. I do not think adequate assurances have been given, and that is one of the main reasons why I will vote against Third Reading if the House divides.

I am also worried about the principle of a "voluntary" question. The existence of such a question, when a penalty can be imposed for the deliberate giving of incorrect information, surely threatens the validity of the question itself. People like me fear that the information provided by the census will be heavily biased in favour of presuming a greater tendency towards religious belief than currently exists.

There must be data on church attendance, and it must be possible to obtain them. There are also data on synagogue attendance, which are collected and, indeed, worried about—for understandable reasons, from the perspective of those involved. If people feel strongly that they require information about religious belief—which, as a principle, I question—it should be up to such people and organisations to collect the data. The state should not be expected to subsidise the provision of services for the expression of a particular opinion.

Mr. Ottaway: The hon. Gentleman makes a valid point. In fact, research is available: I have some here. I can tell the hon. Gentleman, for example, that 10 per cent. of the nation is Roman Catholic and 27.1 per cent. agnostic.

Dr. Harris: I suspect that 10 per cent. of people describe themselves as Roman Catholic when the question is posed in a certain way. There are various ways of describing religion: it may be defined in terms of birth, baptism, upbringing, church attendance or, dare I say, theological belief.

I must end my speech soon, but I want to say something about the reason given by the hon. Member for Mid-Bedfordshire for the fact that this information is required. On Third Reading, we are left with a Bill that is liable for the provision of information allowing the state to collect data that suggest that it should fund, for instance, more religious schools. That was the example given by the hon. Gentleman. This is my view rather than that of my party, but I question whether the state's role includes the funding of Jewish, Muslim, Church of England or Roman Catholic schools. I favour disestablishment of the Church of England—in this instance, I agree with my party—and I certainly see no need for the state to have such a role.

I will come back to the issue of the Bill on Third Reading because I see that you, Mr. Deputy Speaker, are restless and perhaps rightly so. If by dint of the Bill it becomes the Government's duty and funding necessity to collect those data, we are going far too far with the state seeking religious grounds to interfere in our daily lives. It should be up to religious organisations to make the case, as they have had to with great difficulty for the Muslims. One might say that there is an imbalance there.

Therefore, I do not accept the principle of the motives behind the Bill that we are left with on Third Reading. I do not believe that the census will give accurate information even for the purpose that the supporters of the Bill wish it to achieve. I believe that it is an unjustified intrusion into personal beliefs, made worse by the fact that there is an implied penalty for people who are not sure whether they have answered the question correctly, which will not only bias the answers, but cause concern to many people. That is why, from a personal perspective and because of the principles that I have set out, I shall seek to oppose the Bill on Third Reading.

7.11 pm

Mr. Edward Davey: Despite the strong arguments of my hon. Friend the Member for Oxford, West and Abingdon (Dr. Harris) and the compliments of the right hon. Member for Bromley and Chislehurst (Mr. Forth), I will support the Bill on Third Reading. On Second Reading I made my concerns clear about the questions and about whether the Government should ask for such information from the individual citizen, but I also made it clear that the fact that the question was voluntary was important. That improvement, which was made in the other place before the Bill came to the House, was a major step forward.

On Second Reading, however, I asked the Minister whether it would be made clear on the form that the question was voluntary. We did not have a reply then, but I was delighted to read in the Committee *Hansard* that she made that pledge, and she has reiterated it tonight. It has been made clear tonight that she has statutory cover to ensure that on the census form, by that question—*[Interruption.]* Conservative Members shake their heads, meaning that she has not, but I remind them that we had an exchange about that provision earlier. My hon. Friend confirmed that under section 3(1)(f) of the Census Act, Ministers are allowed to put forward regulations that stipulate how the form will be designed, and other aspects of the form.

Therefore the Minister has confirmed that she does have a power. *[Interruption.]* Does the hon. Member for Chichester (Mr. Tyrie) wish to intervene?

Mr. Tyrie: When the hon. Gentleman is ready.

Mr. Davey: I am ready.

Mr. Tyrie: The 1920 Act makes it clear that answering questions is a requirement. The Bill makes it clear that answering the question is a requirement. That is the fundamental inconsistency.

Mr. Davey: That is a different point from the one that I was trying to make, which was whether it would be possible for the Minister to put a regulation before the House that enabled the words, "This is a voluntary question" to be added to the form after the question asking the individual what his religious belief was. That was the simple question that I tried to ask: whether the Government can pass that regulation about the form of the question, and the words on the census form. It seems from reading the Census Act that the Government have that power. That was the reassurance that I sought on Second Reading, and I am delighted that the Minister has been able to confirm it tonight.

Mr. Tyrie: I shall have just one more go. It is clear from the Bill that completing the question is a requirement. It is not something that is requested of recipients of the form; it is a requirement. Several of us have received detailed legal opinions suggesting that the Government do not, therefore, have the power to describe the question on the form as voluntary, and that to do so may be subject to judicial review and is almost certainly ultra vires. We have had no reassurance from the Minister on that point.

Mr. Davey: I fear that we are back to an exchange that the hon. Gentleman and I had on Second Reading, when we debated whether the fact that the Bill takes away the penalty changes the nature of the question from compulsory to voluntary. I disagreed with him on Second Reading, and I am afraid that I will have to disagree with him now.

Taking away the penalty is important in making it clear in law that the question is voluntary. If failing to answer a question does not result in a penalty, I cannot see how it can be seen to be compulsory. On Second Reading the hon. Gentleman had a different interpretation; I am afraid that we will have to agree to disagree on that point.

Because the Minister has given the assurance that the regulations that will be forthcoming will ensure that those words are on the census form next to that particular question—indeed, directly after the words—I feel much more able to support the Bill. I should say that I have agreed with my right hon. and hon. Friends that my party will have a free vote. I understand that there are colleagues who, because religious issues are involved, wish to express a different opinion. That is how things should be on such a Bill.

I would not want to end by saying that I welcomed the Bill because, as the debates throughout our proceedings on it have shown, it has not been the most effectively drafted Bill. In an ideal world, I would have liked a number of other amendments. Indeed, we voted for the amendment tabled by the hon. Members for Croydon, South (Mr. Ottaway) and for Chichester (Mr. Tyrie).

The Bill is not perfect. The benefits are not huge, but on balance, given the support for the measure within the ethnic minority groupings and various religious groups, I—and, I know, many of my colleagues—will support the Bill in the Lobby.

7.16 pm

Mr. Tyrie: I will not detain the House for very long. I have already made many of the points that I wanted to make in the debate and on earlier occasions.

I like the idea that every time there is a difference of view in a party, there should be a free vote. I can imagine that if that idea were to spread like an infection to other parts of the House, we would soon conduct our business very differently, and it would become very exciting.

Mr. Forth: This is a private Member's Bill.

Mr. Tyrie: As my right hon. Friend points out, it is technically a private Member's Bill, although it has the support of the Government, who are whipping their party through to support it.

I shall not go through all the arguments again, but I shall touch briefly on a few of them. The first is whether religious groups want the legislation. The plain fact is that they are divided on it. They are not united. The Jewish community in particular is divided. It is wrong to suggest that there is overwhelming pressure for the measure from all people who hold deep religious convictions. That is not correct.

The second issue is the purpose to which the information will be put. I have not heard a convincing argument from anyone about what exactly the information will be used for. I have certainly not heard a convincing argument from the Government.

The third issue is the cost. It costs, I think, £250 million, or something very close to that, to run the census. I do not see the Minister nodding or shaking her head. I can only assume that she does not know what the figure is at this minute, but it sounds like a lot of money to run a census. It strikes me that there might be cheaper and more effective ways of obtaining the information—for example, through survey data.

In any case, the three points that I have just made are largely water under the bridge. What we are debating now is whether we should have a voluntary question on religion in the next census. The Government initially wanted a compulsory question, and they blundered when they amended the Bill in the Lords to reflect concern that it should be voluntary. As is well known to the House, they removed the financial penalty, but did not make the question voluntary.

We tried to clear that up in Committee, but the Government refused. That has left us with two clear bits of nonsense in the Bill. The first is that the Government are adding a statement on the voluntary nature of the question on census forms, although the Bill requires recipients to fill it in. The Bill's long title is very clear on that point, which we have made on numerous occasions.

I think that it is worth pausing for a moment to ask what the word "require" means. Can it mean anything other than that there is a requirement? I note Professor Zellick's legal advice on that point. He writes that the word "require" in all its forms and uses imports the notion of compulsion. When I read that, I thought that that was so blindingly obvious that it really was not necessary to put it in a legal opinion. Unfortunately, today's debate has suggested that Professor Zellick was right on the button in making that point.

The second piece of nonsense is that although making a false statement is still an offence, refusing to answer the question at all is not. Clearly that cannot have been the Government's intention when they first drafted the Bill. The Bill is defective in that sense also.

Mr. Forth: Before my hon. Friend leaves that issue, he will not forget, will he, the declaration that has entered the lists quite late in our proceedings as another factor to be taken into account? My hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed) was very helpful in pointing out that there still exists the overriding element of the declaration at the end of the form, which creates an overriding, compulsory, mandatory and penalty-bearing element that may well feed back into all the other questions.

Mr. Tyrie: My right hon. Friend raises various issues, but I shall briefly address only two of them. The first is that people filling in the form might quite reasonably be confused by the fact that a statement at the side of one question states that it is voluntary, whereas, at the bottom of the form, there is a statement that it is not voluntary but compulsory.

The second point is that that is precisely the type of issue that could generate many problems if there were a judicial review. I would not be at all surprised to hear that there will be a judicial review of the legislation. If there is, the debate that we are having now will at least clarify where responsibility for the mess lies. The mess is not due to the fact that the legislation is a private Member's Bill, and it does not lie with my hon. Friend the Member for Mid-Bedfordshire, who has done a noble service in supporting it. He sincerely believes in the arguments that he has advanced.

Mr. Deputy Speaker: Order. May I request that the hon. Gentleman address the occupant of the Chair?

Mr. Tyrie: The mess lies in the fact that the Government, who have backed the Bill, are prepared to put defective legislation on to the statute book.

Why have the Government not simply made a minor, straightforward amendment to make it clear that the question is voluntary? They could do that and send the Bill back to the other place, which would almost certainly agree to such an amendment. That process would not take very long. I still do not fully grasp why the Government have set their face against doing that. However, I have two possible related explanations for the Government's attitude, one of which I have mentioned already.

The first explantation is that there is a huge logjam of legislation in the other place, and the Government do not want to add to it. We are being asked to pass defective legislation to ease the Government's problem with their legislative programme. I do not think that that is a good reason for not trying to amend the Bill.

The second explanation—it is related—

Mr. Deputy Speaker: Order. The hon. Gentleman should not concern himself with trying to amend the Bill. We are on Third Reading, which means that we are beyond amending it.

Mr. Tyrie: It is a great pity that—as you have rightly pointed out, Mr. Deputy Speaker—we have arrived at the point at which we cannot improve the Bill. As you have correctly observed, we are in the position of "take it or leave it." I am moving towards the position of wanting to leave it.

I suspect that the second reason why the Government decided to choose the "take it" option, rather than the option of amendment—if I dare mention that word one last time—is that they encouraged support for the Bill too late. Consequently, Ministers are on a very tight schedule to ensure that everything is in place for the 2001 census. They will have only themselves to blame if they discover that the next census—which will be the first for many decades—is obstructed in the courts. If that happens, we know who will be responsible. If Britain's long, steady series of censuses is interrupted, we will know that that happened because the Government introduced defective legislation. We know where the responsibility will lie—on the Treasury Bench, where Ministers are giggling about it even now.

7.25 pm

Mr. Richard Ottaway (Croydon, South): I first express my appreciation to my hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed) for the way in which he has introduced the Bill. Although the Opposition want to support the Bill, there are quite a few hurdles in the way, and the Government have not done much to assist us in getting over them.

Although the Bill is called the Census (Amendment) Bill, I think that it would be better known as the Census (Amendment) (House of Lords Logjam) Bill. The reason

[Mr. Richard Ottaway]

why the Government have not accepted perfectly reasonable amendments to sort out the matter once and for all is that they do not want the Bill to go back to the other place, thereby adding to the logjam. The most honest thing that the Minister could do in her reply is to admit that. That, however, is unlikely.

The Opposition have two fundamental difficulties with the legislation, the first of which could be dealt with even at this late stage—and I am not referring to amendments. In dealing with the question "What is your religion?" in the questionnaire, it would be quite possible to distinguish between people's religious belief and their religious practice. There is quite a large difference between someone who is a regular attender at a place of worship and someone who has a belief but may not worship. If the census results are to be at all accurate, that is quite an important distinction.

Another point on that question—which I made on Second Reading, and the Minister, probably erroneously, overlooked—deals with the proposed fourth line of the question. The question begins, "What is your religion?", followed by, "Tick one box only." The first choice is "none", and the second is

Christian (including Church of England, Catholic, Protestant and all other Christian denominations).

If the Minister is still in her position next March or April, she will no doubt notice many angry letters to *The Times* from people pointing out that the words "Church of England" and "Protestant" are not mutually exclusive. "Protestant" encompasses "Church of England", although it does not include "Catholic". It is a bit like—to put it in Labour-party language—asking someone, "Are you Campaign group or Labour?" The Campaign group is allegedly a part of the Labour party. The Church of England is a part of the Protestant Church, and to present the two as alternatives is unfortunate. I hope that the Minister will take those points on board and think about them before finally signing off on subject of the questionnaire.

The second difficulty with the legislation has been the stuff of debate both in Committee and in our earlier debate on the amendment. The Opposition believe that the Minister's advice that the question is voluntary is not good advice. She says that she believes in good faith that the question is voluntary, and I accept that she is speaking in good faith. However, we have heard two entirely unrelated legal opinions in today's debates, and although neither of those who gave an opinion knew that the other was giving an opinion, both said that it would remain unlawful not to answer the question. Therefore, the question is involuntary.

As I said in our earlier debate, that may seem to be a nit-picking point. The significant point is that those who might be opposed to the Bill will challenge it in the courts, and there may well be a judicial review. As I said, the question could have been voluntary if the Minister had accepted what I thought were perfectly reasonable amendments.

It is the Opposition's opinion that the Bill will make bad law; it is being passed in an unsatisfactory form. The Conservative party is not in the business of supporting bad law. As I said at the outset, we want to be able to support the Bill, but while we do not oppose the question, we cannot support it either. Under the circumstances, therefore, I shall be urging my hon. Friends to abstain if there is a Division.

7.30 pm

Miss Melanie Johnson: I can be brief because on Third Reading we have heard arguments similar to those that we heard at earlier stages. I am grateful to the hon. Member for Mid-Bedfordshire (Mr. Sayeed) for introducing the Bill and guiding it through the House. The Government welcome the opportunity that it will provide to enable a question on religion to be included in the 2001 census. We recognise the importance of a clear picture of the diversity of faith communities in the United Kingdom to our ability to address the concerns and needs of all sections of the community, as the hon. Gentleman said. The census is a once-in-a-decade opportunity to do so for local areas on a reliable and consistent basis across the country.

I made such points in response to the right hon. Member for Bromley and Chislehurst (Mr. Forth) when the Bill was last discussed in this place on 20 June. As I pointed out to him, he speaks with a strong hint of, "Why bother with a census at all?" He may have been joined by the hon. Member for Chichester (Mr. Tyrie) in such remarks. That is extraordinary given that the right hon. Gentleman was a Minister in a previous Government who relied on and drew in census data on a wide range of issues, in order to inform the policies and processes of government, just as we are proposing to do.

The ethnic and faith communities regard the 2001 census as an important opportunity for them to identify themselves in terms of their religion in addition to the broader ethnic group classification that is used in the census. Perhaps it is worth making a point about the form of the question. Some Opposition Members—such as the hon. Members for Chichester and for Croydon, South (Mr. Ottaway)—spoke about that. The form of the question is the form that was most clearly understood in the road testing and rehearsals that the Office for National Statistics carries out in preparation for the large logistical exercise which a census inevitably is.

We have of course been mindful of the particular sensitivities of such a question. The Government took special note of the concerns expressed in the other place. We listened carefully to the views not only of members of that House, but of members of the general public who would be required to supply information. Consequently, the Government supported the amendment that removed the statutory penalty for anyone who refuses or neglects to state in their census return the particulars in respect of religion—in effect making any such question on religion in the census voluntary.

Mr. Forth: Will the Minister give way?

Miss Johnson: I will give way to the right hon. Gentleman once.

Mr. Forth: I am grateful to the Minister for entering into the spirit of debate. Will she explain, in response to what will apparently be the only intervention, what "required" means? What advice has she had on the meaning of the word in the title of the Bill? Will she please spell that out for us?

Miss Johnson: Perhaps I can best help the right hon. Gentleman by reference to dictionaries or common sense. I am not sure what his question relates to. I have already

explained what "required" means in this context—and on more than one occasion this evening. The right hon. Gentleman is deliberately not listening to what I have to say.

In approving the Bill, Parliament will bring census legislation in England and Wales into line with that in Scotland and Northern Ireland—

Mr. Tyrie: Will the Minister give way?

Miss Johnson: No, I will not give way; I am wrapping up the debate.

Mr. Tyrie: Will the Minister give way?

Miss Johnson: No, I am sorry but I am not giving way.

Subject to the passing of the necessary secondary legislation, such alignment will enable information on religion from the 2001 census to be available throughout the United Kingdom.

We attach importance to the Bill. The question will be voluntary, the information will be useful and I commend the Bill to the House.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 355, Noes 4.

Division No. 294] **[7.35 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Russell *(Dumfries)*
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Cabom, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gidley, Sandra
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Mitchell, Austin
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*

Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sayeed, Jonathan
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Robert Ainsworth and
Mr. Kevin Hughes.

NOES

Allan, Richard
Heath, David *(Somerton & Frome)*
Hogg, Rt Hon Douglas
Leigh, Edward

Tellers for the Noes:
Mr. Eric Forth and
Dr. Evan Harris.

Question accordingly agreed to.

Bill read the Third time, and passed.

REGULATION OF INVESTIGATORY POWERS BILL [*MONEY*]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(b),

That, for the purposes of any Act resulting from the Regulation of Investigatory Powers Bill, it is expedient to authorise the payment out of money provided by Parliament of—

(a) any expenditure attributable to arrangements under the Act for the making of contributions towards costs incurred by persons for purposes connected with, or with the provision of assistance in relation to, interception warrants; and

(b) any allowances payable under the Act to the Intelligence Services Commissioner.—*[Mr. Charles Clarke.]*

Question agreed to.

Regulation of Investigatory Powers Bill

Lords amendments considered.

7.49 pm

Mr. Deputy Speaker (Mr. Michael J. Martin): I draw the House's attention to the fact that privilege is involved in Lords amendments Nos. 17 to 19, 86, 88 and 97. If the House agrees to any of these Lords amendments, I shall ensure that the appropriate entry is made in the Journal.

Mr. Harry Cohen (Leyton and Wanstead): On a point of order, Mr. Deputy Speaker. Will you enlighten me as to the first set of amendments? I tabled an amendment relating to communications data and I would like to speak on the subject, but I seem to have lost track of the process. Have we gone past the debate on communications data?

Mr. Deputy Speaker: No, it is just about to start. However, I understand that the hon. Gentleman's amendment has not been selected.

Mr. Ian Bruce (South Dorset): On a point of order, Mr. Deputy Speaker. I rise to ask your guidance on how to draw a certain matter to the attention of the House. About a week ago, when we debated the Care Standards Bill, I raised with the Minister of State, Department of Health, the hon. Member for Barrow and Furness (Mr. Hutton), the fact that provisions of the Regulation of Investigatory Powers Bill conflict with that Bill. Afterwards, the Minister kindly told me that the Minister of State, Home Office, the hon. Member for Norwich, South (Mr. Clarke), would write to me on the issue. The Home Office Minister is now present and I spoke to him earlier today, but I have yet to receive his letter. I therefore wish to draw the House's attention to the fact that, this evening, it might pass a piece of legislation that will make another one illegal. Will you rule on how to deal with that issue?

Mr. Deputy Speaker: Sometimes, one has to pester Ministers—and be very persistent.

Clause 2

MEANING AND LOCATION OF "INTERCEPTION" ETC

Lords amendment: No. 1, in page 4, line 32, leave out ("address or other") and insert ("traffic").

7.50 pm

The Minister of State, Home Office (Mr. Charles Clarke): I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 2 to 5, 23 to 32, and 126 and 127.

Mr. Clarke: First, I shall respond to the hon. Member for South Dorset (Mr. Bruce). He has pestered me most energetically, starting about 11 minutes ago. I told him that I was prepared to write to him. He raised the issue when we were considering the Care Standards Bill. The Minister of State, Department of Health discussed the matter with me. I told him that there was no conflict between the Bill and the Care Standards Bill. On that basis, my hon. Friend gave that assurance to the House. The hon. Member for South Dorset is right, in that I told my hon. Friend the Minister that I would write to the hon. Gentleman to explain precisely why there was no conflict. I will do that. I have not been pestered and pestering should not have been needed, until a few moments ago. Being pestered as I am now, I will respond in the appropriate way.

The definition of communications data to which the amendments refer has been the subject of a great deal of important attention. We discussed it first in Committee. Principally, the hon. Member for Sheffield, Hallam (Mr. Allan) raised important points about whether communications data were more or less intrusive, as a concept of intruding on people's freedom and knowledge, than other forms of surveillance which were involved in the Bill. It has been a positive and helpful debate.

In supporting the amendments and in working with both Opposition parties in the other place, we wished to secure the maximum possible agreement and to go forward with a Bill that we can all agree represents the right way of proceeding. I shall not repeat the point, certainly not this evening. I place on record the fact that we appreciate the efforts of Lord Cope of Berkeley, Lord McNally and Opposition Members in this place in seeking to reach an agreement on where we should go. I appreciate the efforts made by many organisations, in business and elsewhere, which were keen to try to improve the Bill in a variety of ways. The amendments on these clauses and those in other groups that we shall discuss this evening are the product of a positive process of trying to seek agreement and improve the Bill in a generally constructive way. It is appropriate to pay tribute to those who have been involved in that process.

The purpose of this group of amendments is to draw the definition of communications data in the Bill tightly enough to exclude the possibility that the contents of the communication could be assessed. We all understand that when reading telephone bills it is possible to find where the calls go. Everybody was concerned to ensure that the content of, for example, a webpage or whatever should not be caught by the Bill.

We were ready to deal with that, so the new definitions set out in the amendments satisfy, we believe, three areas of concern. They include in what manner and by what method a person communicates with another person or machine. They exclude what they say or what data they pass on once the connection has been established—for example, the content of communications. Importantly, they still allow for dial-through fraud to be properly investigated.

Redrafting the definition has been a complicated process, and so it may assist the House if I explain briefly what each part of the new definition as set out in amendments Nos. 3 and 24 is designed to achieve. First, paragraph (a) covers subscriber information. Paragraph (b) covers routing information. Paragraph (c) is designed to address dial-through fraud. Paragraph (d) catches the data which are found at the beginning of each packet in a packet-switched network, which indicates which communications data attach to which communication. The tailpiece to the new definition puts it beyond any doubt that, in relation to internet communications, traffic data stop at the apparatus within which files or programmes are stored, so that traffic data may identify a server but not a website or page.

[Mr. Clarke]

Amendment No. 31 adds the Inland Revenue as a public authority that may be allowed to seek access to communications data under clause 24. We decided, with the agreement of others, to put that in the Bill in response to the recommendations of Lord Grabiner, to deal with the black economy in a way which I think most people consider positive and effective.

The Bill makes provision for orders that may add to the purposes for which communication data can be accessed, and similarly add to the list of those public authorities that may access such data. Amendments Nos. 27 and 32 ensure that these order-making powers are subject to the affirmative resolution procedure.

We need these order-making powers to take account of changing circumstances. We think it important to understand that the process is changing. We need order-making powers, and we accept that they should be affirmative subject to the resolution procedure.

We discussed this complicated and difficult area of the Bill in great detail in Committee—I put on record the efforts of the hon. Member for Hallam in trying to clarify these matters and develop them—and we believe that the definition of communications data is drawn tightly enough to exclude the possibility of accessing content. On that basis, I hope that the House will agree to accept the amendment.

Mr. Oliver Heald (North-East Hertfordshire): We have come a long way since Third Reading in this place. I thank all those organisations and individuals that have been involved in helping the Opposition in the House of Lords and in this place. I refer to bodies such as the Federation of the Electronics Industry, the Alliance for Electronic Business, the Internet Service Providers Association, the London Internet Exchange, the London Investment Banking Association, Justice, Liberty, the Conservative technology forum, Mr. Steven Brine, and the European Informatics Market.

I make no apology for listing those organisations and including Mr. Brine. They all have important interests in these matters. They have said from the outset that they support the principle that crimefighters should have the powers that they need and that there should be a proper framework for surveillance and the use of informants.

We reached the point on Third Reading in this place where the Government seemed unwilling to move further. The Opposition felt that the Government had not moved far enough. I join the tribute that has been paid to the work done by those in the House of Lords. I refer especially to Lord Cope of Berkeley and Lord Astor, with their team of Lord Goschen, Lord Northesk and Lord Lucas of Crudwell. The Liberal Democrats were ably led by Lord McNally. I even pay some tribute to Lord Bassam of Brighton, the Labour spokesman, who was forced to listen.

When we came to the end of Third Reading, I tabled a written question to the Minister to ascertain what amendments he intended to table in the Lords. He replied to the effect that he expected a very small number of minor and technical amendments. It is a tribute to the way in which matters have changed since the Bill was last in this place that we now have 29 pages of complete rewriting of the sections that most concerned the official Opposition and the Liberal Democrats.

I join in the welcome for these amendments, which deal with the important issue of communications data.

Mr. Ian Bruce: Will my hon. Friend give way?

Mr. Heald: Before I do so, I should say that my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) said at the outset, on Second Reading, that she was concerned at the wide range of information which was covered by the power dealing with communications data. She expressed those difficulties fully. In Committee, we tabled amendments which dealt with the issue. We tried to limit the power to cases where it was absolutely necessary to provide information and to deal with definitional problems.

We failed to make the progress that we should have done on that issue. However, it has been possible in the Lords, as a result of the new co-operation, to tighten the definitions of traffic data and address the issue of dial-through fraud, which had not been fully noted in this place. We therefore welcome the changes.

8 pm

At the end of the proceedings in the House of Lords, my noble Friend Lord Cope observed that the Bill had been much improved. Earlier today we heard from Madam Speaker how important it is to scrutinise legislation properly. This is a case in which the two Houses together have achieved a great deal. I have joshed the Minister slightly so far, but I agree with him that, as regards the first groups of amendments, the position is much improved.

It is right that the Bill should have passed through the House of Lords, and we accept the burden of the amendments, although we will want to see how the Bill works in practice, we will want to study the codes of practice in detail when they come before the House, and we will want to be sure that any order-making powers are exercised sensitively.

Mr. Ian Bruce: My hon. Friend kindly read a list of organisations that had helped with the Bill. Will he put it on record that the group from the European Informatics Market group, EURIM, of which I am chairman, was headed by Chris Sundt, who had previously worked for ICL and was brought out of retirement to help? He worked constructively with that group, with the Confederation of British Industry group and with Government officials. I hope that my hon. Friend will acknowledge that Chris Sundt was particularly helpful.

Mr. Heald: I am happy to do that. I did not list all the names of all the people who helped, but perhaps I should have done. I did not think that the House would want me to do so. Certainly, Chris Sundt of EURIM made a substantial and detailed contribution, as did Philip Virgo, who is with EURIM as well. I could also mention Tom Wills Sandford of the Federation of the Electronics Industry, Caspar Bowden of the Foundation for Information Policy Research, and Tim Baker of the London Investment Bankers Association. I could go on all night, but I shall not.

Mr. Cohen: I make no apology for speaking again on communications data, as I did at various stages in the

passage of the Bill through the House. As the Minister knows, I think that the provisions dealing with communications data are born of complacency, are unsatisfactory, and have little regard for the protection of privacy and commercial confidences. Despite the Lords amendments, I believe that the situation remains unsatisfactory.

I have no intention of going over issues previously debated, and if I did, Mr. Deputy Speaker, I know that you would rule me out of order. However, I seek a simple answer to a simple question, to which the Minister can say yes or no. The question is: can communications data obtained by one body under a notice given to a telecommunications operator be disclosed at a later time to another body for use for another purpose?

That should be easy to answer, one way or the other. If the Minister says, "No, communications data cannot ever subsequently be used for purposes other than those originally specified in the notice given to the telecommunications operator," I can stop speaking now.

My view is that communications data can be obtained legitimately under the Bill and, at a later stage, the data can be disclosed to another body for another purpose. For example, if such data were obtained by the police, it is possible to see how the data could subsequently be disclosed to the Inland Revenue or Customs and Excise, if powers described in some other legislation were exercised by those bodies.

Mr. Clarke: I hope that I can help my hon. Friend, who has been assiduous in pressing this important point. The Data Protection Act 1998 already places restrictions on the use that can be made of personal data. In particular, the second data protection principle states:

> Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.

I can give my hon. Friend the assurance that the Bill does not remove or subtract from that principle.

There is a national security exemption in the 1998 Act, but the existing law also provides safeguards against the dissemination of information by the intelligence service in relation to the form of special arrangements that must be in place under the Security Service Act 1989 and the Intelligence Services Act 1994. I hope that my hon. Friend will accept that the Bill covers the point that he raises.

Mr. Cohen: I am grateful that the Minister has put that on the record. It is an interesting assurance, which I want to explore. I am not challenging the national security exemption, but let us consider the provisions of the Data Protection Act 1998, which offer another route for a large number of subsequent disclosures for other purposes.

For example, on Second Reading, I raised the matter of communications data being available for council tax purposes. The Minister denied that that would happen. Indeed, I was told in a parliamentary written answer on 10 July that the Data Protection Act places restrictions on the degree to which information may be shared by organisations—the point that the Minister has just made—but that shows that information can, indeed, be shared.

My understanding of section 29 of the 1998 Act is that its broad provisions permit a local authority to collect personal data for council tax purposes from any data controller, and that such disclosure of communications data would therefore be consistent with the non-disclosure provisions outlined in section 29(3) of that Act—for instance, if the police decided to disclose communications data to local authorities, where those authorities had shown that failure to disclose would prejudice the collection of council tax.

The non-disclosure provisions in clause 27(4)(b), in the circumstances that I described, have the effect of negating the impact of the second principle, contrary to what the Minister said, and most of the other principles as well. I cite again the parliamentary answer that I received recently, in particular the reference to restrictions found in the Data Protection Act 1998.

I am at a loss to understand what those restrictions are, if the effect of the principles is negated by section 29 of that Act. I do not see what protection the Act offers in these circumstances.

Furthermore, I note that on the Home Office's website with respect to the Bill, Customs and Excise confirms that it obtains communications data 18,000 times per quarter under the current arrangements. That represents 72,000 notices a year under the Bill. I am not sure of the final number for all the self-authorising officials, but if we take into account the fact that communications data will be obtained by the Inland Revenue, more than 50 police forces, 400 local authorities and their benefits inspectors, the Department of Social Security, MI5, MI6, Government communications headquarters operations and possibly staff of the worthy egg inspectorate, among others, it is clear that we are dealing with half a million authorisation notices a year issued by hundreds of self-authorising officials.

Mr. Clarke: Does my hon. Friend accept that Customs and Excise is involved in that because one of its principal responsibilities is fighting organised crime, particularly organised drug crime? The relationships between the organised criminal networks are a key source of data in that fight. That is why, for Customs and Excise, that level of data collection is extremely important.

Mr. Cohen: I hear that point, but I am not sure that the—

Mr. Deputy Speaker: Order. May I tell the hon. Gentleman that we must relate our remarks to the Lords amendments before us and not go wide of those amendments?

Mr. Cohen: I accept that, Mr. Deputy Speaker. I am explaining why I am not satisfied that the Lords amendments go far enough in respect of communications data.

I return to the point about the notices from hundreds of self-authorising officials. How on earth will such a rate of communications data obtaining be supervised by an overworked interception commissioner, presumably with just a handful of staff? Is he going to say, "Hey, Bob, can you look at this batch of 100,000 self-authorisations before lunch?" How can we expect the commissioner to supervise the hundreds of self-authorising officials, and hundreds of thousands of different acts of obtaining information?

Mr. David Maclean (Penrith and The Border): The hon. Gentleman mentioned the egg inspectorate as an

[Mr. David Maclean]

example. Is he not worried about the new schedule, which does more than name a few other specific sub-departments in the Ministry of Agriculture, Fisheries and Food or the Department of Health? Under the schedule, the relevant authority would be the whole Ministry or Department involved, and all its officials, who would then have a power that they did not have before.

Mr. Deputy Speaker: Order. If we went into that question, we would not be dealing with the amendment.

Mr. Cohen: I take the point made by the right hon. Gentleman, who may want to expand on it later.

The problem is especially acute if self-authorising officials are later able to pass communications data to another body without anyone's knowledge. I have described how the later disclosures are not expressed in the notice given to a telecommunications operator.

Mr. Andrew Miller (Ellesmere Port and Neston): The officials cannot do that.

Mr. Cohen: But they can pray in aid other legislation to get data from those who collected it originally. It follows that the interception commissioner examining the authorisation process would not know about such subsequent disclosures either, for the simple reason that they would not appear on the notice in the first place. To put it bluntly, the authorisation mechanism and other protections under chapter II of the Bill could be reduced to a meaningless sham if no record of subsequent disclosures is kept as part of the authorisation process.

I am not satisfied with the concessions made in the Lords. My hon. Friend said that the Data Protection Act 1988 was a protection. He repeats that as a mantra, but detailed examination reveals that the protection offered is not very strong. I suspect that it could be overridden easily: information could then be transferred and data used for purposes other than those specified when collected. The interception of communications commissioner would have little power to prevent that transfer of information; in fact he would have little knowledge of it.

I agree with my hon. Friend the Minister about the need to tackle organised crime, but at the beginning of our deliberations on the Bill he said that it was about striking a balance between what is public and what is private. That has not been properly achieved in respect of communications data. It is sad that the Bill does not contain the necessary safeguards in respect of the subsequent disclosure of communications data to a body not described on the original notice.

I am disappointed by the Lords amendments. My hon. Friend the Minister does not seem to have been fully advised about what the Data Protection Act 1988 would protect.

Mr. Richard Allan (Sheffield, Hallam): Liberal Democrat Members are pleased with the Lords amendments, which are precisely what we hoped would be agreed in the other place. I remind the House that my hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes) said on Third Reading that we anticipated further amendments.

The Minister was kind enough to say that I raised in Committee the key point covered by the amendments. The *Hansard* record shows that the Minister did his best to defend the Bill, but at the time I felt that he was listening to our arguments. I had every confidence that he would think about them and perhaps that he would seek to amend the Bill. We are pleased that that is what happened.

The amendments deal with the problem that communications data in the historical sense were not appropriate to be covered by the Bill. An example of such data might be the records on a telephone bill of calls made. The amendments' adoption of the term "traffic data" is welcome, but the change is more than cosmetic. It extends the definition to include matters appropriate to the internet, and it goes beyond the older forms of telecommunication, which merely involve voice calls between specific numbers.

The phrase "big browser is watching you" has been used to encapsulate the concerns that have been raised about the Bill's effect on browsing among internet websites, and the extent to which communications data could bleed into that activity. We are pleased with Lord Bassam's specific assurance on the matter, when he said that the amendments

> ensure that the definition cannot be interpreted to include any content of communication or interaction with websites.—[*Official Report, House of Lords*, 12 July 2000; Vol. 615, c. 257.]

That is a very important and welcome change. We will need to see the codes of practice, and more work will have to be done to verify Lord Bassam's statement, but Ministers in both Houses have made clear the intention behind the amendments, and that is reassuring.

8.15 pm

My noble Friend Lord McNally said in another place that the new amendments offered a definition that we could live with. We do not intend to reduce our scrutiny of the application of the new definition of "traffic data", or of any codes of practice or regulations that are introduced, but we consider that we can live with the new definition. The internet and e-commerce communities had been worried that the Bill would be so intrusive that it would damage this country's business interests, as well as the right to personal privacy that everyone expects to enjoy. We accept that that enjoyment must recognise the reasonable limits imposed by the need to deal with serious crime and national security.

We are pleased with the amendments. I am grateful for the Minister's kind words about the work that has been done by Liberal Democrat and Conservative Members in this House, and by Members of the House of Lords. My noble Friends Lords McNally and Phillips of Sudbury have been especially active, as have the Conservative peers with whom they have worked and to whom I also pay tribute. That was a good example of how to work together on complex and detailed matters.

There is no need to go into detail about the amendments. We will look at the codes of practice when they are published, but we now have a definition of "traffic data" that we can live with. The previous definition, of "communications data", would have been too intrusive, and not proportional to the safeguards covering matters of lesser security. It is quite proper that the interception of communications should require more stringent safeguards in terms of authorisation, and of those who can take out warrants for that purpose.

The amendments have general cross-party support. We welcome them, and hope that the House agrees to them.

Mr. Ian Bruce: I shall be brief. Conservative Members are pleased that the Government eventually listened to criticism of the Bill and introduced these amendments. We are also pleased with the level of co-operation extended by the Home Office. We warned at the outset of our proceedings about the effect of the Bill's provisions in respect of telecommunications. The Department of Trade and Industry washed its hands of the Bill, as did Oftel when it was confronted with the provisions relating to interception of communications.

The Home Office was left to rescue the Bill on its own, and Ministers and their officials have done their best. However, although I do not want to seem mealy mouthed, the latest briefing that I have received from FIPR describes the Bill as being

technically inept: ineffective against criminals while undermining the privacy, safety and security interests of honest citizens and businesses.

I will not go through that briefing. It is very long, but it does reveal the holes in the Bill. I will not even be tempted to read out some of the examples of possible complications that have been sent to me.

I understand that the Government are attempting to deal with difficult issues. The Human Rights Act 1998 precludes authorities from looking at various matters, while complicated regulations allow the Government, according to certain criteria set down in law, to overturn what is supposedly a basic human right. That difficulty is a result of human rights legislation overturning quite sensible regulations that the Government would want to introduce for the safety of individuals while ensuring that we find out about crimes that are being committed.

I echo the comments of my hon. Friend the Member for North-East Hertfordshire (Mr. Heald) and of the hon. Member for Sheffield, Hallam (Mr. Allan) that we must look at the way in which the regulations will be introduced. As for the amendments on the cost of introducing the legislation, I do not want Her Majesty's Government to spend my taxpayers' money in dealing with matters that can be bypassed so simply. We want a simple set of regulations. We need to ensure that when a criminal is investigated, there are no loopholes—which the Bill and the amendments could well provide—that could allow a clever lawyer to say that under subsection so and so, somebody did not put the right tick in the right box at the right time. In that way, although everyone can see that someone is guilty of a crime, all the evidence that had been collected would be thrown out.

The Minister has clearly tried to do a workmanlike job. I do not blame him for being left with this mess to sort out, but unless the measure provides a simplified, cost-effective way of dealing with this issue that will make it easier for the police services and others that have a role in such investigations, I am afraid that we will be coming back in a year or so to try and untie this Gordian knot.

Mr. Charles Clarke: First, I think that there is a misunderstanding between my hon. Friend the Member for Leyton and Wanstead (Mr. Cohen) and me. I believe that the safeguards in the Bill are sufficient to cover the points that he makes. I am happy to continue discussing this point with him, but I think that it is dealt with in the Bill.

Secondly, I do not accept that the comments quoted by the hon. Member for South Dorset (Mr. Bruce) that the Bill is technically inept, ineffective against criminals, and so on. We have made it clear from the outset that law enforcement faces a number of serious technical challenges as a result of technological innovation. It is also a simple and important fact that criminals need to communicate. That is particularly true in the case of organised crime involved in trafficking drugs and people. This power is therefore very important in contesting those criminal organisations.

Thirdly, and very importantly, interception powers are carefully targeted—that is what the Bill is all about. We are very keen, and have been throughout the Bill's passage, to work not only with the Opposition but with industry. We do not want a breakdown of trust or confidence. However, I do not accept the comments of the Foundation for Information Policy Research quoted by the hon. Member for South Dorset. I would not have responded to this debate except to say that, but I cannot let his remarks stand on the record unchallenged. I accept the genuine feeling with which he said that we had tried to address the point, but not the views of the Foundation for Information Policy Research. We also do not accept that we can do nothing in the face of criminal organisations which work in this way—we must try and deal with the problem. I hope that the House will agree with the Lords amendments.

Lords amendment agreed to.

Subsequent Lords amendments agreed to, some with Special Entry.

Clause 12

MAINTENANCE OF INTERCEPTION CAPABILITY

Lords amendment: No. 12, in page 14, line 15, at end insert—

("(3A) A person shall not be liable to have an obligation imposed on him in accordance with an order under this section by reason only that he provides, or is proposing to provide, to members of the public a telecommunications service the provision of which is or, as the case may be, will be no more than—

(a) the means by which he provides a service which is not a telecommunications service; or

(b) necessarily incidental to the provision by him of a service which is not a telecommunications service.")

Mr. Charles Clarke: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 13 to 19 and 125.

Mr. Clarke: I am afraid that I need to give slightly more time to this debate, as it reflected a very serious discussion in the other place. I need to explain why these amendments are before the House.

The purpose of amendment No. 12 is to clarify that commercial and other organisations that provide a telecommunications service as a means of accessing a further service of theirs will not be subject to any order under clause 12. For example, a bank may decide that it

[Mr. Clarke]

will offer a telecommunications service to its customers as a means of providing access to its banking service. As a result, customers can communicate with that bank. Where such a service is provided, the amendment will exclude its provider from any obligations that might otherwise be imposed under clause 12 to develop or maintain an interception capability. That measure was in response to the submissions made to us as we considered the issue. The amendment also puts outside the scope of clause 12 a telecommunications service that is necessarily incidental to a different service.

Amendment No. 15 is the outcome of our consideration of how best to ensure that the interception commissioner and his staff are able effectively to scrutinise any interception equipment designed and maintained in obedience to a notice served under clause 12. Amendment No. 15 will mean that notices served on an internet service provider will specify what should be done to provide the commissioner with reliable and verifiable technical means of fulfilling his duties. It also applies to any orders made under clause 12.

Amendments Nos. 13, 14, 16 and consequential amendment No. 125 deal with a technical advisory board. Whether to set up a statutory body such as a technical advisory or approvals board has been much discussed not only in both Houses of Parliament but within Government and between Government and industry. Opinions have differed as to whether such a body was necessary, whether it should be a statutory body, whether it should have an advisory role or be an approvals board as originally suggested, what its composition should be and what its remit should cover.

We consider that the amendments which have been accepted in another place and are before us for consideration are a sensible and reasoned compromise as a result of all the discussions and debates that this issue has engendered. I hope and believe that they will be welcomed by hon. Members on both sides of the House, particularly as they were jointly tabled by all parties in the other place.

The amendments achieve the following: first, they set up in statute a technical advisory board. Secondly, they introduce an element of flexibility as to the constitution and membership of that board. That is important, as we live in a rapidly changing environment. Thirdly, they clarify the function of the board when considering a notice that has been referred to it. Fourthly, they provide that a notice is effectively suspended pending consideration by the board. Finally, they make it clear what may happen when a reference is made.

I know that the membership of the board is an important issue. The current intention is that it will consist of representatives from industry and the agencies. There have been suggestions that membership of the board should extend beyond those of the communications industry and law enforcement. I am not entirely convinced that that would be appropriate. However, the order-making power proposed in amendment No. 16 allows for some flexibility in this area and thus allows us to look at the situation as it proceeds.

On costs and clause 13, which are dealt with by amendments Nos. 17, 18 and 19 relating to the drafting of clause 13, prior to these amendments, the obligation on the Secretary of State under subsection (3) was stronger than the discretion under subsection (1). The effect of those amendments will be to introduce an obligation under subsection (1). Since both subsections now impose an obligation to pay contributions or to ensure that contributions are paid, it is right that they should now be wrapped up into a single duty.

8.30 pm

Amendment No. 18 describes the "arrangements" to ensure that contributions will be paid, since that will allow other means of payment than direct payment from the Home Office. For example, contributions to the marginal costs for telephone interception may well come from the National Criminal Intelligence Service. However, the issues for which payments can be made, which are listed in subsection (2), remain unchanged. Amendment No. 19 removes subsection (3) to make way for amendment No. 18.

Amendment No. 17 specifies that considerations of "fairness", rather than "appropriateness" as previously drafted, should be taken into account when considering the particular circumstances of the case in question. In other words, particular notice should be taken of the circumstances of the service provider on whom the obligation is being imposed. I emphasise that point given that every service provider will have to deal with different circumstances. I would expect the particular notice to be taken of those circumstances to include consideration of a wide variety of factors, such as comparisons with international practice, the nature of any additional burden and the size of the company in so far as that may be related to the ability of the company to absorb the burden.

I should like to conclude by recognising the legitimacy of the debate during the past few months about the issue of costs, even if at times the figures bandied about in the press by opponents of the Bill bore little resemblance to reality. There were silly and seriously misleading and damaging figures in the media. That was not the Opposition's responsibility, nor even that of those who commissioned the reports that were published if one judges by what they say, but the fact is that those figures distorted the debate in a seriously damaging way, whereas the debate about costs is genuine, and we tried to take it seriously at every juncture in considering the Bill, in the Chamber, in Committee and in bilateral meetings and so on.

We have endeavoured to assuage the concerns of industry at every opportunity. It is not now, and has never been, our intention to impose unnecessary burdens on industry in particular or the economy in general. We have absolutely no motive whatever to do that. We believe that the worry that the Bill will cause financial crises for particular companies is unfounded. The Government have not only no intention, but no ability under the Bill, to create such burdens.

I am confident that the assurances that we have given in Parliament, together with those amendments, should provide sufficient reassurance that we wish to work with industry at all times—not just in considering the Bill, but during its implementation—to ensure that the regime that we implement enjoys the confidence of all parties concerned. I hope that the House will agree to these Lords amendments.

Mr. Heald: I shall start with amendment No. 12, as the Minister did. Amendment No. 12 is the result of concerns

that commercial organisation have raised about telecommunications services provided to their customers that are incidental to their business, rather than being telecommunications businesses themselves. The Government rightly tabled that necessary amendment in the other place, which supported it, and we support it now.

The Minister will recall—as you may, Mr. Deputy Speaker, from the debates on Report—that there has been something of a battle royal about whether a technical board should exist. We thought it important to reassure business partly because of the procedures that have been adopted in the Bill, which pre-date the current Minister, but which have not been entirely satisfactory. For example, no technical specification of the equipment that could be used for interceptions was obtained at an early stage. It was only in January this year, when the Minister took the matter seriously in hand, that such a request was made to the Smith group.

I believe that many fears have been generated by the fact that business has not known what is expected of it. Therefore, we have tried to include confidence-building measures in the intercept capability provisions to make it clear to industry that it is negotiating with the authorities not from a position of entire weakness, but from one where it can have recourse to an independent body if it is dissatisfied with the measures it is asked to take. We are happy with the technical body that is proposed, although it is slightly different from the original proposal.

Internet service providers may be served with a notice that requires them to take detailed technical measures to provide an intercept capability. If they think that those measures are disproportionate or that the matter can be dealt with more easily, they can ask for the technical board's view on the matter and have an independent view taken. The Minister was very dismissive when we discussed that matter in Committee. He described such a board as an expensive

quango to give technically sensitive information to competitors.—[*Official Report, Standing Committee F*, 28 March 2000; c. 206.]

Mr. Charles Clarke: The hon. Gentleman may correct me if I am wrong, but I think that, at that time in Committee, he was talking about a technical approvals board. That matter exercised us strongly for the reasons stated in Committee. We are now talking about a technical advisory board, which will have much more power and effect in what he perfectly reasonably seeks to achieve.

Mr. Heald: Yes, the essential ingredient of both systems is that there should be an independent body to which such cases can be taken. As the Minister will recall, I tabled several amendments, all of which provided different solutions to that problem. One possibility was that people could go to court. Another route was a review by the technical approvals board. I had two or three other ideas, although I have forgotten them.

Mr. Clarke: They were creative.

Mr. Heald: I am grateful to the Minister for describing them as creative. It is welcome that, in the other place, it has been possible to find a solution that provides business with that extra reassurance. That reassurance is in the Government's interests, as much as it is in those of the industry. It will not now just be a case of the Secretary of State introducing an order and a whole series of black boxes springing up in appropriate parts of the economy; there will be an element of independent advice and the ability to put such cases to the board to find out whether it agrees that what is proposed is right.

It has been said that no one in the industry supported the idea of having a technical board. On Report, I read out a list of bodies that supported that idea—they are shown in *Hansard*. It was made clear to my noble Friend Lord Cope that various bodies supported that idea, including the Internet Service Providers Association, the London Internet Exchange, the Confederation of British Industry, the Federation of the Electronics Industries and the Alliance of Electronic Business, and others. That shows that there are sometimes misunderstandings about such issues. However, I welcome the fact that there will be a technical board, but it is a pity that it was necessary to defeat the Government in the other place to achieve that. *[Interruption.]* The Minister laughs, but that is true.

In Committee and on Report, we said that it should be a requirement that the Government shall make a contribution to the costs of internet service providers who have to provide such facilities. That was strongly resisted until a defeat in the other place. Again, it is good that the Minister now accepts the decision taken in the House of Lords that he shall make a fair contribution. That will build confidence in the industry, which the Government need if they are to implement the legislation effectively. It is good to talk, as the saying goes—*[Interruption.]* It is good to talk, and we appear to have an amendment with which we may all be content.

Mr. Ian Bruce: My declaration of interest will probably last longer than my speech, in that I advise the Telecommunications Managers Association and a company, Trevor Gilbert and Associates, which, at the periphery of its business, runs telephone exchanges. Both organisations were concerned that the Bill was originally too widely drawn and that people who work in the field peripherally or those who have large telephone exchanges as part of their normal business might be dragged in. Therefore, I welcome amendment No. 12, which sets that aside.

I rose simply to ask the Minister what he expects the Bill to cost. He was right to say that many of the figures bandied about were extraordinarily high. That does not let him off the hook, however, of how much he thinks the Bill will cost and how much he has asked the Chancellor to provide. Out of the £43 billion, has he asked for £500 million, £250 million or £5 billion? How much will the Government have to pay? We should not agree with the Lords amendment until that figure is on the record in *Hansard* so that we may later measure whether the Minister was correct.

Mr. Simon Hughes (Southwark, North and Bermondsey): I feared that I would left stranded without my cavalry when we reached the amendments. My hon. Friend the Member for Sheffield, Hallam (Mr. Allan), who knows most about these matters, has had to depart, and my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith), who also served on the Committee, had not quite arrived when we began. I have been rescued by his arrival: more than one of us will now deal with the amendments and we have the benefit of some of the expertise that went into the Committee stage.

[Mr. Simon Hughes]

I shall make one preliminary point so that I will not have to make it later. It reflects the words of the Minister and the hon. Member for North-East Hertfordshire (Mr. Heald). The Bill's process in the Lords was a model of intelligent co-operation, and I pay tribute to the Conservative spokesman, Lord Cope of Berkeley, and his colleagues, to the ministerial team, and to my colleagues, Lord McNally and his team. The huge amount of co-operation that occurred is evident in the fact that the technical advisory board proposal came originally from Lord Cope. We worked happily with him to support it as a positive improvement and the Minister has been glad to accept it.

When the Bill left the House of Lords, I asked my colleagues what remained for us to do to make the Bill even better. I was told that there were three outstanding matters—overlapping warrants, tipping off and authorisation when the key was converted into plain text. My senior researcher, Steve Bradford, my hon. Friend the Member for Hallam, Lord McNally and I talked to the Clerks, but found, by one of the paradoxes of this place, that those are the very matters on which we were technically unable to table amendments—we can amend only what has been sent to us as Lords amendments.

That is why there are no amendments to the Lords amendments, and I am sure that the hon. Member for North-East Hertfordshire and his team have been through the same process. I make no complaint, but we are limited to considering only what has been sent back from the Lords, all of which improves the Bill.

Amendment No. 12 improves the Bill for the reasons given by the Minister, and amendments Nos. 9, 14 and others will produce a board sufficiently flexible and encouraging to give the industry the confidence that it did not have when the Bill went to the Lords. Even though there may have been some hype from industry—certainly, we all had an avalanche of correspondence from people who saw the Bill as the most draconian and awful piece of legislation—matters have been reappraised and industry has been reassured that the process can be called in so that it may give its expert opinion. The amendments are welcome and make the Bill more satisfactory to industry and commerce. We welcome it.

8.45 pm

Mr. Maclean: All that talk about the cavalry arriving and Lord Cope reminded me of the words of a Jacobite song following the battle of Prestonpans. It seems on this occasion that the English general, Johnny Cope, was wide awake in the morning, got his drums a-beating and got down his amendments on the technical advisory board. Lord Cope seems to have been more successful than his predecessor of more than 200 years ago. One naturally supports the technical advisory board. *[Interruption.]* Some Labour Members, of Scottish ilk, will appreciate the importance of the battle of Prestonpans.

I recall that the technical advisory board was raised in Committee, and I am pleased that, following the normal parliamentary processes, the Government are willing to accept it. It is a good idea and everyone agrees. I make no criticism of the Government for being slightly nervous of the concept in Committee. If a Government accepted every suggestion made in Committee, goodness knows what would be in a Bill by the time we reached the final stages of the parliamentary negotiations. All is as it should be, and the Minister has wisely accepted the amendment.

My only small quibble with the technical advisory board is with the view that it should be precisely balanced. It will not be so: the Minister is bound to ensure, using amendment No. 16—"that such other persons"—that he includes a couple of people so that the Government side and the agencies that want warrants will always have a small inbuilt majority in case the industry people become a little troublesome.

There should be no need for that. The Government are not making policy, and as the board is merely advisory the Government should not have to ensure that it is stuffed with their people in case other members come up with some crazy idea that the Government do not like. The Government can draw up terms of reference to ensure that the board does not have draconian powers that the Government will not like. They could then pick the best people to serve on the committee, and if nine out of 10, 11 or 12 turn out to work in private industry, so be it.

Of course, the Government must have an input to the board via those who seek the warrants, but the bulk of expertise lies beyond Government circles. The Government should not feel that they must have a majority on the technical advisory board, which will not stitch up the Government on a policy that they wish to avoid.

My other point relates to clause 13 and the amendments proposed to it. It concerns the cost. I accept that adding the words

a fair contribution towards the costs

is an improvement on "an appropriate contribution" but what is a fair contribution? Let us say that the Government get cast-iron audited accounts from an internet service provider to prove that it has incurred a total extra cost of £5,000 in the course of the year providing the interception service. That may not be much in the overall scheme of things, but it has been an additional cost and there is no quibble about it.

In those circumstances, if a business has had to pay out £5,000 purely to do something that it would not normally do but that the Government have asked it to, what would be a fair contribution towards the cost? I believe that it would be £5,000, and if a company had to spend £10,000 doing what the Government want, the fair contribution would be £10,000.

I appreciate that the Government have not wanted to pick a form of words that would amount to, "We will pay whatever it costs". That would create a difficulty. Some companies would do the gold-plated version and ensure that the Government picked up a heavier tab than necessary. Of course, the Government must reserve the right to say, "No, we are not going to pay every penny in case you try to rip us off. It will be a fair contribution and in most circumstances we anticipate that it may be 100 per cent."

I would like to hear a statement from the Minister tonight. No Minister wants to comment on a hypothetical scenario, such as, if I give him a bill for £5,000, how much of it will he pay—*[Interruption.]* If I were an internet service provider, I would give him a bill for £5,000.

We need to find out the Government's thinking as to what is a fair contribution in the case of a small provider who proves legitimately that the bill is not a rip off or fiddled, but that his costs were £5,000. Roughly what percentage would the Government anticipate paying?

My final quibble or criticism is that while the amendment deals with a fair contribution towards the running costs, we are still stuck with the old wording in clause 13(3) for the capital costs. Those who are forced to put in equipment or machinery under clause 12—what my hon. Friend the Member for North-East Hertfordshire (Mr. Heald) referred to as the "black box"—will be under an obligation to install some equipment that may make interception easier, and will receive only such contributions as the Minister thinks appropriate towards the cost involved.

I confess that I did not read the debate on this matter in the other place. I do not know why their lordships did not table a similar amendment there. For the running costs of operating an interception system there will be a fair contribution, but the company will get only what the Minister thinks appropriate for the capital costs incurred. I want to hear the reason for that distinction from the Minister. For example, if a company proves beyond any doubt that the equipment that it has installed cost £50,000—the bill is not fiddled, the auditors have gone through it and everyone agrees that the additional equipment that the Government have demanded cost X—what amount does he think it would be appropriate to pay?

Given those few words, I generally welcome the amendments.

Mr. Charles Clarke: I will try to deal with the questions directly in responding to an interesting discussion, which has been the subject of substantial debate in the media and elsewhere.

First, the hon. Member for North-East Hertfordshire (Mr. Heald) made an important point when he said that one of the problems was that business was not clear what was expected of it throughout the process. In saying that, I do not think that he was criticising business, Government or anyone else. This is an evolving process and it is difficult to get the expectations right.

There is no doubt in my mind that a lack of clarity in that discussion has led, not unreasonably, to fears and concerns being abroad that, although not justified, are understandable. That has certainly been a major influence in persuading the Government to make the changes that we are considering, to ensure that fears and concerns about those aspects could not be inflated wrongly or unreasonably.

Perhaps I ought to place it on record that, through the codes-of-practice process and so forth—the subsequent process of implementing the Bill—we are committed to precisely what the hon. Gentleman focused on, which is giving everyone involved absolute clarity about what is expected of them and how to deal with the situation. He was correct in making that point, which was insightful. That problem has been the cause of much of the discussion around the Bill. We have worked extremely hard to deal with it in dialogue and in a variety of ways. Nevertheless, there is still a distance to go.

That is the context in which I wish to deal with the arguments about the technical board. As the hon. Gentleman said, we were sceptical about the necessity for setting up a statutory body at the outset, but that was because there was also initial scepticism in industry about the virtue of the consultation process taking place through a statutory body. Many people said at the time that they favoured a non-statutory advisory group rather than a statutory body. We were also seriously sceptical about having technical approvals rather than a technical advisory board, owing to the different functions of the board.

Once we were clear that we were talking about an advisory process, there was a lot of discussion on the best form of that process, which was mentioned, quite reasonably, by the hon. Member for North-East Hertfordshire. We are content with the arrangement that we are agreeing this evening, but, to be frank, there are alternative formulae that might have been appropriate and with which we would also have been content. The key matter is to establish a flexible structure that can deal with the situation.

I take issue with what the right hon. Member for Penrith and The Border (Mr. Maclean) said. I accept his point about the inbuilt majority, but I do not think that it will come to that in this body or any other body, for exactly the reason that he gave. The Government will rely profoundly on the private sector's knowledge of the issues. We will do that, as we will need to know. Equally, the private sector will need to know from the Government what we have in mind. The purpose of the structure that we are setting up is to establish a body of dialogue through which we shall reach clarity about such matters and take them forward. A situation in which voting takes place will not arise, and would be a disaster if it did. It would be a poor state of affairs if the Government voted one way and business, whether through a committee, board or any other structure, voted another, so we would work very hard to try to avoid that.

Mr. Heald: As the Minister will know, we insisted that there should be a balance between agencies and the involvement of the private sector in the body so that there is not an imbalance that makes it impossible for them to work together effectively as a team. Certainly, our hope is that, over a period, they will work together and understand each other's concerns, which is the key to making the arrangement work. I hope that the Minister agrees that it is important to have a fairly close balance at least.

Mr. Clarke: I completely agree, and was taking issue only with the idea that a couple of votes either way were important. We need the kind of co-operation described by the hon. Gentleman, and are committed to it. As I have said in Committee and on the Floor of the House, a general criticism that I would make of Government, both Conservative and Labour—although we are working to improve the situation, given the appalling inheritance that we had to deal with—concerns the difficulty of getting proper partnership in these areas. In many areas, I still feel that we do not have a proper dialogue between the Government and industry. We welcome the new structure, as it will help that process, and I believe that it will work positively and effectively.

I come to the issue of money and costs, and shall deal first with the points made by the right hon. Member for Penrith and The Border. Clause 14(2)(b), which deals with running costs, and clause 14(2)(c), which deals with

[Mr. Clarke]

capital, set out the fact that the Bill's requirement for fairness applies to both capital and running costs. The right hon. Gentleman would be right in what he said if the fairness did not apply to both, but the intention behind the provision's wording is that it does.

The right hon. Gentleman made an important point about criteria. I hope that we can offer him some reassurance, as the same criteria will be applied to all service providers, regardless of the position, in considering what costs should be paid. The first criterion is the question of whether a new requirement is being imposed on the service provider and the second is the significance of the cost in relation to the overall size and turnover of the company. Those are both serious considerations. For example, many people have said a requirement of some kind could be extremely damaging for a small internet service provider that is in the process of starting up. We would not impose such burdens on them, so it is important to look at the costs in relation to the company's overall size and turnover. The code of practice that sets out the way in which we will do that will provide the reassurance sought by the right hon. Gentleman.

The hon. Member for South Dorset (Mr. Bruce) made a financial point and put forward some figures. Throughout, we have estimated that costs to those communication service providers who are not covered at present, but who will be covered under the Bill will not exceed £20 million over three years. That estimate was published in the regulatory impact statement when the Bill was first introduced in the House. We stand by that estimate, and none of the research since has caused us to alter our view. We are of course aware that alternative estimates have been made and we certainly do not claim a monopoly of wisdom on this complicated and different area. When the United States implemented such measures, albeit of a different character, great claims were made about the amount of money that would be needed. In practice, however, much less was needed to deal with the situation.

Our best estimate, therefore, is the one that we made in the regulatory impact assessment. As with all these things, the proof of the pudding is in the eating. My right hon. Friend the Chancellor of the Exchequer has been positive in dealing with this matter because he shares our concern to ensure that nothing that we do will damage our position.

I now realise that I made a mistake in responding to the right hon. Member for Penrith and The Border (Mr. Maclean). I was referring to what will be clause 14 once the Bill is amended; it is clause 13 in the Bill before the House. I apologise for misleading him through my lack of numeracy. Thirteen may be unlucky for some.

Mr. Maclean: I apologise to the Minister for being obtuse earlier by not studying the amendment properly. If subsection (3) of the clause—whatever its number—is deleted, I assume that subsection 2(c) deals with the capital costs. I see nodding coming from those seated to the Minister's left. My point was wrong: the word "fair" applies to capital and to running costs, in which case I am content.

Mr. Clarke: The right hon. Gentleman is correct. As he said, subsection (2)(c) deals with capital. I do not criticise him for being wrong on this matter, as this is one of the most complicated pieces of legislation that I have seen. Moreover, he does not have the advantage that I have of a dedicated Bill team, who have tried throughout the Bill to serve all parts of Parliament in a positive way.

Lords amendment agreed to.

Lords amendments Nos. 13 to 19 agreed to, some with special entry.

Clause 14

GENERAL SAFEGUARDS

Lords amendment: No. 20, in page 16, line 15, leave out ("Chapter") and insert ("Part").

9 pm

The Parliamentary Secretary, Lord Chancellor's Department (Jane Kennedy): I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker (Mr. Michael Lord): With this it will be convenient to discuss Lords amendments Nos. 21, 22, 156, 157 and 162.

Jane Kennedy: I am conscious that we are making good progress, and I hope that hon. Members welcome these amendments.

Amendment No. 20 recognises that the commissioner is responsible for the oversight of communications data as well as interception material. Amendment No. 21 deals with the question of intercept material that is lost or stolen. It is fairly straightforward. Amendment No. 156 is a technical amendment to the Financial Services and Markets Act 2000.

I should like to say one or two words about amendments Nos. 22, 157 and 162, which deal with some of the exceptions to the prohibition in clause 16 and—

Mr. Heald: I apologise to the hon. Lady for interrupting her flow. Surely amendment No. 21 deals with the secure storage of intercepted material, not theft. It says that the

> arrangements for the time being in force . . . for securing that the requirements of subsection (2) are satisfied . . . must include such arrangements as the Secretary of State considers necessary for securing that every copy of the material or data that is made is stored . . . in a secure manner.

Jane Kennedy: That is right. I said that amendment No. 21 deals with the question of intercept material that is lost or stolen, and the risk that such material may be outside the scope of clause 14(2). Although the storage and handling of intercepted material already involves the highest levels of physical, technical and personnel security, I hope that an explicit requirement to store intercepted material and data securely will reassure those who have been concerned that it might otherwise not be so stored. I am sorry if, by trying to make progress too swiftly, I obscured that.

Mr. Beith: The amendment was tabled in response to representations made by my noble Friends in the other place, who will be pleased that it meets that requirement.

Jane Kennedy: Let me move swiftly on while we are all in agreement.

Amendments Nos. 22, 157 and 162 deal with some of the exceptions to the prohibition in clause 16 and enable intercept material to be considered by the court in cases before the proscribed organisations appeal commission and the special immigration appeals commission, and in any proceedings arising out of proceedings before those commissions.

In order to ensure that, in those special circumstances, the commission can in each case consider any intercept material which may be relevant, the rules governing their procedure have been devised in such a way as to ensure that sensitive material is protected. Paragraphs (a) and (b) of amendment No. 22 reflect that aim, ensuring that intercept material is not disclosed to the appellant himself, or to anyone who represents him. However, there is provision for a special advocate—we have discussed these—to represent the interests of the appellant in any parts of a hearing from which he is excluded.

I hope that the amendments will find favour with the House.

Lords amendment agreed to.

Lords amendments Nos. 21 to 32 agreed to.

Clause 25

CONDUCT TO WHICH PART II APPLIES

Lords amendment: No. 33, in page 27, line 11, leave out ("For the purposes of this Part surveillance is directed") and insert

("Subject to subsection (5A), surveillance is directed for the purposes of this Part")

Mr. Charles Clarke: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 34 to 37 and 50.

Mr. Clarke: Amendments Nos. 33, 34, 37 and 50 remove from the intrusive surveillance provisions covert surveillance carried out by television licence evasion detector equipment. One of the benefits of the legislation is that, as we have gradually sought to apply the human rights requirements to every act of surveillance undertaken by public authorities in Britain, we have established more clarity about what has been happening and about what, therefore, needs to be reported and regulated in a proper way. That is reflected in the Lords amendments that we will come to later when we consider the schedule that we have published in response to the suasions of the right hon. Member for Penrith and The Border (Mr. Maclean). One such activity is the BBC's television licence evasion detector equipment, and we have thought it right to amend the Bill to deal with that.

A police officer carrying out covert surveillance from an observation post sited on residential premises of a third party of a target outside those premises would be caught by the intrusive surveillance provision. That was not intended, so amendments Nos. 35 and 36 limit the category of intrusive surveillance to where a surveillance device is on residential premises or in a private vehicle and is providing information on what is taking place in those premises or in that vehicle, or, where a device is not on the premises, but is providing, in relation to anything taking place on the premises or in the vehicle, information of the same quality or detail as might be expected from a device on the premises or in the vehicle, or where an individual is present on the premises or in the vehicle under surveillance. That is the meaning of and reason for the amendments and I hope that the House will support them.

Mr. Heald: We support the amendments. I pay tribute to my noble Friend Lord Lucas, who brought to the attention of the Minister in the other place the unintended consequence of the Bill as it relates to intrusive surveillance, where a police officer using residential premises as an observation post to carry out covert surveillance would have been caught by the definition of intrusive surveillance. The fact that amendments Nos. 35 and 36 deal with that is welcome.

Mr. Maclean: It makes sense to have the amendments and remove the BBC detector vans from the provisions for the time being. So long as we have, in the new millennium, a grubby system whereby people crawl around the countryside in vans trying to find out whether criminals are using a television without a licence, it is probably sensible that we should have these amendments to remove that unnecessary work from this important Bill. I look forward to the time when a Minister from whatever party will be able to come to the Dispatch Box and say that we no longer need the provision because we have a different way in which to fund media organisations, other than requiring people to crawl around in detector vans to see if we are misbehaving by illegally watching a television.

Mr. Clarke: Out of interest, what is the right hon. Gentleman's proposal? Does it involve a spending commitment for the Opposition?

Mr. Maclean: I could not go down that route without incurring your wrath, Mr. Deputy Speaker. The proposal would not cost the Government money; it would save them money. However, that is another debate for another time. I would trust the free market to provide all the television services that we need.

Lords amendment agreed to.

Lords amendments 34 to 39 agreed to.

Clause 29

PERSONS ENTITLED TO GRANT AUTHORISATIONS UNDER SCHEDULES 27 AND 28

Lords amendment: No. 40, in page 31, line 43, leave out subsection (4) and insert—

("(4) A public authority is a relevant public authority for the purposes of this section—

(a) in relation to section 27 if it is specified in Part I or II of Schedule *(Relevant public authorities)*; and

(b) in relation to section 28 if it is specified in Part I of that Schedule.

(4A) An order under this section may amend Schedule *(Relevant public authorities)* by—

(a) adding a public authority to Part I or II of that Schedule;

(b) removing a public authority from that Schedule;

(c) moving a public authority from one Part of that Schedule to the other;

(d) making any change consequential on any change in the name of a public authority specified in that Schedule.

(4B) Without prejudice to section *(Orders under s. 29 for Northern Ireland)*, the power to make an order under this section shall be exercisable by the Secretary of State.

(4C) The Secretary of State shall not make an order under subsection (4A) containing any provision for—

(a) adding any public authority to Part I or II of that Schedule, or

(b) moving any public authority from Part II to Part I of that Schedule,

unless a draft of the order has been laid before Parliament and approved by a resolution of each House.")

Mr. Charles Clarke: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 41, 42, 130 and 142.

Mr. Clarke: I shall comment on the amendments briefly. The serious matter with which they deal was debated at length in Committee, on Report and in the other place. I was sympathetic to the view expressed in this House during our earlier discussions on the Bill: the public authorities empowered to authorise the use of directed surveillance and the use or conduct of covert sources should be set out in a schedule to the Bill. I believed that it was important for public debate that we had as much information as possible. A central record had never been drawn up or held of Departments and other public bodies that used those covert techniques, and it has taken us some time to devise a definitive list. The provision of such information is an important development in government in Britain.

I make no criticism of previous Governments, Conservative or Labour. However, the fact that we did not know properly about those matters is a serious reflection on the state of affairs. On behalf of my officials, I emphasise it has not been easy to establish the precise circumstances across government. They have done a good, professional job. However, as they would be the first to say, even now we may not yet understand everything that has taken place. The schedule that we are considering has changed considerably from the list that I circulated in Committee. When considering that list, the right hon. Member for Penrith and The Border (Mr. Maclean) entertained us with his comments on ice cream salespeople and various other issues of great substance. Since then, we have discovered that a greater number of public authorities than we had first thought use part II powers, and that a much greater number of public authorities use covert sources.

We are still learning about public authorities whose activities have not previously come to our attention. That learning process is likely to continue for some time in future. I have no doubt that it will be necessary to introduce orders that add further public authorities to the schedule as a result of case law developed from judgments on the definition of a public authority once the Human Rights Act 1998 comes into force in October. Any additions to the schedule or moves of authorities from part II to part I of the schedule will be subject to the affirmative resolution procedure. The House will therefore be able to discuss ice cream salespeople in great detail, as the right hon. Member for Penrith and The Border would like.

Mr. Heald: When the matter was discussed in the other place on 28 June, my noble Friend Lord Lucas asked whether the Department for Education and Employment should be on the list because of university grant fraud which had apparently occurred. It was suggested that surveillance was useful in tackling that.

Mr. Clarke: I shall respond to that point when I wind up. I want to check so that I can give the hon. Gentleman an accurate reply. Amendments Nos. 41 and 42 tidy up the provisions that relate to specific activities in Northern Ireland. They have now become sufficiently substantial to merit a separate clause. We are considering important issues, which graphically illustrate the development of law as we move forward. I commend the amendments to the House.

9.15 pm

Mr. Heald: To me, these will always be the Maclean amendments because my right hon. Friend the Member for Penrith and The Border (Mr. Maclean) discovered that rather than two or three authorities being involved, the list ran to a page and a half. It is right that they should be in the Bill and I welcome the fact that Departments are considering whether all relevant public authorities are listed. It is better to have a proper list. I understand that that issue has also been raised by the Delegated Powers and Deregulation Committee in the other place, which also thought that the measure should be set out as it now is. We welcome that initiative. I could make a number of other minor points, but the Minister covered them. However, I should be grateful to know the position on grant fraud. Apparently, people overseas have undertaken enterprising frauds involving university grants and funding for education in this country. Clearly the types of surveillance that we are discussing might be useful.

Mr. Beith: I was one of those who raised the issue in Committee. My favourite example is the Government Whips' Office, which I strongly suspect of using directed surveillance—for example, to discover whether Labour Members used their constituency weeks or disappeared to some other place. Perhaps we should put these measures in context. We must recognise that they will draw into regulation large areas of activity that were not previously the subject of regulation and accountability. The Bill has received a bad press as being fundamentally oppressive and extending the power of the Government, but on both sides of the Committee it was felt that the initial stab at these measures was unsatisfactory and that we ought to declare, so far as is known, what bodies use directed surveillance. Those bodies ought to be covered.

In Committee, the Minister gave an assurance that he would seek to achieve that. It has been achieved and we are grateful to him and his officials. However, I accept that other bodies may need to be added to the list, using the affirmative resolution procedure. Unlike other provisions, these measures will not create the legitimate fear that bodies will take up such activities in a cavalier fashion. Surveillance to check that fraud is not taking place is a commonplace in all sorts of organisations—private business, for example—as it is sometimes necessary to check that taxpayers' money or customers' money is not being abused. We must realise that there is a wider area to regulate and I welcome the fact that previous amendments have ensured that the affirmative resolution procedure will be used to add bodies to the list. Taking those two together, a welcome improvement has been

made to the scope of the Bill. I appreciate that the Government have listened to representations from all sides.

Mr. Maclean: I am pleased to speak for a few moments to the Maclean new schedule. I am not proud, but, for the relevant fee and after making an appropriate declaration in the Register of Members' Interests—just as we are happy to save private Members' Bills on various Fridays despite vicious Government attempts to vote them down—I should be happy to assist the Government should they wish to privatise some aspect of parliamentary drafting. The new schedule—amendment No. 142—is remarkable in many ways because the need for it came to light on a Thursday morning. You will be aware, Mr. Deputy Speaker, that Committee business starts at a ridiculously early hour on Thursday mornings—indeed, before most Members have breakfasted and are fully alert as to a Bill's consequences. Fortuitously, we spotted a possibility in clause 27.

Mr. Charles Clarke: Is the right hon. Gentleman converted to the merits of Thursday morning sittings?

Mr. Maclean: Absolutely not. That was the only Thursday morning on which I was alert. I do not know on how many Thursdays I, and perhaps Labour Back Benchers and other colleagues, were not fully alert at 10.30 am. Had we considered the Bill in Committee at a proper time, another dozen new schedules could have been before the House tonight.

We had some fun over the ice cream salesmen, but the matter came to light—I am not being unkind—when the Minister, following his brief, quickly discussed clause 27, referring to those who may need intercepting on grounds of national security, detecting serious crime or the economic well-being of the nation. There was also a curious reference to protecting public health. It seems odd to include that in a clause that refers to NCIS, MI5 and MI6.

I asked the Minister to give an assurance that the sandwich gestapo of the NHS would not be involved. His answer alerted the whole Committee to the fact that other bodies could be involved as well as NCIS. The Minister produced a helpful although frightening list of organisations that have these powers. He is right and is to be congratulated on being the first to draw up such a comprehensive list. I am not suggesting that the Government are granting new powers to all those funny bodies to direct covert surveillance, because they had such powers in the past, and the Minister is trying to pull them together.

I have one little concern, however. The Minister's list broke down the Ministry of Agriculture, Fisheries and Food, the Department of Health and the other organisations with those powers into their different parts. We found it slightly amusing that MAFF's egg inspectorate had those powers but not the banana directorate. If I may mix my fruit metaphors, the banana directorate is the plum posting in MAFF, because its officials have to go to exciting parts of the world to decide on the quota of bananas that Britain receives each year from those countries. I suspect that there are quite a few rackets, not among officials of course, but in the operation of the banana industry throughout the world. That directorate may need those powers of surveillance, but it is not on the list.

The regulations merely stipulate the Government Department: for instance, they just refer to the Ministry of Agriculture, Fisheries and Food, and do not say which bits will have those powers. The egg inspectorate, the intervention board for agricultural produce and the sheep inspectorate, which checks on sheep numbers for the European Union, will presumably have those powers. I suspect that the wine intervention board will also need such powers. That is the second best job in MAFF. It is a burden that officials carry with equanimity, but a certain number of them are sent each year on a master of wine course and have the difficult task at certain times of the year of going round wine shops and confiscating two bottles of wine to ensure that it is labelled correctly in accordance with EU regulations. They discharge that duty every December. One bottle is sent for inspection, and the other is kept a few days for evidence. It would be wasteful to destroy it, so it comes in handy for other purposes, such as Christmas parties. We presume that that organisation would also have these powers.

I do not want to labour the point and try the House's patience, but I should like the Minister to tell us whether, if it is not appropriate to put in the schedule the different subsections of each Department—the various bits of MAFF and the Department of Health that will have these powers, such as the sandwich gestapo unit, so as to ensure that the egg in the sandwiches is not more than five degrees centigrade—he will publish the list annually or give an undertaking that, if asked a parliamentary question, he will list the units of each Department.

We do not want to know details about NCIS, the National Crime Squad and the Serious Fraud Office, but if MAFF, the Home Office and the Department of Social Security are listed as bodies that can direct surveillance, the Minister must answer parliamentary questions on the issue or publish each year a list of the separate divisions in each of those Departments that are using the powers. He cannot put that in the regulations, because the information may change weekly or monthly. I accept his word that the list in the schedule will have to change as more bodies come to light or as Departments change their names. I hope that the Minister will assure me that the Maclean schedule is not the end of the matter, and that he will publish annually a list of the subsections within Departments.

Mr. Charles Clarke: I can pretend to none of the expertise demonstrated by the right hon. Member for Penrith and The Border (Mr. Maclean) in the consumption of wine, whisky, bananas, eggs and various other commodities about which he clearly understands far more than I ever could. I am grateful for what he has said, however, because it allows me to clarify the position. The Department for Education and Employment was asked whether it wished to be listed in the schedule, but it did not, as it does not use covert techniques, even for the services that are mentioned. If the Department wanted lawful cover for such covert techniques, they would have to be specified in the Bill: that would be a policy matter that the Department would have to address directly. I hope that one of the benefits of the discussion will be the need for Departments and agencies to consider whether they really need the techniques involved. It will be an interesting discussion. I think that people have drifted into the sphere of techniques which, although they may be critically important in some contexts, may be less important in others.

[Mr. Charles Clarke]

The intervention board is listed separately in the schedule. We listed only the public authority in the schedule because it, rather than its constituent parts, is the statutory body. However, we intend to narrow the range of agencies within a public authority that can authorise activity under part II. That will be achieved through the order for which clause 29 provides. The order will specify precisely the individuals holding certain offices, ranks or positions in the relevant public authority who can authorise such activity. For example, it might say that a senior immigration officer in the Home Office could authorise the conduct or use of a covert source. I think that that power to authorise covert activity will be of the greatest public interest.

We have no interest in hiding these matters. Indeed, we have worked to bring them into the open. I jib rather at the right hon. Gentleman's suggestion in Committee that I was trying to skip over the point, for that was certainly not my intention. I felt, and still feel, that not just the Committee and the House but the country should have a chance to see the matter in the round. We will, of course, be ready to answer parliamentary questions as the right hon. Gentleman suggests, but we intend to identify the individuals concerned directly. I hope that that gives him some reassurance.

Lords amendment agreed to.

Lords amendments Nos. 41 to 51 agreed to.

Clause 46

NOTICES REQUIRING DISCLOSURE OF KEY

Lords amendment: No. 52, in page 50, line 10, leave out ("requirement to disclose the key") and insert ("disclosure requirement in respect of the protected information")

Mr. Charles Clarke: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 53 to 76, 79 to 85, 102, 105, 107, 109, 110 and 154.

Mr. Clarke: As hon. Members know, part III has continued to be a subject of great debate both in another place and more generally. We have proposed a number of significant changes, in response to representations from and discussions with industry and other interested parties. We have also had constructive discussions with the Opposition in the other place.

I do not want to go into all the details of this substantial issue. The thrust of what we seek to do is this: we want to reassure all concerned that, in cases in which appropriate authorisation has been established under the Bill for reasons given in it, we seek to obtain a copy of the plain text—that is, the actual message that is exchanged, rather than the key. The amendment is designed to provide in the Bill the reassurance that I have given orally, in Committee and here, that we do not seek keys for a general purpose, that we do not seek a back-door route for mandatory key escrow, and that what we want is the plain text.

I am aware that Members on both sides of the House—in Committee, here, in the other place—and those outside it—have been worried about that, and have wanted reassurance in the Bill that we seek plain text. That is the main point of the amendments. We believe that the requirement is proportionate to what is sought. The amendments propose to recast part III in terms of our preference for plain text rather than keys, and to leave it to the recipient of a notice to decide how to comply with a disclosure requirement.

9.30 pm

As I say, the specific amendments are complicated and detailed. I shall not go through the detail further now, although I will be happy to respond as appropriate to points that are made in the debate, but the reassurance that I offer to the House and to all who are watching our proceedings in the industry is that it is our desire lawfully to get access to communications as appropriately authorised. It is not our desire to behave in a way that could make the communication systems of corporations vulnerable, or to give a power to demand a key that could be used irresponsibly to damage the security of organisations.

Contrary to what may have been thought—not in the House, where people have understood the issue but more generally—the representations that we have received have not come only from that industry, the internet service providers and so on. They have been from investment bankers and the financial community, on which the economic health of the nation depends. They have been concerned that inadvertently, by clumsiness or some other means, the Government might undermine their confidentiality requirements, which are a precondition for the operation of their businesses.

We are keen to reassure. We have done so verbally, and we think that, through the amendments, we have done so in the Bill. For those reasons, I commend the string of amendments to the House.

Mr. Heald: Before turning to the issue of keys in general terms, may I deal with Lords amendments Nos. 58 and 59? One of the points that I and others made regularly in Committee was that there was a danger, which had been highlighted by some in industry, that criminals would serve completely bogus notices on financial institutions and other companies seeking keys, or intelligible information on communications that they had obtained—protected information—and that the companies would find it difficult to verify the genuineness of the documents.

Amendments Nos. 58 and 59 are important because they require that the office, rank or position of the person who granted permission for the giving of a notice under schedule 1 be on the face of the notice. That gives extra reassurance to those who have received notices that they are genuine. Such measures are welcome. I know that the codes of practice, when they are before the House, will deal with those issues to a considerable extent, but I am glad that that theme, which has run throughout our deliberations, has been recognised in that way.

I turn to the general proposition about keys and the obligation to provide plain text. The original drafting of the Bill carries some of the blame. It was drafted on the basis that the notice would be to provide a key—that the requirement was for the key—so I do not think that we can blame those outside this place for thinking, "Look. It is all about the Government or authorities obtaining keys."

Of course, the Minister has given assurances at various times during our proceedings that that is not the case, but the way in which the measure was originally drafted was rather odd—I hope that the hon. Gentleman agrees. I welcome the fact that that whole section of the Bill has been turned the right way round, so that the requirement is for the plain text and the key is provided only in special circumstances. Those changes are welcome.

We still have a certain concern that the provision of the key is on the say-so of the chief constable. As the Minister will know, in the other place we fought hard for that approval to be given by the Home Secretary. We feel that it should be the person who is giving the assurances—the Home Secretary—who makes those decisions, rather than the chief constable.

Giving up the key is seen as quite a high security risk by financial institutions, companies, banks and the like. After all, many of them have international agreements not to disclose the key in any circumstances. They have sophisticated computer equipment that tries to avoid the same key existing for long. One can understand their reticence. We therefore proposed in the other place—where we lost the vote by one—that the Home Secretary should make those decisions.

I accept that since that defeat, the Government have held further discussions with all the parties and come up with the solution that the commissioner will immediately be notified that the chief constable has given approval, and that the commissioner will be able to make special reports to the Prime Minister about such instances at any time rather than only annually. However, although we are pleased about the extra protections, we shall be watching how the provision operates in practice. We still have that slight reservation about whether there should not be approval at a higher level.

As for the offence itself, the Minister will recall that one of the points made in the Opposition's reasoned amendment on Third Reading was that the offence created in clause 49 was repugnant to justice. Creating an offence in which a person must prove his or her innocence is not in line with what is often called the golden thread of British justice. We were strongly opposed to the creation of such an offence. We said that the offence should contain an intent element, and that it was not satisfactory to establish defences whereby people had to prove their innocence.

We very much welcome the fact that in the other place, it has been possible to add a mental element to the offence—the word "knowingly"—and that the defence has been amended so that it is no longer necessary to prove one's innocence on a balance of probability. It will be enough to raise the issue, which the prosecution will have to disprove.

Therefore, looking at the issue in the round, we accept that the original bad drafting caused considerable concern to industry, and not—as the Minister said—only to internet service providers. We think that recasting and rewriting part III has moved the Bill very much in the right direction, and that it is much improved. Nevertheless, I think that it is also possible to lay the charge of, "new Labour, new clause". The first 22 pages of amendments have certainly transformed the Bill from a rather ugly beast into something that may eventually even attain beauty. *[Interruption.]*

Mr. Beith: I shall keep off the subject of beauty, in the light of the Minister's sotto voce comments about his own appearance. There is no doubt that their lordships have rewritten part III—it is a substantial, almost total rewrite—or that it was necessary to do so not least to allay the considerable fears that had arisen in industry. I think that sometimes, in some of the press reports, those fears were not accompanied by any recognition of the purpose of the provisions. In an age in which electronic communications will be the norm, it would be a very serious omission to have no means of intercepting and reading encrypted communications between dangerous criminals embarking on a very serious crime, or between people attempting to threaten the lives of the people of this country.

Such powers are of course very dangerous, and therefore have to be the subject of very strict regulation. Liberal Democrat Members have said at various points in the Bill's passage that we would prefer a judicial basis for that type of approval in the various spheres in which it will operate, rather than the basis provided in part III and elsewhere in the Bill. Nevertheless, the fact remains that there are circumstances in which such powers have to be used. It was wrong that the Government were sometimes characterised as engaged in a wholly unjustified snooping exercise, intent on destroying all electronic commerce in the process.

The evolution from our original consideration of the Electronic Communications Act 2000, in which these provisions were first encapsulated, to the closing stages of our consideration of the rewritten version of this Bill, has been long and remarkable. As the hon. Member for North–East Hertfordshire (Mr. Heald) said, the overall cast of the Bill's provisions has been reversed, so that the intention is much clearer. I welcome those changes. I also welcome the Government's willingness to accept the advice that they received about how those changes could be made and the way in which that process was conducted.

It would be foolish to imagine that even now, we have got it all right. Clearly, lawyers will find scope to explore the provision pretty intensively, and we may have to return to some aspects of it. Some people might make quite a bit of money out of doing so, but we must ensure that serious threats to the physical safety of the people of this country, whether from criminals, hostile powers or terrorists, can be countered by the judicious and regulated use of such powers. We must do so in a way that does not disrupt an industry that has great earning power for the country and potential for the future. I hope that that has been achieved. If it has not been achieved fully, we might have to return to some of the details another time.

Mr. Maclean: There is no doubt that, with this Bill as with others, there will be lawyers who will try to find loopholes. We must hope that there are sufficient men and women of principle left to plug those loopholes.

The Government's mistaken drafting perhaps made it inevitable that some in industry and financial institutions would overstate their case and panic at the thought of having to release their keys. The Government's mistake was probably inevitable because of the amount of legislation being pushed through in such a short time, and the burdens on parliamentary draftsmen. Part III was drafted the wrong way round. The Government had a fetish with and concentration on getting the keys—why? They wanted the keys to get the information. Sensibly,

[Mr. Maclean]

the provisions have been redrafted to emphasise getting the information, which is what the Government always wanted. That will satisfy many in the industry.

Concern was inevitable because all movement in the industry has been towards encryption and keys. All those concerned with developing the internet, internet banking and so on, are excited by secure systems into which no one can hack. Encryption and double encryption is the trend in America, then along came the British Government to say, "Ah, but we want you to hand over the keys." I grant that such a perception was unfair. The Minister did his best in Committee to explain that the Government were really after plain text, for which they needed such powers.

Now, late in the day, but properly in accordance with our parliamentary procedures, we have the right drafting. That will help the Minister to reassure industry about the Government's intentions. He can embark on a propaganda drive with our financial institutions and the computer-internet world, with all its whiz-kids, geeks and other things—whatever they are called—who run the industry. More and more they are the driving force behind our economy. They are not just anoraks; they are incredibly sensible and powerful, and a good driving force.

The Minister now needs to take to such people the message that we have struck the right balance and that their keys are safe. The Government are no longer giving the impression that they want the encrypted keys to everyone's e-mail and internet systems. Instead, the emphasis is on plain text. I congratulate the Minister on achieving that, with the help of the Lords, and producing a better Bill.

9.45 pm

Mr. Charles Clarke: I genuinely thank the right hon. Members for Berwick-upon-Tweed (Mr. Beith) and for Penrith and The Border (Mr. Maclean) and the hon. Member for North-East Hertfordshire (Mr. Heald) for emphasising in this brief debate the points about drafting. I accept that the drafting has been fundamentally and positively changed, for the reasons stated by the right hon. Member for Penrith and The Border, in order to make it clear that it is the information, rather than the key, that we are after. That is important in reassuring people.

I am grateful to all three right hon. and hon. Members—particularly the right hon. Member for Berwick-upon-Tweed—for emphasising the purposes of the Bill as well. We need the information in the areas described for very good and important public interest reasons. We are contesting very highly effective crime, which may now be organised world wide. That is part of globalisation. We see the impact of such crime—trafficking in drugs and in people, paedophilia and so on—in so many areas of our lives, and we must maximise our defences against it. It is a requirement in defending the liberties of our citizens that we do so.

We know that, as technology develops, we will take a hit and find it difficult to be as effective in tackling such crime. We have a duty to do what we can to protect our citizens from such an organised international threat.

I sense that some of the debate—not today's, but generally—has missed that key purpose of the Bill, so I am genuinely grateful to the three right hon. and hon. Gentlemen for re-emphasising that. No one who has participated in the debate outside has cavilled at the need for law enforcement, or the need to address the issues with which the Bill deals. There have been arguments about how that should be done, but it is fair to say that the whole industry acknowledges its importance to the welfare both of society and of the industry itself.

If financial institutions are penetrated by money launderers of various descriptions, that will undermine those institutions. If internet companies are undermined by paedophiles using their organisation to get material to others who use it, that undermines the future prospects of the industry. That is the fundamental argument that should, to a greater extent than it has, inform the debate on the future relationship between the industry and the Government. We have a strong mutual interest in ensuring that the Bill works properly. The Government recognise that, and I am grateful for the acknowledgement that the redrafting of the first part of part III, with its emphasis on plain text and information rather than keys, provides the required assurance.

The hon. Member for North-East Hertfordshire is the one who raised the issue of plain text and keys. The changes in amendments Nos. 52, 54 to 57, 64, 66 to 68 and 76 are positive and all relate to the redrafting on which speakers have, rightly, focused. He was right also to focus on amendments Nos. 58 to 62, which provide further stipulations, in addition to those set out in clause 46(4), about the form that a disclosure notice must take. They stipulate, for example, that a notice must contain details of the person who gave permission for it to be served, and that the time set for complying with the notice must be reasonable in the circumstances.

The initial draft code of practice that we have published for part III sets out our first stab at drawing up a disclosure notice. The main purpose of the notice is to provide certainty about what everyone is being asked to do, and I shall be interested in the industry's response to our draft. It is possible that we shall be able to improve it, so that it better achieves that purpose, although the amendments have already moved us closer to that goal.

The hon. Gentleman also mentioned authorisation, which is covered in amendments Nos. 69 and 71. Amendment No. 69 raises the authorisation level for access to keys to chief officer or its equivalent, which represents a significant increase. Amendment No. 71 provides additional safeguards by requiring that any directions for the disclosure of keys be notified to either the intelligence services commissioner or the chief surveillance commissioner, as appropriate, with the possibility of onward referral remaining open. Taken together, the two amendments should provide all the assurance needed.

I am grateful for the positive remarks made in the debate. I take seriously the points made about propaganda by the right hon. Member for Penrith and The Border, who is a past master of propaganda, as evidenced by his promotion of Scotland and the drinks industry. After the Bill receives Royal Assent, we shall work with the industry—and the Opposition, if they are willing—to promote it both in this country and internationally. Given the comments made in the overseas media, we must explain clearly what the Bill is and is not, and why we do not believe it poses a threat to e-commerce in Britain; on the contrary, it will help to achieve the Government's aim of a strong and secure e-commerce economy, to which we are all committed.

Propaganda is needed, and I hope that the whole House will help to promote the interests of this country's businesses when the time comes. In the meantime, I have no hesitation in commending the Lords amendments to the House.

Lords amendment agreed to.

Lords amendments Nos. 53 to 76 agreed to.

Clause 50

TIPPING-OFF

Lords amendment: No. 77, in page 54, line 19, leave out from first ("the") to ("or") in line 20 and insert ("Intelligence Services Commissioner").

Jane Kennedy: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 78, 86 to 97, 99 to 101, 112 to 114, 116 to 119, 134, 135, 137, 146, 147, 150, 151, 153, 160, 161 and 163.

Jane Kennedy: It is appropriate that I give due credit to Opposition Members, who raised the issue of the number of commissioners on Second Reading and pursued it in Committee. Amendments Nos. 77 and 78 and related amendments respond directly to those concerns.

The hon. Member for North-East Hertfordshire (Mr. Heald) will remember that in Committee we discovered that the security service commissioner and the intelligence services commissioner were in practice roles performed by the same person. Amendments Nos. 77 and 78 formalise that arrangement by having one commissioner carrying out both functions, together with the additional functions required of him under the Bill. The streamlining of the number of commissioners has required a slight change to the title of the Bill, and I refer the House to amendment No. 163.

Amendments Nos. 78, 97, 101, 114, 117, 134 and 153 result from the earlier decision to remove from the Bill, when the provision was last before the House, the post of a covert investigations commissioner. The role of that commissioner was amalgamated with that of the chief surveillance commissioner under the Police Act 1997. However, in making these changes, we set the chief surveillance commissioner a wide-ranging and onerous task. We must therefore provide the commissioner with further assistance to ensure that he is able to be effective. We believe that he cannot act alone and we anticipate that he will need some form of inspectorate to assist him.

We think also that it is important that he should be provided with some judicial support for this function. The amendments will achieve that by allowing the Prime Minister, after consultation with the chief surveillance commissioner, to appoint serving or former circuit or Crown court judges to assist in the monitoring process. By this means, we will ensure independent judicial scrutiny of authorisations by all public authorities.

Amendment No. 86 imposes a duty on the Secretary of State to provide the interception of communications commissioner with such technical facilities and staff as are sufficient to enable him properly to carry out his functions. Amendment No. 87 is designed to remove any doubt that there may previously have been that the interception of communications commissioner may report at any time to the Prime Minister on any matter relating to his functions, as he thinks fit.

Having made such good progress in streamlining the numbers of commissioners, it is somewhat ruefully that I turn to amendments Nos. 90, 93, 100, 113 and 119, where we introduce a new commissioner. I seek to reassure the House that the new commissioner has a role that is clearly circumscribed in three different ways. First, it is limited to Northern Ireland. Secondly, it is limited to actions under part II of the Bill—to directed surveillance and covert sources. Finally, the role of this commissioner is limited to the actions of public authorities, the responsibility for which is transferred to the First Minister and Deputy First Minister in Northern Ireland and the Northern Ireland Assembly.

I commend the amendments to the House. I am sure that they will be welcomed by right hon. and hon. Members on both sides of the Chamber.

Mr. Heald: I thank the Minister for her generous comments. It is true that the amendments relate to a theme that we have pursued throughout our consideration of the Bill. That began with, in effect, its first outing, which was Second Reading in this place. We are pleased with the progress that has been made. We had hoped originally for a uniform commissioner, but we are satisfied with the Minister's explanations. We are getting what amounts to a unified secretariat. There has been much streamlining, and that is most welcome.

We always imagined that there would have to be separate arrangements for Northern Ireland. We do not really count that commissioner, if the hon. Lady will accept that. We think that good progress has been made and we are pleased with the amendments.

Lords amendment agreed to.

Remaining Lords amendments agreed to.

PETITIONS

Education Funding (Cambridgeshire)

9.55 pm

Mrs. Anne Campbell (Cambridge): I am pleased to present a petition on behalf of 1,300 constituents in Cambridgeshire. The petition was organised by the Fair Funding group, which has supported the campaign to get a fairer settlement for education funding for Cambridgeshire.

The petition states:

The petition of residents of Cambridge and the county of Cambridgeshire opposes the current Standard Spending Assessment scheme as a method for allocating the funding to our nation's schools.

The petitioners therefore request that the House of Commons urges the Government to implement an interim arrangement with immediate effect, which will provide for a fairer allocation to those counties at the bottom of the league for SSA per pupil.

And the petitioners remain, etc.

To lie upon the Table.

Broadcasting Licences (Religious Bodies)

9.56 pm

Mr. David Lidington (Aylesbury): I wish to present a petition signed by more than 2,000 people, the great majority of whom are constituents of mine in Aylesbury and the surrounding area. The petition calls on the Government to introduce legislation to amend the law, which at present discriminates against the ownership of broadcasting licences by religious bodies.

The petition states:

That radio and television are now the most important means of communicating ideas and that religious bodies are substantially disadvantaged in access to and involvement in radio and television broadcasting by legislation and by rules and codes of guidance issued by the broadcasting regulatory authorities.

Wherefore your Petitioners pray that your Honourable House will urge the Department for Culture, Media and Sport to bring forward proposals to amend the legislation to remove discrimination against the ownership of broadcasting licences by religious bodies, and to require the Independent Television Commission and the Radio Authority to amend their rules and codes of guidance to remove provisions which discriminate, in wording or in practice, against religious bodies.

I simply add that the petitioners have my full support.

To lie upon the Table.

BAE (Redundancies)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

9.58 pm

Mr. Lindsay Hoyle (Chorley): I am pleased that we have time to discuss the important matter of people being made redundant at British Aerospace sites throughout the country. We also have the opportunity to consider what is going on in BAE, as we hear many rumours. The title of the debate is slightly misleading. The purpose of the debate is to discuss the future of employees at BAE Systems in the light of recent redundancies.

I warmly welcome the Government's announcement this week of support for BAE with the launch aid for the A3XX, the choice of A400M heavy lift aircraft and the accompanying contracts. Air France and Emirates Airlines have also supported the A3XX, and we know that there are another nine orders on the books. There are now 17 firm orders for A3XX. We can thank the Government for that. I am sorry that no Opposition Members are present for the debate. The Opposition seem to have been using the press to suggest that the Government are at fault and that the Labour party takes no interest in the industry. I want to put the record straight. The Labour party is interested in these matters, and the Government are fully committed to aerospace and will continue to support it in the future. I am grateful for the Meteor and Eurofighter projects, which are very important.

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

Mr. Hoyle: The Government deserve congratulation for their support of the contracts given for the A3XX, the A400M heavy-lift aircraft, and the Eurofighter. The Meteor project safeguarded 1,200 jobs. When it is up and running, the A400M project will involve 10,000 jobs, 3,400 of them at BAE Systems. A total of 22,000 jobs are involved in the A3XX project, 8,000 of them at BAE Systems. These are firm orders and firm contracts for the future. More orders are expected, and that is good news. The A3XX will be a super aircraft, and everyone involved deserves our congratulations.

I want to discuss aerospace manufacturing sites in the north-west. The plant at Broughton will make the wings for the A3XX. The Lostock facility will have the Meteor project. The sites at Warton and Salmesbury will also benefit from the orders, as will the Royal Ordnance facility at Chorley.

It is therefore disappointing to learn that 3,800 people—or 3.5 per cent. of the work force—will be made redundant. A total of 750 jobs will go at Warton and Salmesbury. Redundancies will also occur in the constituency of my hon. Friend the Minister. That is not good news. Many people in Chorley and South Ribble will suffer from the shake-out that is happening in the aerospace industry, and my hon. Friend the Member for South Ribble (Mr. Borrow) and I will be involved with them.

A strong rumour among those in the industry who lobbied Parliament recently was that work would be contracted out abroad, to firms in Poland and elsewhere.

Is that true? I understand that the amount of work involved would be about 1.5 per cent. of the total, but I hope that my hon. Friend will confirm that. Orders arising out of the work sent to Poland could benefit the north-west, but the transfer of work could be a problem, and it needs to be addressed. Contracting out work abroad is an attempt to reduce production costs. I understand the need for that, but British jobs are important to the House and should not be put at risk.

Government announcements earlier this year were regarded as a boost for British manufacturing, and as an investment in the future of high-quality, well paid jobs. They were welcomed for those reasons. However, those announcements are undermined by the decision taken by BAE Systems, which establishes the worry that more work may be sent out of the UK.

It is clear from my meetings with BAE employees from Salmesbury and Warton that there are growing anxieties among workers about the future of their jobs and of aerospace manufacturing in the north-west. Hundreds of companies in the area contribute to the supply chain, so it is important to consider the future of the jobs provided by the industry.

I am worried about second and third-tier work being contracted overseas which ought to go to UK companies. There is a danger that other parts of Europe will benefit from the money that the Government have made available for launch aid. The problem is not so great with first-tier contracts, but British companies are not getting their fair share of second and third-tier work. The money being used comes from British taxpayers, and British companies should be given the best opportunity to supply work for the industry. Thousands of jobs are at risk in second, third and even fourth-tier industries.

Mr. Hilton Dawson (Lancaster and Wyre): My hon. Friend makes a powerful argument about the impact of possible redundancies on the north-west. Does he accept that Members representing constituencies across the Fylde, including myself, my hon. Friends the Members for Blackpool, North and Fleetwood (Mrs. Humble) and for Blackpool, South (Mr. Marsden) and the right hon. Member for Fylde (Mr. Jack) have constituents who must have thought that their jobs were secure and that things would go very well, given the amount of support given to the industry by the Government? They are consequently in a state of shock about what BAE Systems is presenting to them.

Mr. Hoyle: Absolutely. There is great shock and concern about British Aerospace and BAE Systems, which we want to highlight tonight. I am pleased that my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) has made that point, because there is not a constituency in the north-west that will not be touched by what is happening.

We want to call on the Government to seek assurances from BAE Systems that the investment that has been put in the United Kingdom aerospace industry will benefit the entire United Kingdom. We must look after UK manufacturing. Small and medium-sized enterprises are at risk. We must ensure that launch aid money from British taxpayers will support small and medium-sized businesses as well as BAE Systems. We must get that message across loud and clear. We are concerned about the supply chain as well as BAE Systems.

Although I appreciate that we have to compete and keep costs to a minimum, work should not be subcontracted out to the extent claimed. The mass redundancies that have taken place threaten the future of UK aerospace plants. There are no two ways about that—there is a great danger of huge numbers of people disappearing overnight because of redundancies.

I would like the Department for Education and Employment, the trade unions and BAE Systems to help redundant workers find alternative employment. Although redundancies are taking place within BAE Systems, there are also many vacancies. We must match the skills to the vacancies. The skills of the people who have been made redundant should be honed. Those people should be retrained so that they can fill the vacancies. That makes a lot of sense. It will cost money, but it is money that should be spent, and we should look forward to spending it. I believe that the Government, as well as BAE Systems, can match those vacancies by working with the people who have been made redundant. It is not impossible. In that way, rather than our seeing large numbers of redundancies, people could move into different jobs in this huge company. It is important to get them round the table.

Mr. Gerald Howarth (Aldershot): I am most grateful to the hon. Gentleman for giving way, particularly as I did not indicate beforehand that I wanted to intervene. I should like to take him back to what he said about the A3XX. I agree with him wholeheartedly about the support that the Government have given to the programme, and remind him that it was the previous Government who supported the A320 programme, which has probably been the most successful civil aircraft programme since the war. My discussions this morning with the chairman of the company indicate that it is halfway towards getting the orders that it needs to launch the A3XX.

Mr. Hoyle: Of course. I know of the hon. Gentleman's keen interest in aerospace matters. It goes without the saying that the previous Government used launch aid. It has been very successful and rewarding. Let us not kid ourselves—it is not some kind of grant. There is a mystique about it in that people outside think that we are giving the company money. We are not—far from it. We are investing in the company which repays the money when the aeroplanes that are manufactured become profitable.

It is important to get the message across that launch aid is successful not just for the company, but for the Government. To be fair, it was the previous Government who took the risk, and we are now seeing the benefits—so much so that this Government are not only replicating what was done but have gone way beyond it. With the contracts that have been awarded, we believed that we might get only 50 per cent. of what we wanted at the beginning, instead of which we have got everything that we asked for on behalf of British aerospace companies. We must get that message across loud and clear.

Training is important, but so is matching the skills to the vacancies. That will be difficult and BAE Systems will need Government support; it will cost a lot of money. However, it is important that the highly skilled people whose skills are not needed by the company are retrained within BAE System's family of companies. That is important because we cannot afford a massive shake-out,

[Mr. Hoyle]

whether in the north-west or on the east coast at Hull. We must ensure that those people are valued in future because they are important to the family of BAE Systems, and the company must realise that.

BAE Systems is a huge company, and part of it may go down while another is booming, so people could be moved around successfully. It is lucky that the company is still at the forefront of the aerospace industry. We are lucky that aerospace is one of the few industries in which we in the United Kingdom are still world leaders. I never want to lose sight of that fact, and I want to ensure that we all support the industry.

The Government have gone way beyond our expectations—and may they continue to do so. I am pleased with the Government, and I shall continue to say how proud I am to be a Government Member because they have given so much financial support. It is important to recognise that fact. We must also recognise that BAE Systems must compete in the world, but I still believe that its first moral obligation is to the work force in the United Kingdom. Airbus Industrie, whether in the military sector or the commercial sector, must continue to be successful and we must keep the technology in the United Kingdom.

Mr. Howarth: I wonder wether the hon. Gentleman is aware that one of the themes of the Farnborough air show is encouraging young people to enter aerospace engineering, and that BAE Systems has led the way by inviting young people to marvellous exhibitions so that they can see what an exciting career it is. That is especially important given what the hon. Gentleman has said about redundancies and vacancies.

Mr. Hoyle: That is absolutely right; the hon. Gentleman is absolutely spot on. The danger is that engineering is not trendy in the United Kingdom. It is trendy in Germany and Japan. If we are to compete in the world market, we must show young people that engineering has a future. BAE Systems must also show that it has a future; it does not do much for people's morale when they hear about such redundancies. BAE Systems has a part to play in showing that engineering is important and trendy, and that it is the future.

We must show people that engineering represents the way forward through the new millennium. If we do not keep the people or the skills in the United Kingdom, they will go to Germany, which is desperate to get its hands on the wing technology. My hon. Friend the Member for Derby, North (Mr. Laxton), who is here tonight, knows that only too well. He has lobbied Rolls-Royce, saying, "Don't miss the boat with the A400M." The clear message to Rolls-Royce is that they must get a move on otherwise they will lose the race, and we cannot afford to do that.

We are world leaders in aero engines. The Government have supported that aircraft, and Europe has followed us because we have pushed ahead with the project. I would hate to think that Rolls-Royce could miss the boat because it is not taking seriously what will happen in the European aerospace industry. The French would love to put their engines on it, which would be a disaster for most of the United Kingdom, because many companies supply Rolls-Royce.

We should send Rolls-Royce a clear message not to miss the boat. We must also tell the trade unions what a good job they have done in lobbying Parliament. Workers from different aerospace companies lobbied both major political parties last week about their worries. We must listen and take on board what is said without losing sight of what they want. They want to be reassured that work will not go to countries in which labour costs are much lower than ours. We must tell them not to worry and that we will stand by them and by BAE Systems. We must talk, retrain and put people into vacancies.

10.15 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Alan Johnson): I am grateful to my hon. Friend the Member for Chorley (Mr. Hoyle) for giving the House an opportunity to discuss a sector of the economy in which British industry, from its prime contractors and right up the supply chain, is among the world's leaders. It is particularly welcome to be debating the matter while the Farnborough air show is displaying what a great industry we have, by showing our talents and abilities alongside those of our global competitors.

Mr. Gerald Howarth: I can share with the Minister the latest information that I have from the show. So far, orders worth £18 billion have been taken on the first two days, eclipsing the amount taken during the whole of the last show, two years ago. That is very good news for the air show and for Britain.

Mr. Johnson: The hon. Gentleman articulates a message that has come back to us from the show. It is a great success for the British aerospace industry, of which my hon. Friend the Member for Chorley is a great champion. I shall move on shortly to his specific points, but should like first to dwell on the industry's success.

Mr. Hoyle: I do not know whether my hon. Friend is aware of the many rumours around tonight about good news on the A400M. That would be good for the United Kingdom and good for the military airbus in Europe.

Mr. Johnson: I am sure that there is very good news, but tonight's debate is not the right place for me to announce it. The whispers are certainly coming loud and clear.

My hon. Friend made several important points, rightly mentioning recent Government announcements in support of BAE Systems and the wider industrial supply chain. I am grateful for the warm support that he and the hon. Member for Aldershot (Mr. Howarth) have given the Government's actions. We were delighted to announce launch investment support for the Airbus A3XX programme, which is being offered precisely to ensure that the UK receives the many economic benefits that flow from projects of that scale and complexity.

There will be direct financial benefits to the Government because, as my hon. Friend said, launch investment is not a grant but a risk-sharing partnership in which the Government's investment is repaid at a rate of return as real as that for product sales in the marketplace. The hon. Member for Aldershot mentioned the success of

earlier endeavours from which we are still reaping the rewards. That was an enormously important investment for the Government.

Mr. Howarth: The Minister is absolutely right. Does he have a figure to show just how much the Government are reaping in return on the A320 investment?

Mr. Johnson: I regret that I do not have a figure, but the project is the most successful aircraft venture that we have ever known. Its success is absolutely astounding.

The A3XX will be the largest civil aircraft project ever undertaken, representing a major step change in aircraft capability. It means the development of new techniques and technologies and a myriad of opportunities for UK industry at the cutting edge of the knowledge-driven economy.

Such programmes are rare. The Boeing 747 has enjoyed a life of more than 30 years. We hope that the A3XX will now set the standard for many years to come, providing long-term sustainable benefits to the United Kingdom economy.

When my right hon. Friend the Secretary of State announced the A3XX launch investment in March, he said that the project was expected to create 22,000 new jobs—that is, 8,000 in BAE Systems and UK supply companies and 14,000 more widely in the economy through induced employment.

In addition, the project is expected to safeguard a further 62,000 jobs—20,000 on current Airbus programmes and 42,000 in induced employment. However, it will take some time for those full benefits to flow to the economy. My hon. Friend the Member for Chorley is probably aware of the present position on A3XX—it is changing from day to day as the Farnborough air show continues, incidentally. Airbus has been offering the aircraft formally to airlines since 23 June and a full launch is expected when a reasonable number of firm orders have been received. This week, as has been mentioned, we saw the first order for five passenger versions and two freighters from the Emirates.

In addition, Air France has signed a letter of intent with Airbus for 10 A3XXs. A number of other airlines have expressed interest on that very positive basis. The hon. Member for Aldershot has said that it has received orders to half the level that it is expecting, which is extremely good news.

Airbus hopes to launch the aircraft fully at the end of this year, or early next year, with entry into service taking place as early as 2005. If, as we hope and expect, the aircraft continues to be successful, production would ramp up after that.

The first benefits are already being felt in the integrated wing design team at Filton in Bristol, where BAE is working alongside key UK equipment and aerostructure supply companies. In addition, BAE Systems has begun a large-scale recruitment drive for design engineers on the A3XX—about 300 this year and a further 300 next year.

My hon. Friend is doubtless also aware that, as well as the commercial launch of the A3XX, the Airbus partners also announced their agreement to create the Airbus integrated company. Indeed, that was an essential element of our agreement to give launch investment to the A3XX. That company is expected to begin operations formally on 1 January 2001 and will represent a major change in the way in which Airbus runs itself, with BAE having a 20 per cent. stake in the European Aeronautic Defence and Space company.

Airbus management will therefore be basing its procurement decisions very much on commercial grounds and UK companies must ensure that they are as competitive as possible to secure work on the A3XX. My Department has a number of initiatives with the aerospace industry to help them in that respect. It may help if I mention a couple.

On manufacturing, the Government are keen to see the highest possible participation of UK supply companies. My Department is working actively with the industry to ensure that that happens. The Department of Trade and Industry has been working with the Society of British Aerospace Companies and BAE Systems with a view to holding a conference in the autumn for potential suppliers to the A3XX project. The purpose of the conference will be to make all potential UK suppliers aware of the opportunities that the A3XX offers and to encourage the maximum involvement on the project from UK sources.

The conference will also enable BAE to explain to potential suppliers what they will need to do to get on to the project, including the need for financial investment where appropriate and the necessity for competitive value-for-money solutions.

There will not be any handouts on the A3XX project. British companies will have to win the contracts in a very competitive market, but I am extremely hopeful that the competitiveness improvement work that the DTI has sponsored will help to put UK suppliers in a good position to do just that.

In addition, my Department has worked with the industry to enable improved links between UK suppliers and Airbus procurement managers in Toulouse. The result has been the creation of an office there, run by the Society of British Aerospace Companies, supported for the first year by my Department. Reference has been made to the decision by my right hon. Friend the Secretary of State for Defence to select the A400M military transport aircraft and Meteor missile for Eurofighter, which was good news for British industry.

However, the topic of our debate, and the important point made by my hon. Friend the Member for Chorley, is his regret at the announcement of job losses at BAE sites throughout the UK. My hon. Friend mentioned my concern, given that the Brough site is close to west Hull, and referred to the right hon. Member for Haltemprice and Howden (Mr. Davis), with whom I am working closely on these matters as a constituency Member of Parliament and who knows the very real, dramatic effects that job losses can have on local communities. It is important to recognise that the majority of jobs affected are affected as a result of the consolidation and rationalisation following the BAE merger with Marconi Electronic Systems. The objectives are to reduce product overlap and the duplication of facilities and resources, to improve efficiency and consolidate activities to maintain competitiveness in the global marketplace. In that way, BAE will be in the best possible position to compete for and win more business for Britain.

[Mr. Johnson]

BAE has confirmed that it is committed to several measures to mitigate the effects of the announcement on its employees and will use every measure available to avoid compulsory redundancy. My hon. Friend made an important point about matching skills to vacancies, on which all Members of Parliament for affected constituencies—including myself—are working hard with management, the unions and BAE Systems. I understand that the company is in discussion with the unions and has opened a selective voluntary redundancy agreement across the affected areas. In addition, BAE has a good reputation on retraining and reskilling. The company also aims to maximise redeployment and give assistance with relocation.

Furthermore, to protect core competencies and the UK's manufacturing capability, BAE plans to recruit about 2,000 engineers over the next 18 months and about 1,000 young people over the next two years, as has been mentioned. Officials in the Employment Service have kept in close contact with BAE and are offering appropriate support. Jobcentres in Blackburn and St. Anne's that deal with Salmesbury and Warton have been in touch with BAE since 9 June.

Once the picture on possible compulsory redundancies becomes clearer, it will be possible to draw up a detailed strategy. For example, the Employment Service has the option to designate redundancies as large scale, enabling early access to its job search programmes. Warton and Salmesbury TEC has also offered a tailored package of support. My hon. Friend drew attention to a trend in BAE to give increasing quantities of subcontract work to countries with lower labour costs. However, I am sure that he appreciates from talking with the people involved, not least the unions, that they take an extremely constructive approach to these issues and recognise the realities of globalisation and fighting for orders in a fiercely competitive market.

BAE is under increasing commercial pressure to keep costs down to remain competitive. Importantly, however, when subcontract work is placed abroad, it is sometimes part of a marketing campaign to win overseas contracts and bring more work to the UK. Some of those orders could not be achieved unless an element was placed abroad. I know that my hon. Friend accepts those points, but it is as well to put them on the record.

In conclusion, my hon. Friend made three points. There are usually good commercial reasons for decisions on where to place subcontract work. As my hon. Friend suggested, placing contracts overseas may be a result of lower production and is sometimes done because equipment cannot be procured locally. Sometimes, as I said, it forms part of a marketing strategy or offset requirement to win foreign contracts and bring even more work to Britain. In any event, BAE needs to keep the pressure on costs if it is to remain competitive in the global market.

As I have highlighted, BAE is working with the trade unions to keep the number of compulsory redundancies to a minimum. Through the work that BAE is undertaking with its suppliers, as well as the A3XX conference on the Airbus in the autumn, which I mentioned, the approved suppliers list for A400M and BAE's support for various competitive improvement programmes, the company is demonstrating the seriousness with which it approaches its responsibilities. The responsible approach of the trade unions that have lobbied the House has played an important part in keeping aerospace companies at the forefront of the world economy.

Question put and agreed to.

Adjourned accordingly at half-past Ten o'clock.

House of Commons

Thursday 27 July 2000

The House met at half-past Eleven o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

MERSEY TUNNELS BILL *(BY ORDER)*

Order for Second Reading read.

To be read a Second time on Thursday 26 October.

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

The Minister was asked—

Arable Farmers (Compensation)

1. **Mr. David Drew** (Stroud): How much agrimonetary compensation has been provided for arable farmers this year. [131261]

The Minister of Agriculture, Fisheries and Food (Mr. Nick Brown): Because this is the last Question Time over which you are expecting to preside, Madam Speaker, may I say on behalf of us all that we will miss you very much indeed?

Before you call me to order, Madam Speaker, I should tell my hon. Friend the Member for Stroud (Mr. Drew) that arable farmers have so far received £170 million in agrimonetary compensation: £18 million last year and £152 million this year, with a further £57 million to be paid later this year. That is in addition to the £1 billion that the sector receives every year in direct aid.

Mr. Drew: I wish to associate myself with my right hon. Friend's remarks about you, Madam Speaker.

I welcome the amount given to farmers to help them in this time of crisis, but would it not be sensible for us to consider the rigidity of the mechanism for automatic payments related to currency? In particular, is it not perverse that better-off farmers seem to receive the lion's share of agrimonetary compensation?

Mr. Brown: It is true that 20 per cent. of farmers receive 80 per cent. of the support payments under the current structure of the common agricultural policy. That is one reason why we press for reform.

Mr. James Gray (North Wiltshire): I know that I speak on behalf of all my colleagues who will be lucky enough to catch your eye during Question Time, Madam Speaker, when I say that no one will miss you more than Conservative Members.

Madam Speaker: I will miss you too.

Mr. Gray: Not if you aim, Madam Speaker.

Does the Minister agree with the Prime Minister, whose well-publicised memo in *The Times* this morning advised the country that he hopes that we will join the single currency as soon as possible, for political reasons? What benefit would farmers derive from that? At what level does he believe that it would benefit farmers for Britain to join the euro? Does he think that we should join as soon as possible, or when the level is correct?

Mr. Brown: I thank the hon. Gentleman for asking me such easy questions. I readily identify with the tribute that he paid to you, Madam Speaker; and, yes, I agree with the Prime Minister.

Operation Gangmaster

2. **Mr. Jim Dobbin** (Heywood and Middleton): If he will make a statement on Operation Gangmaster. [131262]

The Minister of State, Ministry of Agriculture, Fisheries and Food (Ms Joyce Quin): May I also whole-heartedly endorse the tributes that have been paid to you, Madam Speaker?

Operation Gangmaster is a good example of joint action by several Government agencies to tackle agricultural gangmasters who act illegally. Since June 1998, Operation Gangmaster has undertaken a number of raids in the pilot area of Lincolnshire and is following up leads on many illegal activities including VAT fraud, income tax fraud and employment law. During the summer, Operation Gangmaster will be extended to other parts of the UK.

Mr. Dobbin: During this Parliament, workers' rights have been defended, protected and strengthened, whereas during the 18 years of Conservative Government, workers' rights were massively attacked. Will Operation Gangmaster be targeted at agricultural gangmasters who exploit illegal immigrants? According to a recent "Panorama" programme, forced labour camps have been set up. Will the Government tackle those problems?

Ms Quin: I assure my hon. Friend that the Government are tackling those issues. Just as he rightly says that we have improved employment rights here at home, so we have to be equally vigilant in ensuring that there is no exploitation of immigrant workers, some of whom have made a bona fide entry to this country to do seasonal work on our farms and in our horticulture industry.

I am pleased to be able to tell the House that some gangmasters who were operating illegally were fined in the Peterborough court this week.

Mr. Tim Yeo (South Suffolk): On behalf of all my Front-Bench colleagues, may I also say how much we will miss you, Madam Speaker? It has been a positive pleasure occasionally to receive your rebukes when we have mildly transgressed the rules of order, and I hope that I will be rebuked again.

Does the Minister understand that fruit and vegetable farmers face a problem in finding enough workers to pick their crop? A farmer in Kent whom I visited last week, who produces high-quality soft fruit, could substantially increase his production and even begin exporting if he had more pickers available. Will the Minister therefore support my call for a raise in the ceiling on the number of seasonal agricultural workers from abroad who are allowed into Britain for a limited period to work on specific farms, for the mutual benefit of the worker and the farmer? Does the Minister agree that that would help to reduce demand for illegal immigrants, who may otherwise occasionally find work in that area?

Ms Quin: Once again, the hon. Gentleman calls for action which the Government have already undertaken. We have already approached colleagues in the Home Office about this matter, and they are looking sympathetically at the needs of the horticultural sector and at increasing the number of people who can take advantage of that scheme, which can benefit students from eastern European countries and help build good relationships between our countries.

The hon. Gentleman's comments sit somewhat uneasily with some of the comments that his colleagues on the Opposition Front Bench have made on immigration.

Farm Diversification and Innovation Subsidies

3. **Mr. Paul Flynn** (Newport, West): What assessment he has made of the effect of subsidies for farm diversification and innovation. [131263]

The Minister of Agriculture, Fisheries and Food (Mr. Nick Brown): This is an important question. Evaluation of the farm diversification grant scheme—which closed in 1993—and objective 5b suggests that well-targeted aid can provide good value for money. It is on the basis of the evaluation of previous schemes that we intend to operate the new rural enterprise scheme in England—I have responsibility only for schemes in England.

Mr. Flynn: Has the Minister seen the comments by the Federated Farmers of New Zealand? It says that the removal of farm subsidies there

> has given birth to a vibrant, diversified and growing rural economy. New Zealand's experience over the past 15 years of reform has thoroughly debunked the myth that the farming sector and the environment cannot remain healthy and prosperous without government subsidies.

After 60 years of generous Government subsidies, the farming industry has been in almost permanent crisis. It has become a dependent industry that is not inclined to innovate or diversify. Is it not true that, in many cases, subsidies are not the answer to farming crises, but the cause of them?

Mr. Brown: I have paid careful attention to the New Zealand experience. My hon. Friend is right to say that we cannot carry on supporting agriculture's over-reliance on the supply side support mechanisms under the common agricultural policy. I attach proportionate importance to the diversification element of the new rural development regulation, which is why we have planned expenditure of some £152 million over the next seven years in England alone. The purpose of that expenditure is to get farm businesses away from an over-reliance on supply side subsidies and closer to the marketplace.

Mr. David Curry (Skipton and Ripon): Does the Minister recognise that in his plans to reorganise the regional structures of MAFF, he is making some heroic assumptions about farmers' ability to use advanced technology in applying for subsidies and other applications? Knowing that many farmers are not confident in this area and are elderly, will he ensure that the facilities are available to give practical help to those who cannot master the technology, so that those who depend most on aid are not denied it?

Mr. Brown: The link is a bit tenuous, but it is an important point. I would be making some even more heroic assumptions if we did not take action in that area. I intend to ensure that there is a presence in each of the MAFF regions so that farmers can continue, during the changeover period, to have direct contact with officials in the Ministry to discuss their concerns face to face, not necessarily via new technology or even by telephone. We have conducted successful experiments in East Anglia on the electronic transmission of data, and I am aware of similar experiments carried out in Scotland by the Department with devolved responsibility for administering those schemes. Those give grounds for optimism.

Mr. Gordon Prentice (Pendle): Is my right hon. Friend aware that belching cows are responsible for 25 per cent. of the methane released into the atmosphere, which is a powerful greenhouse gas? Is he also aware that a UK-invented feed additive can cut down that dreadful belching?

Mr. Flynn: From both ends.

Mr. Prentice: Contrary to what my hon. Friend the Member for Newport, West (Mr. Flynn) said, is it not the case that, to encourage farmers to get that innovative product into the market, we should look at a small kick-start subsidy?

Mr. Brown: A lot of regimes started with small kick-start subsidies. We are looking at non-food crops and some experimental work is under way. We shall provide some funding under the rural development regulation and I am always willing to consider new and innovative ways to enhance farm incomes.

Mr. Lembit Öpik (Montgomeryshire): My mother has asked me to tell you, Madam Speaker, that she will miss you very much on the Parliamentary Channel. *[Interruption.]* It is true!

Given the Government's commitment to diversification into organic conversion, will they set specific targets for that conversion over time and will those targets be supported by a stable financial package for the long term?

Mr. Brown: I wish that the hon. Gentleman's mother would choose the questions that he asks me as well as the remarks that he makes to Madam Speaker.

Mr. Lindsay Hoyle (Chorley): His mother gives him the answers.

Mr. Brown: Perhaps she does.

We have put aside £140 million to spend on organic farm conversion during the seven-year lifetime of the English rural development regulation. We expect that the outcome of that expenditure will be a tripling of the area that is farmed organically. We are not setting specific targets. Clearly, the organic farmers need to win their places in the market, but we are providing substantially enhanced financial support for organic farming because that it what consumers want.

Mrs. Ann Winterton (Congleton): Does the Minister accept that innovation in e-commerce in farm diversification will be hampered by the lack of advanced telecommunication systems in constituencies such as Congleton? What action will he take to ensure equitable access to the super-highway and, indeed, to increase competition in rural areas, where British Telecom currently has the monopoly of provision?

Mr. Brown: I do not want to stray outside the matters for which I have ministerial responsibility, but I want to ensure that everyone has equal access to the services that the Ministry provides. We are considering making use of the network of rural post offices, for example, as service providers to those running farm businesses, but I assure the hon. Lady that we shall keep a front-line service for farmers in place during the transitional period, with travel distances no greater than they are now.

Fur Farming (Prohibition) Bill

5. **Mr. David Watts** (St. Helens, North): What representations he has received concerning the Fur Farming (Prohibition) Bill. [131265]

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): On your last Question Time, Madam Speaker, may I associate myself with my right hon. Friend's remarks? We shall miss your shepherding of MAFF questions.

In excess of 3,000 representations have been received about the Bill, all but a few of which have been from members of the public and animal welfare organisations supporting the banning of fur farming.

Mr. Watts: I thank my hon. Friend for that reply. Given the fact that the Bill was included in Labour's manifesto and that it has the overwhelming support of the British people, will he assure me that he will not allow Opposition Members to frustrate the Bill and stop it passing all its stages in the House and the other place?

Mr. Morley: The House passed the Bill without a vote against it. It has had its Second Reading in the other place, and it will, of course, receive proper debate and scrutiny. It is clear that the measure is widely supported in this country; and, indeed, given some of the problems in the fur farming sector, it has certain advantages to that sector as well.

Mr. Malcolm Moss (North-East Cambridgeshire): In the light of the recent report of the Lords Select Committee on Delegated Powers and Deregulation, which points up an important human rights implication for the inclusion of income losses in any compensation scheme for fur farmers, what steps is the Minister taking to ensure that the Fur Farming (Prohibition) Bill, which is currently in the other place, guarantees that mink farmers will be compensated for losses of income by the compensation scheme?

Mr. Morley: I am aware of the Scrutiny Committee recommendations in the other place and my colleague, Baroness Hayman, will of course consider that issue carefully. We take the opinions of such Committees seriously. The Bill will be debated in Committee, which is the appropriate place to consider all those aspects.

Farming (Small Business Enterprise)

6. **Mr. Kerry Pollard** (St. Albans): What measures his Department is taking to promote small business enterprise in the farming industry. [131266]

The Minister of State, Ministry of Agriculture, Fisheries and Food (Ms Joyce Quin): We are promoting small business enterprise in a number of ways through both the action plan for farming and the England rural development plan, including a free farm business advice service open to all farmers, an increase in the budget for the rural development agencies redundant building grant, new expenditure on training, a new rural enterprise scheme and a new processing and marketing grant scheme.

Mr. Pollard: I welcome the Government's decision to provide a free business advice service to any farmer who wants it. What steps has my right hon. Friend taken to ensure that those who have to provide that free service are properly trained and fully aware of all the opportunities available under the England rural development plan?

Ms Quin: We are looking closely at the qualifications and eligibility criteria for those who will administer the scheme, so that they will be in a position to give informed, worthy and worthwhile advice to the farmers who apply for it.

Mr. Patrick McLoughlin (West Derbyshire): What guidance has the Minister's Department issued to national parks on farm diversification?

Ms Quin: National parks, as well as other organisations, have been involved in the discussions on planning issues that are taking place across government. The hon. Gentleman will know that the action plan for farming, which was announced on 30 March, included examination of the importance of ensuring that there were

as few obstacles to farm diversification as possible. In all parts of the country, there needs to be involvement with that programme. We are determined to take it forward.

Mr. Tim Yeo (South Suffolk): Far from promoting enterprise, the Government's policies in the two years since the Minister of Agriculture, Fisheries and Food took up his job have led to an unprecedented collapse in farm incomes, a massive loss of jobs in the countryside, the closure of dozens of slaughterhouses and the destruction of many family farms after generations of hard work. Does the Minister of State agree that only a genuine attack on red tape, the introduction of honesty in labelling and firmer action against substandard imports—the three keynote policies of the Conservative party's fair deal for farmers—will effectively promote enterprise in agriculture?

Ms Quin: I have looked at the Conservative proposals for agriculture. They are in three parts: first, action that the Government are already taking; secondly, action that would be declared illegal and would therefore incur heavy fines in the European Court; and thirdly, vague spending commitments that seem to be at odds with what the Conservative financial spokespeople are offering the electorate.

Pig Industry

7. **Mr. Phil Hope** (Corby): When he expects to open the pig industry restructuring scheme to applicants. [131268]

The Minister of State, Ministry of Agriculture, Fisheries and Food (Ms Joyce Quin): The outgoers element of the pig industry restructuring scheme will be opened to applicants immediately following European Commission clearance of the scheme. The ongoers element for those who wish to remain in pig production will involve preparing a commercially acceptable business plan. We are pressing the Commission to provide overall clearance as quickly as possible.

Mr. Hope: I thank my right hon. Friend for that reply and for recently meeting farmers—and pig farmers in particular—from my constituency. It was helpful. We are pursuing some of the concerns, but she will be aware that the Tory legacy of BSE has imposed production costs on the pig industry of more than £5 per pig, which has made it far harder for the industry to compete.

The pig industry restructuring scheme has come as welcome news to the pig industry in my constituency. As she said, it is in two parts: the outgoers element and the ongoers element. The key question for my local farmers is how quickly we can get on with it. They want to be assured that when applicants have made their applications for the grant element, those applications will be processed quickly—decisions should be made quickly—so that they can plan their futures. Can she assure me that decisions will be made in all possible haste once the scheme starts?

Ms Quin: I can give my hon. Friend that assurance. I welcome the interest that he has taken in the industry and in putting forward the views of his constituents. We have sought to help the industry in a number of ways. I am glad that, in terms of the pig industry restructuring scheme, we are talking not just about the £26 million available this year, but the additional £40 million in the two following years.

We believe that we have sought to help the industry in all possible ways. Indeed, the House might be interested to know that the Ministry won its case in the judicial review that the pig industry initiated against us. We believe that we have acted correctly. We want to help—and believe that we are helping—the industry through the very bad times that it has experienced. We want a successful British pig industry for the future.

Miss Anne McIntosh (Vale of York): May I say a special thank you to you, Madam Speaker? You have been a brilliant role model for the ladies in the House, and you will be sorely missed.

Given that we have had the results of the judicial review, can the Minister tell us when she thinks pig farmers will know the result of the decisions referred to by the hon. Member for Corby (Mr. Hope)?

Ms Quin: The period concerned is likely to begin at the end of August, which marks the end of the period of consultation and clearance with the European Commission.

Mr. David Taylor (North-West Leicestershire): I shall not take up the House's time by referring to your warm, witty and wise time in the Chair, Madam Speaker.

Although the rise in pigmeat prices from less than 60p a kilogram in September 1998 to more than £1 a kilogram is welcome, there have been extensive losses in the last two years. The National Pig Association estimates that it will take seven years to recover those losses, even given the current price.

Does my right hon. Friend agree that the import ban suggested by the Conservative party constitutes an illegal cul-de-sac? Does she also agree that there should be major reform of the European labelling regime, which is not just inadequate but misleading and counter-productive?

Ms Quin: My hon. Friend is right: the suggested ban would be an illegal and, indeed, dangerous cul-de-sac, given that we export pigmeat products and would risk retaliation if we took the Opposition's advice.

My ministerial colleagues have been actively dealing with the labelling issue. As a result of verification work in the Ministry, a number of misleading labels have been withdrawn and replaced by accurate descriptions. We have been active, and I believe that marketing, advertising and the practical help that we have given the pig industry are producing results. I welcome the recent firming of prices to which my hon. Friend referred.

Mr. James Paice (South-East Cambridgeshire): I associate myself with all that has been said about you, Madam Speaker, and about your stewardship in the Chair. I add my thanks.

Rumours abound that the Government might cut and run in October. If they are accurate, we may also be witnessing the last Question Time presided over by the Minister of Agriculture, Fisheries and Food. Lest that should prove to be the case, I wish the right hon. Gentleman well in his future career.

As we know, the pig outgoers scheme was the subject of debate between Ministers and the Commission throughout the early part of the year. It was announced at the end of March as part of the action plan. Now, four months on, the scheme has still not been agreed with Europe. No applications have been made, and until and unless the outgoers element is completed there will be no information for those remaining in the industry, and no opportunity for them to obtain any money. Can the Minister tell us when she expects outgoers to receive cheques, and when she expects there to be a scheme involving a sum for which those remaining in the industry can apply, and which will help them to continue?

Ms Quin: I look forward to the Government helping agriculture and, indeed, other industries, both before and after the election, whenever it occurs.

We have been pursuing the matter speedily in Brussels. The hon. Gentleman knows what is involved in the procedures and the consultations. We have also done a great deal of preparatory work to ensure that, when clearance is received, we can start processing the outgoers bids as quickly as possible. We do not intend to be idle during the summer recess.

Dairy Regime

8. **Mr. Kelvin Hopkins** (Luton, North): What his priorities are for the next reform of the common agricultural policy dairy regime. [131270]

The Minister of Agriculture, Fisheries and Food (Mr. Nick Brown): The Government's priorities for reform of the dairy regime are clear and well known. We want an orderly removal of milk quotas in combination with a reduction in the European Union support prices to world levels. We will press the European Commission and our EU partners for that in the run-up to the review of the regime in 2003.

Mr. Hopkins: I thank my right hon. Friend for that answer. Does he agree that the provision of free school milk is a valuable service? May I take this opportunity to congratulate him on seeing off a European Commission proposal to abolish the subsidy of free school milk? May I also ask him whether he will take the action necessary to ensure the continued provision of free school milk?

Mr. Brown: I was very pleased that, working with partners on the Council of Ministers, I was able to persuade the Commission to change its mind on the school milk proposal. Rather than abolishing the measure entirely, which was the Commission's original proposal, or moving to co-financing on a 50:50 basis, which was the Commission's next proposal, we were able to negotiate that upwards to the proposal that was agreed on Monday at the Council of Ministers.

I am very pleased that that was a successful outcome for the United Kingdom. It just goes to show the value of working with our partners in the European Union and putting a measured case before the Commission, rather than adopting the alternative approach, which is to fall out with everyone else and try to thwart everything that happens, even if it is to our national advantage.

Mr. John Bercow (Buckingham): Given that the reform deal was described by the Select Committee on Agriculture as a bad deal, that the right hon. Gentleman himself declared that it was disappointing, and that fraud is pervasive throughout the system, why does not the right hon. Gentleman now acknowledge that the CAP no longer stands for common agricultural policy, but for charter for amoral pilfering?

Mr. Brown: There is actually a good point beneath all that eurosceptic nonsense. The fact is that there is a sound case for a common agricultural policy across the EU. The important thing to do is to secure reform of the current structures so that they are not so oriented towards the supply side. The point to which I would draw the hon. Gentleman's attention is that, despite our many differences in this place, there is near unanimity around the Government's proposals for reform of the dairy sector.

Mr. Dale Campbell-Savours (Workington): If milk quotas went, would there be over-production of milk?

Mr. Brown: I think that the market would quickly deal with that question, although we are in a relatively strong position compared with our European Union partners.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): Does the Minister agree that the only ones who seem to make money out of the current quota system are the quota brokers?

Mr. Brown: One of the unattractive features of the current quota regime is that the quota itself—the permit to produce—has an economic value. That is an inevitable outcome of the current structure and a part of the underpinning of the case for reform.

Mr. Peter L. Pike (Burnley): Will my right hon. Friend confirm that it is absolutely essential that we reform the current milk quota system before admitting other countries to the European Union? Will he also confirm that, at times, the current milk quota system has led to our importing too many added-value milk products which we could have produced in this country had there not been a milk quota system?

Mr. Brown: Those are very important points. There are enormous advantages for the industry domestically in reform of the dairy regime. Although I do understand why some diary producers are nervous about it, it is the right way forward. I also think that it is the most intellectually appropriate way of dealing with the problems that are posed by the agricultural component of enlargement of the European Union. The two big questions seem to me to be the digressivity of direct payments and reform of the dairy regime.

Mr. Nicholas Winterton (Macclesfield): I come from one of the prime dairy counties of the United Kingdom—Cheshire, which is in the north-west. Nevertheless, does the right hon. Gentleman accept that the whole of the United Kingdom has the perfect climate to produce good grass, and that good grass is the basis of good milk? Does he agree that any reform should take account of the fact that the United Kingdom as a whole is the right area for milk to be produced? Will he assure me, the House and

my constituents that any reform will take that into account—so that the countries which can produce good milk because of their climate and grassland are able to do so, and no system is put in place that will discriminate against us?

Mr. Brown: I agree with absolutely everything that the hon. Gentleman has said.

Mr. Richard Livsey (Brecon and Radnorshire): Does the Minister agree that one of the biggest effects on the profitability of dairy farming has been the disastrous drop of the price of milk by a third in the past two years? Does not the fact that there is a 20 per cent. advantage to supermarkets in importing milk, because of the euro, mean that the quickest way to get dairy farming back into profitability would be for Britain to join the euro?

Mr. Brown: The hon. Gentleman is right to say that the price per litre that the food chain pays the producer is at the heart of the present difficulties in the dairy sector. I have done everything that I properly can to alleviate the burdens on the industry, such as the hygiene charges. We have used agrimonetary compensation to its fullest extent as a countervailing measure. I know that the industry has welcomed cattle passports as well. Further, I have made representations to the retailers and processors—important players in the chain—to try to get them to understand that every component of the supply chain has a vested interest in the well-being and commercial returns of other elements in the chain. Further than that, as a Minister, I cannot go. I have certainly gone as far as I can.

Farmers' Co-operatives

9. **Mr. Huw Edwards** (Monmouth): If he will make a statement about Government support for farmers' co-operatives. [131271]

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): Co-operatives and other forms of collaborative activity can provide a significant boost to the competitiveness of our farmers and growers. Government and industry are working together in a number of ways to facilitate and promote such working together.

Mr. Edwards: Does my hon. Friend agree that the Farmers First co-operative has done a great deal to help the industry, especially with the opening of a new abattoir in Kenilworth, which is used by many of the farmers in my constituency? Does he agree that the objective 1 funding that the Government have secured for Wales provides great opportunities for further co-operative work in investing in abattoirs and other new infrastructure that is needed to support the industry?

Mr. Morley: I strongly support my hon. Friend. The Government have been supporting the development of collaborative marketing and co-ops through the agricultural development scheme, and further funds will be available through the rural development programme. Match funding has been provided for objective 1 programmes. The nature of the programmes is a matter for local people to determine, but there is no doubt whatever that there are great advantages for farmers and growers in coming together to try to add value and market their produce so as to get a greater share of the market. Objective 1 funds are certainly one way of helping them to do that.

Mr. Owen Paterson (North Shropshire): The great dairy processors of the world, such as Parmalat, Danone and, recently, MD and Arla in Scandinavia, all began as farmers' co-operatives. What is the Ministry's view of co-operatives and farmers' groups attempting to buy Unigate?

Mr. Morley: One of our views is that the previous Government should have thought a little more carefully about the effect on the dairy sector before they destroyed the Milk Marketing Board. There are, however, issues to be considered here. The hon. Gentleman will know that the Competition Commission conducted an investigation that was responded to by allowing the development of three co-ops with the freedom to invest downstream in processing. There is no doubt that that brings advantages for dairy producers.

Abattoirs

10. **Mr. John Grogan** (Selby): If he will make a statement about his policy towards small and medium-sized abattoirs. [131273]

The Minister of State, Ministry of Agriculture, Fisheries and Food (Ms Joyce Quin): The Government recognise the importance of small and medium-sized abattoirs to the rural economy and have therefore put in place a number of measures to help, including the deferment of charges for specified risk material removal; freezing of Meat Hygiene Service inspection charges last year and maintaining them at no more than the rate of inflation this year; promoting with the European Union Commission a risk-based approach to meat hygiene legislation; reviewing the level of inspection in low-throughput abattoirs; and setting up a taskforce to explore a capping approach to meat hygiene charges for small abattoirs.

The taskforce report—the Maclean report—has just been presented to the Government. Together with colleagues in other Departments, we are now considering its recommendations on the way forward for this sector of the abattoir industry.

Mr. Grogan: Does my right hon. Friend recognise the urgency of the Government and the Food Standards Agency responding to the Maclean report on veterinary inspection charges, which recommended a change from hourly payments to headage fees? Given that such a change would benefit small and medium-sized abattoirs and give them a real bonus for their future, will she give the matter some real priority?

Ms Quin: I assure my hon. Friend that we will do so. Obviously, that involves different agencies and Departments considering the Maclean report recommendations, but we are very conscious of the importance of those recommendations to a vital sector of the industry.

Mr. Christopher Gill (Ludlow): I am aware that Agriculture Ministers are looking at alternative approaches to charging for meat inspection in small and medium-sized abattoirs, and I endorse everything that the hon. Member for Selby (Mr. Grogan) said. For many abattoirs, the sands of time are running out. According to figures recently provided to me by Health Ministers, there has been a pronounced acceleration in abattoir closures during the past six months. I am also told by Health Ministers that, ironically, at a time when abattoirs are being forced out of business, the number of veterinary officers employed in the veterinary service has increased from an average of 486 in the first six months of 1999 to an average of 516 in the last six months. In other words, there are 30 extra vets at a time when operators are being driven out of business by the imposition of charges that they simply cannot sustain.

Ms Quin: I recognise the personal interest that the hon. Gentleman has taken in the issue and I welcome the number of times that he has raised it. Perhaps he should have raised it with his right hon. and hon. Friends when they were in government and presided over a huge number of abattoir closures—far more than the present Government. I hope that he welcomes the recent statements by Commissioner Byrne on moving towards risk-based assessment and being sensitive to some of the cost implications of the European system. We can help to solve some of the problems and redress the balance in terms of future costs by working with the Commission and responding to the recommendations in the Maclean report.

Mr. Simon Thomas (Ceredigion): The growth of organic farming, particularly in my constituency, means that there is a real need for locally based abattoirs selling directly to the market and producing the added value that we want in Wales. Will the Minister seriously consider the move towards headage payments and bear in mind the lack of clarity in respect of other European countries? If I can put it this way, it seems that other European countries are getting away with it in respect of the hygiene standards that we apply and that there is no level playing field in respect of abattoirs in other countries.

Ms Quin: On the hon. Gentleman's final point, I know that Commissioner Byrne is very much focused on the need for a level playing field, and that approach partly lies behind some of the initiatives that he has announced. Obviously, there is an important responsibility for the devolved Administration in Wales. The hon. Gentleman and others will want to know that we are supporting the development of mobile abattoirs, particularly in remote rural areas, and that we are working with the Humane Slaughter Association to help bring about that service.

Exeter Office

11. **Mr. Ben Bradshaw** (Exeter): What recent discussions he has had with staff at his Department's office in Exeter about reorganisation of his Department; and if he will make a statement. [131274]

The Minister of Agriculture, Fisheries and Food (Mr. Nick Brown): I refer my hon. Friend to the answer given on Monday 24 July, *Official Report*, columns 472-73W. As he knows, because he was present, I last met union officials in Exeter on Saturday 8 July and I have met and corresponded with other hon. Members who have a direct constituency interest in the reorganisation.

Mr. Bradshaw: I congratulate my right hon. Friend on his wise decision to keep the Exeter MAFF office open and convey on behalf of the staff in Exeter and the wider community their heartfelt thanks for his vote of confidence in their work. Will he say something about the reports that we might get even more jobs in Exeter as a result of the restructuring? That would be extremely welcome in a city that suffered so grievously under Government job cuts under the Conservatives, particularly in respect of defence.

Mr. Brown: The sites that will be the basis for the new—CAPPA—Common Agricultural Policy Payments Agency proposals can expect an inflow of employment, although the numbers are not yet finally decided. Clearly, however, all the jobs that are at present on the site are safe and there is a real prospect of new jobs being created.

Mr. Paul Tyler (North Cornwall): On behalf of all farmers in Cornwall and Devon I also welcome the Minister's announcement. Will he take a step further in recommending to the Government generally that the way in which the regional service centres operate must be more closely aligned to the work of other Government agencies in the south-west as in other regions? I also congratulate the Minister's staff in the regional service centres on the work that they do. Does he recognise that they too have a problem in that they are often unable to use their own discretion and common sense in deciding on the issues that come before them? All too often they feel that they are too restricted by the regulations and prevented from using their intelligence.

Mr. Brown: A number of things struck me in making this series of difficult decisions. First, all Members of Parliament with a legitimate constituency interest perfectly properly made representations on behalf of their area offices, as did hon. Members representing neighbouring constituencies. Secondly, I was deluged with representations from user groups speaking up for the services that they received from their regional offices. In part, that conditioned the Government's response to the representations received.

I considered the question of closer working with Government offices alongside the proposals for changes in the administration of the common agricultural policy payments through the regional offices and the intervention board. I intend to move the regional directors and policy support staff into the Government offices of the regions. That reorganisation is now being discussed. In addition, I want to retain a regional presence in each region, although not necessarily in the Government offices of the regions. That presence will provide a face-to-face interface with the client groups—an element of the representation that came through very strongly. Also, that regional presence will carry out the all-important work on the rural development regulation, by which I set enormous store.

SOLICITOR-GENERAL

The Solicitor-General was asked—

Football Hooligans

29. **Mr. John Bercow** (Buckingham): What discussions he has had with representatives of the police on prosecution policy in respect of football hooligans. [131293]

The Solicitor-General (Mr. Ross Cranston): The Crown Prosecution Service prosecutes those accused of football-related offences whenever appropriate. It also plays a key role in seeking suitable bail conditions to prevent further offending and in reminding the courts of their powers and duties to make orders to prevent hooliganism, both at home and abroad. I have received no representations from the police on the subject.

Mr. Bercow: I am grateful to the hon. and learned Gentleman for that answer, which was a triumph of diplomacy over candour. I hope that he will now answer the question that I posed instead of the one that I did not. What discussions has he had, or does he intend to have, with the police? What criticisms of Government policy does he expect to hear? Why, given that anti-social behaviour orders have become a non-event under this Government, should we take the Government's intentions on this matter remotely seriously?

The Solicitor-General: The hon. Gentleman does not often allow facts to stand in the way of rhetoric, but the Government have pursued the matter since the Football (Offences and Disorder) Act 1999 came into force. The CPS has prosecuted cases involving ordinary offences arising from football hooliganism, such as assault, public disorder and criminal damage. The police refer cases to the CPS, which deals with them as the law requires—by looking at the evidence and taking into account the public interest.

Mr. Peter L. Pike (Burnley): Does my hon. and learned Friend agree that many football clubs now have more police-free matches than ever before, because discussions with police have led to a reduction in violence? No one condones the actions of the minority hooligan element, but people want action to be taken where necessary to ensure that hooligans do not deter normal supporters from going to games and do not cause disturbances in town centres.

The Solicitor-General: My hon. Friend makes a good point. In the Football (Disorder) Bill, which the House will consider again today, the Government have taken what we regard as the minimum steps needed to deal with the public order problem that has infuriated and shamed the nation. The Opposition have been playing games with the Bill, but I hope that it will be dealt with efficiently and effectively this afternoon.

I should tell the House that, since the 1999 Act came into force, some 255 domestic football banning orders have been obtained, and 36 international orders.

Mr. Edward Leigh (Gainsborough): Does the Solicitor-General agree that if the police and judges were half as tough in dealing with hooligans and miscreants as Madam Speaker has been in dealing with the parliamentary variety of the species, the world would be a better, safer and saner place?

The Solicitor-General: On this, Madam Speaker's last Question Time, I have only words of commendation about her, especially as we both represent part of the Tipton area in the west midlands.

The courts deal with these matters effectively. Sentencing is a matter for the courts; it is not a matter in which the Executive should have a role.

Sentencing Referrals

30. **Shona McIsaac** (Cleethorpes): What criteria the Law Officers apply when determining whether or not to refer an unduly lenient sentence to the Court of Appeal. [131294]

The Solicitor-General (Mr. Ross Cranston): The Attorney-General and I have the power to refer sentences to the Court of Appeal if we consider them to be unduly lenient. An unduly lenient sentence is one which is not merely lenient but falls outside the range of sentences that a judge, applying his or her mind to all the relevant circumstances of the case, could reasonably consider appropriate. The appropriate range must be determined by consideration of the principles of sentencing and other guidance laid down by the Court of Appeal.

Shona McIsaac: I have been prompted to ask the question by unduly lenient sentences for sex offences, and sex offences involving children. No doubt many right hon. and hon. Members have received representations from families and victims who rarely believe that a sentence is appropriate. Are families and victims consulted in these distressing cases, and are there any plans to extend powers in relation to sex offences and sex offences against children?

The Solicitor-General: Unduly lenient sentences come to us for referral from the Crown Prosecution Service or, in some cases, from victims and relatives of victims who write asking for the sentence to be considered. We act at the prompting of victims and relatives and of the CPS.

On sex offences, an order was laid the other day that will come into force by October. It extends the range of sentences that can be considered by us to be unduly lenient and can therefore be referred to the Court of Appeal. The range includes sentences for drug trafficking, illegal importation of pornographic material involving children and for offences specifically against children, such as unlawful sexual intercourse with a girl under 16, inciting a girl under 16 to have incestuous intercourse and gross indecency with a child.

Dr. Julian Lewis (New Forest, East): Can the Law Officers take any steps in respect of judges who persistently pass inappropriate sentences, whether too lenient or too harsh? I have in mind the recent case of a headmistress who slapped a pupil who was attacking her in the classroom and was threatened with jail. Does that

not show that some judges are almost as out of touch with public opinion as this Government are increasingly seen as being?

The Solicitor-General: If anyone is out of touch with public opinion it is Conservative Members.

As I said a moment ago to the hon. Member for Gainsborough (Mr. Leigh), who has since disappeared, we cannot interfere with the judiciary. The independent judiciary is a very valued feature of our system but, in particular cases, unduly lenient sentences can be referred. I do not think that the figures would show that the sentences passed by particular judges are being referred more than once.

Dr. George Turner (North-West Norfolk): My hon. and learned Friend will be aware that it is rare to be able to talk to the victims of crime or to those who apprehend the criminals. However, they raise the problem, as they perceive it, of overly lenient sentences. I understood my hon. and learned Friend to say that action was taken only if the judge strayed outside the prescribed range of sentences. That must cover a multitude of possible degrees of guilt. Is there not a case for allowing the questioning of a sentence, even when it is within the prescribed range, if it is not appropriate?

The Solicitor-General: Sentencing depends on particular circumstances. A whole range of circumstances applies to manslaughter, for example—a death might be akin to murder, or it might follow from fortuitous circumstances. The range of circumstances in any particular case is quite wide. Therefore, the sentencing guidelines laid down by the Court of Appeal are similarly broad, giving a range of sentences. It is only when the sentence falls outside that range, given the particular circumstances, that we refer the matter. My hon. Friend is right that the courts sometimes do not seem to take into account the facts of the case. However, the facts are often mediated through the press and we do not get a full report.

Mr. Edward Garnier (Harborough): At the risk of giving you praise, thanks and congratulation fatigue, Madam Speaker, may I add my own heartfelt and sincere thanks, praise and congratulations on your long and successful period in office and wish you a very long and happy retirement from your duties in this House?

Is the Solicitor-General considering yet further widening the range of offences for which unduly lenient sentence applications may be made by the Attorney-General or the Solicitor-General to the Court of Appeal, beyond the order that he has just announced?

The Solicitor-General: In our manifesto, we said that we would look at the matter. We considered it, and the three areas that I identified came immediately to mind for extension. There are problems in terms of resources and work load, in that the Attorney-General and I have to consider each application. The number of cases coming to us from victims, relatives and the CPS is tending to increase every year. However, we certainly have not excluded a further extension of the offences that can be referred.

Mr. David Taylor (North-West Leicestershire): As a member of the Magistrates Association, I am concerned about judicial inconsistency. Is there not a strong case for more use to be made of fixed penalties, whether they are applied through an administrative mechanism or through the courts themselves?

The Solicitor-General: As my hon. Friend knows, there are a certain number of mandatory sentences. Fixed penalties have been effective in terms of a number of less serious offences. There is no reason why other offences should not come within the net.

Prosecutions (Staffordshire)

31. **Mr. Michael Fabricant** (Lichfield): If he will make a statement on the CPS's success rate in prosecutions in south Staffordshire. [131295]

The Solicitor-General (Mr. Ross Cranston): In the year ending March 2000, the south Staffordshire branch of the Crown Prosecution Service secured 11,228 convictions in magistrates courts, representing 98.7 per cent. of all cases proceeding to a hearing. A further 596 convictions were recorded in the Crown court, amounting to 87.8 per cent. of hearings. These figures indicate that the service is making a strong and effective contribution to criminal justice in that part of the country.

Mr. Fabricant: The Government are becoming renowned not only for their contempt for Parliament, but for their contempt for traditions. The Solicitor-General will be aware that the magistrates court in Lichfield closed a few months ago, after 600 years of progress. When will he meet the witness service in Staffordshire, which tells me that it is becoming increasingly difficulty to get witnesses to travel from Lichfield to Tamworth and other parts of Staffordshire and the west midlands to give evidence? When will he accept that his Government's decision to close Lichfield magistrates court was the wrong decision?

The Solicitor-General: I know that the hon. Gentleman has campaigned strongly on this matter, although the strength of the argument does not increase with repetition. There is a tension between efficiency and effectiveness in the processing of cases through the courts on the one hand and local justice on the other. A balance has to be struck and, in the case of Lichfield, the balance was struck by a decision to close the court. That was only after a careful evaluation of the need for witnesses to travel distances to other courts. I believe that the decision was a right one.

Mr. David Kidney (Stafford): Does my hon. Friend recall the times that I have pressed him to increase the funding for Staffordshire's CPS? Will he say how last week's magnificent settlement in the spending review will help the CPS to employ more prosecutors and be more effective in prosecuting offenders?

The Solicitor-General: I cannot disagree that the settlement was magnificent, and the result is a 12 per cent. real-terms increase for 2001–02, which will continue over the three years of the comprehensive spending review. The result for front-line services in Staffordshire, and elsewhere, is that the CPS will now be able to prosecute

more cases. When the CPS was established by the previous Government, it was underfunded. We have redressed that problem.

Mr. John Burnett (Torridge and West Devon): Presumably the success rate of the CPS in south Staffordshire is among the matters considered by the chief inspector of the CPS. Given low morale in the CPS, will the Solicitor-General arrange for the chief inspector to make an urgent report into CPS efficiency and morale, and publish it as soon as possible?

The Solicitor-General: As a result of increased spending on the CPS, morale has risen enormously. The CPS is now in a position to play its role in the criminal justice system.

Business of the House

12.31 pm

Sir George Young (North-West Hampshire): May I ask the Leader of the House to give us the business for the first week after the recess?

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The business for the first week after the summer recess will be as follows:

MONDAY 23 OCTOBER—The House will meet to elect a Speaker.

TUESDAY 24 OCTOBER—Second Reading of the Insolvency Bill *[Lords]*.

WEDNESDAY 25 OCTOBER—Opposition Day [18th Allotted Day]. There will be a debate on an Opposition motion, subject to be announced.

THURSDAY 26 OCTOBER—Debate on defence procurement on a motion for the Adjournment of the House.

FRIDAY 27 OCTOBER—The House will not be sitting.

The provisional business for the following week will include:

MONDAY 30 OCTOBER—There will be a debate on the Seventh Report from the Environment, Transport and Regional Affairs Committee on the Rural White Paper and the Eleventh Report from the Environment, Transport and Regional Affairs Committee on the Urban White Paper, followed by a debate on the Ninth Report from the Trade and Industry Committee on the proposed public–private partnership for British Nuclear Fuels Ltd. Both debates will arise on a motion for the Adjournment of the House.

I should also like to inform the House that the business in Westminster Hall for the first two weeks after the summer recess will be:

THURSDAY 26 OCTOBER—Debate on the Third Report from the Select Committee on Home Affairs on the double jeopardy rule.

THURSDAY 2 NOVEMBER—Debate on the Third Report from the Select Committee on Trade and Industry on the future of the Export Credits Guarantee Department.

Sir George Young: The House is grateful for the business for the first week back, and for the hint of the business for the following week.

I welcome the debate on defence procurement. Can the Leader of the House confirm that we will also have the normal two-day defence debate during the spill-over session? Will that take place on a defence White Paper?

May we have a debate on early-day motion 1027, which has been has been signed by two former Home Secretaries and a former Attorney-General?

[*That this House condemns the Home Secretary for his statement during the second reading of the Criminal Justice (Mode of Trial) (No. 2) Bill that the bill enjoyed "the active endorsement of the Lord Chief Justice, Lord Bingham" (Official Report, Volume 345, No. 58, column 886), when correspondence between the Noble and Learned Lord and the Home Secretary now shows that this was not the case; and calls on the Home Secretary to apologise to the Noble and Learned Lord, and to the House.*]

Before we rise, may we also have a statement from the Secretary of State for Northern Ireland on his decision to recommend a royal prerogative of mercy for James McArdle, who was sentenced to 25 years imprisonment in 1998 following the docklands bombing in which two civilians were killed? That decision has aroused the deepest concern, and the House expects a full explanation.

Today sees the publication of the Government's response to the Sutherland commission on long-term care, which is of great interest to the House and our constituents. Can the right hon. Lady find time for an early debate on it?

Can the Leader of the House shed any light on the likely date of the state opening of Parliament?

Finally, today's Order Paper contains two written questions about the future of the dome. It would be quite wrong for a decision to be slipped out by written answer as the House rises for the summer. Can the right hon. Lady confirm that the Deputy Prime Minister will make a full statement to the House tomorrow to explain how much or how little the taxpayer will receive from its disposal?

Mrs. Beckett: I can confirm that there will be a two-day debate on defence, but cannot say on what document it will be taken.

The right hon. Gentleman asked me to comment on an early-day motion calling on the Home Secretary to make an apology. My right hon. Friend has already dealt extensively with that matter in debate in the House, and I see no need for a further debate.

The right hon. Gentleman also asked for a statement from my right hon. Friend the Secretary of State for Northern Ireland. I cannot anticipate granting that request. The right hon. Gentleman will probably know that, had it not been for the action taken by my right hon. Friend, Mr. McArdle would have spent longer in prison than those who were convicted at the same time as he was—the co-defendants who were convicted at the same time, two of whom were given longer sentences.

The right hon. Gentleman also asked me about the royal commission on long-term care. I am aware that the House takes an on-going interest in that matter. I cannot promise an early debate on it, however, nor indeed can I give him more illumination on the state opening, although that will no doubt be addressed in the overspill period.

On the dome, I understand that my right hon. Friend the Secretary of State for the Environment, Transport and the Regions anticipates answering the question of my hon. Friend the Member for Gillingham (Mr. Clark) later today. I am surprised at the suggestion that the House would want a statement tomorrow, particularly as it comes from those on the Conservative Benches, who normally resist statements on a Friday.

Mr. Dale Campbell-Savours (Workington): My right hon. Friend will know that many of us believe strongly in the principle of rotation of the speakership, which means that we will support only a Conservative or Liberal candidate as Speaker—that will mean saying no to some good friends. With that in mind, would my right hon. Friend invite the Procedure Committee to meet during the recess, which I understand is possible, to consider a revision of the rules and make a recommendation so that the House can convene during the recess to agree that?

[Mr. Dale Campbell-Savours]

Then, when we return after the recess, we can deal with the speakership under the new rules. Some of us feel strongly and are most unhappy about the way in which matters may proceed.

Mrs. Beckett: I am aware that for about 35 years the speakership has alternated across the House. I was not aware of the large number of Labour Members who believe that that is an important principle because it is not a matter for the Government; it is very much a matter for the House. Therefore, I am grateful to my hon. Friend for that information, as I am sure the House will be.

My hon. Friend makes an important suggestion about inviting the Procedure Committee to meet during the recess. I will properly consider it, as he would expect. However, the Committee met after the election of the present Speaker and considered these matters very carefully. It concluded that it ought not to recommend a change. While I understand my hon. Friend's wish for the matter to be considered again, my immediate off-the-cuff reaction is that just before a further election—I realise that he will see the irony of this—is not the time to do it. It is a matter that ought to be considered carefully and thoroughly.

I am mindful of advice that I received some time ago as to the errors that one should avoid in government. I learned that what drove the Conservative party into the poll tax was the assumption that there must be a better system than the rates. The assumption that lies behind my hon. Friend's question is that there must be a better system of electing the Speaker and I am not sure that he is right.

Mr. Paul Tyler (North Cornwall): I believe that there will be widespread support for the views expressed by the hon. Member for Workington (Mr. Campbell-Savours) on both sides of the House.

In the meantime, Madam Speaker, after the great and good had their opportunity yesterday, may I say how much I regret the fact that this will be the last occasion on which I have the opportunity to address you in that way?

Has the Leader of the House had an opportunity to read very carefully Madam Speaker's wise words to the House about the proper scrutiny of legislation? Is the right hon. Lady really satisfied that this week, and indeed in October, the House will have a proper opportunity to scrutinise some extremely important legislation, which raises important issues of great principle about which many hon. Members have considerable concerns? For example, in the crowded legislative timetable that is still ahead of us and the other place, has she considered which Bills may be eligible for carry-over? As Chair of the Modernisation Select Committee, she will be aware that if there is cross-party agreement, Bills can be carried over to a subsequent Session. Will she give a firm undertaking that she and the Government recognise that it is more important to get it right than to get it quick?

Mrs. Beckett: I did indeed take note—as, I hope, did the House—of Madam Speaker's remarks about the scrutiny of legislation, and that it is one of our key functions and it is important that we get it right. I agree too that it raises important principles for the way in which we structure and make the most efficient use of our time. I anticipate that the House will have an opportunity to address that matter.

I am disappointed to hear the hon. Gentleman repeating the Conservative party propaganda that this is a crowded Session. During the parallel year under the previous Parliament, there were 37 Bills; there were 43 in the subsequent year. Of course, it is important that we give legislation proper and full consideration, but the notion that the number of Bills before the House is unusually great is not borne out by examination of the figures.

The hon. Gentleman makes an important point about carry-over, but he will be aware that the Government expressed the view that that could be done only by consent. He will also be aware that such consent is not always forthcoming.

Mr. Eric Forth (Bromley and Chislehurst): Correct.

Mrs. Beckett: I note the right hon. Gentleman's sedentary intervention confirming that point. I simply remind Conservative Members of the recommendation of Professor Lord Norton, to whose report they said they attached much importance.

Mr. David Winnick (Walsall, North): Will the Leader of the House suggest when a decision is likely to be made on compensation for former prisoners of war of the Japanese? That is an important issue.

As speculation and excitement will inevitably grow about the election of a Speaker—the first item of business when we return—and touching on my right hon. Friend's earlier comment, does she agree that the best advice for those on both—I emphasise both—Front Benches is not to try to influence the outcome? Members should be allowed—as I hope that we will be—to make our own decision. On the two previous occasions, the House came to a wise and sensible decision and I am sure that we shall do the same when we return.

Mrs. Beckett: I know that my hon. Friend has constantly pressed the issue of compensation for Japanese prisoners of war. I shall again draw his remarks to the attention of my right hon. Friend the Prime Minister. I understand that, as yet, no decision has been made, although, as my hon. Friend is aware, the matter is under active consideration.

On the election of a Speaker, my right hon. Friend the Prime Minister has expressed in the strongest possible terms the view that it is certainly not a matter for the Government, but for the House. I agree with my hon. Friend that it would be unwise for parties to try to intervene officially. I share entirely his view that on the previous two occasions we made wise decisions. I am confident that we shall do so again.

Mr. Michael Howard (Folkestone and Hythe): May I ask the Leader of the House to reconsider the answer that she gave my right hon. Friend the Member for North-West Hampshire (Sir G. Young) on early-day motion 1027? May I remind the right hon. Lady that, during the Second Reading of the Criminal Justice (Mode of Trial) (No. 2) Bill, the Home Secretary told the House that the measure had the active endorsement of the then Lord Chief Justice? However, correspondence

subsequently made public showed beyond any doubt whatever that that was not the case. In view of her responsibilities to the House, will she ensure that the Home Secretary comes to the House to apologise for giving us such completely inaccurate information?

Mrs. Beckett: I remind the right hon. and learned Gentleman that my function here is to discuss what business ought to be before the House. Although I know that he attaches importance to the matter that he raises, the House has had an opportunity to air and consider it.

Mr. Paul Flynn (Newport, West): Will the Leader of the House set aside the business scheduled for tomorrow in order to discuss the urgent matter raised in early-day motion 1033?

[*That this House welcomes the measures taken by the Government to raise pensioners' incomes, but notes that for five out of six pensioners, who do not receive income support, the additional basic pension payable in 2000–01 if the link with earnings had been restored in 1998 would be more than the combined value of the £150 winter fuel payment and free television licence for that year—£119 more for a couple aged 75 or over and £162 more for a couple under 75; notes the statement by the Chancellor of the Exchequer on 18th July that next year's pension increase is a matter for further consultation; and urges the Government to undertake that consultation without delay.*]

The motion notes the generosity of the Government in granting pensioners a winter fuel payment of £150, plus the free television licences. However, it notes the surprising fact that, had those payments not been made and, instead, the link between earnings and pensions been restored from 1998, five out of six pensioners would have been better off. There is a need for urgency, because there is widespread dismay among pensioners that, although—as a result of the Government's good economic policies—the Government have been generous in giving major sums to many causes, pensioners seem to have been neglected. That is surprising because it has been made clear that the restoration of the link between pensions and earnings is overdue and easily affordable.

Mrs. Beckett: I know that my hon. Friend is aware that, over the course of this Parliament, the Government will have made available to pensioners more resources than would have been case had we simply restored the earnings link. He will also be aware that those resources have been made available disproportionately to the least well-off among the pensioner community, because the Government felt that the plight of those pensioners was so severe that they deserved urgent help. However, my hon. Friend will also know that, as the Chancellor of the Exchequer has confirmed, the Government will publish further plans for a new pensioner credit in the autumn.

Mr. Peter Brooke (Cities of London and Westminster): Pursuant to the questions asked by my right hon. Friend the Member for North-West Hampshire (Sir G. Young) and my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), the Leader of the House said in response to my right hon. Friend the Member for North-West Hampshire that the matter had been very adequately aired. I have to say, however, that the Home Secretary considered the matter in his first speech—some of us thought that a little odd, given that it was on the timetable motion—and had limited time to reply at the end of that debate. One should also note that after answering the first intervention from the hon. and learned Member for Medway (Mr. Marshall-Andrews), he did not give way to him again. Therefore I think that, to be fair to the Home Secretary, he has not actually had an adequate opportunity to respond to the views of the House on this matter.

Mrs. Beckett: I say with the greatest possible respect to the right hon. Gentleman that he has identified that the Home Secretary has already dealt with the matter in the House on two occasions. [HON. MEMBERS: "No."] He may not have dealt with it to the satisfaction of Opposition Members, but that is not the point.

Mrs. Claire Curtis-Thomas (Crosby): Is the Leader of the House aware that an excellent report was produced yesterday, entitled "Setting the Boundaries: Reforming the Law on Sex Offences"? Will she undertake to provide some time when that report can be adequately debated in the House?

Mrs. Beckett: My hon. Friend makes an important point. I admit that I have not had the opportunity to study the report, which, as she knows, is a report to the Government which we have issued for consultation, but I agree that it is important. She will know that the Government are anxious to strengthen the law that protects children in particular, and I am confident that people will consider the report in that light.

Sir Patrick Cormack (South Staffordshire): Will the right hon. Lady give the House an assurance that when we return, there will be an opportunity to debate both on a substantive motion and a free vote the reports of the Liaison Committee and the Modernisation Committee?

Mrs. Beckett: I anticipate that the House will be able to discuss both those reports at some point.

Mr. John Cryer (Hornchurch): My right hon. Friend will be aware that the Government are pushing through a policy of transferring council house stocks into the private sector, and that many of us on the Labour Benches are extremely unhappy about what we see as a massive privatisation, which means that that stock will not be subject to any kind of democratic accountability. May we have a debate about that when we come back, so that those on the Labour Benches who are disappointed with that decision can argue that we should be investing massive sums directly into public housing, instead of hiving it off to the private sector?

Mrs. Beckett: My hon. Friend will know that we have invested an extra £5 billion in housing and made resources available to refurbish a further 300,000 homes. I fear that I cannot undertake to find time in the overspill for an early debate on that issue, but he will know that, fairly early on, there will be questions to the Department of the Environment, Transport and the Regions.

Paddy Ashdown (Yeovil): I have no wish to introduce a note of gloom into the prospect of our summer holidays, but may I please draw the attention of the Leader of the

[Paddy Ashdown]

House to the fact that, following President Milosevic's illegal attempts to seek to change the constitution of Montenegro, tension in that country is now rising alarmingly? That is causing widespread concern. I fear that, unless real restraint is shown by both sides, over the next few months we shall see conflict—very possibly war—in Montenegro. In view of the proximity of British troops and of the implications that such a conflict would have for western policy in the Balkans, may we have the right hon. Lady's assurance that if, God help us, that conflict breaks out, serious consideration will be given to recalling the House?

Mrs. Beckett: Of course I understand the concern that the right hon. Gentleman expresses. I shall draw his remarks to the attention of my right hon. Friends the Foreign Secretary and the Prime Minister. We must all hope that such an eventuality does not require our return.

Mr. Harry Barnes (North-East Derbyshire): My right hon. Friend will be aware that Mr. Brian Souter spent almost £500,000 on a referendum on section 28 in Scotland, but is she aware that the conclusions of recent inquiries in Mansfield and Chesterfield into the operation of his Stagecoach buses were highly critical? When I tabled a question asking for a transcript of the decision made by the traffic commissioner as a result of the Chesterfield inquiry to be placed in the Library, I was informed that it could not be done because there was a need to minimise public expenditure. As it would cost only £200, should not fresh consideration be given to that request and will my right hon. Friend pursue it?

Mrs. Beckett: I know that my hon. Friend has been exercised by the problems that have arisen in his constituency, and I sympathise with his concerns. I share his unexpressed view that Mr. Souter would be better advised to devote his attention to running his company better. I fear that I cannot undertake to grant my hon. Friend's request at this time, but I shall look into the matter and take it up with the relevant authorities.

Mr. Edward Garnier (Harborough): The Leader of the House may not realise it, but she is being unfair to the Home Secretary. On Tuesday night, he was put through the forensic mincing machine by the hon. and learned Member for Medway (Mr. Marshall-Andrews) and, owing to the limited time available, to which my right hon. Friends have referred, he was unable to give an adequate explanation to do himself justice. It appears that he compounded rather than mitigated whatever offence he was guilty of in the eyes of that hon. and learned Gentleman. Surely she would be doing a service not only to the House but to the reputation of the Home Secretary if she permitted him to return to the House before Friday to give a full and candid explanation of what is recorded in *Hansard* at column 886 of his Second Reading speech.

Mrs. Beckett: My understanding is that the Home Secretary dealt extensively with the matter. Irrespective of the concern expressed by Opposition Members, it is my job, as the hon. and learned Gentleman perfectly well knows, to deal with the issue of whether a subject has been raised and dealt with in the House, not how adequately that has been done.

Shona McIsaac (Cleethorpes): Will my right hon. Friend find time for a debate on pensions, especially pensions for war widows in the light of this week's announcement that those widows who cohabit and marry will be able to retain their service pension for life? As a sailor's daughter, I feel passionately about the matter, especially as the Conservative party did nothing for war widows in spite of years of being pressured to sort the matter out.

Mrs. Beckett: I have great sympathy with my hon. Friend's remarks. She is right that in a better world it would be possible for us to spend time drawing attention to the fact that, despite the warm words from the Conservative party, a Labour, not a Conservative Government have taken steps to assist war widows. Attractive though the prospect is, I fear that I cannot undertake to find time for such a debate.

Mr. Eric Forth (Bromley and Chislehurst): May we please have an early opportunity for a prolonged debate on the increasing discrepancies between the written word and the spoken word, especially from Ministers? I have in mind a couple of examples, but I am sure that right hon. and hon. Members can think of many more. One is the memorandums now spewing from No. 10, which give a written version of events—not least the Prime Minister's thoughts, which seem to be at odds with what he says in public. Another is the matter referred to by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) and my hon. and learned Friend the Member for Harborough (Mr. Garnier)—the apparent discrepancies between the written word of the Lord Chief Justice and the spoken word of the Home Secretary. Surely a debate on those matters, allowing many more examples to be aired and explained, and if necessary, the appropriate resignations to be made, would be beneficial to everyone.

Mrs. Beckett: There is no discrepancy between what is emerging on issues such as the euro and what the Government have been saying in public for many months. The British people will be much more interested in the sharp discrepancy between the continued complaint of the Conservative party that only spin and not substance come from the Government and its determination to talk about spin and not issues of substance, such as the investment that the Government are making in the health service, education and transport and the jobs that have been created as a result of the Government's economic policy.

Ann Clwyd (Cynon Valley): May we have a clear statement from the Government on their approach to war crimes? We are signed up to the Geneva conventions and we are obliged under the convention on torture to arrest and prosecute anyone on our soil who is accused of torture. Recently, two alleged war criminals have come to Britain. The first is a Rwandan colonel and there had to be a request for his extradition from this country by the Rwandan war crimes tribunal. The second is an Afghan colonel, who is also alleged to have committed serious war crimes. Instead of being vague about this issue,

we need a clear statement from the Foreign and Commonwealth Office, the Attorney-General and the Home Office on how they approach such matters.

Mrs. Beckett: My hon. Friend makes an important point. She will know that the Government take these issues very seriously. I fear that I cannot undertake to find time for an early statement—let alone time for one from three Ministers—but she might seek a debate on the matter in Westminster Hall during the overspill period.

Miss Anne McIntosh (Vale of York): Early after the House's return in October, will the Leader of the House call the Home Secretary to ask for a debate on the consequences of the European convention on human rights and its application to road traffic cases? Will she also ask him to reply to a request from a constituent—her son was the victim of death by dangerous driving—that anyone prosecuted for such an offence will face a lifetime ban from driving?

Mrs. Beckett: I am afraid that I cannot undertake to provide time for an early statement, but I certainly undertake to draw the hon. Lady's remarks to the attention of the Home Secretary, who will, I know, respond to them.

Mr. John Grogan (Selby): Given the increase of £64 million for the funding of the BBC World Service that was announced in the comprehensive spending review, will my right hon. Friend find time for a debate on the future priorities of the World Service?

Mrs. Beckett: My hon. Friend makes an important point. I have long believed that the World Service is one of the jewels in Britain's crown and that it gives us considerable prestige overseas. I was delighted to see the extra funding made available to it by the comprehensive spending review. This issue was not pursued by the Conservative party in government, and that funding would be at risk from the cuts that it intends to make.

My hon. Friend also makes an important point about a debate on the future priorities of the World Service. I fear that I cannot undertake to find time for such a debate on the Floor of the House, but he, too, might explore the possibilities of holding such a debate in Westminster Hall.

Mr. John Redwood (Wokingham): Can the Leader of the House find an early opportunity when the House returns for Ministers to explain when they think that they must answer questions and when they think that they do not need to bother with any answer at all? We have heard today about the case of the Home Secretary, in which the Government do not reflect the mood of the House, and I have just had a series of six questions on trunk roads in London blocked. They received no answer even though they related to the Government's conduct. Will the right hon. Lady promise a debate on why Ministers will not answer questions and will not even attempt to answer questions? Does that not show contempt for Parliament?

Mrs. Beckett: Having had experience of some of the right hon. Gentleman's more arcane and bizarre questions, it has always seemed to me that there is a duty on both sides of the House—a duty to ask sensible questions and, I accept, a duty to provide proper replies. However, as it became clear to me in the early days of this Parliament that it had not dawned on him that the Opposition get a Question Time for each Department only once a month, I do not take his track record on such matters all that seriously.

Mrs. Lorna Fitzsimons (Rochdale): May I press my right hon. Friend on her earlier answer about the timing of a debate in the overspill session on the Modernisation Committee's report—a Committee on which we both sit? The Committee's understanding is that the House needs the opportunity to vote on the report so that, if it chooses to support the Committee's proposals, they can take effect in the new parliamentary Session after the Queen's Speech.

Mrs. Beckett: My hon. Friend makes an important point. I pay tribute to her for the worthwhile work that she does on the Committee. I anticipate that the House will have an opportunity to come to a judgment on those matters before the end of the Session.

Dr. Evan Harris (Oxford, West and Abingdon): The Government expressed their continuing commitment to the repeal of section 28, following the disgraceful blocking of that measure in the House of Lords. However, in debate and in the Prime Minister's reply to the leader of my party, my right hon. Friend the Member for Ross, Skye and Inverness, West (Mr. Kennedy), the Government have said that they have not decided how to tackle the issue of using further votes in the remainder of the Parliament to make clear the will of the House of Commons.

Perhaps the right hon. Lady will let me know when the Government have decided what they will do, but I offer her the use of a ten-minute Bill that I have on 31 October, which could be used to repeal section 28 in a single clause, and to get the House of Lords to think again and to submit to the will of the elected Chamber on this critical human rights issue.

Mrs. Beckett: The hon. Gentleman makes an interesting point. As he knows, I have great sympathy with his stance on the matter. All I can say to him is that while a ten-minute Bill may be an opportunity usefully to air these issues—

Dr. Harris: The right hon. Lady could give it Government time.

Mrs. Beckett: It is not as simple as that when we are dealing with private Member's Bills. I can assure the hon. Gentleman that thought is being given to how we can deal with the matter.

Mr. Gordon Prentice (Pendle): May I ask my right hon. Friend to do something unconventional? In all the centuries that we have had a Parliament here, only two candidates for Speaker have ever been proposed at one time, but this time there could be a multiplicity of candidates—perhaps as many as 12. Could my right hon. Friend act as an honest broker and go-between to organise hustings in Westminster Hall on the morning of Monday 23 October? *[Interruption.]* This is a serious point. Will she, on behalf of all hon. Members, invite all the candidates to declare themselves this week so that we

[Mr. Gordon Prentice]

know who is intending to stand for the speakership? When it comes to that historic vote on the afternoon of 23 October, we will then have a clear idea about who we can vote for.

Mrs. Beckett: I accept that this is a matter of great interest. If my hon. Friend looks back, he will find that although there were not many candidates when the votes took place, there had often been a much wider field earlier in the proceedings. I am flattered by his suggestion that I might act as an honest broker, but I have every intention of resisting, as I have from the beginning, any attempt to put me in the middle of this.

Mr. Stephen Day (Cheadle): Will the right hon. Lady tell the House whether the Secretary of State for Northern Ireland is able to come to the Dispatch Box today to explain whether the press reports about the docklands bomber being released are correct, given that it is alleged that it took the Secretary of State's personal intervention to about bring his release? Is the right hon. Lady aware of the disgust that will be felt throughout the country at the release of that man? Is she aware that however honourable the Government's intentions, they give a signal to the country and to terrorists that there are no depths to which they will not sink to appease the men of terror?

Mrs. Beckett: I cannot tell the hon. Gentleman that my right hon. Friend will be able to come to the House today. As I said before, Mr. McArdle had co-defendants in the crime of which he was found guilty; they were convicted at the same time, and two who were given longer sentences than him have already been released. I believe that to have been the understanding behind my right hon. Friend's decision. *[Interruption.]* I am well aware that there are Conservative Members who continue to express outrage at the release of any of those who have been convicted of such crimes. However, I believe that the majority of the British people wish to see the peace process succeed, and that is their priority.

Mr. Peter Bradley (The Wrekin): May I take issue with my right hon. Friend's earlier comments about the reform of Standing Orders and the urgency of the need to amend them as they relate to the election of the Speaker? The choice of Speaker that we will make in a few months will largely define the character of the House and the pace of change here for many years to come; it is an extremely serious election. She must be aware that there is widespread concern among all hon. Members about the need to reform Standing Orders, and that many Members want amendments to be made.

Will my right hon. Friend ensure that the Procedure Committee meets in the summer and has the opportunity to prepare proposals for amending the Standing Orders? Will she further ensure that we have an opportunity, before we assemble to elect a new Speaker, to debate and possibly to enact those amendments? If necessary, will she prevail upon the current Speaker to preside over those proceedings so that we can have a seemly election of the next Speaker?

Mrs. Beckett: On a variety of accounts, I am well aware that a number of people have sought to persuade the present Speaker to change her decision on the timing of her departure and she has resolutely resisted that. Today is the first time that the notion has been put to me that the Procedure Committee should meet and change the rules. I have undertaken to consider that, and will do so. I simply reiterate what I said earlier to my hon. Friend the Member for Workington (Mr. Campbell-Savours): I am not at all sure that this is the right time to rush through changes to those rules. The existing procedures have been used by previous generations and have worked perfectly well in getting the desired results. They were thoroughly examined after the election of the present Speaker. Although I will consider the matter, I have great reservations about the course of action that my hon. Friend proposes.

Mr. Graham Brady (Altrincham and Sale, West): Will the Leader of the House make time, during one of the Prime Minister's occasional visits to the Chamber—perhaps this afternoon following his statement—for him to make a clear statement on his determination to force the country to scrap the pound? He has made it clear in his memo that he regards the politics of the matter as overwhelmingly in favour of Britain joining the euro. Will he explain to the House how that can possibly be the case, given that the European Union itself has found that 70 per cent. of the British public oppose British membership of the euro? Will he explain to whom the policy is favourable and why he wants it introduced so quickly?

Mrs. Beckett: As the hon. Gentleman knows, my right hon. Friend the Prime Minister answers more parliamentary questions than did his predecessor and, as a consequence, is in this House more often. The issue to which the hon. Gentleman refers has been aired frequently and ad nauseam, and we certainly will not debate it when we return after the recess.

Dr. George Turner (North-West Norfolk): My right hon. Friend announced today that we shall debate the Rural White Paper in the context of a report from the Select Committee on the Environment, Transport and Regional Affairs. Although my constituents welcome much of what the Government have done, they are impatient for further action. After 18 years of Conservative Government, with the closure of schools, post offices and shops and the reduction in bus services, they want this Government to spend every penny that the Chancellor has made available. When will we debate the White Paper itself, so that the Government can turn promises into action for rural areas? We are all fed up with the Tories, who just want cuts—the same old cuts, the same old Tories.

Mrs. Beckett: I am aware of the impatience in the countryside to see the Government's further proposals and to know what would be put in jeopardy if the Conservative party were elected. I anticipate a debate on this matter, perhaps during the autumn.

Mr. Michael Fabricant (Lichfield): When we return, may we have a debate on the Northern Ireland peace process? The Leader of the House will be aware that not a single bullet nor ounce of Semtex has been handed over, and that punishment beatings continue. Does she think it

right that James McArdle should be released after serving just two years for killing two people in docklands? Is one year per person just?

Mrs. Beckett: I have nothing to add to what I said before: the British people's priority is the peace process.

Mr. Andrew Dismore (Hendon): Is my right hon. Friend aware that, last Friday, the Divorce (Religious Marriages) Bill (Lords) was blocked by the right hon. Member for Bromley and Chislehurst (Mr. Forth), causing widespread anger and disappointment among my Jewish constituents and the wider Jewish community? That modest measure would have brought great comfort to a relatively small number of Jewish women who are chained in marriage by their husbands, who refuse to grant them a divorce. Can my right hon. Friend give them any hope that somehow this measure can be reintroduced at a later stage?

Mrs. Beckett: As my hon. Friend knows, the Government are sympathetic to the view that he has expressed and are concerned about that matter. I can undertake that we will consider it, but he will know that there are difficulties. However, we did not object to the Bill.

Mr. Stephen O'Brien (Eddisbury): Having waited seven months for the Government's response to the reforms proposed by the Neill committee and noting that, in the Government's spin, they say that they will curb the burgeoning hordes of special advisers but make no promise about the date for introducing the necessary legislation before the general election, can we hold an urgent and early debate on the reason why the Government seek to reject a raft of the reforms proposed by the Neill committee?

Mrs. Beckett: Lord Neill has welcomed the degree to which the Government have accepted his recommendations. It is yet again typical that the Conservative party prefers to talk about special advisers, memos and leaks than about the health service, education and jobs, as I am sure the British people have noticed.

Mr. Huw Edwards (Monmouth): Can my right hon. Friend find time to debate the potential use of objective 1 funds, which have been greatly welcomed by industry and agriculture in Wales, so that we can compare this Government's record for Wales in securing objective 1 funding and matching it with £421 million over three years with the record of the previous Government, who did not apply for one penny?

Mrs. Beckett: My hon. Friend is entirely right. I hope that there will be opportunities to air that important issue in the overspill session. I cannot undertake to find time for a special debate on it, but he might like to seek one in Westminster Hall, and he might remind people who was the last Secretary of State for Wales under the Conservative Government.

Mr. John Bercow (Buckingham): May we please have a full day's debate in Government time on early-day motions 1042 and 1044, which relate to the possible amendment of the Local Government Act 1988?

[*That this House commends the constitutional propriety of the 24 Labour, three Liberal Democrat, six Scottish Nationalist and two other Right honourable and honourable Members from Scottish constituencies, namely the Right honourable and honourable members for Banff and Buchan, Angus, Tayside North, Argyll and Bute, Dumbarton, Carrick Cumnock and Doon Valley, Kilmarnock and Loudoun, Ochil, Galloway and Upper Nithsdale, Strathkelvin and Bearsden, Coatbridge and Chryston, East Lothian, Edinburgh East and Musselburgh, Eastwood, Edinburgh Central, Dunfermline East, Dunfermline West, Fife Central, Anniesland, Baillieston, Kelvin, Pollok, Caithness, Sutherland and Easter Ross, Ross Skye and Inverness West, Renfrewshire West, Midlothian, Moray, Cumbernauld and Kilsyth, Perth, Paisley South, Clydesdale, Hamilton South, Livingston and Linlithgow, who abstained on the vote on 25th July to preserve section 28 of the Local Government Act 1988 in England and Wales, an issue which is devolved to the Scottish Parliament in relation to their own constituencies.*]

Does the right hon. Lady accept that such a debate would provide an excellent opportunity for 28 Labour Members who represent Scottish constituencies to explain why they supported the retention of section 28 in England and Wales, but its abolition for their own constituents?

Mrs. Beckett: All I can say is that I have nothing to add to what I said before. The Government will return to the discussion of such issues in time.

Dr. Julian Lewis (New Forest, East): In answer to the question asked by my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady), the Leader of the House said that the Prime Minister had frequently outlined the overwhelming political case for the euro in public—a case to which he apparently adheres to in secret. Is not it a fact, however, that all that has ever been said in public is that there is no constitutional bar to Britain joining the euro, which is a very different matter? Will she seek to secure from the Prime Minister an honest statement of the reason why he secretly thinks that there is an overwhelming political case for signing up to the single European currency?

Mrs. Beckett: My right hon. Friend has repeatedly made the Government's position clear. The Conservative party should not encourage debate on that matter because the more we hear about its pledge to keep the pound for one Parliament, but not necessarily for ever, the sillier it sounds.

Mr. Owen Paterson (North Shropshire): The Leader of the House grossly underestimates the strength of feeling, as expressed in early-day motion 1027, which was mentioned earlier by my right hon. Friend the Member for North-West Hampshire (Sir G. Young).

The Home Secretary escaped two days ago only by a slippery and semantic use of the word "it". If he came to the House, we could talk about police numbers because, in April, my police authority was 101 police officers down on April 1997. We could also analyse his use of the words "more", "extra" and "new" when he discusses police officers.

Mrs. Beckett: These matters have been extensively aired and, no doubt, they will be again. I have nothing to add to what I have said already.

[Mrs. Beckett]

Finally, Madam Speaker, on behalf all those who regularly attend business questions, may I say that we shall miss you?

Madam Speaker: Thank you very much.

NHS Plan

1.14 pm

The Prime Minister (Mr. Tony Blair): With your permission, Madam Speaker, I should like to make a statement on the national health service plan.

The NHS was the greatest achievement of the post-war Labour Government. It was based on one solid founding principle: health care should be given on the basis of people's needs, not their wealth. Some objected to that principle then, some would like us to abandon it today, but this side of the House will never abandon what was one of the greatest civilising acts of emancipation this country has ever known. Our task is instead to provide both the money and the reform to make the health service and its founding principle live on and prosper in the 21st century.

As to investment, in March we took a profound decision as a Government. We had sorted out the public finances. Debt service payments were down. Spending on unemployment benefits was down. It was the tough decisions that we took on the economy that gave us the opportunity to make this historic commitment to the national health service—an average real terms increase in spending of 6 per cent. Over five years, the NHS will grow by a third in real terms, the largest ever sustained increase in its funding.

The plan shows how that money will make up for years of underinvestment. Over the next four years, it will provide 7,500 more consultants, a rise of 30 per cent.; 2,000 extra general practitioners; 450 more GP trainees and more to come after that; in time, 1,000 more medical training places each year—on top of the 1,000 already announced—a 40 per cent. increase since 1997; and more than 20,000 extra qualified nurses, to add to the 10,000 extra already in post, making 30,000 extra in total.

For decades, the NHS has failed to invest sufficiently in modern building and equipment. The plan will mean 3,000 GP premises modernised and 500 new one-stop primary care centres; 250 new scanners for cancer and other illnesses; modern information technology systems in every hospital and GP surgery; 100 new hospital schemes in the next 10 years; and 7,000 more hospital beds in hospitals and intermediate care, including the first increase in general and acute hospital beds in 30 years. That is only possible because we are making this historic investment in our NHS.

Caring better for NHS staff will mean better care for NHS patients. That is why the plan sets out new facilities for staff, starting with 100 on-site nurseries and money for individual training for all staff—not just the professions, but the support staff as well. Our task is to tackle not simply years of underfunding, but years of low morale.

We know that money alone, however, is not the solution. Over the past few months, I and my right hon. Friend the Secretary of State for Health—to whose work in drawing up the plan I pay tribute today—have had scores of meetings with NHS staff and professionals, visited hospitals and GPs, and spoken to providers and users of the NHS. Because the issue of funding has been alleviated, at long last, people have been able to lift their heads and look at the system in which they operate.

The NHS staff are magnificent. They are the greatest asset that the health service has. They are indeed the basis of the trust that the British people put in the NHS, but,

in truth, they have been, and often still are, working flat out in a system that is still organised as it was in the 1940s. Today, patients and staff alike expect and demand a wholly different type of service for the new age in which we live.

What is extraordinary is that this is the first time that any Government have looked long and hard at all aspects of the NHS: the absurd demarcations between staff that keep patients waiting; the splits between social services and the NHS that make life misery for many elderly people; the consultants' contracts, largely unchanged since 1948, the issue of private practice and NHS work left unresolved; GPs' contracts being based too much on quantity, not quality; and a standoff between the private sector and the health service that is not in the interests of NHS patients—all difficult issues, all a relic from 1948, all addressed in this plan today.

Each of those issues is faced up to and fundamental reform proposed. The aim is clear: to redesign the health service system around the needs of the individual patient.

First, the role of nurses will be radically enlarged and old barriers to modern working removed. A qualified nurse has had at least three years training. It is wrong that, in many places, nurses are unable to make and to receive referrals, to admit and to discharge patients, to order tests, to run clinics and to prescribe drugs. Those old rules will be swept aside and nurses in every hospital will have that opportunity.

Secondly, let me say something about general practitioners. The vast majority do a superb job, as we all know. They are highly respected, and rightly so. We should never allow the publicity given to the few exceptions to undermine the excellence of GPs' reputation. But—again—their contract is outdated and inflexible. GPs can do more—they could even do some of the work that is currently undertaken by consultants—and they should have far more freedom in respect of how they use the money that they have.

We aim over time, without compulsion but with clear incentives, to move GPs to a new system of contractual arrangements. The personal medical service contract will reward doctors on the basis of quality of care as well as on the basis of patient numbers, and will give doctors far more flexibility to innovate and change. *[Interruption.]* This will not be the old two-tier system.

There will also be more salaried doctors. Taken together, the changes I have announced will be the most significant changes in the way in which GPs operate since 1948, and will literally be able to transform primary health care in this country.

Consultants do an extraordinary job for the national health service. Their expertise and immense skill are key to its future. That is why we are increasing consultant numbers by a third, and giving leading clinicians a greater role in the setting of national standards. Again, however, the consultant contract has remained largely unchanged since 1948, and, although most consultants work extremely hard for the health service beyond their contractual commitments, there is no proper management of their time. We will ensure that all consultants have proper job plans setting out their key objectives, tasks and responsibilities; that has never happened before. Moreover, consultants' performance will be regularly reviewed.

Above all, however, we want to reward most those who make the most commitment to the national health service. First, to encourage high standards of performance and use of the new national service frameworks, we are giving consultants, along with others, access to part of the new £500 million performance fund, which will give extra money to those who meet the highest standards of service. Secondly, we will merge the existing distinction awards and discretionary points schemes, and increase their funding. By 2004 we will increase the number of consultants receiving superannuable bonus from less than 50 per cent.—the present number—to about two thirds, and will double the proportion of consultants who receive annual bonuses of £5,000 or more.

Thirdly, we are offering a deal to new consultants. From now on, once a person is newly qualified, that person will be contracted to work exclusively for the NHS for the first few years of his or her service.

Again, those will be the most substantial changes to consultant contracts since 1948.

The next major reform is to remedy the extraordinary situation that means that at any one time thousands of older people are in the wrong place for their needs. They are stuck in hospital, when they could be cared for better in their own homes. For the first time, social services and the NHS will, in every area, use pooled budgets and new arrangements that will ensure that they work together for the good of the patient. When local councils and primary care trusts want to go further and merge into a single organisation, we will enable them to do so by creating new care trusts delivering one-stop care with a unified budget. When partnerships persistently fail to deliver, we will require local health and social services to join in a new care trust.

I thank Sir Stewart Sutherland, who chaired the royal commission on long-term care, and the other members of the commission. A full response is published alongside the health plan.

Today, we are correcting a major injustice in the system. The NHS provides nursing care free of charge for people living in their own home or in hospital. Until now, however, nursing provided in a nursing home has been charged for. That will now change. From October 2001, subject to parliamentary approval, nursing care in nursing homes will be treated as nursing care elsewhere in the NHS—free at the point of use.

Additionally, we are investing in a major expansion of intermediate care prevention and rehabilitation services for the elderly: by 2004, spending on those new facilities will increase to £900 million per year. We shall also, as the commission proposed, expand respite care, benefiting 75,000 carers and those for whom they care.

Taken together, the package amounts to an extra £1.4 billion per year for older people. That is more investment than the royal commission itself called for.

Next, there is a series of reforms aimed at preventing ill health and improving the nation's health, including measures to reduce smoking and improve diet. Central to that are measures to reduce health inequalities. The truth is that the gaps between the health of the poorest and the health of the better off in our society are completely unacceptable in modern Britain. Moreover, it is children who pay the biggest price for those gaps. That is why programmes such as sure start, enhanced maternity grants,

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increased child benefit and the new deal for communities are so vital, and why we should fight so hard to protect them against those who would abolish them.

Next, we shall reform treatment of the most serious illnesses, such as cancer and heart disease. Until now, there have been no national standards for treatment of those illnesses, and the availability of treatment has often been patchy—some people get drugs, others do not; some people are seen quickly, others are not. For each of the main conditions, therefore, there will be a national framework of standards specifying minimum standards of access and the care to which patients are entitled.

The framework for cancer, for example, will entail maximum waiting times that cover not only referral to diagnosis, but diagnosis to treatment; a big expansion in cancer screening and cancer specialists; and an end to the postcode lottery in prescribing cancer drugs. Additionally, 400,000 patients will benefit every year from new equipment for diagnosing and treating cancer. The framework for coronary heart disease will entail an extra £230 million per year by 2004; a 50 per cent. increase in cardiologists; and shorter waits for heart operations.

The national service frameworks will reflect a fundamental change in the relationship between central Government and the local NHS. The centre will do what it must do: set standards, monitor performance, support modernisation, put in place a proper system of inspection, and, when necessary, correct failure. The new Commission for Health Improvement will inspect and report on hospitals, primary care groups and primary care trusts. That information—like information on schools from the Office for Standards in Education—will be available to the public.

If necessary, the worst performing trusts will have new management put in. In future, the 3,000 non-executive board members of trusts and health authorities will be appointed not by the Secretary of State, but by an independent appointments commission. There will also be a new independent panel to advise the Secretary of State on proposed reorganisations of local hospitals and health services.

There will be maximum devolution of power to local health professionals. Over time, primary care groups will move to being primary care trusts, offering minor surgery, physiotherapy, diagnostic tests, and even minor operations in the local primary care centre. For all PCTs, health authorities and hospital trusts, there will be a new system of what is called "earned autonomy" that will radically reduce the amount of central intervention where performance is high. Patients put their trust in front-line doctors, and so do we.

The best performers will be given greater freedom and flexibility, and all will have access to additional funds tied to clear outcomes in performance. That will include a new framework—a concordat—with the private sector. There should be, and will be, no barrier to partnership with the private sector where appropriate—as the private finance initiative hospital building programme has shown. Where the facilities of the private sector can improve care or help to fill gaps in capacity, we should use it, but let me make one thing clear: we will never permit people to be forced out of the health service for non-urgent care. That would destroy the national health service. Where the private sector is used, it will be fully within the national health service, free at the point of use to the patient.

We also examined in detail alternative methods of funding the health service. We concluded that the proposals of some to expand health care through tax incentives for private health insurance were massively inefficient and would take vital resources out of front-line national health service care; and that moving entirely to a continental European type of social insurance system, while less inequitable than many other suggested alternatives, would cost an extra £1,000 to £1,500 per employee per annum. We also estimated that, through the health service, administrative costs are hugely reduced compared with other systems. We were therefore confirmed in our view that what the national health service required was not dismantling but modernisation.

At the heart of the reforms is the idea of redesigning the system round the patient. Too often, whatever the quality of actual care, the patient is catered for in dirty wards on rundown premises, with standards of food and basic amenities far below what would be tolerable in other services. Part of the reforms is designed to remedy that. Clean wards and better hospital food will become central to trusts' work, with new resources to back it up.

That will get under way now. By 2002, 95 per cent. of mixed sex wards will have gone. NHS Direct will be available in all parts of the country. In time, we aim to have the ability to link all parts of the system through technology, so that one call will put the patient immediately through to the right place.

By 2005, booked appointments will have taken the place of the old waiting lists. As a first step, by April 2001, all hospitals will be using booking for two of their major conditions. By 2003–04, two thirds of all appointments must be pre-booked.

By 2004, there will have been an end to long waits in accident and emergency; people will get an appointment with a GP within a maximum of 48 hours; and, if an operation is cancelled on the day it is due to take place, other than for medical reasons, patients will get another one within 28 days or have their treatment funded somewhere else. Patients will also have more say and more choice, with a patient advocate and forum in every hospital to give them immediate help with sorting out their complaints, and a voice in how the hospital is run.

Over time, these changes, plus the money and the staff, will allow waiting times to come down substantially. By 2005, the maximum waiting time for an out-patient appointment will be three months, and for an in-patient appointment six months rather than the present 18; with urgent cases being seen the most rapidly.

Average waiting times will, as a result, also come down: from seven to five weeks for out-patients and from three months to seven weeks for operations. There will be reduced waiting times for all conditions—not just some—and our eventual objective, provided that we recruit the staff and make these reforms, is to get the maximum waiting time for any stage of treatment down to three months by the end of 2008.

There are many other proposals for change set out in the plan. It will mean, over time, radical change in the health service, but I emphasise to the country that it will take time. Some changes will be fast, but others are crucially dependent on new investment in staff and facilities coming through. Staff are crucial to this process. Uniquely, the principles that underpin this plan command

the wide support of professions and staff across the NHS, as will be seen from the signatures to the principles at the start of the plan.

There is another cause for optimism: at every level of the health service, there are examples already of where change and reform have made a difference. We know that the plan is achievable because somewhere in the health service it is already being achieved. The challenge has been to remove the outdated practices and perverse incentives that have prevented the best from becoming the norm. I make it clear to all NHS staff: we will carry on with the same system of co-operative working and partnership that has characterised the past four months. This is the beginning, not the end, of that process.

The challenge is to make the NHS once again the health care system that the world most envies. Now, with the money going in, the reforms can follow so that we can proclaim loud and clear that the idea of decent health care based not on wealth or position, but on need and suffering, is not an old-fashioned principle that has had its day; it is, rather, a timeless principle that this generation has found the courage to reinvigorate for the modern world. That is what we set out in the plan, and I commend it to the House.

Mr. William Hague (Richmond, Yorks): I thank the Prime Minister for his statement, but warn Labour Members that in announcements from this Government, there is always a huge difference between the announcement and the facts—*[Interruption.]* I shall say what some of them are in a minute. There is also a vast gulf between the announcement and what really happens.

We agree with the Prime Minister that the staff of the NHS are indeed its greatest asset. We welcome what he said about changes to the role of nurses and his apparent acceptance of the need to use the private sector when it is of benefit to patients—which comes after years of hypocritical attacks on us for advocating the same idea. However, the importance of looking at the fine print is shown on even a cursory reading of the Prime Minister's statement. Will he confirm that when he refers to 7,000 extra beds, he is including beds in the private nursing sector? He talks about funding nursing care. Will he confirm that the Press Association has been briefed that it will not include dressings and catheters, which will be counted as personal care and not as nursing care? When he says that he will not have a two-tier system of GPs, will he confirm that what he has just advocated involves some of them being salaried and some not, and some providing personal medical services and some not; so how can he lecture others about a two-tier provision? Will he confirm that an extraordinary number of the targets in his four-year plan will not be met for eight or 10 years, if at all?

Will he confirm that, in the fourth summer of his premiership, he has now made a long statement on health to the House without a single mention of the waiting list initiative that has been the centrepiece of his policy for the past three years? Is that not a stark admission of his total failure on health for the past three years?

We all remember that before the general election the Prime Minister said that we had 24 hours to save the NHS—now it is 10 years and a four-year plan. Three years on, the waiting lists to see a consultant are up by 154,000; 80 per cent. of health authorities have more patients waiting more than a year for operations; the number of cardiac bypass operations has fallen for the first time in a quarter of a century; one fifth of people diagnosed with curable lung cancer are inoperable by the time the treatment begins; the nursing profession is facing its most severe shortages for a generation, and 140,000 NHS patients were forced to pay for private care in the last calendar year.

As the Prime Minister's own adviser summed it up so well:

> TB has not delivered. He said that he would improve the NHS but instead things have got worse.

People will judge today's plan against that background of mismanagement and failure.

Of course, selective extracts of the plan were leaked to the newspapers in advance. How extraordinary it is that the Government complain about leaks, when most of the leaking is authorised by the Prime Minister himself. It was therefore already known that the plan would contain more targets even though the current targets have not been met, and more pledges even though the current pledges have not been met. The only difference between the contents of this statement and the pledges in the Labour manifesto of four years ago is that the Prime Minister has set the targets so far in the future that he will not be held to account for whether or not they are met.

Yesterday, the Prime Minister conceded that the next Conservative Government would spend the same as this Government on health. The real debate is about how that money is spent. That is the debate about this plan. We will judge the national plan on whether it really extends patient choice, on whether it really puts clinical priorities ahead of political priorities, on whether it really breaks down barriers with the private sector and on whether—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. There is far too much shouting in the Chamber. Hon. Members should calm down.

Mr. Hague: We will judge the national plan on whether it really devolves power away from Whitehall to doctors, nurses and other health professionals. The Prime Minister has a tendency to use words such as "choice" and phrases such as "putting the patient at the centre", but not to deliver in reality. People will naturally be sceptical.

Will the Prime Minister say whether the Government have at last abandoned their disastrous waiting list initiative, of which he made no mention in his statement? Will he assure the House that the plan means that the sickest patients, such as those with cancer or cardiac problems, will be treated first, as we have long proposed?

Secondly, for all his talk—*[Interruption.]*

Mr. Deputy Speaker: Order. It is not good for the Deputy Speaker to interfere, but I appeal to the House. We must be quiet. The Leader of the Opposition is entitled to a hearing. Hon. Members do not have to agree with what he says, but he is entitled to a hearing.

Mr. Hague: Secondly, for all the Prime Minister's brave talk, the plan appears to create a medical apartheid between the private and public health sectors, by prohibiting NHS consultants from working in the private sector. Is the right hon. Gentleman aware that it is not

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general practice for people to do that in the first five years that they work as consultants? Will he say whether the period of a "few years" to which he referred amounts to fewer than five years? If the period is less than five years, the provision will make no difference. If it is more than five years, it will surely risk reducing the number of consultants working in the national health service. Will not that risk adding to the waiting list?

How does that square with the Prime Minister's stated aim of working with the private sector on problems such as cancelled operations? Should not maximum waiting times include a commitment to use the private sector if the NHS cannot deliver?

The Prime Minister talks about patient power, and says that he will set up a lot of new patient advocacy quangos. However, what is he actually going to do to give patients a real choice about which hospital they are treated in? The director of the College of Health has said:

> Patients have less choice now than ever in the National Health Service's history.

Would not the best way to drive up standards be to restore the right of GPs to refer patients to the hospital of their choice—a right abolished by this Government last year?

The Prime Minister said that the Government would pay for nursing care but not for personal care. Will the right hon. Gentleman define those terms, and say how they differ from one another? How much of the care needed by an Alzheimer's patient is the former, and how much the latter?

As well as the rhetoric, the reality of reforming the NHS has to be about patient choice, trusting the NHS professionals, partnership with the private sector, and getting rid of political interference. Instead, is not today's statement the final admission by the Prime Minister that he has broken every promise that he made on health in the past three years? Three years into his Government he has had to start from scratch. Given that absolute failure in the past three years, should he not be assured that the British people will judge him not on what he promises that his plan will achieve, but on what it is likely to deliver?

The Prime Minister: I think we saw that the moment he got on to policy, the right hon. Gentleman did not have a great deal to say. When he is making his jokes and his witty remarks, he can just about do it, but when it comes to serious policy, he really does not have a clue.

First, let me remind the right hon. Gentleman that his party was in power for 18 years when many of these things were being done. Let me also deal with a few of the facts. He was rather coy about mentioning some of them at the Dispatch Box, such as his extraordinary remark the other day that there are 14,000 fewer nurses in the health service under this Government. He did not mention that today, perhaps because he knows that there are 10,000 more today.

Another thing that the right hon. Gentleman did not mention—as I have the answer, I will give it to him anyway—was the nonsense about spending £200 million on the euro. Madam—Mr. Deputy Speaker—*[Interruption.]* We are back to that. Mr. Deputy Speaker, the costs on the euro are negligible in the national health service. No money is being spent on the euro in the national health service—the money is being spent on the patients in the national health service.

The right hon. Gentleman says that waiting lists have gone up under this Government. Let me again give him the figures. It is true that waiting lists—in-patient and out-patient—had been rising for years when we came to office. We have brought down the in-patient list by more than we promised at the election. It is correct that out-patient lists have gone up; it is correct that they are coming down now. But they were rising year after year after year when the previous Government were in office.

We do not have to argue about the theory—let us argue about the facts. The right hon. Gentleman was in charge of the health service in Wales under the previous Government. What did he do then? The number of general practitioners was cut, he cut 1,200 hospital beds, the in-patient waiting lists went up by 6,000, and he cut by 300 the number of nurses, midwives and health visitors.

Since we came to office, let me tell the House what we have done in the right hon. Gentleman's constituency. There is the £3.3 million scheme for the conversion of the Friary in Richmond to a community hospital and primary care centre, operational since 23 March 1999. Northallerton health services accident and emergency department has received £600,000. Some £500,000 has been spent on intensive care beds and £180,000 on out-patient modernisation. Shall I tell the right hon. Gentleman what those improvements have in common? They were delivered by us and they would never have been delivered by him. *[Interruption.]*

Mr. Deputy Speaker: Order. We must have some calm in the Chamber. *[Interruption.]* Order. We are talking about the health service, so we should all watch our blood pressure.

The Prime Minister: The right hon. Gentleman said that I conceded yesterday that the Conservatives would match us on health spending. They will not match us on health spending. The right hon. Gentleman has £16 billion worth of cuts to find. He has £1 billion more to find for private medical insurance. He has to find the extra money on tobacco duty, which he refused to support, which makes a £300 million hole in his funds straight away.

What is clear from everything that the right hon. Gentleman has said today, and from what his health spokesman has said, is that on the NHS, the Conservatives are more extreme than ever. They do not believe in the health service—they never did. They would not invest in the health service—they never did. They do not understand the health service—they never did. *[Interruption.]*

Mr. Deputy Speaker: Order. Hon. Gentlemen should not be shouting. *[Interruption.]* Order. I am not responsible for the answers of the Prime Minister. Hon. Gentlemen must be quiet.

The Prime Minister: I will repeat what I said. Conservatives do not believe in the health service—they never did. They would not invest in the health service—they never did. They do not understand the health service—they never did. *[Interruption.]* The problem with the service is that, for 35 of its 52 years, it was run by a

party that did not care enough about the national health service. Well, this party does, and it will be our pleasure to rebuild it. *[Interruption.]*

Mr. Deputy Speaker: Order. I realise that it is the end of term, but the hon. Member for Lichfield (Mr. Fabricant) must behave. If he cannot calm himself, he will have to leave the Chamber.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): There is great symbolism in the fact of this prime ministerial statement today, and the House of Commons, as a whole, should welcome that fact. Is it fair, therefore, to acknowledge that, in the carefully crafted words of the Prime Minister today early in his statement—when he said that the plan shows how the money will make up for years of underinvestment—those years of underinvestment included the first three years of his Administration?

Secondly, when the Prime Minister says—*[Interruption.]* I hope that Labour Back Benchers will give me the courtesy of attention, because I am attempting to question the Prime Minister on what he said, as opposed to coming up with a pile of pre-prepared, jingoist and simplistic soundbites, paying no attention to the detail involved.

When the Prime Minister says that, for decades, the NHS has failed to invest sufficiently in modern building and equipment, he should say not that the NHS has failed to invest, but that we have failed to invest. It is the responsibility of the public in terms of the decisions taken at the ballot box, as well as of the Government of the day. Having listened to the Leader of the Conservative party, I am sure that we will have our legitimate differences across the Floor of the House when it comes to public services generally and the health service in particular, but none of us wants to return to the 18 years that preceded the development that we are acknowledging today.

Can the Prime Minister properly clarify whether the national plan includes the provision of personal care for those in long-term care, as was recommended by the royal commission? If it does not, let us be clear what that means in human terms. It means, for example, that a person suffering from dementia would be expected to pay for being bathed, fed and clothed. That is an issue of basic dignity that should be of concern to us all. It is vital that the Prime Minister should be able to confirm that.

In passing, could the Prime Minister confirm how many of those groups—including, for example, those concerned with Alzheimer's—who put their names to the NHS plan have not put their names to the Government's response to the royal commission on long-term care? That is a significant consideration, and one that the House needs to hear about. Will every mental health patient be given an absolute right to an assessment of their needs and treatment?

The Prime Minister was silent today on the issue of dentistry. What, if anything, are the Government proposing later this year with regard to that? All of us know, at a constituency level, the real difficulties people are having in even getting registered with a dentist, never mind getting or affording the treatment that follows.

Finally, Madam Speaker—I mean Mr. Deputy Speaker: you are not in danger of calling me "love", I hope—

Dr. Evan Harris (Oxford, West and Abingdon): Nothing wrong with that, Charles.

Mr. Kennedy: Following what he said during Business questions, my hon. Friend says that there would be nothing wrong with that.

Finally, Mr. Deputy Speaker, Sir, I welcome the report and confirm the commitment of my party—and our whole political and philosophical tradition—to the thinking that led to the formation of the national health service. We want the national plan to succeed: that is in all our interests. If the promises it contains are delivered, there will be better to come for the health service. I share the Prime Minister's hope that better is to come. The whole nation wants that.

The Prime Minister: On the right hon. Gentleman's point about underinvestment, I accept that we did not get as much money into the health service as we should have liked during our first two years. However, that happened for the simple, clear reason that we had to make sure that we reduced the enormous deficit in the public finances. If we had not done that, we would not have stabilised the economy, achieved growth and avoided the recession that many predicted. We would not, in fact, have been in a position now to achieve sustainable increases. The right hon. Gentleman is also, of course, right to refer to a failure by Government to invest.

On personal care, the right hon. Gentleman is right. We have committed ourselves to nursing care, but have decided that it is better to spend £900 million on intermediate care rather than making all personal care free. It will be up to the nurse on the ground to decide the difference between nursing and personal care. I am informed—but will get the precise details for the right hon. Gentleman—that seven out of 10 of those who receive personal care will also receive some support.

I will also check the details on mental health, but think it correct to say that people will have the right to have their needs assessed. On dentistry, the position is as I set it out last year. By the end of September 2001, everyone will have access to an NHS dentist.

There are many elements in the plan, and to list them all would detain the House even longer than I have done. I thank the right hon. Gentleman for his general support, and for the constructive way in which he has approached the issue. To Conservative Members, particularly those who object to what I have said, I say that it would have been easier if we had had something of the same constructive approach from the right hon. Member for Richmond, Yorks (Mr. Hague).

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. It is obvious that I cannot call every hon. Member who wants to speak. The briefer the questions are, however, the more I will be able to call.

Mr. David Hinchliffe (Wakefield): I warmly welcome the Prime Minister's statement. The strategy that he has outlined is in marked contrast with the ragbag of a fragmented internal market that we were left by the

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previous Government. I pay tribute to my right hon. Friend the Secretary of State for Health for his efforts. He deserves much credit for the imagination that went into the plan. I welcome the proposals about consultants' contracts and private practice.

I have one or two detailed questions about the statement. My right hon. Friend will understand that there is some unease on the Labour Benches about the proposed relationship with a private health care sector that has consistently undermined the NHS's basic principles since 1948. Will he say a little more about the proposed concordat? Is it a temporary arrangement, and will it last as long as some of the mental health arrangements with the private sector? If the NHS is short of capacity, why do we not buy capacity on a long-term basis from the private market?

Finally, on long-term care, I warmly welcome the proposals about the relationship between health and social services, which has concerned me for many years.

Picking up on the point made by the leader of the Liberal Democrats, my right hon. Friend answered the question about the definitions of social care and nursing care by saying that the decision would be left to the individual nurse. Does the plan offer a clear definition of those two areas, one of which is means-tested and one of which is free? Otherwise, will there not be some inconsistency in the interpretation of that division?

The Prime Minister: On the last point, I will write to my hon. Friend as I do not want to mislead him in any answer I might give about some of the distinctions, which are complicated. Essentially, we had to choose whether we would fund all personal care in the way that the Sutherland commission anticipated, or whether it was better to use the same amount of money for a range of intermediate care projects. We decided that it was better to do it in the latter way.

I have no doubt that the debate and discussion will continue on the matter, but the commitment of £1.4 billion overall is significant. Of course, the commitment to free nursing care is intended to remove what otherwise has been a basic anomaly in the way in which we have dealt with the long-term care system.

As for the private health care sector, for me the key distinction is between that sector developing or delivering a service within the national health service and people being forced out of the NHS altogether. It would probably be prohibitively expensive to buy out all the private care as my hon. Friend suggests. However, it is also clear that if hospitals can buy in some capacity for the treatment of particular patients—obviously, this happens now to an extent—it is important to have that flexibility for the patient.

On consultants' contracts, the important thing is that, obviously, consultants will carry on with their private practice, but it is right that we contract new consultants to the national health service for the early stages of their careers, provided that we ensure that they are properly and adequately rewarded—[Hon. Members: "How long?"] As to the number of years, that is precisely what we can now sit down and discuss with them. *[Interruption.]* People would complain if we imposed that on them, therefore it is sensible to discuss it with them. In the plan, we say that about seven years is a sensible time.

Mr. Nicholas Winterton (Macclesfield): I welcome the Prime Minister's statement about the NHS for the future and the plan that he has put to the House. I am sure that he would accept from me—my credentials in support of the health service are, I think, well known—that the proof of the pudding is in the eating. Clearly, people will want to see how the reforms and the plan unwind. Will he assure me and the House that doctors and consultants will have total clinical freedom and that the pressures of bureaucracy put on them by central Government in respect of waiting lists will be removed?

I warmly welcome the additional responsibilities that the right hon. Gentleman is giving to the nursing profession, which could save the health service a great deal of money. Please will he be a little more forthcoming, however, about what is nursing and what is social care when dealing with long-term care for the elderly? To my mind, that matter is critical. Does he not feel that he is putting a great deal of pressure on the nurses who have to make that decision?

The Prime Minister: Probably, it is best that nurses make that decision, as they will be able to assess what care they, as nurses, need to provide. It is probably better to leave that decision to them, obviously with some flexibility, rather than to draw up such tight rules that they would cause more trouble rather than help.

As for consultants, of course they will have the power to determine priority cases. I make no apology for saying, however, that we are trying to get as many consultants as possible to consider new and different ways of working. Every stage of the health service that I have seen in my visits of the past few months convinces me that, by fairly simple changes that are not rocket science, the way in which patients are treated—from the time they first see their GP to the time that they have their operation—could be hugely simplified. Basic protocols and frameworks can be drawn up to allow that to happen.

Obviously, it must be for individual consultants to decide these matters, but it is frustrating when one sees that some practices in the health service have literally abolished waiting lists and times, but that those practices are not universal within the service. That is what we will try to do through the new performance fund. Certainly, I pay tribute to the hon. Gentleman's own commitment to the health service.

Mr. Dennis Skinner (Bolsover): Does my right hon. Friend appreciate that while he, our right hon. Friend the Secretary of State for Health and others have been touring hospitals to devise this plan, many people have been attending hospital because they had to? During the past 15 months, I have been on a steep learning curve in the NHS. Most of those with whom I sat in queues during those months would give my right hon. Friend seven or even eight out of 10 for today's announcement. By any stretch of the imagination, this is a big day not only for the NHS but, more important, for all those people who have had to use it over the years. People left hospital searching for the blue in the sky—sometimes they never saw it. Today's announcement means that a lot more

people will leave with a smile on their faces, in the knowledge that the health service has been improved—not perfection, but made one hell of a sight better.

The Prime Minister: I thank my hon. Friend. I hope that he is right. It will take time, but I am sure that we can do it.

Mr. Tim Boswell (Daventry): As one TB to another, perhaps we can agree to overlook the adviser's memo that suggested that the Prime Minister had failed on the health service.

Will the right hon. Gentleman explain to my constituents how his announcement today will bring them a better health service when, during the past three years, successive announcements made by various Ministers have achieved a local situation in which waiting lists are at best static, the waiting list to get on the waiting list has doubled and the district general hospital is full at the height of the summer?

The Prime Minister: I can explain how it can become better. No doubt, the hon. Gentleman needs in his constituency more hospital staff and better facilities. That is precisely what this investment gives us. If we achieve better working between social services, primary care services and the hospital service, that too will improve the situation. I have not come to the House today to say that everything in the health service is perfect; of course it is not—otherwise we would not need this plan. I hope that we can work to achieve the changes.

I point out to the hon. Gentleman—although I am not sure whether he is too much in agreement with much that is said by Opposition Front-Bench Members—that if he considers—*[Interruption.]* I am sorry, I may have dealt the hon. Gentleman a career blow. I did not mean to do that; I am sure that he is wholly in agreement with Opposition Front-Bench Members. [HON. MEMBERS: "He is a Front-Bench Member."] That is even better—I am afraid I missed that.

If the hon. Gentleman analyses what the Conservatives have promised financially, there is a big division—that is a real issue for Opposition Members. With the strength of the economy, we can either put more money into our essential public services or not. His party have chosen not to do so. My right hon. Friend the Chancellor announced additional spending of 3.3 per cent. The Leader of the Opposition and the shadow Chancellor said that it should be less than 2.25 per cent. That is a fact. On my arithmetic, that means that one third comes off the spending figure. If the Conservatives are going to take a third off health spending, heaven help the law and order, transport and education services.

Ms Joan Walley (Stoke-on-Trent, North): I thank my right hon. Friend the Prime Minister and the health team for all their hard work and leadership in dealing with the legacy of underfunding from the Tory years. In Staffordshire, we have already shown that, with modernisation, we can improve ambulance services. With the extra 6 per cent., we can deal with the existing underfunding.

My constituents are right behind my right hon. Friend in wanting something to be done about long-term care beds and community care for the elderly. Will he personally take an interest in the Edwards report and ensure that there is a pilot project in north Staffordshire to address funding in long-stay beds and social services with the new pooled budgets?

The Prime Minister: On the point about long-stay beds and community care, the additional money that we have announced today should help in part.

As for what has happened already in the health service, it is important to recognise that the position in the health service varies in different parts of the country; however, by the end of this year, for example, all the accident and emergency departments that need modernising will have been modernised, and that will make a significant difference. Therefore, I think that the money is already slowly beginning to have an effect, but obviously the additional funds cannot come in over a period of years.

Mr. Andrew Rowe (Faversham and Mid-Kent): First, everyone would agree that improvements in the use of social services are desirable, but is the Prime Minister comfortable with the proposition that, inevitably, under his plans social services will revert to the kind of medical model that was deserted nearly 50 years ago? Secondly, is the right hon. Gentleman comfortable with the emasculation of the local authorities, which is happening so fast under his Government?

The Prime Minister: That is a new tune from the Conservative party. I do not accept the proposition on the social services and medical model, but certainly, judging by the work that I saw and the people to whom I spoke in the health service, one of the main problems is the lack of proper co-ordination between social services and local hospitals and primary care groups. As a result, very often large numbers of people—particularly elderly people—end up in the wrong place in the system. Having a pooled budget enables those bodies to look at these things together, and obviously it is then up to them to decide whether they want to go for a local care trust, which would mean a unified budget.

In some parts of the country people already have a pooled budget, and that has had a significantly better impact. Indeed, I think that in different parts of the United Kingdom, such as Northern Ireland, that has been a tradition over many years. The absence of proper co-ordination between the two parts of the service has caused distress to a great many patients over the past few years.

Angela Smith (Basildon): Is my right hon. Friend aware that one of the pilots for testing the system of pre-booked appointments was actually at Basildon hospital in my constituency? Is he further aware that through the efforts of the staff at the hospital, who were pleased to change the way in which they worked, and who, through their effort and commitment, have really made the system succeed, patients all over the country have reaped the rewards of that? The response that I am getting is excellent. Will my right hon. Friend congratulate those members of staff?

The Prime Minister: A former chief executive of the hospital is playing a leading role in that project. The importance of the booked appointments system and the fact that it is already in use in certain parts of the country

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show again how things can be done. The importance of that system is that it literally ends the whole concept of waiting. In order to get there, of course, there must be a sufficiently low maximum waiting time—the system of booked appointments cannot work if waiting times are very extended. However, the system is working in certain parts of the country and the plan sets out a detailed list of ways in which it can be improved.

Mr. John Maples (Stratford-on-Avon): One of the things that I believe bothers all our constituents is the length of time that they sometimes have to wait to get an out-patient appointment with a consultant. The Prime Minister announced that he wanted that maximum wait to be reduced to three months. That would be a welcome, although not desperately ambitious, target. Can he explain why it will take him until 2008 to achieve it?

The Prime Minister: Waiting times will start to come down a long time before that, and three months will be the maximum wait; the average will be far less. The explanation for which the hon. Gentleman asked is a perfectly simple one. For years, there have been insufficient staff and consultants in the health service. We have to expand the numbers, but that will take time. However, the other thing that we can do in the meantime is to change the system.

Consultants to whom I spoke over the past few months said that up to 40 per cent. of their time was spent unnecessarily seeing patients, because some of that work could be done by either GPs or nurses, or, in the case of back injuries and so on, patients could be seen by other qualified professionals. So, lots of changes in the system are necessary, but it will take time to get there. The changes will be seen almost immediately, but it will take some years to get the system fully sorted out.

Mr. Win Griffiths (Bridgend): This is a very welcome statement and my hon. Friend the Member for Bolsover (Mr. Skinner) was absolutely right in everything that he said. Will my right hon. Friend confirm that the figures that he gave on consultants and other NHS staff were related specifically to England? If that is the case, can he confirm that it means that in Wales there will be between 375 and 400 extra consultants, to bring the health service up to a standard of which the Welsh people can be very proud?

The Prime Minister: Perhaps I should have pointed out that the Joint Ministerial Committee has met with people from the devolved Administrations of the United Kingdom, and it is of course for them to decide how they make progress, but I understand that they will all be publishing, in the not-too-distant future, their own version of how this money can be used and what they can get for it.

Dr. Evan Harris (Oxford, West and Abingdon): Is the Prime Minister aware that early this week, the chief executive of the Oxford Radcliffe said that he was ashamed of the severe bed crisis at the Radcliffe? Of course, the chief executive has not had the opportunity to put in early extra resources. Will the right hon. Gentleman apologise for his Government's decision to opt for tax cuts in the first two years rather than investment in the health service?

Until that money, which is much welcomed, comes through, there will be a need to recruit nurses and doctors. Will the right hon. Gentleman promise not to pillage developing countries for their trained doctors and nurses?

The Prime Minister: First, we are putting in more beds. Secondly, the criticism of us in our first two years, especially from the Conservative party, has often been that we were too hard with people in clearing the financial deficit and so on, but we had to achieve a balance and I think that we got it right.

As for the hon. Gentleman's last point—an important point—we do not intend to try to take doctors from developing countries where they are urgently needed, but we will, where necessary for short-term reasons, recruit doctors from developed countries.

Mrs. Rosemary McKenna (Cumbernauld and Kilsyth): I welcome the statement. In all plans, the devil is always in the detail. However, I think that, for the very first time, we have a Government who are committed to a holistic approach to health. Allied to other policies, that will make a fantastic difference to those people who are unable to afford health care of any other kind.

Can my right hon. Friend say how this will be dealt with in the devolved Administrations, and Scotland in particular, and will it be discussed in the Joint Ministerial Committee?

The Prime Minister: It will be discussed in the Joint Ministerial Committee. Obviously, it is for the devolved Administrations to decide how best to make progress. There will be changes; they will want to do it in their own way, but I think that they broadly accept the basic outlines of what we are doing.

Mr. David Curry (Skipton and Ripon): The Prime Minister's statement raises the prospect of really large consortiums spanning health and social services. Where does he expect the management to come from for those? How will he maintain accountability for those services if social services then effectively become managed from the health side of that equation? Is he aware that when elderly people put themselves in residential care but run out of money to pay for it, they become the responsibility of the local authority, which is not funded for those people? That is a cause of bed blocking, and if the Prime Minister does not address it he will not tackle one of the big dislocations between health and social services.

The Prime Minister: It is for that reason that we are putting more money into social services as well. I agree that we need to deal with that problem.

In relation to the consortiums that will run health services locally, we have to develop a cadre of managers to do that, but the primary health care trusts that I have seen in action so far give us significant cause for optimism. They have far greater flexibility; they are able to span across primary care groups; they are able, for example, to have their own physiotherapists; they are able to make far better use of practice nurses; and they get economies of scale. That will mean that we have to

develop, over time—a specific centre is being established as part of the plan—a cadre of leaders, managers and executives who can do that. That gives us the best of maximum devolution without the difficulty of the old internal market system, namely, that there was too much competition between local bodies.

Mr. Kevin Barron (Rother Valley): The announcement today that the national health service will be more patient focused should be warmly welcomed by everyone in the House and outside. My right hon. Friend has just made an announcement about the next five years' investment in the national health service. Will he confirm that that will be invested in the national health service and not elsewhere within health care in this country?

The Prime Minister: Yes, that is indeed an investment in the national health service.

Mr. Peter Brooke (Cities of London and Westminster): In the light of today's announcement, when that notable health care authority Brian Abel-Smith advised the Labour party that individual GP fundholding was a good initiative that should be made universal, why did the Government interpret and implement that advice by making fundholding collective rather than individual?

The Prime Minister: We received advice from many other people that it was not such a good idea. That brings me back to what was said earlier about patient choice. For doctors who were not fundholders, there was a huge restriction of choice. The benefit of an internal market was the devolution of power downwards, but the problem was the competition and the two-tier system that arose. Through primary care groups and trusts, we have tried to extend the notion of local devolution, but on a co-operative rather than a competitive basis.

Dr. Howard Stoate (Dartford): Does my right hon. Friend believe that public funds should be used only for the benefit of NHS patients? If so, is that view shared by the British Medical Association, the Royal Colleges of Nursing, of Physicians, of Surgeons and of General Practitioners, the NHS Confederation and others?

The Prime Minister: It is, indeed, one of the principles that all the bodies to which my hon. Friend refers have signed up. It is an important principle. People are perfectly free to take out private medical insurance, but it should not be subsidised by the taxpayer.

Mr. David Tredinnick (Bosworth): The Prime Minister talked about alternative funding, but said nothing about alternative and complementary medicine. Given that a quarter of the population have used some form of complementary medicine such as homeopathy, herbal medicine or channelled energy, what is he doing to make sure that such treatments are available in the NHS? Can he confirm that he and his immediate family have at some stage used some forms of complementary and alternative medicine?

The Prime Minister: I am not going to go into the latter point. On the former point, certain forms of complementary medicine are already available on the NHS. The plan does not specifically deal with the issue.

Ann Clwyd (Cynon Valley): I am the only Member who was a member of the royal commission on the NHS, which was set up by a Labour Government, but unfortunately reported to a Tory Government. Its recommendations were ignored until this day. For those members who worked hard during those three years, it will certainly be a vindication of our efforts to find so many of our recommendations implemented in the plan.

My right hon. Friend was right to criticise the Leader of the Opposition, who left the health service in Wales in a total mess. In constituencies such as mine, we have a third-world health service as a result. I am certain that if Nye Bevan were alive, he would be standing up and cheering on this day.

The Prime Minister: There could be no better compliment than that.

Mr. Simon Thomas (Ceredigion): I warmly welcome the principles behind this plan for England and I hope that we shall see similar principles reflected in a short time in Wales. May I draw the attention of the Prime Minister and his hon. Friends to early-day motion 885, which deplores the lack of treatment for eating disorders in some areas of England and all of Wales? About 60,000 people a year, especially young women, suffer from eating disorders at any one time. There is a lack of specialist treatment throughout England. It is a postcode lottery. Can the Prime Minister confirm that the plan will end discrimination in England so that we can look forward to a similar thing happening in Wales?

The Prime Minister: Child and adolescent mental health is dealt with in the plan, and that will obviously have an impact on the issue of eating disorders.

Ms Julia Drown (South Swindon): I welcome the new NHS plan. It is a brave and radical plan. The reason why the Opposition respond with talk of leaks is that they were practised in that in government whereas they were not practised in understanding the NHS.

My right hon. Friend mentioned that primary care groups would move into primary care trusts. If a primary care group feels that it is best for patients that the PCG remains a group, will it be allowed to do so? He also talked about the importance of breaking down demarcations in the health service. Does the plan address the need to break down demarcations between health and social services so that all the people in the teams can meet people's needs as quickly and efficiently as possible, and so that we avoid the farce that many of our constituents face of being assessed once, twice or three times to obtain the basic care that they know they need?

The Prime Minister: On the first point, we want primary care groups over time to become trusts, as I think that many of them will want to do. I have detected in the groups to which I have spoken in the past few months an increasing enthusiasm for the idea of PCTs. They have seen in neighbouring areas that trusts have worked well, but obviously we have to work in consultation with the doctors.

As for budgets for social services, the important thing is that many of the matters to which my hon. Friend rightly refers and which greatly inconvenience people will disappear as a result of the new measures that we have

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announced, the pooled budgets that are available and, in time, if that is what people want, the creation of local care trusts.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. I know that hon. Members will be disappointed not to be called, but this is a matter to which we shall return, and we must move on to the main business.

Points of Order

2.26 pm

Mr. Eric Forth (Bromley and Chislehurst): On a point of order, Mr. Deputy Speaker. All hon. Members have received a letter this morning which sought to be helpful with regard to the election of a new Speaker on 23 October. The letter was helpful as far as it went. May I make a final plea that you, your colleagues and Madam Speaker to think again about whether the House may not, even at this late hour, be given guidance on the sequence of events and the basis on which that sequence will be decided?

I ask that, Mr. Deputy Speaker, because you will appreciate, as will all right hon. and hon. Members, that a knowledge by the electorate—namely, the Members of this House—of the sequence in which votes are likely to be held could have a crucial bearing not only on the candidatures but on Members' dispositions during the voting. If we do not have that knowledge, there is a great risk that the House will do itself a disservice by voting blindly without knowing the basis on which the sequence of events will be determined. May I make a plea that now, or certainly before 23 October, Members are given a great deal more information than they have been given today?

Mr. Deputy Speaker: The right hon. Gentleman will realise that I can add nothing to what has already been said in the statement, but I am sure that the authorities of the House have heard what he had to say.

Mr. Crispin Blunt (Reigate): On a point of order, Mr. Deputy Speaker. The scenes that we saw when the Prime Minister was not answering questions on his statement were a disgrace to the House. Is it in order for a Minister to come to the House, have the privilege of making a statement and fail to answer the questions put to him?

Mr. Deputy Speaker: All that I can say to the hon. Gentleman is that he is entitled to his opinion.

Mr. Clive Efford (Eltham): On a point of order, Mr. Deputy Speaker. Can you advise me? Is it in order for the Leader of the Opposition to rely on items retrieved from rubbish bins in order to have anything to say from the Dispatch Box? Does it not degrade the House that Opposition Members have to rely on such tactics in order to have anything to say? Does it not confirm something that Labour Members have known for some time—that Conservative Members talk rubbish and—

Mr. Deputy Speaker: Order. I have to stop the hon. Gentleman. He is not raising a point of order.

Miss Julie Kirkbride (Bromsgrove): On a point of order, Mr. Deputy Speaker. We were all heartened by Madam Speaker's statement about the historic rights of the House to cross-examine the Executive. Yet we had the spectacle today of the Prime Minister coming to the House to make an important statement and being cross-examined by my right hon. Friend the Member for Richmond, Yorks (Mr. Hague) with specific questions,

which the Prime Minister did not have the courtesy to answer. How are we to enforce our rights if the Prime Minister will not answer our questions?

Mr. Deputy Speaker: Order. The hon. Lady is expressing an opinion. Those matters are nothing to do with the Chair.

Football Disorder Bill (Supplemental Allocation of Time)

2.29 pm

The Minister of State, Home Office (Mr. Charles Clarke): I beg to move,

That the Order of the House of 17th July be supplemented as follows:

Lords Amendments

1. Proceedings on Consideration of Lords Amendments shall be completed at today's sitting and, if not previously concluded, shall be brought to a conclusion two hours after the commencement of proceedings on this Order.

2.—(1) This paragraph applies for the purpose of bringing proceedings to a conclusion in accordance with paragraph 1.

(2) The Speaker shall first put forthwith any Question which has been proposed from the Chair and not yet decided.

(3) If that Question is for the amendment of a Lords Amendment, the Speaker shall then put forthwith—

(a) a single Question on any further Amendments of the Lords Amendment moved by a Minister of the Crown, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees with the Lords in their Amendment or (as the case may be) in their Amendment as amended.

(4) The Speaker shall then put forthwith—

(a) a single Question on any Amendments moved by a Minister of the Crown to a Lords Amendment, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees with the Lords in the Amendment or (as the case may be) in their Amendment as amended.

(5) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown, That this House disagrees with the Lords in a Lords Amendment.

(6) The Speaker shall then put forthwith the Question, That this House agrees with the Lords in all the remaining Lords Amendments.

(7) As soon as the House has agreed or disagreed with the Lords in any of their Amendments, or disposed of an Amendment relevant to a Lords Amendment which has been disagreed to, the Speaker shall put forthwith a single Question on any Amendments moved by a Minister of the Crown relevant to the Lords Amendment.

Subsequent stages

3.—(1) The Speaker shall put forthwith the Question on any Motion made by a Minister of the Crown for the consideration forthwith of any further Message from the Lords on the Bill.

(2) The proceedings on any further Message from the Lords shall, if not previously concluded, be brought to a conclusion one hour after their commencement.

(3) Sub-paragraphs (4) to (7) apply for the purpose of bringing those proceedings to a conclusion.

(4) The Speaker shall first put forthwith any Question which has been proposed from the Chair and not yet decided.

(5) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown which is related to the Question already proposed from the Chair.

(6) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown on or relevant to any of the remaining items in the Lords Message.

(7) The Speaker shall then put forthwith the Question, That this House agrees with the Lords in all the remaining Lords Proposals.

Reasons Committee

4. The Speaker shall put forthwith the Question on any Motion made by a Minister of the Crown for the appointment, nomination and quorum of a Committee to draw up Reasons and the appointment of its Chairman.

5.—(1) A Committee appointed to draw up Reasons shall report before the conclusion of the sitting at which it is appointed.

(2) Proceedings in the Committee shall, if not previously brought to a conclusion, be brought to a conclusion 30 minutes after their commencement.

(3) For the purpose of bringing any proceedings to a conclusion in accordance with sub-paragraph (2) the Chairman shall—

(a) first put forthwith any Question which has been proposed from the Chair and not yet decided; and

(b) then put forthwith successively, Questions on Motions which may be made by a Minister of the Crown for assigning a Reason for disagreeing with the Lords in any of their Amendments.

(4) The proceedings of the Committee shall be reported without any further Question being put.

Miscellaneous

6. If the House is adjourned, or the sitting is suspended, before the expiry of the period at the end of which proceedings are to be brought to a conclusion under this Order, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provision of this Order.

7.—(1) In this paragraph "the proceedings" means proceedings on Consideration of Lords Amendments and on any further Message from the Lords on the Bill.

(2) Standing Order No. 15(1) (Exempted business) shall apply to the proceedings.

(3) The proceedings shall not be interrupted under any Standing Order relating to the sittings of the House.

(4) No dilatory Motion with respect to, or in the course of, the proceedings shall be made except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

8.—(1) This paragraph applies if—

(a) a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) has been stood over to Seven o'clock; and

(b) proceedings on this Motion have begun before then.

(2) The bringing to a conclusion of any proceedings which, under this Order, are to be brought to a conclusion after that time, shall be postponed for a period equal to the duration of the proceedings on the Motion for the Adjournment of the House.

I will move this guillotine motion briefly, as I am sure that the House will want to debate the substance of the Lords amendments more than the guillotine motion. It will ensure that we get the legislation that the Government need and that the community wants. It will contribute to the orderly conduct of business and it was set out in the original guillotine motion that the House passed. Incidentally, the Opposition amendment to that motion, which was tabled last week, did not seek to amend this aspect of the guillotine in any respect.

From the outset, we have made it clear that we shall address from the beginning of the new season—

Mr. Nick Hawkins (Surrey Heath): On a point of order, Mr. Deputy Speaker. It is a matter of concern that, apart from the Minister's Parliamentary Private Secretary and the Whip, there is only one Labour Member in the Chamber. That is an extraordinary state of affairs when a guillotine motion is being introduced.

Mr. Deputy Speaker (Mr. Michael J. Martin): The hon. Gentleman is here, the Minister is here and I am here. That is all we need to get on with the business.

Mr. Clarke: I could not express it as well as you, Mr. Deputy Speaker.

The guillotine motion that we are debating was envisaged, set out and agreed in the motion introduced last week. The amendment tabled by the Opposition did not seek to remove this aspect of the procedure.

The Government are convinced that the approach that we have set out in the Bill has to be clear and must be understood widely from the beginning of the next football season. We are determined to have the Bill agreed by the end of this month, so that it will have full effect from that date.

The Bill has been debated substantially and it has been improved through discussion. It may help hon. Members to learn that the Government intend to recommend that the House accepts all the amendments passed in the other place. We have sought to move by consensus and to seek agreement. We acknowledge that important suggestions and amendments have been made by both sides of the House. For those reasons, I hope that the guillotine motion will be agreed and that we can move as rapidly as possible on to substantive debate on the issues covered by the Lords amendments.

2.32 pm

Miss Ann Widdecombe (Maidstone and The Weald): This guillotine motion is silly and it is unnecessary. Throughout the passage of the Bill, we have co-operated with the Government in making sure that the Bill makes due progress. Indeed, in the debate on the procedural motion in another place, Lord Williams of Mostyn said that the Opposition in the House of Commons

gave us an assurance, and delivered on the promise, that we would have their support.—[*Official Report, House of Lords*, 25 July 2000; Vol. 616, c. 294.]

During the debate in Committee, Lord Bassam said:

There has been support across the parties, more particularly from the official Opposition, to bring the legislation forward.—[*Official Report, House of Lords*, 24 July 2000; Vol. 616, c. 270.]

On Third Reading, he said:

I particularly want to pay tribute to the noble Lord, Lord Cope, for his constructive approach.—[*Official Report, House of Lords*, 26 July 2000; Vol. 616, c. 480.]

Even Lord Bassam feels that the procedure used is outrageous. He said:

I, too, am less than happy with the circumstances in which we have to deliberate on the legislation. I do not think that anybody can be happy. No one wants to be here at ten past five in the morning talking about complex matters like these.—[*Official Report, House of Lords*, 24 July 2000; Vol. 616, c. 270.]

Nobody is happy with the procedure—except, possibly, Ministers. They have received the fullest possible cross-party support, but that support did not envisage them rushing the Bill through without due debate. We have had due debate on some, but not all, the matters of considerable concern to which the Bill gives rise. The Minister now says that he accepts all the amendments

made in another place, so why on earth is it necessary to have a guillotine if it is not yet another example of the Government's absolute compulsion to be control freaks at every stage of the way?

The motion is not necessary. Frankly, it is an insult given all the co-operation that the Minister has had. The Government have shown that they are not taking the Bill as seriously they would have done if they had allowed adequate time for debate and had given it a sensible passage through the House. Instead, the process has been characterised by one guillotine motion after another, all of which have been unnecessary.

2.34 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): I share completely the view that we should not have this guillotine motion. The Bill was introduced late in the Session entirely at the Government's instigation—it could have been introduced at any time after the Queen's Speech or been scheduled in the Queen's Speech—and this motion is the latest in their attempt to bounce the Bill through all its stages. It is the last unhappy event in a series of unhappy events about a fundamentally worrying Bill.

I wish to consider the procedure that has been used. The Bill received its Second Reading the week before last and it came back before the House on the next but one working day. We went through all the remaining stages under a guillotine without any separation between the Committee and Report stages or between Report and Third Reading. As colleagues pointed out to the House, we were required to anticipate what we might want to debate after the Committee stage before the end of the Committee stage. There was just a matter of moments before the debate on Report began when other amendments could be considered. We discussed Report and Third Reading under a guillotine motion and that debate ended at 2.56 am on Tuesday last week.

There was just one working day before the Bill went to the Lords on Thursday last week. On Second Reading, the Lords expressed their unhappiness. However, they do not traditionally vote on Second Readings, so the Bill was not opposed at that stage. The Bill returned to the Lords on the first available working day—on Monday this week. As the right hon. Member for Maidstone and The Weald (Miss Widdecombe) suggested, the Lords Committee sat until 5 or 6 o'clock in the morning to deal with the amendments. I pay tribute to Lord McNally and my other Liberal Democrat colleagues, and to the colleagues of the right hon. Lady. They carried out assiduously until the early hours of the morning what Madam Speaker reminded us we are all here to do—holding the Government to account. Incidentally, if Parliament decided that it did not want to sit at anti-social hours, we would never be able to introduce such Bills. It is not possible to scrutinise them other than in the early hours, because no other time is available.

The Government decided that they wanted the Bill's remaining stages—Report and Third Reading—to take place in the Lords on Tuesday. In their wisdom, the Lords said, "No thank you. Up with this we will not put!" and rightly defeated the Government's proposal to carry straight on with the debate. That gave the Lords at least a day in which to consider the matter. It allowed them 18 hours—instead of the Government's anticipated nine—to read the relevant *Hansard*, which was not available until Wednesday, and to table amendments.

The Lords held the Report and Third Reading debates yesterday, and the debate on Third Reading ended early yesterday evening. The Bill, with the amendments made by the Lords, was published for the first time for us to see this morning, and the earliest that anyone could get hold of a copy was at 7 o'clock this morning when the Vote Office opened. We now have to debate four groups of Lords amendments, some of which raise controversial matters. Although they improve the Bill, they do not improve it nearly as much as some of us would have wished, and some of the improvements need to be explained and justified.

My colleagues and I considered what we wanted to do this morning and we tabled our amendments then—the only time available. Madam Speaker has selected my amendments, which I discussed with colleagues, in three of the four groups and we are likely to want to vote on at least one of those groups, if not more.

I have outlined the Bill's history, but we shall certainly vote against the guillotine motion for two other reasons. As the right hon. Member for Maidstone and The Weald rightly suggested, this is a Government Bill which was introduced at their instigation. It returns to us on what is scheduled to be the last but one sitting day, with two relatively uncontroversial matters behind it on the Order Paper, and tomorrow we shall debate a completely uncontroversial item of business. There is absolutely no reason why we should not deal with the Bill in our own time. We have plenty of time; the House does not have to rise at a particular time today, which is a working day, and we are able to sit in the evening. We could deal properly with the four groups of Lords amendments and the amendments in my name.

It is unlikely that the Government will be defeated, given their majority, but if they are, the Lords will have the opportunity to do their work again. There is no reason for the guillotine. It comes down to the sad admission—I do not blame the Minister of State for this—that the Government have become obsessed with limiting debate. They want to ensure that their legislation is passed, but they do not want it to be debated. In the other place, thank goodness, there is no power to guillotine proceedings. The Government tried to pull a fast one by attempting to concertina the times between the different stages, but they failed in that.

I was amused to hear that the Government almost failed again in the middle of Monday night when a Conservative Member of the Lords insisted on a vote on his amendment, because the Lords had generally assumed that they were not going to vote on the Committee stage, and almost all the Government had gone home. That was a good amendment, and my noble Friends who were around in the early hours of the morning voted for it.

We should vote against the motion because it is not necessary and because the Government have to be told that Parliament will not just give in to an Executive which keep on piling guillotine motions on to the House. The Government have remaining legislation that they have not, for some reason, brought back from the other place, but have kept in the sidings. That legislation went to the Lords weeks or months ago. I refer to the Freedom of Information Bill, the Race Relations (Amendment) Bill and sex equality legislation. None of those have been dealt with. I give the Government warning that if, when we

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return from the recess, they try to argue that they need a guillotine on those measures, we will oppose each and every motion.

The Home Office is entitled to bring legislation to the Cabinet Committee; the Cabinet Committee is entitled to bring legislation to the Government, and the Government are entitled to introduce it to the House, but they are not entitled, without opposition and strong argument, to disfranchise Members by preventing them from taking part in reasonable debates on important issues. I hope that they will learn that they do themselves no credit by seeming to curb debate. The Prime Minister has a new desire to be tough, but limiting debate is not a tough measure that does him credit. We have accepted that there is a case for amending the law before the summer holidays, but there is no case for a guillotine to limit debate on the motion and Lords amendments to a total of two hours.

2.43 pm

Mr. Jeremy Corbyn (Islington, North): I apologise to you, Mr. Deputy Speaker, and to my hon. Friend the Minister for not being here for his opening speech, but apparently it was very brief. It was so brief that by the time I had crossed the road by Big Ben and arrived here, it was over. I hope that my hon. Friend will forgive me if I read his speech in *Hansard* on another occasion.

I am not sure whether the House is entirely focused on the Bill, judging by the acres of empty green Benches around and opposite me.

Ms Claire Ward (Watford): It is quality, not quantity.

Mr. Corbyn: Well, there is still not much of it.

I am genuinely sorry that the Government have introduced a timetable motion to try to get the Bill through the House this afternoon because I had assumed that we could have a thorough debate about the Lords amendments tomorrow. Discussing why the Government want to rush the Bill through the House would be an ideal way to spend the last Friday before the recess. I am slightly nervous of guillotine motions at the best of times. They underline the problem of complacency in British parliamentary democracy in that the Executive, for good or for ill, effectively controls what Parliament does because it controls the timetable. In a more mature democracy, which we will one day reach, Parliament may be more independent of the Executive, and may be able to decide on its programme and timetable.

The Bill is born out of appalling events in Brussels and Charleroi during the European cup tournament. Nobody condones what went on there, but the criminal law that applies in Belgium, France, Germany and this country can deal with such disorder. It is important that we understand and accept the principle of the separation of police powers from those of the court. The general thrust of the Bill is to give an excessive power to the police to prevent people from travelling on the assumption that they may cause trouble in future. That assumption is based on their past behaviour, if there is knowledge of that behaviour. That sets a dangerous precedent.

The Bill is being rushed through because the Home Office believes that legislation automatically solves a problem. I am not convinced that the Bill will make a hap'orth of difference to what happens at the England versus France game at the beginning of September. There is no need for the legislation because there is criminal law to deal with these matters. Football violence has been dealt with in previous legislation.

Legislating in haste, which we have done several times in this and previous Parliaments, means either that the legislation is simply never used or that it is challenged in the courts in this country or, ultimately, in the European Court of Human Rights, and we end up having to amend it. I realise that the Minister has invested a great deal of time and energy in the Bill, but we should ask whether it is necessary, whether it creates a dangerous legal precedent and whether we would be better off abandoning the whole thing, rather than trying to pass it this afternoon in less than two hours.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) reminded me that we finished last Monday night at 2.56 am. I went home on my bicycle and saw a great deal of anti-social behaviour on Charing Cross road. I had no idea that there were so many people out on Charing Cross road at that time. There is criminal law to deal with those who behave anti-socially, or not, as the case may be, but the police have no powers to deport people or stop them travelling just because of their absurd behaviour; they would have to go through a legal process.

I am concerned that the Bill will set a precedent that could be applied in other cases. What if the measures were to apply to other sports, such as golf or cricket, for which people choose to travel? What if they applied to people going to France for a demonstration?

Mr. Deputy Speaker: Order. I hope that the hon. Gentleman will return to the timetable motion, because that is what we are debating.

Mr. Corbyn: I conclude by saying that if we legislate in haste, by rushing the Bill through today, we will set a precedent that could easily affect other walks of life, thus damaging our civil liberties. The Bill should be dropped.

2.48 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): I rise to support what the hon. Member for Islington, North (Mr. Corbyn) has said. I find it slightly disconcerting that he and I, who stand at completely opposite ends of the spectrum, should agree so often on matters of civil liberties.

I am against the timetable motion, and I will vote against it. It is unnecessary and wrong in principle. The hon. Gentleman said that one reason why the House is not as respected as we would wish is that the Government control the proceedings. He referred to their control of the timetable. The hon. Gentleman is right, but the point goes further because the Government also control the votes through their Whips Office, and we are certain of the outcome of any discussion in this place. It is therefore essential that we should have full discussion because although we cannot determine the outcome, we can certainly set out the arguments, which may affect the argument outside the House. It is therefore wrong in principle that the Government should not only control the votes, but curtail the discussion.

That takes me to a point that I made earlier this week. This is the fifth timetable motion that we have had in four weeks. The essence of a democracy is that the discussion

in Parliament signifies consent to legislation going through, and consent must mean, if it means anything, informed consent. We can have informed consent only if the House hears the arguments on all sides of the debate. Given that the effect of timetable motions is that whole groups of amendments are never discussed or voted on, how can we have informed consent? People will increasingly realise that this House is simply driving through legislation that has never been discussed or voted on. That undermines the legitimacy of what we are about.

The Minister of State argued that we should get through this timetable motion rapidly so that we can get on to the substantive motion. That is an attractive notion so far as it goes, but it is a form of blackmail.

Mr. Corbyn: Aside from the concern about timetables, does the right hon. and learned Gentleman agree that one of the problems with this timetable motion and one or two others that we have had is that, because they do not timetable by groups of amendments, many amendments are automatically not mentioned in debate and therefore, legally, they cannot be mentioned in the courts in the future because Ministers' intentions on the subject are not known?

Mr. Hogg: The hon. Gentleman is right. We saw this happen last Tuesday, when important amendments were not just not voted on, but were never discussed. That means that the process of informed consent does not take place. If legislation that passes out of this House has not been the subject of rational or informed discussion, what legitimacy does the legislation have? It brings the process of law making into contempt.

Mr. Roger Gale (North Thanet): To some extent, my right hon. and learned Friend missed the point made by the hon. Member for Islington, North (Mr. Corbyn), which was about legal challenges. If something is referred to, either in Committee or on the Floor of the House, it can be raised as an argument in the courts. My right hon. and learned Friend knows that better than I do. If an issue is not mentioned, it cannot be referred to.

Mr. Hogg: That is not absolutely correct, although I know what my hon. Friend is getting at. Certainly, statements by a Minister can be taken into account when interpreting the meaning of statute, but my views or those of my hon. Friend would not have that desirable effect. My hon. Friend is therefore only partially right.

As I was saying, the Minister of State said that we should hurry through the timetable motion so that we can get on to the substantive debate. Although that is an attractive notion, it is wrong. It is a form of blackmail, because those of us who think that the timetable is wrong in principle and unnecessary in this case owe the House a duty to say so. Otherwise, the public will not know about the abuses going on and our silence will be treated as acquiescence in the process. I think that what is going on is wholly wrong.

I agree with what the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) said: there is no need for us to hurry today. We know, because we have been told—I welcome this fact—that the Government will accept the Lords amendments. That makes a rotten Bill slightly less bad. However, we should not be discussing Lords amendments today because this Bill came out of the other place only yesterday and one had to be remarkably nimble-footed to table any amendments by today. We have ample time to consider the Bill tomorrow—or, indeed, next week, if the House would so order its business. We are being pushed in an unnecessary way to do something that we should not do. Those of us who value parliamentary government and who agreed with Madam Speaker when she stressed the need for proper scrutiny owe it to the House to say that enough is enough. I, for one, will seek to divide the House on this motion, and I hope that others will do the same.

2.54 pm

Mr. Tony Banks (West Ham): The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) makes a point that all of us have argued from time to time, depending on which side of the House we have been sitting on and what view we have taken of a particular piece of legislation.

Mr. Corbyn: Some of us have made that argument on both sides.

Mr. Banks: I always defer to my hon. Friend, who is a man of great principle. I cannot lay claim to such a reputation, and neither can the right hon. and learned Member for Sleaford and North Hykeham, whom I have heard and seen strongly supporting guillotine motions when he occupied a Front-Bench position as a Minister in the previous Conservative Government. Therefore, he and I have been on both sides of the argument, so no one can lay claim to being totally consistent throughout their parliamentary life.

The right hon. and learned Gentleman said that the Government were controlling both the timetabling of legislation and the votes through the Whips. Has anything changed? Did that arise only in 1997? It clearly did not, so he is just telling us something that is self-evident. There are times when all of us, whether our party is in government or not, have felt the need to speak out, either in this Chamber or outside, because we do not agree with something that our Government have been doing. Again, my hon. Friend the Member for Islington, North (Mr. Corbyn) has far more experience in that area than I have.

The right hon. and learned Gentleman said that this guillotine motion prevents informed discussion and therefore challenges the legitimacy of the Bill, but that does not apply in this case. We have already discussed this issue at length. As I said on Second Reading and at other stages of the Bill, there is a continuum here. Governments of both persuasions have been trying to solve the problem of football hooliganism for many years and, so far, we have failed. This Bill is the latest attempt.

Mr. Eric Forth (Bromley and Chislehurst): The hon. Gentleman is missing the whole point of this debate. Whatever discussions may have gone on prior to this, inside or outside the House, or even in another place, this is supposed to be an opportunity for Members of the House of Commons to discuss the Lords amendments. It simply is not good enough for the hon. Gentleman to suggest that, because we have had all sorts of prior

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discussions, we need not bother now. This timetable motion denies us the opportunity properly to consider what the other place has sent us.

Mr. Banks: I do not agree with the right hon. Gentleman because it depends on what he means by proper discussion. Once we have moved off this guillotine motion, which naturally eats into the time available for discussion of the substantive issue—[HON. MEMBERS: "Sit down, then."] I know that I do not need to make this speech, but I am damned if I will sit down yet.

We have an opportunity to discuss the Lords amendments, albeit not as much time as Opposition Members would like. Let me put a question to the right hon. and learned Member for Sleaford and North Hykeham, who I trust will answer it honestly. If we were to discuss this Bill from now until Domesday, would he agree with it? That is the whole point: he would not agree with it. It is a matter of principle.

Mr. Hogg: The hon. Gentleman is throwing down a challenge. The truthful answer is that I would not agree with this Bill even if we discussed it until Domesday, but I will not filibuster it out. That is the key point.

Mr. Banks: I accept that. One could therefore say, as with many decisions made in this House, that we do not have to sit here listening to our colleagues on either side of the House opining at great length. Most of us have made up our minds about most matters beforehand. It would be nice to think that this was genuinely a debating Chamber, but it is not; it is a decision-making Chamber with an element of debate attached to it. We tend to know our own minds. If we did not, we could be challenged on what we were doing here in the first place.

That does not mean that we cannot improve legislation by discussion, amendments and votes, which are all part of the procedure, but we should not make too much of the idea that matters must be discussed endlessly if we are to make better legislation.

Mr. Corbyn: May I help my old friend?

Mr. Banks: Dear old friend.

Mr. Corbyn: Yes, dear old friend. My hon. Friend was once my employer. Does he agree that the lack of a detailed timetable motion means that the Government can introduce important amendments in the latter stages of a Bill—or someone else can introduce them and they can be accepted by the Government—without discussion or a ministerial reply? Therefore, when the courts test a particular section of the legislation, they have no ministerial statement in *Hansard* to which to refer. That is an important part of the legal process of setting precedents.

Mr. Banks: I understand what my hon. Friend says in that Ministers could give a better steer. I have always been led to believe that the courts do not take into account in any great detail statements made during the passage of legislation. They interpret the wording of Acts; they do not consider the sentiment behind them. That is the point of the process.

Mr. Charles Clarke: To help my hon. Friend in his powerful case, I confirm that the Government do not intend to table any amendment to the Bill, as he suggests, and we do not propose to accept the other amendments that have been tabled, except those selected by Madam Speaker. We shall simply argue that the Lords amendments should be accepted. The concerns expressed by my hon. Friend the Member for Islington, North (Mr. Corbyn) may arise in other cases, but not in this one.

Mr. Banks: My hon. Friend the Minister is an honest man, and we can have total confidence in the Bill, but I cannot say that for all the legislation that the Government have proposed. I know that other hon. Members want to speak, but I want to mention that my very good, old and hon. Friend the hon. Member for Islington, North asked how we should gauge people's opinions. He answered his own question—we need only look about ourselves. If the Bill is so controversial, why are not more hon. Members here? Attendance must, at times, be used as an indicator of hon. Members' concern.

Mr. Forth: I shall try to answer the hon. Gentleman outright. When Members read that such limited time would be allowed under the guillotine motion, they realised first, that there was no point in attending because they could not all speak, and secondly, that the Government are trampling all over the House as usual. They are two effective deterrents to hon. Members attending.

Mr. Banks: What the hell are we doing here then? We were not deterred by the motion, and we are not anoraks.

Mr. Corbyn: We are all anoraks.

Mr. Banks: I speak for myself because my hon. Friend is clearly an anorak. He said that we should come here tomorrow; it is a perfectly good day for us to do so. I take the point, but he is a notorious non-holiday taker. He is the man who, when pushed to have a day off, took his partner to Highgate cemetery to study the grave of Karl Marx. That is why I love the guy, but he is a notorious non-relaxation Member, who would have us all working like Stakhanovites 24 hours a day. Decent and hard working as he is, we should not use him as our bell-wether for what is good or bad attendance.

We have gone over such matters enough. The timetable motion is perfectly adequate to allow us to deal with the amendments and to continue to discuss the Bill, which I still maintain is necessary. It is the latest measure in a line of legislation that Governments have introduced to try to curb the cancer of football hooliganism. As I have said, I am not certain that the Bill will work, but I am prepared to have a go and to see whether it does. We have plenty of ways in which to keep it under review. If the Bill does not work, or if it works in a way in which we do not believe it should, it is up to us to change it. That is our right, and we are exercising our rights this afternoon.

3.4 pm

Mr. Roger Gale (North Thanet): I, too, apologise for the fact that I missed the Minister's opening comments, but, as the hon. Member for Islington, North (Mr. Corbyn) has said, they were remarkably brief and I missed them even in the time that it took to cross the road.

This is a curious Bill; these are curious circumstances; and this curious guillotine motion brings together the opinions of the hon. Members for Islington, North

(Mr. Corbyn) and for Southwark, North and Bermondsey (Mr. Hughes) and myself. We do not normally agree on many issues, but we clearly agree on this one. The House, especially those on the Front Benches, should pay attention, if only for the future, to the fact that there is no need to railroad through such legislation. It is interesting that the hon. Members in the Chamber today broadly reflect those who were present in the small hours of another morning not so long ago. Clearly, several hon. Members on both sides of the House share the view that this is an appallingly bad Bill. It is badly drafted and it is likely to be badly implemented, and anything that we can do to help their lordships to improve it must be for the good.

Several hon. Members on both sides of the House have referred to the blackmail element of the motion. The fact of the matter is that every moment that I speak now will truncate debates on the amendments that we wish to discuss. That must be wrong. Although it seems a long time ago, it was only yesterday that Madam Speaker said in her valedictory speech that the job of the House

> is to hold the Executive to account—[*Official Report*, 26 July 2000; Vol. 354, c. 1114.]

to challenge bad legislation at any and every opportunity and, if necessary, to do so in depth.

As the hon. Member for Islington, North said, as a result of the timetable motion, we are faced with the prospect that, after two hours, all the provisions will be passed whether or not we have debated them. We cannot even debate the first and second groups of amendments for three quarters of an hour each. Groups of amendments will go through, legally, on the nod. That cannot be right.

I apologise to my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg), who helped me out of my confusion. It is not correct, as I and the hon. Member for Islington, North said, to suggest that if something is not said on the Floor of the House, it cannot be quoted in court. However, if the groups of amendments are not debated, the Minister will not be given the opportunity to reply and therefore his reply cannot be quoted in court.

Mr. Charles Clarke: Does the hon. Gentleman accept that, in each case, my colleague Lord Bassam—the Minister in the other place—clearly stated the Government's position on the amendments?

Mr. Gale: I accept that the Minister has stated several times that the Government agree with the Lords amendments, but that is not the case with other amendments, which will almost certainly not be debated. This is not the first time that that point of principle has arisen. My right hon. and learned Friend the Member for Sleaford and North Hykeham mentioned four occasions when guillotine motions have been introduced recently. Whole tranches of legislation are going through on the nod, with no ministerial response. I mean no disrespect to the Minister, who would welcome the chance to respond to all such debates.

In earlier incarnations, Mr. Deputy Speaker, you spent many hours chairing Committees. In the past three years, I have been privileged to spend several hundred hours chairing Committees, but I have never been faced with a guillotine motion. By and large, hon. Members on both sides of the House recognise the need to be broadly reasonable and they recognise that the Government have a right, with a democratic majority, to pass their legislation. However, they also recognise the right and duty, to which Madam Speaker referred yesterday, to challenge legislation if we believe it to be bad.

Nothing that has happened today or in another place alters the fact that this is a bad Bill, which has been introduced in haste and which we shall repent at leisure. The only fundamental difference between the Bill and the Dangerous Dogs Act 1989 is that, sadly, the Act did not contain the sunset clause that the Minister has now said the Government intend to accept. The Bill is about tokenism; it is a bad Bill.

Mr. Banks: The hon. Gentleman and myself are at one on the Dangerous Dogs Act 1989, but it ended up with dogs being killed, and the magistrates had no discretion whatever. Nothing in the Bill will terminate the lives of football hooligans. I know that that was not the comparison that he was making, but that Act was a bit terminal, was not it?

Mr. Gale: I have to concede that nothing in the Bill terminates the lives of football hooligans, but the arguments against the Bill are not about the effect that it may or may not have on football hooligans—it probably will not have an effect on them—but about the effect that it may or may not have on all sorts of people who are innocently travelling and who have nothing to do with football. That has been the prime argument against the Bill, but I do not want to go too far down that road because you would rightly declare me out of order, Mr. Deputy Speaker.

The fundamental fact is that the Bill has been introduced in a hurry to deal with a particular football match. It must be the first time in history that the House of Commons and the House of Lords have devoted—have wasted—so much time on one aspect, on one event, on one date. By October, when the human rights legislation that the House of Commons and the other House have passed comes into force, almost certainly the Bill will be out of court anyway, so we are talking about something that is transitory.

The best that can be said is that the Bill and the Government's acceptance of the Lords sunset clause have truncated the misery and the bad legislation—the duration of a bad Bill. The worst that can be said—it really is the worst—is that the Government are again using a guillotine to curtail debate on groups of clauses that should have the opportunity—there is no reason why they should not have the opportunity—to be properly debated, so that the Minister can put clearly on the record and, therefore, if necessary, into law, the Government's view.

3.11 pm

Mr. Eric Forth (Bromley and Chislehurst): We have had a rather frightening insight from the hon. Member for West Ham (Mr. Banks) into new Labour's genuine attitude to the House of Commons and to Parliament. He said, with typical candour and great honesty, that he did not regard debate as of any import or substance, that all

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votes should be whipped, that the Government must have their way, and what on earth were we all doing here anyway.

Mr. Banks *rose—*

Mr. Forth: I only slightly paraphrase but I shall allow the hon. Gentleman to intervene.

Mr. Banks: If that is a slight paraphrase of what I said, all I can say is that I hope that the right hon. Gentleman does not start telling untruths about me. I did not say that. I said just that this was not a debating Chamber in quite that sense. Debate can alter things, but the fact is that most hon. Members come in here with their minds made up, and none more so than the right hon. Gentleman.

Mr. Forth: What I think that the hon. Gentleman said—as my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) is pointing out from a sedentary position—is that the Whips make up the hon. Gentleman's mind for him. That is, in effect, what he said. Let us not fall out over it. I and the hon. Gentleman will read *Hansard* assiduously tomorrow—as we do—probably on the beach, and we will see what was actually said.

This is another rare event. I put on the record that, on this occasion, I agree with almost everything that the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) said and almost everything—no, I think everything—that the hon. Member for Islington, North (Mr. Corbyn) said. They reflected a widespread unease, which we are now seeing all too frequently in the House, about the use of the guillotine by the Government.

I have never accepted the need for the Bill. I have never accepted the justification that, because of a damned football match, of all things, we are going to legislate and to change the law of the land. That must be the ultimate absurdity. Nor have I accepted the responsibility that the Government say we should accept for the conduct of our citizens abroad. It is for the Belgian authorities to apply their laws properly to people in their country.

Mr. Charles Clarke: Given the right hon. Gentleman's absolute clarity about his opposition to the Bill, about which he has been clear all the way through, are there any circumstances in which, without a guillotine, he would consider filibustering for ever to stop the Bill becoming law?

Mr. Forth: The Minister, although he has not been in the House very long, should know that what he has said is impossible. Apart from the fact that you would not allow me to do something called filibustering, Mr. Deputy Speaker, and we all know that—

Mr. Deputy Speaker: Order. I have never known the right hon. Gentleman to get involved in any filibustering.

Mr. Forth: I am grateful, Mr. Deputy Speaker.

Not only that, but the Minister knows that, in the case of a Government Bill, even without a guillotine, closure motions are possible from time to time and have been used, so what he said is impossible. Even if I wanted to stop the Bill getting on to the statute book, as I would like to, it is not within my power to do so, so that is not even to be considered.

We are told that we have at the most two hours—and now, in effect, only one hour—to consider four groups of important amendments; 22 amendments of substance from another place. It is not good enough to suggest that the Government accept the amendments. That is a matter for the Government. I am not a member of the Government; I am an Opposition Back Bencher. To suggest that we do not need much time because the Government have accepted their lordships' amendments does not wash with me.

Potentially, 500 Members of the House of Commons may wish to discuss the matter—up to 500 of them. *[Interruption.]* Potentially, I said, before Labour Members get too excited. As I said earlier, I strongly suspect that most responsible hon. Members with an interest in the matter studied the Order Paper this morning, saw to their horror that the Government were yet again curtailing debate unnecessarily on the matter and drew the conclusion that it was most unlikely that 500 responsible, interested Members of Parliament would be able to make a meaningful contribution on four groups and 22 amendments in one hour flat. I suspect that, for that reason, they decided not to turn up on this occasion—until they come in to vote against the guillotine.

Mr. Simon Hughes: I add one other, I hope linked, point. By definition, the amendments that the rest of us have tabled were not able to be tabled—let alone published and circulated—until about the time that we began the debate, so, to know what was on the agenda, to decide whether they thought that it was important and to come here was probably for many hon. Members either technically or actually impossible.

Mr. Forth: I agree. I hope that many people both inside the House and outside will read the hon. Gentleman's speech. He analysed for our benefit the absurdity of the timetable of the Bill hitherto, which has made proper connection between Second Reading, Committee, the Report stage, the House of Lords and here effectively impossible, thus undermining the process to which we are all supposed to be so committed and attached—parliamentary scrutiny and parliamentary law-making. On this occasion, we have been able to do none of that.

Although we are told that their lordships have deliberated and that the Government, in their infinite wisdom, have decided to accept the amendments, that is still not good enough. The House of Commons has not had an opportunity properly to consider the matter and to determine whether a law that affects people's rights fundamentally should be changed. Nor will we be given any opportunity properly to have Divisions in the House—for the House to vote properly on the four groups, on the 22 amendments or, indeed, on the hon. Gentleman's amendments and those in the name of his hon. Friends.

Therefore, all in all, the entire episode has been shabby and disgraceful. I do not accept the approach that the Government have taken. I do not accept that we should legislate to deal with football, football matches, one particular football match or, indeed, football matches in other countries. None of that is legitimate, so this is a blot on our parliamentary history.

However, my real worry is that the comments of the hon. Member for West Ham and the attitude of the Minister, courteous as ever though he has been, reveal the Government's general approach. They are prepared more and more to resort to such a tactic to ram through an inordinate amount of legislation, usually rather badly drafted, invariably misdirected and ultimately harmful both to the country and to the individual citizenry.

I hope that I have an opportunity to vote against the guillotine. Unless I hear a much more powerful argument, I am minded to vote against the Bill itself if I have an opportunity to do so.

Mr. Corbyn: On a point of order, Mr. Deputy Speaker. I am sorry to detain the House, but can you please clarify what the situation is on amendments? As I understand it, there are the printed amendments from the Lords, some manuscript or urgently tabled amendments from the hon. Member for Southwark, North and Bermondsey (Mr. Hughes)—and, I understand, no one else—and a printed list of selected amendments. I am unclear about what time the printed list of selected amendments was placed and whether any of the hon. Gentleman's amendments have or will be selected by the Chair for debate after the timetable motion.

Mr. Deputy Speaker: A revised list has been circulated and it is also available. I will make a statement regarding manuscript amendments.

3.20 pm

Mr. Richard Shepherd (Aldridge-Brownhills): Let me make it clear, Mr. Deputy Speaker, that I am not raising a point of order. I believe that I still have time to speak on the motion.

Mr. Deputy Speaker: The hon. Gentleman took me by surprise. He has only just entered the Chamber, but he is certainly entitled to speak.

Mr. Shepherd: I apologise, Mr. Deputy Speaker, and I appreciate what you have said. I want to make just one small point.

Until the early 1980s, the tradition of the House—I regret the change in that tradition—was that debates on Lords amendments were not guillotined. Parliament is composed of two Houses, and it is necessary to carry business in both those Houses. I recall the palpable sense of shock among those who were then Government Back Benchers when we started this practice. It is a profound discourtesy to an equal other Chamber.

Mr. Mike Hall (Weaver Vale): Rubbish.

Mr. Shepherd: The Government Whip may say it that it is rubbish, but it is not. The fact is that we require the passage of legislation in both Houses of Parliament, and it used to be considered appropriate—indeed, the only thing to do—to weigh amendments made by those who had taken time to try to change that legislation. In this guillotine motion, the House of Commons is manifestly rejecting that.

Mr. Simon Hughes: May I make a factual point? The hon. Gentleman may not know that, because of the timetable in the House of Lords, it was impossible for amendments to be tabled by Opposition parties in time following Third Reading there. Both the hon. Gentleman's party and mine protested about that. As a consequence, we have fewer amendments than we would have had if proper procedures had obtained in the other place.

Mr. Shepherd: What the hon. Gentleman says emphasises the importance of the process of examining legislation.

That is the only point that I wanted to make, but I think it is important.

Mr. Hawkins: When my hon. Friend rightly suggested that ours was a bicameral legislature containing two Chambers of equal worth, there was a sedentary suggestion from the Labour Benches that the Chambers were not equal. Does my hon. Friend agree that that constitutes a serious revelation about the attitude of the Labour party—which is precisely what concerned Madam Speaker in her wise words yesterday?

Mr. Shepherd: I do not think I heard the intervention that my hon. Friend has mentioned, but such a suggestion would be misjudged. My concern, however, is deeper. I fear that there will come a time when the House of Lords will say, "There is no point in our considering legislation that has returned from the Commons if the Commons does not do us the courtesy of examining what we have deliberated and decided on."

I am merely saying that this puts our own proceedings at risk. It must be in the Government's interest to weigh that factor against others. I am aware of the crisis that forced the Government to table the original guillotine motion and, today, a supplemental allocation of time motion; but there will come a day when the House of Lords says, "This is not appropriate." We are in dire trouble when we have a legislative programme as weighty and lengthy as this.

Mr. Hughes: May I make one final point?

I hope the hon. Gentleman will support what will certainly be said by Members of the other place, including Lord Ackner. He was assured that the Government would consider amendments tabled by him, but the timetable prevented those amendments from being considered or, indeed, tabled. Because of the timetable imposed over the past two days, the Bill could not even come to the House of Commons having been amended in the way agreed by the Government.

Mr. Shepherd: As is so often the case in these matters, the hon. Gentleman is right. Our cry from the Conservative Benches is this: such action makes legislation ridiculous and absurd, and diminishes authority. The Government should therefore consider the matter carefully.

Mr. Hogg: I am sorry to extend the debate, but the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) has made an important point. If we had been able to consider Lords amendments tomorrow, say, we could have tabled our own amendments to those amendments, reflecting, for example, the intentions of Lord Ackner.

Mr. Shepherd: I apologise for arriving late. I assumed that the point made by my right hon. and learned Friend had already been established. I regret that, as it had not, I cannot comment.

[Mr. Shepherd]

That is all that I wished to say. I did not wish to delay the House for long.

Question put:—

The House divided: Ayes 276, Noes 141.

Division No. 295] **[3.25 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atkins, Charlotte
Banks, Tony
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corston, Jean
Cousins, Jim
Cox, Tom
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Gunnell, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Lloyd, Tony *(Manchester C)*
McAvoy, Thomas
McCabe, Steve
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'd Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pemam, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Reed, Andrew *(Loughborough)*
Robinson, Geoffrey *(Cov'try NW)*
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruddock, Joan
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Walley, Ms Joan
Ward, Ms Claire
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Wood, Mike

Woodward, Shaun
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Clelland and
Mr. Mike Hall.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, Peter *(Hexham)*
Baldry, Tony
Ballard, Jackie
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Butterfill, John
Cash, William
Clappison, James
Collins, Tim
Corbyn, Jeremy
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Fabricant, Michael
Fallon, Michael
Flynn, Paul
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Hawkins, Nick
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maples, John
May, Mrs Theresa
Moore, Michael
Morgan, Alasdair *(Galloway)*
Nicholls, Patrick
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Salmond, Alex
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Webb, Steve
Wells, Bowen
Welsh, Andrew
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. John Randall and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

Resolved,

That the Order of the House of 17th July be supplemented as follows:

Lords Amendments

1. Proceedings on Consideration of Lords Amendments shall be completed at today's sitting and, if not previously concluded, shall be brought to a conclusion two hours after the commencement of proceedings on this Order.

2.—(1) This paragraph applies for the purpose of bringing proceedings to a conclusion in accordance with paragraph 1.

(2) The Speaker shall first put forthwith any Question which has been proposed from the Chair and not yet decided.

(3) If that Question is for the amendment of a Lords Amendment, the Speaker shall then put forthwith—

(a) a single Question on any further Amendments of the Lords Amendment moved by a Minister of the Crown, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees with the Lords in their Amendment or (as the case may be) in their Amendment as amended.

(4) The Speaker shall then put forthwith—

(a) a single Question on any Amendments moved by a Minister of the Crown to a Lords Amendment, and

(b) the Question on any Motion made by a Minister of the Crown, That this House agrees or disagrees with the Lords in the Amendment or (as the case may be) in their Amendment as amended.

(5) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown, That this House disagrees with the Lords in a Lords Amendment.

(6) The Speaker shall then put forthwith the Question, That this House agrees with the Lords in all the remaining Lords Amendments.

(7) As soon as the House has agreed or disagreed with the Lords in any of their Amendments, or disposed of an Amendment relevant to a Lords Amendment which has been disagreed to, the Speaker shall put forthwith a single Question on any Amendments moved by a Minister of the Crown relevant to the Lords Amendment.

Subsequent stages

3.—(1) The Speaker shall put forthwith the Question on any Motion made by a Minister of the Crown for the consideration forthwith of any further Message from the Lords on the Bill.

(2) The proceedings on any further Message from the Lords shall, if not previously concluded, be brought to a conclusion one hour after their commencement.

(3) Sub-paragraphs (4) to (7) apply for the purpose of bringing those proceedings to a conclusion.

(4) The Speaker shall first put forthwith any Question which has been proposed from the Chair and not yet decided.

(5) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown which is related to the Question already proposed from the Chair.

(6) The Speaker shall then put forthwith the Question on any Motion made by a Minister of the Crown on or relevant to any of the remaining items in the Lords Message.

(7) The Speaker shall then put forthwith the Question, That this House agrees with the Lords in all the remaining Lords Proposals.

Reasons Committee

4. The Speaker shall put forthwith the Question on any Motion made by a Minister of the Crown for the appointment, nomination and quorum of a Committee to draw up Reasons and the appointment of its Chairman.

5.—(1) A Committee appointed to draw up Reasons shall report before the conclusion of the sitting at which it is appointed.

(2) Proceedings in the Committee shall, if not previously brought to a conclusion, be brought to a conclusion 30 minutes after their commencement.

(3) For the purpose of bringing any proceedings to a conclusion in accordance with sub-paragraph (2) the Chairman shall—

(a) first put forthwith any Question which has been proposed from the Chair and not yet decided; and

(b) then put forthwith successively Questions on Motions which may be made by a Minister of the Crown for assigning a Reason for disagreeing with the Lords in any of their Amendments.

(4) The proceedings of the Committee shall be reported without any further Question being put.

Miscellaneous

6. If the House is adjourned, or the sitting is suspended, before the expiry of the period at the end of which proceedings are to be brought to a conclusion under this Order, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provision of this Order.

7.—(1) In this paragraph "the proceedings" means proceedings on Consideration of Lords Amendments and on any further Message from the Lords on the Bill.

(2) Standing Order No. 15(1) (Exempted business) shall apply to the proceedings.

(3) The proceedings shall not be interrupted under any Standing Order relating to the sittings of the House.

(4) No dilatory Motion with respect to, or in the course of, the proceedings shall be made except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

8.—(1) This paragraph applies if—

(a) a Motion for the Adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) has been stood over to Seven o'clock; and

(b) proceedings on this Motion have begun before then.

(2) The bringing to a conclusion of any proceedings which, under this Order, are to be brought to a conclusion after that time, shall be postponed for a period equal to the duration of the proceedings on the Motion for the Adjournment of the House.

Orders of the Day

Football (Disorder) Bill

Lords amendments considered.

3.39 pm

Mr. Deputy Speaker (Mr. Michael Lord): The House should know that a number of manuscript amendments have been tabled to the Lords amendments to the Football (Disorder) Bill. Copies are available in the Vote Office.

I must draw the House's attention to the fact that privilege is involved in Lords amendments Nos. 16 and 17. If the House agrees to either of those Lords amendments, I shall ensure that the appropriate entry is made in the Journal.

We come to Lords amendment No. 1.

Mr. Simon Hughes (Southwark, North and Bermondsey): On a point of order, Mr. Deputy Speaker. Before the Minister speaks to Lords amendment No. 1, could he explain what the Government propose to do about the matter that we discussed in the previous debate? The Government gave an undertaking that if Lord Ackner, the Cross-Bench peer, withdrew amendments that he had tabled, they would ensure that the issues would be addressed before the Bill completed its passage. The issues were not addressed in the Lords because of the timetable, and today they do not seem to be the subject of Government amendments to the Lords amendments. It therefore seems that Ministers have not yet honoured the undertaking given in the other place by Lord Bassam.

Mr. Deputy Speaker: That is not a point of order for the occupant of the Chair. However, the Minister will undoubtedly have heard the hon. Gentleman's remarks and will perhaps respond to them in the debate.

Mr. Jeremy Corbyn (Islington, North): On a point of order, Mr. Deputy Speaker. You said, absolutely correctly, that the manuscript amendments tabled by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) are available. All of those amendments are effectively amendments to amendments. However, have any of them been selected?

Mr. Deputy Speaker: Some of the amendments tabled by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) have been grouped with other amendments for debate. They are listed on the new selection list.

Mr. Hughes: Further to that point of order, Mr. Deputy Speaker. It may assist the House and the hon. Member for Islington, North (Mr. Corbyn) if I point out that there is a new selection list. The hon. Gentleman will find my amendments on that list.

Clause 2

DISCLOSURE OF INFORMATION BY NCIS

Lords amendment: No. 1, in page 2, line 3, at end insert—

("(3B) A statutory instrument containing regulations under subsection (3A) shall be subject to annulment in pursuance of a resolution of either House of Parliament.")

The Minister of State, Home Office (Mr. Charles Clarke): I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 2, 3, 18 to 21 and amendment in lieu thereof, and 22.

Mr. Clarke: It may be for the convenience of the House if I point out that Madam Speaker has selected the amendment in lieu tabled by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) for inclusion in this group of amendments, and amendments tabled by him for inclusion in the third and fourth groups. We shall be able to consider those amendments when we reach those groups.

Lords amendments Nos. 1 to 3 and 18 to 21 were made by the Government in the other place to give effect to the recommendations of the Delegated Powers and Deregulation Committee. The Government accepted all the Committee's recommendations, and I commend them to the House, as I said earlier that I would.

Amendment No. 1 has the effect that regulations prescribing persons to whom the National Criminal Intelligence Service can disclose information for the purposes of the Football Spectators Act 1989 will be subject to the negative resolution procedure. The amendment gives effect to the first recommendation of the Delegated Powers and Deregulation Committee.

Amendments Nos. 2 and 3 give effect to the Select Committee's second recommendation, that amendments made under the Bill to orders subject to affirmative resolution should themselves be subject to that procedure.

Amendments Nos. 18 to 21 give effect to the Select Committee's third recommendation, that the power to extend the control period under the Bill—the period during which passports may be required to be surrendered and the summary powers in sections 21A and B may be exercised—should be limited. The amendments ensure that a control period can begin a maximum of 10 days before the beginning of a match or tournament, if the Secretary of State thinks it necessary for the purposes of enforcement of the Act.

Amendment No. 22 is a minor drafting amendment.

The amendment in lieu relates to amendments Nos. 18 to 21, and it might help the House if I explain our attitude to it before the hon. Member for Southwark, North and Bermondsey speaks. The Delegated Powers and Deregulation Committee saw no difficulty in principle with the power to extend the control period, but it recommended that it should not be open-ended. The Government have accepted that fully. The power can be used to extend the period to a maximum of 10 days before a match or tournament, and only on the ground that it will assist in enforcing the law. Any order is subject to the negative resolution procedure. We believe that that is perfectly reasonable, and I urge the House to reject the amendment in lieu.

The hon. Member for Southwark, North and Bermondsey asked me to comment on the exchanges in another place between my noble Friend Lord Bassam and Lord Ackner. I am studying the details of those exchanges, and I will comment later in the debate.

I commend the Lords amendments to the House.

3.45 pm

Mr. Nick Hawkins (Surrey Heath): Let me make it clear, on behalf of the official Opposition, that although, as was said earlier on the guillotine motion, we have been very unhappy with the way in which matters have been handled procedurally—in what we would call indecent haste and with inappropriate guillotines—we are none the less grateful that the Government have made certain concessions, having recognised the quality of the arguments advanced by my noble Friend Lord Cope and others. I certainly accept what the Minister, and Ministers in another place, have said: that the Government have sought, where they felt it possible, to accommodate points made in both Houses by the official Opposition and by Liberal Democrats.

That should not in any way be taken as reducing our continuing concern about the way in which this matter has been handled and about the fact that, even this afternoon, there has been quite a lot of confusion. The point just made by the hon. Member for Islington, North (Mr. Corbyn) shows once again how the House can get into a muddle and even experienced Members of Parliament such as he can be confused by the rush in which manuscript amendments have had to be tabled. I am pleased that the amendment in lieu was at least selected, but the problem is that, because of the guillotine, some important matters may never be reached, so the Minister may not be able to say anything about them.

Given that we are dealing with a Bill that, quintessentially, may result in court proceedings, the rule in Pepper *v.* Hart that ministerial statements can be relied on in court is especially important. If important amendments are not debated, by definition the Minister will make no statement and no reference will be able to be made to the Government's view in interpreting what will be the result of this rushed legislation.

There are no amendments tabled by the official Opposition in this group. Because of the rush, we have sought to consider, at short notice, the manuscript amendment tabled by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes). I hear what the Minister says about delegated powers and the amendment in lieu, relating to line 18 of the second schedule. There is certainly a continuing concern about the broad reach of the provisions, but I recognise that the Government have wisely taken on board a number of points made in debate by Lord Cope and others in another place.

The Government did well to accept those points, but they should recognise that the way in which they have proceeded is not a recipe for good legislation. We hope that they will learn lessons from the peculiar procedural

[Mr. Nick Hawkins]

complications that they have imposed on the House, and we very much hope that they will never again put us in such a position.

Mr. Simon Hughes: As the Minister said, the amendment in lieu relates to Lords amendments Nos. 18 to 21.

I shall deal briefly with Lords amendments Nos. 1, 2 and 3, which improve the Bill by providing more parliamentary control in respect of policy changes and any additional measures that the Government may seek to introduce under clauses 2 and 3 of the Bill, and we support the amendments.

Let me pause for a second to say that all the Lords amendments improve the Bill. My hon. Friends here and in another place—and many other right hon. and hon. Members—share the view that the Bill is fundamentally bad. We continue to disagree with provisions in respect of banning orders and summary detention. Had we the opportunity, we would disagree with the Bill or remove those provisions. However, procedure prevents us from doing so.

Those sentiments were reflected in speeches in another place, such as those by the Conservative Front-Bench spokesman and by Lord Ackner, who is non-party political and a senior and respected lawyer. My noble Friend Lord Phillips of Sudbury compared the Bill with the Regulation of Investigatory Powers Bill, which we dealt with yesterday, saying:

> It is a striking contrast with the Regulation of Investigatory Powers Bill, on which the noble Lords, Lord Bassam and Lord Bach, laboured, as did my noble Friend Lord McNally and I, together with the noble Lords, Lord Cope and Lord Lucas. That Bill came to this House in a tawdry and inadequate state and left it much improved. This Bill came to us in a tawdry and inadequate state and leaves us in that condition. There has not been a single major concession to the fears expressed not just by the Opposition, but from the Government Benches.—[*Official Report, House of Lords*, 26 July 2000; Vol. 616, c. 475.]

Miss Ann Widdecombe (Maidstone and The Weald): So there have been some.

Mr. Hughes: I was quoting Lord Phillips of Sudbury. It is certainly our view that, of the major matters involved, the only significant concession has been in respect of the life of the Bill, which was originally five years. It was conceded in this House to four years and is now down to two years—the so-called sunset clause. My noble Friend Lord Phillips said that although it may be good that the sun sets on this Bill sooner rather than later, the sun should never have risen on this Bill. That encapsulates our view.

So what have we left to do? We have tried to table appropriate amendments in the time available. Our amendment, which would replace Lords amendments Nos. 18 to 21, would remove the power of the Secretary of State to extend the control period. Of course it is better to have a control period of 10 days rather than an unlimited one. However, my hon. Friends and I would rather that the Secretary of State did not have the power to extend the control period as everyone is concerned that the Bill already gives too much power to the authorities.

Mr. Corbyn: The Bill gives the Secretary of State the power to extend the control period. What will happen if an emergency arises during the parliamentary recess? Can the Secretary of State simply do whatever he wishes—and we will have to scrutinise that long after the event—or is he denied the right to take action?

Mr. Hughes: The hon. Gentleman puts his finger on another important reason why the Bill is nonsense. I understand that the control period can be extended only by the Secretary of State coming to Parliament and seeking an extension. Many powers in the Bill require affirmative resolutions of both Houses. I stand to be corrected, but if that is the case, it can happen only when the House is sitting. I find it unlikely that the House would be recalled for that sort of job.

Mr. Corbyn: Who knows?

Mr. Hughes: Nowadays who knows, but it is unlikely. Some of the urgent issues for this year relate to matches in August, September and October—before the House of Commons returns. Therefore, a power to take urgent action could not be applied if the House was not sitting. That also applies to Christmas and Easter holidays.

I hope that the House will agree that it would be better not to give Ministers the additional power. I realise that we will not be able to vote on my proposal until we have discussed the remaining groups of amendments, but hon. Members should bear in mind that we will seek to divide the House after the next three debates.

Mr. Charles Clarke: I want to deal with the point about Lord Ackner. I have studied the *Hansard* of the debate in another place, which started at 4.48 pm yesterday and can be found at columns 450-65. There was substantial controversy over the matter, and as the hon. Gentleman has raised it I was careful to read the entire debate.

I believe that no undertaking was given to Lord Ackner that the amendments that he wanted to table could be tabled for today. Indeed, at column 462, the Government Chief Whip made it clear that amendments along the lines of those proposed by Lord Ackner could not be tabled today because they were not variations of or consequential on amendments made in another place. I wanted to make those points to set out my position as clearly as possible.

Mr. Hughes: Like the Minister, I have read the *Hansard* of yesterday's debate in another place. Does he agree that the reason why there has been a problem is that there was no opportunity for peers such as Lord Ackner to table their amendments as they were working to a timetable that was then changed at short notice?

Mr. Clarke: As is set out clearly in the *Hansard* of the debate, there was clearly a misunderstanding on Report as to whether or not Lord Ackner could table amendments the following day for Third Reading. The full account of that is set out in the Lords *Hansard* of the debate yesterday afternoon. Apparently, Lord Bassam said that Lord Ackner could table the amendments "tomorrow" instead of "for tomorrow". That miswording was specifically addressed in yesterday's debate. It is elaborated in the *Hansard* of that debate, which is

available to all right hon. and hon. Members who would like to study it. I do not believe that a commitment of the type that the hon. Gentleman was referring to was given.

Mr. Corbyn: Will the Minister give way?

Mr. Deputy Speaker: Order. The Minister has finished his speech.

Lords amendment agreed to.

Lords amendments Nos. 2 and 3 agreed to.

Clause 5

COMMENCEMENT AND DURATION

Lords amendment: No. 4, in page 2, line 40, leave out ("four years") and insert ("one year")

Mr. Charles Clarke: I beg to move, That this House agrees with the Lords in the said amendment.

The amendment gave rise to the most discussion in another place. I will not hide from the House that the Government are disappointed by the amendment, which reflects the desire of another place to reduce significantly the proposed life span of what are widely known as measures 3 and 4. We were not against a sunset clause in principle and we were quite happy to discuss it, but we feel that the time periods that were agreed in another place are too short for good legislation.

When we proposed one and four-year sunset periods, we believed that the right amount of time had been allocated properly to evaluate the impact and effectiveness of the measures in sections 14B, 21A and 21B of the Football Spectators Act 1989. We were especially conscious that a five-year period would incorporate Euro 2004 in Portugal—a high-risk tournament comparable with Euro 2000—and that that would provide an excellent test for the Bill. That is why we opposed the amendment in another place and that is why we regret it now. However, we recognise that the concerns that were expressed in another place that led to the amendment were perfectly genuine and were not facetious in any way. Although we do not share those views, we think that in the interests of the consensual approach that we have tried to follow, we should accept the amendment and for that reason I commend it to the House.

Miss Widdecombe: While I am grateful to the Minister for not resisting the proposal that there should be a fairly stringent sunset clause, I am also slightly disappointed as we proposed an original renewal period of six months rather than the one year which has now come from another place. On the other hand, the final date by which the legislation falls, which is two years away, is exactly what we proposed.

Although I hear what the Minister says about the matches that the Bill will not cover, it will cover the whole of the qualifying period for the World cup and should therefore provide a sensible opportunity to assess its effectiveness.

4 pm

However, I feel strongly that, without the amendment, it would have been hard for Conservative Members to maintain our support for the Bill. We have always supported the taking of immediate measures to deal with football hooligans, and the use of an accelerated timetable. When the Bill was published, part IV especially included provisions that we had never sought. They had never been proposed previously, and so had not been discussed. As a result, all subsequent discussion has been completely new, and the timetable has been extremely rushed.

We have made it clear throughout that we would not oppose the due process of the Bill's progress through the House, although it has not had much of that due process. However, the measure's flaws and dangers have become clearer with debate, and it has become increasingly necessary to provide that the Bill has a clause to ensure their short, sharp life.

At various stages of the debate on the Bill, hon. Members have drawn parallels with the Dangerous Dogs Act 1989. The hon. Member for Newham—

Mr. Tony Banks (West Ham): My constituency is now called West Ham.

Miss Widdecombe: I am sorry, I cannot keep up with these changes.

Mr. Banks: At least I have not changed my constituency.

Miss Widdecombe: Neither have I. The hon. Member for West Ham (Mr. Banks) said that he had a specific opposition to the Dangerous Dogs Act 1989. He and I share many interests when it comes to animal welfare. I was not happy either with the outcome of deliberations on that legislation, although at the time I was obliged to pretend that I was.

Therefore, I feel strongly that we must always ensure that legislation introduced at a fast pace can be reviewed. Such a review should take place at an early stage, not after a long period of possible injustices, failures and undesirable effects. In that way, hon. Members would be able to assess whether the legislation was better or worse than they believed it to be when it left the House, or exactly as they expected.

I welcome the amendment. It is close to what we asked for in the first place, and I am grateful to the Minister for accepting it. I hope that it will meet with no serious opposition from other hon. Members.

Mr. Corbyn: Like other hon. Members, I am pleased that the Bill's review period will be shorter than originally planned—as long as my hon. Friend the Minister does not come back to the House for a renewal clause within a year. I hope that my hon. Friend will say whether there is a serious intention of extending the provisions beyond a year.

More importantly, what assessments will be made of the Bill's effects and operation? How will those assessments be reported to the House, and what opportunity will hon. Members have to debate them? This Bill seriously and fundamentally reduces the civil liberties of British citizens. It has to be monitored, as the prevention of terrorism Acts and other legislation are.

My hon. Friend the Minister did not see me when I tried to intervene before he sat down at the end of the short discussion of the previous group of amendments.

[Mr. Corbyn]

I wanted to ask him what would happen if he sought to make an order during a parliamentary recess: would there be an opportunity for parliamentary scrutiny in such an eventuality? The Bill has been rushed through both Houses of Parliament, and is inadequate in many ways. I think that it poses a danger to civil liberties in our society. At the very least, we need a process by which Parliament can examine its effects. We need to know what reports about its operation will be received up to and during the initial match to which it is intended to apply—the international between England and France in September.

Mr. Mike Hancock (Portsmouth, South): It was a bit rich of the Minister to complain about the amount of time for assessment of the Bill's effects being reduced to two years, as he was an enthusiastic supporter of denying either House of Parliament the chance to debate properly what the Bill was meant to achieve. No doubt his lack of enthusiasm for the amendment is tempered by his enthusiasm to get the Bill through the House today.

There has been widespread concern about the Bill in the House. That was evident on Third Reading and at other stages of its progress. It left this House in pretty bad shape, and has returned slightly improved, but the acceptance by the Government of the amendments tabled in another place shows that there was real room for improvement. The reduction of the assessment period is one element of that, but it would have been better if this House had had at least one more day for deliberation on the amendments. We were denied that opportunity. It would also have been better if the House of Lords had had the opportunity to discuss the amendments more fully.

Everyone who wants legislation to curb football hooliganism to succeed will be disappointed with the lack of time for debate. The problem for those who object to aspects of the Bill is that it will return to the House before two years are up. There is no doubt that the provisions will be challenged in the courts, and the Home Secretary will have to come to the House to amend the legislation accordingly.

The Bill may solve this summer's problem, but it will not help in the long term. I agree with the hon. Member for West Ham (Mr. Banks), who said that we have to stamp out hooliganism and make football worth going to see, so that people can be proud of the national team. The Bill will not achieve that. I hope that the Minister will say what he would add to the Bill to improve it.

Mr. Banks: I must tell the hon. Gentleman that I also said that the Bill might not work. That is because the beast that we are dealing with changes shape according to the legislation that arrives on the statute book. I do not want to create a hostage to fortune, but I am fairly certain that we will have to revisit this territory again and again, until we get the matter right. We must exercise judgment and, although hon. Members from all parties have pointed out the potential problems, that is what we are doing in introducing the Bill.

I am reasonably agnostic about the amendment. I preferred the original proposal in the Bill for a four-year review period, but I hope that my hon. Friend will clarify one point. I understand that the legislation will come into effect by the end of August. That means that we will be looking at it again this time next year. Probably the most crucial game to be played by the England team in the course of the next year will take place on 1 September 2001. It is a World cup qualifying match against Germany—in Munich, of all places. I can imagine the sort of loonies who might turn up for that match.

Will my hon. Friend the Minister say to what extent we can be certain that the Bill will still be in place at that time? Will it be adequate to handle problems that might arise in the run-up to the match against Germany on 1 September 2001?

Mr. David Davis (Haltemprice and Howden): I shall be brief, in the hope that the House will be able to vote on the Liberal Democrat amendment at the end of this short debate. For me and a number of other hon. Members, it is the only way in which the Bill can be rendered remotely acceptable.

Many hon. Members were worried about the use of civil standards of proof and civil process to exercise the criminal sanction of a banning order. After the sunset clause is triggered, it is inevitable that the Bill will return to the House to be recreated. I hope that the Minister will look then at the option of using criminal process rather than civil process, and in that way ensure that the legislation properly respects civil liberties.

Sir Nicholas Lyell (North-East Bedfordshire): We must remember that the Bill is very rushed. It is inaccurate to say that there has been real opportunity for proper scrutiny. Consequently, I think that one year is quite long enough before the measure is reconsidered. It is thoroughly undesirable that we should legislate in this way. To restrict the Bill's time limit to one year—six months would have been better—is the only ameliorating factor. I am very glad that the other place has proposed this amendment.

Mr. Simon Hughes: As colleagues have said, this is where the Government were defeated in the other place, by a majority of 38. The amendment is the attempt of the other place, given the rush, to do something.

I echo the words of the right hon. Member for Haltemprice and Howden (Mr. Davis). We do not make the removal of civil liberties acceptable by saying that they are removed only for the next two years. My hon. Friends and I take the view that there should be a criminal pre-condition for a banning order, which is not in the Bill, and that there should not be summary detention without judicial authority. However, those views apply whether the measure is for one year or two.

No Government would put so much effort into a measure if they did not intend to use its powers. It is not as if the Government want these powers to remain in the locker—they want to apply them. We will be able to judge how effective those powers are.

The sunset provision clearly improves the Bill. The Minister undertook that annual reports would be made, although there is a question about their independence. Before we agree to the amendment, will the Minister confirm that we will have an independent report on the working of the Bill before the renewal orders—which

must be made before next summer's recess—and before the end of the life of the Bill, which must be before the end of summer 2002?

Mr. Charles Clarke: A number of points have been raised in this short debate. Let me say first to my hon. Friend the Member for Islington, North (Mr. Corbyn) that we believe that the Bill is well constructed, but we do not yet have a view as to what to do at the end of the period. We genuinely want to look at the situation, see what has happened and decide whether the legislation should be improved or whether further legislation is necessary. To that end, my hon. Friend is right to say that it will be necessary for a report to be made on the legislation so that the situation can be fully discussed. That report will be made. I cannot give the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) the commitment—I could not give it to him on Second or Third Readings, either—that the report will be "independent". However, I can give the commitment that we will make a report.

As for a debate in the House, that is a matter for the normal process. Of course, all the normal processes of the House, including Select Committees, will be able to stimulate debate on those matters.

Mr. Corbyn: Is there any possibility of ensuring that an independent report is done on the operation of the legislation, perhaps through surveillance of the matches taking place in September and this autumn? Could someone appointed by the Home Office report independently on the Bill so that we do not have to rely only on statistics and police reports?

Mr. Clarke: I am not ruling that out. I understand the point made by my hon. Friend and by the hon. Member for Southwark, North and Bermondsey. However, we will consider how to report in a way that will maximise confidence in what we are doing among all those in the House. A variety of reports are produced—police reports and others have been mentioned—which we look at. We will decide exactly how to report in due course. I simply say to the hon. Gentleman that I cannot give an absolute commitment that the report will be independent in the way that he wishes.

The hon. Gentleman referred to the recess. The order referred to under proposed section 22A(2) is subject to the negative resolution procedure. It can therefore be laid and can come into force during the recess in the event that such circumstances arise.

My hon. Friend the Member for West Ham (Mr. Banks) mentioned the Germany/England game in 2001. The process being considered today is that proposed sections 14B, 21A and 21B will be subject to a one-year initial review period which will take us to the end of August 2001, subject to an order extending it for a further year—to August 2002—which will be subject to affirmative resolution.

In the event that the Bill is agreed to today, the match in September 2001 will be covered, provided that the House agrees an affirmative order before August 2001, which would extend the Bill for another year. That takes us to the period in which the report must be made, referred to by my hon. Friend the Member for Islington, North.

4.15 pm

Mr. Corbyn: I thank the Minister for giving way again. I just want to be clear about this. In the event that the Government decide to extend the life of the measure beyond August 2001, can the Minister assure us that that would be done by an affirmative vote of the House rather than an instrument ordered by a Minister, as that would be ordered during a recess and would therefore have to be voted on retrospectively? That would obviously be too late, because the Bill would already have come into effect.

Mr. Clarke: I can give my hon. Friend that assurance. The extension of the legislation by a further year after the first year would be by affirmative, not negative order. So the Government would need to table—presumably before 31 July 2001—an order to extend the measure for a year to August 2002. I cannot commit myself to the exact date, but that is the framework. That is the meaning of the process that we are discussing.

Mr. Hughes: Does not the report, whether or not it is as independent as we would like, also have to be laid before we have the affirmative resolution votes, not just at the end of the two years of the Bill's life?

Mr. Clarke: The report will be about the first two-year period, assuming that an affirmative order were passed, to consider whether further legislation will be necessary to extend the measure beyond the period that we have discussed. If the hon. Gentleman is saying that we should have the report before the affirmative order to extend the measure for a further year is made, I understand his point, and so will those who read our proceedings. We will consider what is the appropriate reporting mechanism to the House at that point.

Obviously, in any debate on the affirmative order, right hon. and hon. Members will be able to make any points that they want about the basis of information that is being considered. A report on the content of the legislation has to be laid beforehand, as clause 5 clearly provides. However, I am more ambiguous in my response to the hon. Gentleman about the nature of the report, because that will be important to the House in considering the situation.

With that, I commend the Lords amendment to the House.

Lords amendment agreed to.

Schedule 1

AMENDMENTS OF THE FOOTBALL SPECTATORS ACT 1999

Lords amendment: No. 5, in page 5, line 14, leave out ("absolutely or").

Mr. Charles Clarke: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 6 to 10, 12, 15 and 17.

Mr. Clarke: This group of amendments contains a number of Government amendments brought forward in response to points made here and in the other place. Amendment No. 5 responds to criticisms made in another

[Mr. Clarke]

place that a banning order could be made following a conviction for which the offender received an absolute discharge. The amendment removes that provision.

Amendments Nos. 6, 8 and 9 meet the points made in this House by the former Attorney-General, the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell). Their effect is that conduct more than 10 years old cannot be taken into account in considering an order under proposed section 14B unless it relates to an unspent conviction. The amendments also make it clear that the powers under that section do not affect the position under the Rehabilitation of Offenders Act 1974—that spent convictions cannot be taken into account in civil proceedings.

Amendment No. 7 removes from proposed section 14C the reference to decisions of a public authority. The potential breadth of that position was commented on widely by several right hon. and hon. Members throughout our debates, and the Government have therefore removed it from the Bill, to remove any uncertainty about the meaning of the phrase.

Amendments Nos. 10, 12 and 15 are drafting amendments to make it clear that people cannot be required to surrender their passport in relation to a match to be held in Scotland or Northern Ireland.

Amendment No. 17 is an important amendment, ensuring that legal advice and assistance, including advice by way of representation, may be made available for proceedings for a banning order by complaint under proposed section 14B, and for proceedings arising from the issue of a notice under proposed section 21B and all subsequent appeals and abdications. For those reasons, I commend the amendments passed in the other place to the House.

It may be of convenience to deal with the amendment moved by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes). I am afraid that I cannot advise the House to accept the amendment, which we believe would prevent a court from taking into account circumstances ancillary to a conviction where they occurred more than 10 years previously. That is unnecessary, as the amendments in the Lords have already set up safeguards which we believe ensure that spent convictions will not be taken into account where a conviction remains, even if it is more than 10 years old. It will have been of some gravity and I can see no reason why either it or circumstances ancillary to it should not be taken into account in the making of a banning order.

It might be of help to the House if I make it clear that the phrase "circumstances ancillary to a conviction" which the amendment seeks to delete is defined in the Rehabilitation of Offenders Act 1974 as including conduct leading to the conviction and the offences which were the subject of that conviction. Only circumstances ancillary to an unspent conviction will be admissible. Any other result would not be sensible. We cannot commend the amendment, but we do commend those passed in another place.

Mr. Hawkins: A number of the amendments from the other place respond to concerns expressed by the Opposition; in particular, the serious concerns raised by my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) in relation to spent convictions. These concerns were shared by many of my right hon. and hon. Friends.

On amendment No. 5, the Government have taken up a Liberal Democrat amendment which we supported in another place. I have dealt with amendments Nos. 6, 8 and 9, which would give effect to the Government's recognition of the importance of the points raised by my right hon. and learned Friend the Member for North-East Bedfordshire. I accept that amendments Nos. 10, 12 and 15 are drafting amendments. However, do the Government recognise that the question of matches in Scotland and Northern Ireland must be kept under review? The Minister will be aware that there has been serious violence at matches in Ireland in the not-too-distant past.

Mr. Banks: In the Republic.

Mr. Hawkins: The hon. Gentleman is right, but it included those who claim to be England fans. He will recall, as I do, the disgraceful scenes of seats being torn out and thrown on to the pitch, and the ensuing violence. The Minister must keep under review the issue of sectarianism can spill over into football-related violence.

On amendment No. 17, my noble Friend Lord Cope welcomed the fact that legal advice and assistance will be available for those who will appear in court to answer a complaint in relation to a banning order. Will the Minister confirm that appropriate indications will be given to the chairman of the Government's new Legal Services Commission, the replacement for the Legal Aid Board, in light of the fact that the Government are accepting the amendment from another place?

Does the Minister recognise the concerns raised by the noble Lord Ackner in another place in relation to proceedings being called civil when they were criminal proceedings, or certainly more of a criminal kind than civil? That concern is shared in all parts of this House and another place. I ask the Minister to confirm that that will be recognised in any instructions given to the chairman of the Legal Services Commission and his staff.

Mr. Simon Hughes: This is a ridiculous race against the clock, but here goes. Amendments Nos. 5, 7 and 17 are good. Amendments Nos. 12 and 15, which are drafting amendments, are also good. Amendment No. 10 is good as far as it goes, but I would be grateful if the Minister indicated where somebody can get their passport back, if it has been surrendered under the Bill, in the event of a family funeral or other urgent business. We were given an undertaking that that would be possible, but I see it nowhere in the Bill.

Unless the Minister can adequately satisfy me, I will seek to gain the House's support for amendment (a) to Lords amendment No. 8. I support the point of view of the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell) on amendment No. 8, which would make sure that spent convictions are not brought into play. I have spent as much time as I could on drafting the amendment, which refers to "circumstances ancillary to a conviction". That appears to bring back into play things that should have been excluded.

This is not a draft from the right hon. and learned Member for North-East Bedfordshire; the Government produced it in response to his point. However, the

amendment does not protect against previous history, pre-dating the control order by 10 years. That worries me. I do not pretend to have a perfect knowledge, but I am advised that it is not necessary. I know it relates to the Rehabilitation of Offenders Act 1974, which I have checked. I have seen the definition, which does not appear to deal with the concern that this undermines the point made by the right hon. and learned Member for North-East Bedfordshire.

Sir Nicholas Lyell: The hon. Gentleman raises an important point. I am always doubtful whether Pepper *v.* Hart has any real function. However, if the Minister were to make it clear that the use of this portion of the Act was specifically not to permit circumstances ancillary to spent convictions over 10 years old, that might go far to repair the possible damage that worries the hon. Gentleman and myself.

Mr. Hughes: I would rather have such an admission than nothing, even though it would be of limited value. I would be happy not to push the amendment, although I would like us to vote on something. If the Minister cannot give that admission, I am afraid that it will not be possible.

Mr. Charles Clarke: The hon. Member for Surrey Heath (Mr. Hawkins) referred to Scotland and Northern Ireland and we will keep the situation under review. It is worth emphasising that someone subject to a banning order can be ordered to report to a police station when a match is being played in Scotland and Northern Ireland. The amendments make it clear that passport surrender is not required for those matches.

In terms of the Legal Services Commission, I can give a commitment that we will ensure that all the contents of the Bill—including the amendments—are passed to the Lord Chancellor and through him to the Legal Services Commission. I will study the points made by Lord Ackner. I agree that it is always important to get clarity as between civil and criminal activities.

In terms of getting one's passport back—referred to by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes)—section 20 of the Football Spectators Act 1989 contains that provision. Circumstances ancillary to a conviction are admissible only in relation to convictions which are themselves admissible. Spent convictions will not be admissible, nor will circumstances ancillary to them. That is the effect of section 4(1) of the Rehabilitation of Offenders Act—

It being two hours after the commencement of proceedings on the supplemental allocation of time motion, MR. DEPUTY SPEAKER *pursuant to Order [17 July] and Resolution [this day], put forthwith the Question already proposed from the Chair.*

Lords amendment agreed to.

Remaining Lords amendments agreed to, some with Special Entry.

4.30 pm

Mr. Simon Hughes: On a point of order, Mr. Deputy Speaker. I appreciate that you can do nothing about it now, but may we have a mechanism to deal with cases in which the Government, at no notice, guillotine a Bill, effectively meaning that no Opposition amendment can be voted on? The Government produced a guillotine this morning and that has been the effect. We have moved as quickly as possible and hon. Members on both sides have declined to speak, although they wanted to. Even so, we have been unable to test the opinion of the House on any Opposition amendment, and that must be a parliamentary disgrace.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. I shall take a further point of order.

Mr. Corbyn: Further to that point of order, Mr. Deputy Speaker. I understood that we would have an opportunity to vote on the manuscript amendment tabled by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) to one of the Lords amendments. Have we had no vote because we went past 4.29 pm, or do the Government amendments supersede anything said during the previous debate?

Mr. Deputy Speaker: The procedure that we have followed was set out in the motion. The House votes on the amendment immediately before it, and then decides on all other Government amendments.

Mr. Corbyn: Further to that point of order, Mr. Deputy Speaker. The hon. Member for Southwark, North and Bermondsey made it clear that he wished to call a vote on his amendment. As there was no dissent from the Chair, I understood that there would be a vote on his manuscript amendment. I find it very distressing that, on a Bill as serious as this one, we cannot vote on an amendment to a Lords amendment.

Mr. Deputy Speaker: I am afraid that we simply ran out of time.

Miss Widdecombe: Further to that point of order, Mr. Deputy Speaker. I am aware that the timetable for the Bill was decided by the House in a series of guillotine motions. However, bearing in mind Madam Speaker's comments yesterday about the need for the House to hold the Executive to account, may I ask, in the best possible spirit, that Madam Speaker should examine what has happened during the Bill's passage? There has been a long series of events—*[Interruption.]*

Mr. Deputy Speaker: Order. Bearing in mind what is being said, and given Madam Speaker's comments yesterday, the least that the House can do is to listen in silence to the right hon. Lady.

Miss Widdecombe: Thank you, Mr. Deputy Speaker.

Might Madam Speaker consider the procedures used for the Bill? At various points, we have moved from one stage to another—particularly from Committee to Report to Third Reading—under a series of draconian guillotines. The Opposition supported the Bill, despite which—and although our support meant that there was no need for such measures—proper parliamentary scrutiny has been prevented.

Mr. Deputy Speaker: I see another point of order coming.

Mr. David Davis: Further to that point of order, Mr. Deputy Speaker. I can make a practical point in support

[Mr. David Davis]

of the hon. Member for Southwark, North and Bermondsey (Mr. Hughes). In order to reach his amendment, we should have had to vote down amendments Nos. 18, 19, 20 and 21, and still had time remaining. That would have been impossible in today's debate.

Mr. Deputy Speaker: The House will appreciate that these are not matters on which the Chair can rule now. I have no doubt that the House and others outside it will have heard the points made.

Utilities Bill

Lords amendments considered.

Mr. Deputy Speaker (Mr. Michael Lord): I draw the House's attention to the fact that privilege is involved in Lords amendments Nos. 8, 9, 11 and 203. If the House agrees to any of those Lords amendments, I shall ensure that the appropriate entry is made in the Journal.

Clause 3

TRANSFER TO AUTHORITY AND COUNCIL OF FUNCTIONS, PROPERTY ETC.

Lords amendment: No. 1, in page 2, line 3, leave out from ("Directors")") to ("are") in line 4

4.34 pm

The Minister for Competition and Consumer Affairs (Dr. Kim Howells): I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 2, 3, 36 to 50, 52 to 54, 150 to 158, 174, 187, 206 to 212, 221, 225, 226 and 245.

Dr. Howells: The amendments are concerned with the consumer council, and, in a few cases, the authority. There are three sub-sets within the group. The first set make arrangements for independent adjudication of disputes about the council's rights of access to information from the authority or from companies. The second group affect the council's powers to report on its investigations. Finally, a set of miscellaneous, minor amendments improves and corrects the drafting of the Bill.

Mr. Eric Forth (Bromley and Chislehurst): We are obviously in for a long evening because there is much important material in the Lords amendments. Fortunately, the House has a lot of time in which to deal with the Bill, in contrast with the last matter before us on which important changes to the rights of individual citizens were disgracefully railroaded through the House under a guillotine.

The Utilities Bill is not in the same category as the Football (Disorder) Bill, but it introduces important measures that require our mature consideration. I will not detain the House unduly on this group, nor will I linger on each amendment. It would be far from my mind to do that.

My eye has lit, however, upon amendment No. 38, the wording of which could give rise to worries under some interpretations. The Minister will wish to leaf through his notes to consider the amendment. Of course, he will already have done so, because he is doubtless well acquainted with every one of the amendments before us. We shall wish, over the next few hours, to tease out just how well he has read them. For now, however, I wish to ask only about amendment No. 38.

The amendment states:

> Information relating to a particular individual or body may be included in a report to be published under section (5)(b) if—
>
> (a) that individual or body has consented to the publication;
>
> (b) it is information that is available to the public from some other source; or
>
> (c) it is not information the publication of which would or might, in the opinion of the Council, seriously and prejudicially affect the interests of that individual or body.

It may well be thought that paragraph (a) is relatively uncontroversial, and one cannot argue with the proposition that if an individual or body has consented, it is perfectly proper for publication to proceed. We can dispose of that provision without further ado.

Paragraph (b) is more problematic, however. Real questions arise about "some other source". Wording so loose and general must give rise to some concern. There is no further definition, and no restriction is proposed. What if the other source were to be one normally bound by confidentiality?

Dr. Howells: If it were commercially confidential, it would not be available to the public. We are discussing information already available to the public from other sources.

Mr. Forth: I am grateful. We are discussing a duplication of effort, then. Information already available elsewhere will simply be rearranged and represented. That being so, one wonders how worthwhile the amendment is.

Dr. Howells: Let me try to help the hon. Gentleman. On this Bill, I have been constantly accused of including all sorts of Henry VIII powers and so on. With this amendment, I am trying to include the briefest provision possible, and am finding myself criticised for it by the hon. Gentleman, who is usually a fount of common sense in these matters.

Mr. Forth: I am glad to hear that—as I would have expected of him—the Minister has paid close attention to the matter, exercised his judgment and decided that, on balance, the amendment is acceptable if not actually beneficial.

The most worrying of the three paragraphs in amendment No. 38 is (c), which states:

> it is not information the publication of which would or might, in the opinion of the Council, seriously and prejudicially affect the interests of that individual or body.

Here, we enter a judgmental area. It would appear that the council is being given the power to take the decision. That is a serious judgment in any case, but we will have to be more than usually satisfied to give it explicitly to the council.

As hon. Members well know, making available information, in particular about an individual or body, can be extremely prejudicial in many ways. If the body is a commercial business, it could seriously affect its share value, for example. In some circumstances, it could prejudice the degree of confidence that the public have in a public body. In the case of an individual, I do not need to tell hon. Members about the damaging or deleterious effect that publication of information about them might have. Almost daily, there are cases where the publication of information can be damaging to an individual.

I wonder what safeguards might exist. Paragraph (c) simply states, baldly that

> in the opinion of the Council

the information should not be judged seriously or prejudicially to affect interests. There is nothing to say what recourse an individual or body might have if the council judged that publication was not prejudicial, but the individual felt that it was.

Dr. Howells: As I am sure the right hon. Gentleman knows, other parts of the Bill contain stringent provisions to ensure opportunities for appeal about the demand for information, in which case the decision would go to an adjudicator. In this case, the adjudicator will, temporarily, be the authority or regulator, who is paid a great deal of money to make such decisions.

Mr. Forth: I am only partly reassured by that intervention. The timing of these events is crucial. If the information is already in the public domain—about me, for example—and I then tell that highly paid adjudicator that I do not believe that it is right and he agrees, the damage has already been done. If the information is already in the public domain, what is the point of that highly paid adjudicator coming to my rescue?

Dr. Howells: The right hon. Gentleman has a good point, but as he said, it is all to do with timing. The adjudicator would adjudicate on the initial offering up of the information, not subsequent to it being offered up. If the information was delivered on request, the adjudicator would prevent it from being put in the public domain if he felt that it would be harmful to the company involved.

Mr. Forth: If the Minister is telling me that he is satisfied that there is a mechanism whereby, before the information is in the public domain, the individual or body would be apprised of the fact, that is sufficient.

Dr. Howells *indicated assent.*

Mr. Forth: I gather that that is what the Minister is telling me. If he is satisfied that mechanisms exist properly to protect individuals and bodies from potential damage, of course I accept his word. He has studied the matter and given it his mature consideration, and that is his view. Therefore, on that basis, I am prepared to accept what he says.

That brief exchange shows—I am sure that I do not need to persuade you of this, Mr. Deputy Speaker—the value and necessity of the scrutiny that we are undertaking. It is one thing for a Bill to go through all its stages in this House and to go to another place, it is another for the Lords to have amended it. It is equally essential, is it not, for us to have the opportunity to consider what has been suggested and to determine how appropriate it is?

I pay the Minister yet another tribute—he stands high in my regard anyway. At least with this Bill we are not being constrained by the usual jackboot of a guillotine motion. The Football (Disorder) Bill, which we have just considered, was a disgrace. However, the Minister is content for us to debate this Bill properly and to consider it. I pay tribute to him and, indeed, to the Whip on duty, who is also generously allowing the House proper time to consider the matter appropriately.

[Mr. Forth]

Having obtained the assurances that I had hoped for, I am satisfied that I need not challenge the Government on this matter any further.

Lords amendment agreed to.

Lords amendments Nos. 2 and 3 agreed to.

Clause 6

PUBLICATION OF ADVICE AND INFORMATION ABOUT CONSUMER MATTERS

Lords amendment: No. 4, in page 4, line 17, leave out from ("matter") to end of line 20 and insert

("which relates to the affairs of a particular individual or body of persons (corporate or unincorporate), where publication of that matter would or might, in the opinion of the Authority, seriously and prejudicially affect the interests of that individual or body.")

4.45 pm

Dr. Howells: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 5 to 7, 18 to 35, 51, 97, 107, 132 to 137, 141, 143, 168, 178, 180, 197, 227 and 239.

Dr. Howells: The amendments to clause 6 in this group are designed to tidy things up, if you do not mind my saying so, Mr. Deputy Speaker. They are concerned with the provision of information to consumers and others. Therefore, I commend them to the House.

Mr. Forth: Amendment No. 143 caught my eye in this group. Interestingly, it would insert after clause 102 a new clause entitled, "General restrictions on the disclosure of information", which follows somewhat in the spirit of our previous debate, and it runs to two and a half pages. One would have thought that under normal circumstances, an item of such gravity, substance and scope would have encouraged the Minister to say a little more about his views, given that it covers important and wide areas.

Even right at the beginning, the new clause states:

Information which . . . has been obtained . . . by virtue of the provisions and . . . relates to the affairs of any individual or to any particular business—

we are in the same territory as for the previous group of amendments about which we had a brief exchange—

shall not be disclosed during the lifetime of the individual or so long as the business continues to be carried on, except as provided below.

That could raise several questions—although not about the lifetime of the individual, which is a fairly open-and-shut and definitive matter. The phrase

so long as the business continues to be carried on

requires a little more exploration. I shall assume that, for these purposes, the word "business" is used in the generic sense and that it covers public and private companies, and presumably even partnerships and so on.

Might the business be brought to an end voluntarily—wound up or put into liquidation? The business might be temporarily suspended. My hon. Friend the Member for Bognor Regis and Littlehampton (Mr. Gibb) and the Minister are far more expert in such matters than I could ever be. There are several different ways in which the business might cease to trade. The new clause uses—unusually—the more colloquial phrase

as long as the business continues to be carried on.

Does that form of words hold water? Its accuracy and usefulness bear examination. The question requires a brief response from the Minister.

The question of consent arises under subsection (2), which states that:

Subsection (1) does not apply to a disclosure made with the consent of the individual or the person for the time being carrying on the business.

Does that imply that only one person is involved in carrying on the business? Surely it cannot do so. Does it imply that only the consent of one of the people carrying on the business is needed? In normal circumstances, more than one person would be involved in carrying on a business and thus consent should be required from all or a majority of them, or from someone who has been given legal power to give such consent. The provision does not make that clear, although I am sure that real substance and meaning lie behind it. It would be useful if the Minister would clarify the matter before the Bill makes much more progress.

The new clause notes that subsection (1) does not apply to disclosure in a large number of circumstances; for example, if

it is made for the purpose of facilitating the performance—

or—

is required by a notice under section 38(1A).

Matters become complicated when we reach paragraph (d) which states that the subsection does not apply to disclosure if

it is made by one licence holder to another and is required by that other licence holder for purposes connected with the carrying on of relevant activities.

By the time one reaches that stage, matters seem to be at arm's length and second hand. I assume that the provision is watertight, although the details make me wonder about that.

Subsection (4) gives a detailed list of provisions under which subsection (1) will not apply. The most worrying is paragraph (h). Knowing me as he does, the Minister will not be surprised that I mention that paragraph in passing—indeed, my hon. Friend the Member for Bognor Regis and Littlehampton might also be worried about it. It states that disclosure of information under subsection (1) will not apply

in pursuance of a Community obligation.

I assume that that means a European Union obligation.

Mr. Andrew Stunell (Hazel Grove): The right hon. Gentleman will have to wash his mouth out.

Mr. Forth: I am sure that the hon. Gentleman is not trying to provoke me; he is much too nice for that. I am merely wondering about the wording. Is it legally watertight? I was elected to the European Parliament in the good old days when it was an institution of the European Economic Community. I was relaxed about that. I became more worried when it passed through various ghastly transformations into, first, the European Community—dropping the word "Economic", which worried me as much as it worried many others—and then

the European Union. Where does this Community thing come in? Is it "the Community"? The word begins with a capital, which makes it rather grand and important. Why is the body not described as the European Union? Is the Minister trying to hide something? Is there a sinister plot?

The serious point is that I need to know whether the word "Community" is being used correctly. If so, what does it mean in this new clause? What does it cover? Is it the European Union in all its manifestations? Is it all the arms, branches and bodies of the EU? What exactly is a "Community obligation"? Is it only a directive or could it be something else? It certainly cannot be anything to do with the European convention on human rights. Many people get confused about that, but I know it cannot be the convention because that is a matter for the Council of Europe.

Will the Minister give us some help to interpret this seemingly innocent provision? It may be inaccurate, useless or even misleading. I want to know the extent of the obligations that arise from that, albeit rather loose, wording of "Community". We need to know much more about that.

Subsection (5) contains a long list of some very important people. It talks about

> The persons and bodies specified for the purposes of subsection (4)(a)

and about

> a Minister of the Crown.

Presumably, that means any and all Ministers of the Crown—we know that they are omniscient, omnipotent and ubiquitous. I want clarification on whether that does indeed cover, as a generic term, Parliamentary Under-Secretaries of State as well as Ministers proper—Ministers of State and Secretaries of State.

The subsection then lists the Competition Commission and all sorts of directors of very important things. Then, rather oddly, it says:

> a local weights and measures authority in Great Britain.

Out of that seemingly innocent element, a couple of intriguing questions arise as to whether the local weights and measures authority is suddenly thrust to the same level of prominence and competence as Ministers of the Crown on one hand and the Civil Aviation Authority on the other.

More intriguing is the inclusion of the term "in Great Britain." I assume that it was included advisedly, and I just want to ask in passing what happens outside Great Britain and why those who are not blessed to be in Great Britain are not to be given the benefits of the provision. It would help me to know, before I give my approval to the amendment, whether people outside Great Britain have some other means of being satisfied by these provisions.

I do not want to delay the House unduly. I could have picked up many more of what I consider to be anomalies and slacknesses. We shall go into a lot of other things in more detail as required—I know that my hon. Friend the Member for Bognor Regis and Littlehampton, on the Front Bench, is itching to get his teeth into all this nonsense—but I think that I am really asking, given the extent to which the Government are prepared to accept these amendments from another place, whether they are really satisfied that the amendments are tightly drafted, that they are viable in terms of the law, that this whole thing holds water and that we shall not be creating even more trouble for ourselves than might already exist.

That is the general thrust of my remarks. I just wanted to take a few detailed examples to give what I said a slightly sharper edge, but I have probably cited enough to give a flavour. I am asking the Minister, in his usual charming but competent way, to put our minds at rest, to take us through the matter, and to display his mastery of the material, as he usually does. If he did, I would find that very satisfying.

Dr. Howells: Flattery will get the right hon. Gentleman everywhere. I thank him. I think that I referred to him as the hon. Gentleman earlier; it must have been because I had dashed into the Chamber, and was clearly the result of a rush of blood to the brain.

Lords amendment No. 143, which the right hon. Gentleman is very concerned about, is, as he knows, part of a larger group of amendments which carry forward the well-established convention that it should be a criminal offence to make an unauthorised disclosure of information obtained under legislation that empowers public authorities to require information from individuals and businesses. That is already the case under the Gas Act 1986 and the Electricity Act 1989, but the sections in those Acts differ slightly from each other. The amendments repeal both those sections and substitute a single regime which will apply to both Acts, as is appropriate where a single licensing authority operates aligned licensing regimes.

The new clause which, essentially is Lords amendment No. 143—the right hon. Gentleman is right to point out that it is a long amendment—prohibits disclosures and then defines certain exceptions where disclosure is permitted. That is a complicated process, and the right hon. Gentleman is right to highlight it. As a rule, the exceptions are for disclosures between regulatory authorities to facilitate the performance of the receiving authority's statutory functions.

The publication powers conferred on the authority and the council elsewhere in the Bill are generally exceptions to the prohibition on disclosure as well. Each is usually subject to its own harm test, limiting, in other words, what may be disclosed without the consent of those to whom the information in question relates. The new clause will also apply to information obtained under the Bill, for example, by the Gas and Electricity Consumer Council under clause 24, with which I am sure that the right hon. Gentleman is familiar.

5 pm

The right hon. Gentleman asked an important question about the definition of a business that has ceased to trade and what happens if a business is in suspension. Business has either been wound up or it has not. If it has been suspended temporarily, but not wound up, business continues. That is a difficult one, but I am glad that the right hon. Gentleman raised it because it gives me a chance to clarify it for the House.

I was fascinated by the right hon. Gentleman's search for the definition of "Community". He almost had me believing that we could substitute "Commonwealth" or something else for it. I have to remind him that he was a member of a Government who signed the country up to

[Dr. Howells]

Maastricht. It is awful to have to say that this late in the term, but they did. The phrase "Community obligations" refers to the obligations of the European Union as it exists now and the European Community as it existed previously in timeless legislation. That is defined in schedule 1 of the Interpretation Act 1978, with which I am sure that the right hon. Gentleman is as familiar as I am.

The right hon. Gentleman properly asked about the areas of this great country that are not included. Northern Ireland is the missing element. That is because the Weights and Measures Act 1986 does not extend to Northern Ireland.

Lords amendment agreed to.

Lords amendments Nos. 5 to 7 agreed to.

Clause 8

PAYMENTS BY LICENCE HOLDERS RELATING TO NEW ARRANGEMENTS

Lords amendment: No. 8, in page 5, line 21, leave out ("or") and insert ("and")

The Minister for Energy and Competitiveness in Europe (Mrs. Helen Liddell): I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 9 to 11.

Mrs. Liddell: Amendments Nos. 8 to 11 relate to clause 8. This gives the authority powers to modify payment conditions in licences to reflect the establishment of the authority and the council. Amendments Nos. 8 and 9 make it clear that the authority can modify payment conditions to recover expenses incurred by the Secretary of State in establishing both the authority and the council, and that any preparatory costs incurred by the Secretary of State can be recovered.

Amendment No. 10 will facilitate the transition from the old to the new payment conditions by permitting the directors general, the Secretary of State, or both, to carry out the required consultation on the new conditions prior to the establishment of the authority. The new conditions can then be in place from the date that the new bodies are established.

Mr. Edward Leigh (Gainsborough): While waiting for us to reach this group, I have been trying to understand what amendment No. 8 means. We are told that it relates to line 21 of page 5. Clause 8(3)(2) refers to

the expenses of the Secretary of State in relation to the establishment of the Authority or the Council.

The amendment replaces the word "or" with "and". I am not sure why the other place felt that that was necessary. Will the Minister explain that to me, please?

Mrs. Liddell: I think that the other place believed that it was a tidying up and a clarification. There has been lengthy debate in both Houses and this is an opportunity for us to ensure the clarity of the legislation wherever the two new authorities come into play. It is a common-sense provision. I do not feel particularly strongly about it, but it tidies up the legislation and makes it much more coherent. The hon. Gentleman will know that I am always willing to accept good suggestions.

Mr. Nick Gibb (Bognor Regis and Littlehampton): I should like to help the Minister in answering my hon. Friend's question. This is one of many tidying-up and redrafting amendments. The Bill was incompetently drafted. The clause is an example of bad drafting. It is clear when one takes the word "and" out and puts "or" back in that the clause will not be satisfactory. There have been more than 600 Government amendments to the Bill. It is a classic example—it is just one of many—of a poorly drafted Bill being brought to the House in a rush. I am grateful to my hon. Friend the Member for Gainsborough (Mr. Leigh) for raising this issue.

Mrs. Liddell: I shall not get involved in questions of grammar with the hon. Gentleman. However, I merely point out that, when we started to consider the Bill, he said that he supported its broad thrust, but claimed that there would be 1,000 amendments. With the benefit of hindsight, we can say that it is not often that he is right—and he is wrong again.

Labour Members are anxious for the Bill to reach the statute book. It will ensure that consumers of energy get the full benefits to which they are entitled. It should lead to a reduction of 10 per cent. in wholesale electricity prices. I am not surprised that some Conservative Members wish to delay it.

Amendment No. 10 will facilitate the transition from the old to the new payment conditions by permitting the directors general and the Secretary of State—or both—to carry out consultation on the new conditions prior to the establishment of the authority. The new conditions can then be in place from the date that the new bodies are established.

Amendment No. 11 deals with concerns expressed in Committee that the Secretary of State's powers in clause 8(8) to direct the inclusion of payment conditions were too widely drawn. The amendment ensures that the powers of direction can be used only in relation to the expenses of the council, and the expenses of the Secretary of State in relation to the establishment of the authority and the council.

Mr. Forth: As the House knows, this matter relates to payments by licence holders relating to new arrangements generally. It also refers to the arrangements that are to be made under the Bill whereby the authority can modify the condition of licences. More specifically, before modifying the conditions of a licence, the authority is required to consult the licence holders. These are important provisions, so it is important that we understand them properly.

I want to pause for a moment to consider amendment No. 10, which would insert the words:

Any consultation undertaken by the Director General of Gas Supply, the Director General of Electricity Supply or the Secretary of State before the commencement of subsection (6)—

the subsection that refers to the modification of the conditions of a licence and the requirement for consultation—

shall be as effective for the purposes of that subsection as if undertaken by the Authority after that time.

In effect, it says that if something happens before something, it will be as effective as if something had happened after something. I am slightly confused by that provision. I have no doubt that there is an elegant explanation for it and that the Minister will provide it shortly. However, for the time being, the meaning of it defeats me. I am not sure what the purpose of those words is and whether they will achieve it.

Like other hon. Members, I understand the point behind the original words in subsection (6), which states that, before the conditions of the licence are modified,

the Authority shall consult the licence holder.

It may be my fault for not spotting this point earlier, but it might not have been a bad idea for the obligation to consult to be somewhat wider. I can imagine circumstances in which the modifications of the conditions of one licence could—and almost certainly would—affect people other than the licence holder, especially if the conditions were eased or payments were reduced.

As my hon. Friend the Member for Bognor Regis and Littlehampton (Mr. Gibb) pointed out, more than 600 amendments have already been made to this rather imperfect Bill. I am not at all surprised by that, but I shall not dwell on the point—you would not want me to, Mr. Deputy Speaker—about whether the consultation should go wider. However, I want to dwell for a moment longer on amendment No. 10. We need much more clarity about the amendment's purpose in referring to consultation being as effective if it is undertaken before the commencement of subsection (6) as it would be if it were undertaken afterwards. We need to know why those words should be included and what they add to the Bill.

More pertinently, we should ask whether such wording risks confusing licence holders. Indeed, it may even confuse the authority and the director general more than it will help them. Before we agree to the amendment, we must be satisfied that it adds value and clarity. My fear—subject to the Minister explaining the amendment fully, as I am sure that she will—is that the amendment may serve to confuse, and not to clarify. The last thing that we want at this stage, and that the Government would want, is for words to be added to the Bill that would confuse people and undermine its purpose.

Mrs. Liddell: It is a pity that the right hon. Member for Bromley and Chislehurst (Mr. Forth) was unable to join us in Committee, where we had considerable discussion on these matters. If he had had the time to refer to the *Official Report*, he might not be questioning these issues. The measures concern the arrangements for the transition from having two authorities to having a single authority. They also aim to guarantee that there will be maximum consultation to ensure that everyone is content, and comfortable with the legislation.

A similar provision appears in the Deregulation and Contracting Out Act 1994. The right hon. Gentleman is probably more familiar with that than I am because it was introduced by the Administration of which he was a member. It is important that we have the correct transitional arrangements and, without this provision, we would find ourselves unable to consult until after the establishment of the authority and the council, which would mean that consultation would be curtailed and would cause delay.

Given that the right hon. Gentleman's colleagues in this House and the other place have welcomed the measures, I do not expect him to be too discommoded by the amendments.

Lords amendment agreed to [Special Entry].

Lords amendments Nos. 9 to 11 agreed to [Some with Special Entry].

Clause 9

OBJECTIVES AND DUTIES UNDER 1986 ACT

Lords amendment: No. 12, in page 6, line 24, at end insert

("or the Utilities Act 2000")

Mrs. Liddell: I beg to move, That this House disagrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this we may consider the following: amendment in lieu thereof, Lords amendments Nos. 13 and 14, 15 and amendment in lieu thereof, and 16, 17, 228, 234, 235 and 241.

Mrs. Liddell: I do not want to delay the House unduly. Amendment No. 12, together with amendments Nos. 14, 15 and 17, clarify what is meant by the functions of the authority and the Secretary of State for the purposes of clauses 9 to 11 and 13 to 15. They also clarify what is meant by activities subject to obligations for the purposes of the finance duty in sub-paragraph (2)(b) of clauses 9 and 13.

Clauses 9 to 11 and 13 to 15 contain obligations that relate to the functions of the authority and Secretary of State. Clauses 9 and 13 set out their principal objective and general duties; clauses 10 and 14 oblige the authority to have regard to social and environmental guidance, and clauses 11 and 15 contain important obligations concerned with health and safety.

Following Royal Assent, the functions of the authority and the Secretary of State will be largely contained in the amended Gas Act 1986 and Electricity Act 1989, but both will also have functions under stand-alone provisions of the Utilities Bill—that is, provisions that do not simply amend the existing Gas and Electricity Acts. For example, clause 4 requires the authority to prepare, consult on and publish a forward work programme, and clause 26 empowers the authority to publish a notice issued by the consumer council setting out its reasons for refusing to supply information.

5.15 pm

The amendments make it clear that references to the functions of the authority or the Secretary of State in clauses 9 to 11 and 13 to 15 relate to their functions under the provisions of the Bill, as well as to their functions under the amended Gas Act 1986 and Electricity Act 1989.

Similarly, the amendments make it clear that, for the purposes of the finance duty in subsection (2)(b) of clauses 9 and 13, the reference to the activities of licence

[Mrs. Liddell]

holders that are subject to "obligations" extend to stand-alone obligations under this Bill, as well as to obligations under the amended Gas Act 1986 and Electricity Act 1989.

Amendments Nos. 13 and 16, which were divided on in another place, would place the authority and the Secretary of State under a duty to exercise their functions in the manner that they consider best calculated to secure a diverse and viable long-term energy strategy. The authority and the Secretary of State must, as part of their primary duty, consider the needs of future, as well as existing, consumers. That requirement necessarily imports longer-term thinking about security of supply into their processes.

We accept that many people think that it would be desirable to make this even clearer in the Bill, and the Government are therefore prepared to accept the amendments.

Let me deal briefly with amendments Nos. 228 and 235, to assist the House. Each of those repeal provisions of the Gas Act 1986, which are replaced by equivalent provisions contained in the Bill. Amendment No. 228 repeals the latter half of section 47(7) of the Gas Act, which is the equivalent of paragraph 10 of schedule 1 to the Bill. Amendment No. 235 repeals paragraph 15(2) of schedule 7 of the Gas Act, which is the equivalent of clause 5(9) of the Bill.

Finally, amendments Nos. 234 and 241 repeal spent provisions of the Gas Act and the Electricity Act respectively, which are concerned with the compulsory purchase of land in Scotland.

Mr. Gibb: The Bill started life as the Department of Trade and Industry's great flagship Bill, with 134 clauses and a new regulatory regime for all four utilities—gas, electricity, telecommunications and water. On Second Reading, the Secretary of State introduced the Bill in glowing, almost adulatory terms. He said:

> The Bill is forward-looking. It sets out a new framework for utilities regulation that is fit and appropriate for the 21st century.
>
> The Bill puts utilities regulation on a sure footing for the 21st century, and is good for consumers, good for competition and good for the utilities.—[*Official Report*, 31 January 2000; Vol. 343, c. 795.]

That was on 31 January but, by 2 March, it was clear that, for the telecommunications industry and the water utilities, the Bill was bad for consumers, bad for competition and bad for the utilities. That is why both water and telecommunications were withdrawn from the Bill in a humiliating admission of incompetence by the Government, especially the Secretary of State.

I warned the Minister in Committee that there would be 900 amendments, not 1,000, as she said. In the event, there were more than 600. If I exaggerated, I did so only slightly. The Government made strenuous efforts to reduce the number of amendments by merging some of them to get the number down to 600.

Mrs. Liddell: Perhaps I should be delighted that the hon. Gentleman has joined us, because I understand that he was an accountant in a previous life. If he thinks that the difference between 600 and 900 is slight, I am glad that he never did my tax returns.

Mr. Gibb: It is slight in this context. Huge efforts were made by civil servants to redraft amendments to ensure that they conformed with that figure.

Mr. Stunell: Does the hon. Gentleman agree that, whether the discrepancy in his accounting is large or small, it is not as great as chopping the Bill in half and adding back 600 bits?

Mr. Gibb: The hon. Gentleman makes a good point, especially as those 600-odd amendments were to a Bill of 134 clauses. The Government could almost have started again with more efficiency than just accepting 600 amendments, the vast majority of which dealt with poor drafting and poor policy analysis. I do not wish to be unkind, but it became abundantly clear in Committee that the Ministers were not up to speed with what was going on; they were certainly not driving the policy forward.

This flagship Bill, which was part and parcel of the Government's so-called modernisation programme, has become a huge embarrassment to them, and the House even considered referring it back to Committee. It started as one of those eye-catching initiatives with which the Prime Minister likes to be personally associated, but it has finished up as an example of how not to legislate. Even the Secretary of State, who is absent today, is trying to avoid being associated with it.

The essence of the Bill is to change the role of the regulator from that of an economic regulator to one of regulating for the sake of it. The gas and electricity regulators were put in place when the industries were privatised in 1986 and 1989 to deal with the fact that they were effectively monopolies and to ensure that those monopolies did not exploit their position. They were also charged with promoting competition—a role that they have carried out in an exemplary fashion during the past 11 or 14 years. The retail prices index minus X formula applied by the regulators has given the industries huge incentives to cut costs, increase efficiency and become more customer focused. Electricity and gas prices have fallen by 30 per cent. in real terms since privatisation and huge competition exists in the gas and electricity industries.

In 1988, when the Prime Minister led for the Opposition in opposing the privatisation of electricity industry, he said:

> outside of the Conservative party . . . it is barely in issue that prices will rise because of privatisation.

The truth is that they have fallen. On competition, he said:

> I would have thought that it was . . . virtually impossible that anyone would build a power station and invest hundreds of millions of pounds, unless they received a guarantee covering the capital cost, the fuel cost and, probably . . . the operating costs, too . . . the idea that we will have an influx of power stations, all competing on the grid, is nonsense.—[*Official Report*, 12 December 1988; Vol. 143, c. 681-84.]

The truth is that there has been an influx of new power stations, all of which are in competition. There are 27 new power stations, and 50 new independent power producers have entered the generation market since privatisation with a total market share of 21 per cent.

Under the Bill, the Government are changing the role and obligations of the regulators. That role would also be amended under the Lords amendments. It is important to understand the philosophy behind the Bill. It is set out in a pamphlet, entitled "Regulating in the Public Interest", written by Dan Corry in 1994. Some hon. Members might not be aware that Dan Corry is one of the Government's huge army of special advisers. He said that his pamphlet

tries . . . to take us back to the reasons that we have regulation in order to see whether this leads us towards a different vision for the way forward

Interestingly, he continued:

Once we accept that regulation is here to stay, we are into the world of how we should use it. This is a classic issue of interventionism in the workings of the economy.

Sir Michael Spicer (West Worcestershire): I declare an interest as president of the Association of Electricity Producers. Does my hon. Friend agree that the situation is even worse than he suggests because the concept of social regulation will replace that of economic regulation and because the system that will replace the existing markets system is largely contract based and anti-competitive in many respects?

Mr. Gibb: My hon. Friend makes a good point, and I shall deal with some of the comments in the newspapers and on Second Reading.

That pamphlet is, in essence, a blueprint for the Bill. The key point is that the Government believe that, because the regulators exist for those industries, they should be used to deliver some of the Government's social and political programmes. If the Government had their way, we would also have a regulator for the supermarkets, for car retailers and for a number of other things.

The interventionist instincts of the Labour party and of those who share its philosophy are alive and kicking and prevalent in the Bill. The amendments are the key to that philosophy. That is why the order of the objectives for the regulator has been changed. That is why the Bill gives the Secretary of State the power to direct the authority to take into account directives from the Secretary of State on social matters when regulating the utilities.

That is the fundamental difference that the Bill brings to the role of the regulator. It begs the question: what happens when the market, the industry or a sector of the industry becomes fully competitive? If we believe that the regulator's role is to mimic competition, once a sector becomes competitive, the regulator's role is effectively redundant and should disappear. The Health and Safety Executive can deal with safety issues; the Competition Commission can deal with any anti-competitive forces or alliances; but the specific role for a regulator of that particular sector of that industry should go. The electricity supply industry is one such example. It is highly competitive, so now is the time to remove the regulator from that sector altogether.

If one believes, as the Government seem to, that the regulator has a wider role even in a fully competitive market—even when competition has fully arrived—there can be no rolling back of the regulator's role. That point was put to the Secretary of State during the Second Reading debate. He was asked whether he believed that

there is still a role for the regulator when the utility sector involved . . . is fully exposed to fierce competition.

His answer was:

As a general rule, my personal view is that regulators are not appropriate in those circumstances, and I should much rather have the discipline of an effective market.—[*Official Report*, 31 January 2000; Vol. 343, c. 793.]

That is his personal view, which contradicts the basis of the Bill that he has proposed. He tries to justify it by saying that, in many areas, the market is not perfect and thus a role for the regulator remains, but no market is absolutely perfect. However, most markets do not—apart from the utilities and financial services sectors—have a regulator. Provided that there is fierce competition, there is no need for a regulator to mimic competition. If, in those circumstances, the regulator remains, its role has become something else: a regulator for the sake of regulation, for the sake of intervening for policy purposes. Therefore, it is in essence a return to increased state control.

It is that to which my hon. Friend the Member for West Worcestershire (Sir M. Spicer) referred when he wrote in *The Daily Telegraph* that the Utilities Bill and the Financial Services and Markets Bill

will establish an entirely new form of government, the like of which this country has not experienced before: rule by regulator.

Neil Bennett in *The Sunday Telegraph* called it

the near renationalisation of the gas and power industries.

It is why, during the Second Reading debate, my hon. Friend said:

regulators are being given social and political objectives, which are antithetical to competition. We are witnessing a parallel system of government emerging.

He went on to say:

That is socialism by regulation; it is socialism on the sly and it is nationalisation by the back door. I hope that one of our first objectives when we return to government will be to dismantle all the regulatory apparatus, except for that which focuses on competition because competition is the true friend of the consumer.—[*Official Report*, 31 January 2000; Vol. 343, c. 828.]

I tell him here and now categorically that, when we return to power, we will significantly reduce the role of the utility regulators and confine their role to that of mimicking a competitive market and to promoting competition.

I have tried to establish that the Bill creates a whole new type of industry regulator, with wide new objectives, obligations and powers. It is those extra duties that the Government have imposed on it that will involve Ofgem—or GEMA as it should now be called—in higher cost, all of which will be passed on to the industry and thence on to the consumer.

In fact, industry will suffer three forms of increased costs as a result of the Bill. The first is higher licence payments to cover the increased costs faced by the regulator himself. The second relates to the higher cost incurred directly by industry as it implements the social and other obligations required of it. The third is the higher cost of capital that results from greater regulatory risk. That is why the Bill has been so poorly received by industry, despite all the alleged consultation. Indeed, Ian Byatt, the erstwhile water regulator, said of the Bill when it included water:

The Bill's enlargement of the scope for discretionary intervention by regulators, politicians and advocates is likely to extract a high price from utility industries, and all consumers will pay it.

[Mr. Gibb]

Clauses 9 and 13 are two of the most important clauses in the Bill. They set out the objectives of both the Secretary of State and the regulator, and thus constitute the lodestone on which the whole direction of regulation of the utilities is based. Those "objective" clauses not only change the regulator's role, but change the order and priority of other objectives.

5.30 pm

The Gas Act 1986 and the Electricity Act 1989, which privatised the industries concerned, are similarly worded, setting out the regulators' objectives as established at the time of privatisation. Three key objectives were specified. The first was to secure that all reasonable demands for electricity were satisfied. The second was to secure that licence holders were able to finance the carrying on of the activities involved. The third was to promote competition. There were three equal duties, relating to security of supply, financial viability and the promotion of competition.

That is the current regulatory regime. Under the Bill, however, the primary objective is to promote consumers' interests. Issues such as security of supply and financial viability have been downgraded to second place.

The great achievement of the current regulatory regime is this. The RPI minus X formula gave industry incentives to reduce costs while maintaining financial viability, at the same time as delivering lower prices to the consumer. Everyone knows—even Labour pretends to accept—that the private sector is more efficient than the state sector. The RPI minus X formula was established to ensure that a proportion of that saving was passed on to the consumer.

Of course, once a fully competitive market has been established there is no need for a formula, because the market itself will deliver the price reduction. The RPI minus X formula is only a mechanism enabling the benefits derived from efficiency savings to be shared; it does not, in itself, deliver efficiencies. It is the effect of being in the private sector that delivers the forces leading to greater efficiency.

The regulator needs to be aware—this is the point of the amendment—that he cannot simply pluck the "X" figure from the air, and expect efficiencies to be delivered. There comes a point at which diminishing returns start to kick in. After a number of years in the private sector, the huge efficiency savings resulting from release from the lethargy of the state sector will no longer be kept up. Efficiency will continue to increase, but not at the same dramatic rate. That is why, under the existing system, there was always a prime duty to maintain the financial viability of the companies. Demoting that objective means that the regulator is almost forced to put such concerns very low on his list of considerations—which leads to the real danger of over-prescriptive and draconian regimes.

There is another real danger, of which we are beginning to see signs in the utilities even before the implementation of the Bill. In Yorkshire, for example, Kelda, which owns Yorkshire Water, has sought to transfer all the assets of its business to a mutual trading company. Ofwat has said no to that, but the proposal is significant.

Because of what is now widely regarded as an excessively draconian regime, the returns—the income—that Ofwat is allowing the water companies to make are so low that the market value of shares in the companies is below the book value of the assets that they own. If they simply sold all their assets, such as buildings and pipelines, and deposited the money in a building society, they could generate a significantly higher income than they are making from the provision of water services.

Yorkshire Water wanted to sell its assets, and to sell them to a mutual trading company. The assets would have been sold in exchange for debt, so the mutual trading company would have been 100 per cent. debt financed. There is no doubt that interest on debts must be paid, although there is an element of choice governing whether a company pays a dividend. In this case, the regulator would not be able to force the funders of the asset to take a lower return.

The regime has therefore become so unattractive that equity capital—entrepreneurial, innovative, private-sector business—does not want to run the business. It wishes to withdraw and to leave the supply of water to a mutual trading company. The danger of large mutual companies is that they have reduced incentive to innovate and to provide improved services. Philosophically, they are in many ways akin to the state sector. As the *Financial Times* said yesterday in an editorial:

> mutual ownership . . . leaves big questions as to how the new managers could be kept sharp in pursuit of efficiency.

The point that the Minister has to take into account is that, although Ofwat has refused to allow the restructuring, in the long run there is nothing that any regulator can do to stop equity owners from withdrawing their capital from businesses that are impossible to run at a profit because the regulatory regime is too harsh.

Mutualisation is effectively the renationalisation of those industries by over-regulation. If the Bill results in over-burdensome regulation in electricity and gas, as there is in water, we could see—I am not sure, but we may already be seeing it in gas distribution—similar trends in those industries. The replacement of equity funding with debt is the first step in that process.

The purpose of our amendment in lieu is to put financial viability higher up the regulator's consciousness. It is important that the regimes are carefully balanced. The Bank of England has a similar imperative. Anyone can cure inflation by raising interest rates to 100 per cent. and killing the economy totally. The truth is that, to get interest rate policy right, we have to keep inflation down and growth steady. That is the trick of economic policy. That is also why the Governor of the Bank of England has to write to the Chancellor explaining why inflation has fallen to below 1.5 per cent. Similar constraints have to be imposed on the utility regulator, to ensure that the regulator does not drive out equity capital in the provision of investment funds to electricity and gas. Our amendment would help to achieve that.

Our amendment in lieu is important and could do much to save the gas and electricity industries from the problems being faced in water. Without it, we run the risks associated with mutualisation and the effective renationalisation of those industries. I hope that the

Government will accept it at this late hour. However, I suspect that the words of the Prime Minister back in 1988, may prevail. He said:

> We are proud that we took the—"

electricity—

> industry into public ownership. When we come to power it will be reinstated as a public service for the people of this country, and will not be run for private profit.—[*Official Report*, 12 December 1988, Vol. 143, c. 681-84.]

I trust that that is no longer the Government's policy, and that they will demonstrate their commitment to the private sector by accepting our amendment. However, if they are not prepared to accept the amendment, I hope very much that the House will vote to accept it.

Mr. David Wilshire (Spelthorne): It might benefit the House if I were to point out that—although it is not, strictly speaking, a declarable interest—many of my constituents earn their living by working for the successors to British Gas. I approach the debate from that direction.

I also understand from listening to the speeches of other hon. Members that there is a general wish not to prolong matters too much. I shall attempt not to do that.

The Minister rightly said that Lords amendments Nos. 12, 14, 15 and 17 were seeking simply to expand the statement that "so and so shall arise out of this part" to "so and so shall arise out of this part or the Act itself." I am not a lawyer or a parliamentary draftsman. However, I am puzzled about why, if the legislation provides that something shall arise out of the Act, it should also state that something shall arise out of one part of the Act. It seems to be an excessively belt-and-braces approach to say that something will arise from both the Act and a part of the Act. Surely to goodness we know that "this part" is a part of the Act itself. Why is the Minister so keen, at a very late stage in our consideration of the Bill, to urge us to support including repetition in the Bill? I should be grateful for some clarity on that point.

I am also concerned about Lords amendments Nos. 16 and 17. If I heard the Minister correctly, the Government have made a concession. They initially preferred to have no reference in this part of the Bill to the long-term supply of energy. In a debate in the other place, they tried to prevent Parliament from saying that the long-term provision of energy matters sufficiently to be mentioned in the Bill. I suppose we should be grateful for the concession, but it is worth making the point that they tried to exclude any such reference.

My hon. Friend the Member for Bognor Regis and Littlehampton (Mr. Gibb) made it clear that, if we were the Government, we would not be starting from here, but the Government are starting from here and have decided to overturn the existing arrangements for the regulator and introduce new requirements. If they are determined to do that, they have the majority, and no doubt they will use it. It is extraordinary in those circumstances to resist any reference to the long-term supply of energy for the British people.

In the absence of a realistic justification, that seems to reveal the Government's hidden agenda and to show that their real focus is not on the consumer's interests, as they claim. It suggests that, if they are not interested in the long-term supply, they are really only interested in control and regulation. That reveals their prejudice.

The Government see that we have successful businesses, following the Conservative Government's privatisation of the industry. We are being asked to approve legislation that is aimed, as is always the case with the Labour party, at wrecking a successful business. The Government cannot tolerate financial success or bring themselves to understand that through such success comes prosperity and the underpinning of long-term viability for all sorts of enterprises.

The Government are now conceding the point, presumably because they want to get away by 7 o'clock, and thereby conceding that they ought to consider other factors rather than wrecking successful businesses out of spite and prejudice. I would be grateful if the Minister could explain how I am wrong.

Mr. Stunell: The debate seems to be rather wide-ranging, but the amendments in this group and the clauses to which they relate go to the heart of some of the Bill's aims. I want to respond to some of the points made by the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) in support of the amendments in lieu. Neither the Lords amendments nor the amendments in lieu make any significant difference to the impact of the Bill, but it is legitimate to discuss them.

I agree with many of the hon. Gentleman's points about the construction and history of the Bill and the disappointing way in which it has proceeded. It was cut in half and had 600 amendments added in Committee, we now have the Lords amendments, and we can see further difficulties lying ahead. There are also some missed opportunities. Some of them are the result of an absence rather than an excess of regulation. In Committee and elsewhere, the Liberal Democrats tabled amendments to try to give the regulating authorities greater power and influence, particularly in the area of environmental control.

I want to tackle the central argument that the hon. Gentleman deployed. The energy supply industry in the United Kingdom has never been completely deregulated and left to the mercies of unregulated rampant market forces. The Conservative Government never thought that that was an option and it is certainly not one for the future. The hon. Gentleman said that it would be absolutely bonkers to lift all regulation except that relating to competition. It would be particularly bonkers for hon. Members representing rural constituencies. If one simply left competition to run unhindered, rural consumers would pay higher prices than urban consumers because the cost of supplying them would be greater.

5.45 pm

The hon. Gentleman may contradict me, but I do not believe for a moment that he has brought to the House a new Conservative policy on energy supply which is that rural consumers should pay the full price for the product and therefore pay more. Nor do I believe that he is in favour of dismantling the regulatory framework relating to the security or safety of supply. In some respects, it is absolutely transparent that the quick soundbite of getting rid of all regulation except that relating to competition is bonkers.

Mr. Gibb: The hon. Gentleman deliberately misunderstands my point. The regulator was put in place at

[Mr. Gibb]

the time of privatisation. There were rules about security of supply and so on before the regulator was appointed. I am talking about restoring the role of the regulator to that of an economic regulator in order to mimic competition. When competition is fully established, that role would be withdrawn from the regulator. However, all the other rules and regulations about safety and security of supply that existed before privatisation would continue.

Mr. Stunell: What we have established from that intervention is that I am correct: the hon. Gentleman does not seek the dismantling of the regulatory regime. When an industry is privatised, the constraints provided by state ownership are withdrawn and if one does not substitute a regulatory framework rural consumers will pay more, safety corners will be cut, long-term investment will go out of the window and security of supply will become a redundant issue. Quite clearly, the Conservatives do not mean what the soundbite suggests.

Let me take the argument a little further because the Utilities Bill addresses some of the issues of social welfare. I give the Minister credit for those provisions, but the Bill is still slack on environmental control. The Minister has missed some opportunities and this group of Lords amendments does not restore the regulatory framework to the extent that I would like. I do not know whether the Conservatives will press the matter to a vote, but the view of the Liberal Democrats is not that we should have excessive regulation, but that we should have regulation which benefits and protects the consumer. That is why we need regulations on safety and supply and the social provision of energy, and that is why we believe that there should be additional regulation relating to the environment.

Mr. Gibb: I am grateful to the hon. Gentleman for giving way a second time. If those issues are so important, will he tell the House why his party has not tabled amendments enabling the House to discuss them?

Mr. Stunell: We have tabled a string of amendments on which I shall raise some of those issues.

Finally, the hon. Member for Bognor Regis and Littlehampton alleged that somehow the Bill was leading inexorably to a secret renationalisation of the energy companies in the United Kingdom. That is quite amusing given that the profit made from the electricity lighting the lamps in the Chamber is going to a state company—but it happens to be the French state electricity company. That is the outcome of the privatisation process of which the hon. Gentleman is so proud.

Dr. Howells: I agree with the hon. Gentleman. If the previous Government had been a bit more rigorous and shown more guts in taking on other member states to break up the monopoly markets that still exist in some parts of the European Union, we might not have been in this situation.

Mr. Stunell: I warn the Minister that the lights might go off if we have any more remarks like that.

The much-vaunted privatisation of this country's power companies has resulted in state enterprises elsewhere moving in on our territory. A completely unregulated market in this country would mean that that would happen more often. I will be delighted to vote against the amendment if it is pressed.

Mr. Forth: I want to register my mild protest at amendment No. 13, which strikes me as the epitome of guff. It looks innocuous enough, and who would argue with the intention to secure a diverse and long-term energy supply? However, propositions that arouse no argument are usually vacuous and meaningless. I suspect that this one is too.

The amendment appears to encourage the development of solar energy, and wind and wave-generated energy. It may also aim to encourage the development of coal as a source of gas, in competition with or to complement natural gas. That is all very well, but is not that at odds with some of the environmental aims espoused by the same people who produced this nonsensical amendment?

The amendment does not make clear whether the achievement of a

diverse and viable long-term energy supply

would be in conflict with environmental aims, and so it does not take us much further forward. I believe that Bills should not contain meaningless terms. The amendment is therefore to be resisted.

Mrs. Liddell: I agree whole-heartedly with the right hon. Gentleman. The amendment was introduced by the Opposition in the Lords. The point made by the right hon. Gentleman was made by my noble Friend Lord McIntosh but, in the spirit of co-operation that we have shown throughout deliberations on the Bill, the Government are willing to accept the amendment. However, I am sure that the right hon. Gentleman's words will be heard by his noble Friends in another place.

Mr. Forth: I am advised that Liberal Democrat peers in another place tabled the amendment. They are not part of the official Opposition: in fact, they usually do not oppose the Government at all.

Even so, I am not impressed with what the Minister just said. It is astonishing that she should have told the House that the spirit of compromise—with which I rarely agree anyway—has led her to agree to the inclusion in the Bill of meaningless verbiage. That will hasten the Bill's progress to the statute book, but it is astonishing and disgraceful for her to admit that she is willing to accept words that she has said that she opposes. It reinforces my determination to vote against the amendment, if the opportunity so to do arises.

Sir Michael Spicer: I shall not repeat my Second Reading speech, which my hon. Friend the Member for Bognor Regis and Littlehampton (Mr. Gibb) was kind enough to quote at length. However, I want to put it firmly on record that I believe that the regulatory system amounts to socialism on the sly. It has nothing to do with benefits for the industry, and everything to do with income distribution and the Government's political objectives.

If that were not so, the Government would have established a totally different trading system, which did not depend on the big companies being able to sew up the contract market. Different arrangements would not have created so much worry among smaller market players,

and no referrals to the Competition Commission would have been made. The whole matter would have been dealt with in a totally different way. That needs to be put on the record.

This is not an isolated case—it is part of a process that goes right across the regulatory board. Every regulatory regime that the Government are tampering with is putting economic and competition considerations below the wider political considerations. The Government are proactive in this respect, and have that objective in mind. There is no disguise. It is apparent in all the bodies—the Financial Services Authority now has social banking, and integrated transport systems are an objective.

In every regulatory regime, the political objectives are more important that the economic objectives. I am very glad to hear from my hon. Friend the Member for Bognor Regis and Littlehampton that when we come into office, we will strip all this bare again and start off with a proper regime that puts competition, the marketplace and genuine economic objectives at the forefront. It will not do what politicians may seek to do, albeit through different means. Income distribution should not be made through a regulatory process that pretends to be of economic benefit to the country.

Mrs. Liddell: Well, the splits have been exposed tonight all right. We have seen splits between the official Opposition in this place and the official Opposition in another place. The right hon. Member for Bromley and Chislehurst (Mr. Forth) claimed that amendment No. 13 was defective and that he would oppose it, yet his colleagues in another place supported it. The reason that the Government are accepting it is quite simple: it adds very little to the Bill, but it is better that people get the benefits of the Utilities Bill sooner rather than later.

We also saw a split between those on the Front and Back Benches. The hon. Member for West Worcestershire (Sir M. Spicer) complained about new electricity trading arrangements, yet only a couple of weeks ago Baroness Buscombe said:

we welcome the merging of the electricity and gas regulators . . .—[*Official Report, House of Lords*, 4 May 2000; Vol. 612, c.1143.]

She also said that they supported the new electricity trading arrangements. The hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) made exactly the same point. It is always a pleasure when the hon. Gentleman comes to the Dispatch Box; it is like listening to the speech of an old friend, because we hear it so often.

We will make sure that we take careful note of what Conservative Members have said tonight—it will be very useful in the forthcoming election. Conservative Members put in place the system of privatisation that was deliberately opposed to the interests of the consumer. We will bear that in mind.

The hon. Member for Bognor Regis and Littlehampton complained about telecommunications and water being taken out of the Bill. When he reads his speeches, he should read all of his speeches. I draw to his attention his remarks that the Government would have the support of the Opposition if telecommunications were to be removed from the Bill, when he said:

That removal could be carried out in as swift and easy a manner as the Minister wished.—[*Official Report, Standing Committee A*, 29 February 2000; c. 184.]

Despite the fact that this debate has sounded like a Third Reading debate, it was not—it was actually a debate on the Opposition's amendments (a) to Lords amendments Nos. 12 and 15. The Opposition's amendments are technically deficient. Under existing legislation, the regulator and the Secretary of State are under a primary duty to secure that licence holders are able to finance certain of their activities. That is why we are concerned that this and other aspects of existing legislation has led to the interests of consumers being subordinated to those of shareholders. That is why the Bill puts the consumer first. However, it remains important that licence holders are able to finance their activities. That is why the Bill replaces the existing finance duty as an aspect of the primary consumer duty. A balance must be struck between the consumer and the shareholder. That is why the finance duty has been incorporated as an aspect of the interests of consumers.

The amendments proposed by the hon. Member for Bognor Regis and Littlehampton would add nothing to the present wording of clauses 9 and 13. They simply introduce a reference to securing finance and to capital investment required. However, it is already clear that the duty in the provisions extends to the securing of finance. The licence holder's provision could not be included could it not secure that finance. I believe that the hon. Gentleman has used this as an opportunity to rehearse the arguments that he has used in the past.

6 pm

The hon. Member for Spelthorne (Mr. Wilshire) asks why we are using expressions like

"arising out of this part".

We are referring to the wording of the Gas Act 1986 and the Electricity Act 1989.

I urge the House to support the amendments tabled by the Government which make sensible improvements to the Bill and take into account the concerns of all involved.

The House divided: Ayes 281, Noes 116.

Division No. 296] **[6 pm**

AYES

Abbott, Ms Diane
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Best, Harold
Blears, Ms Hazel
Blizzard, Bob
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Buck, Ms Karen
Burden, Richard
Byers, Rt Hon Stephen
Cable, Dr Vincent
Caborn, Rt Hon Richard
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon

Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dismore, Andrew
Dobbin, Jim
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoon, Rt Hon Geoffrey
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Öpik, Lembit
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Reed, Andrew *(Loughborough)*
Robinson, Geoffrey *(Cov'try NW)*
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salmond, Alex
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Sloate, Dr Howard
Strang, Rt Hon Dr Gavin
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple–Morris, Peter
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Clive Betts and
Mr. Robert Ainsworth.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Jack, Rt Hon Michael
Jenkin, Bernard

Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Redwood, Rt Hon John
Robathan, Andrew
Rowe, Andrew *(Faversham)*
St Aubyn, Nick
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. John Randall and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

Lords amendment agreed to.

Lords amendments Nos. 13 to 54 agreed to.

Clause 28

EXEMPTIONS FROM ELECTRICITY LICENSING

Lords amendment: No. 55, in page 24, line 3, leave out (", after consultation with the Authority.").

Mrs. Liddell: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss Lords amendments Nos. 56 to 69, 102 to 106, 108 to 118, 121 to 124, 164, 165, 167, 169 to 171, 176, 177, 179, 182, 188, 198, 199, 204, 213 to 216, 218, 223, 224, 230, 231, 236 and 244.

Mrs. Liddell: In an attempt to assist the House, I will not speak at length on all those amendments.

Amendments Nos. 55, 56, 121 and 213 introduce a requirement for the Secretary of State to go out to consultation before granting an exemption under clauses 28 or 85. They require him to produce a notice that sets out the exemption that he proposes to make, together with the reasons why he proposes to do so. A copy of the notice should be served on the Gas and Electricity Markets Authority and the Gas and Electricity Consumer Council. It should be published so as to bring it to the attention of those likely to be affected by the exemption, so that those who wish to make representations have a minimum of 28 days in which to do so.

In the context of the new obligation to consult, amendments Nos. 67, 68, 122 and 123 remove the granting of exemptions from the list of decisions that triggers the duty to give reasons under clauses 41 and 86.

6.15 pm

That will avoid setting an unfortunate precedent, as exemptions are granted by statutory instrument and it is not usual practice to require the giving of reasons for the making of legislation. This can be distinguished, however, from the giving of reasons for a proposal to grant exemptions, as required by the new consultation procedure.

Amendments Nos. 68 and 123 have two further effects. First, in the context of the general requirement introduced for the first time by clauses 41 and 86 to publish reasons for key decisions, they clarify the matters that the authority or the Secretary of State should consider excluding when publishing those reasons. The amendments require that matters should relate

to the affairs of a particular individual or body of persons

before the requirement to consider exclusion is triggered.

Secondly, they ensure that the subsection (5) exception to the duty to give reasons—a decision subject to a disapplication direction by the Secretary of State—applies whether the decision itself was taken by the authority or by the Secretary of State.

Taken together, this package of amendments represents a strengthening of the provisions of the Bill. I commend them to the House.

Mr. Forth: I want to say a few words about three of the amendments. The first is amendment No. 56. The Minister said that it referred to the Secretary of State giving notice of

those likely to be affected.

Although that phrase does not appear in the amendment, it requires some explanation. How does the Minister imagine that the Secretary of State will determine those "likely to be affected"? The phrase is so wide and loose that it could mean a great deal or not much at all. As the matter is so important, I should be comforted if she told us a little more about what she thinks those words mean.

The amendment states:

Before making an order . . . the Secretary of State shall give notice . . . and shall consider any representations which are duly made in respect of the proposals and not withdrawn.

That might give comfort to some people, but does it take us much further? Of course, one might say that a sensible and responsible Secretary of State—I exclude the present incumbent—would naturally consider any representations; but how much protection does the provision really give? What does "shall consider" mean? Does it mean "glance at", "give a quick look at", "momentarily pause while officials give a summary of"? It could mean almost anything.

Mr. John Bercow (Buckingham): Ponder?

Mr. Forth: I would not go that far. I do not think that any pondering will be done.

Will the Minister tell us to what extent the Secretary of State will give consideration under that provision? What effect is that likely to have on the view that the Secretary of State will take?

[Mr. Forth]

Amendment No. 66 contains the potential for much more substantial problems. I could dwell on them at some length, but I sense that my colleagues want to make progress, so I shall mention them only briefly. The amendment states that

where, in consequence of a reference under section 12(1A), the Commission modifies under subsection (4)(b) the standard conditions of licences of any type, the Authority may make such incidental and consequential modifications as it considers necessary or expedient.

Two bodies will be acting simultaneously on much the same matters. It is possible for the Competition Commission to modify the standard conditions of licences—an important enough function—while the authority may make

such incidental and consequential modifications as it considers necessary.

The questions that I want to ask the Minister are: if the commission and the authority were to be in conflict over that sort of matter, (a) who would take primacy or priority and/or (b), what kind of conciliation process might be envisaged; and when the authority is making incidental and consequential modifications, is it at the sole discretion of the authority to determine what is incidental or consequential? If the amendment allows only incidental or consequential modifications to be made, that implies that something that is beyond the incidental or consequential would be beyond the powers of the authority in terms of the amendment. Is it solely the judgment of the authority as to what falls into that category?

All I want to say about Lords amendment No. 204 is: is it not astonishing that at this stage we have before us, presumably in all seriousness and with a straight face, four pages of very important provisions, entitled "Secretary of State's licensing schemes" and going into very considerable detail? I could detain the House, if I was doing my job properly, and go through this in very great detail.

Mr. Bercow: Go on.

Mr. Forth: I will not on this occasion; I should probably feel a bit guilty as a result. I just want to obtain the Minister's view as to how proper it is, at this stage of the legislative process, to introduce four pages of very detailed provisions without so much as an explanation or a "by your leave" or anything of the kind. Therefore I want to give the Minister the opportunity to tell us something more about the four pages of Lords amendment No. 204 and what it does or does not do, in addition to answering the more detailed questions that I have asked her about Lords amendments Nos. 56 and 66.

Mrs. Liddell: I shall deal with Lords amendment No. 204 first, because there is quite a simple answer to the right hon. Gentleman's question. I am sorry that he does not want to go into greater detail; it would suit me and other Labour Members to have an opportunity for a fuller debate on the subject. We enjoyed debating it in Committee—again, the right hon. Gentleman was not able to join us at that stage.

Lords amendment No. 204 replaces the existing part I of schedule 7; that is why it is so long. It provides for the Secretary of State to make licensing schemes in order to ensure continuity of licensing for all those who hold gas and electricity licences at the time the licensing provisions of the Bill come into force. That is to ensure that, in the transition, everything can pass over.

Licensing schemes will be used to ensure smooth transition from existing licence types in electricity to new licence types, and to incorporate the new standard condition of licences in all existing electricity and gas licences. Therefore, in effect, this is a transitional arrangement to ensure that there is no dislocation.

In relation to Lords amendment No. 56, the right hon. Member for Bromley and Chislehurst (Mr. Forth) asks who would be likely to be affected. Generally, the Secretary of State would seek as wide a consultation as necessary. In a case that was essentially local, that might reasonably be restricted to a local consultation. In larger cases, it may be sensible to issue a press notice or to publish the Department's proposals on its website. The phrase used is common in legislation; it allows the precise scope of consultation to be adapted to the circumstances of the case.

The right hon. Gentleman also asks about representations not withdrawn, and how much protection is given. Representations will have to be properly considered. In the absence of a proper consultation, there will have been a procedural irregularity, which of course is challengeable in the courts.

On Lords amendment No. 66, on the modification of licences, if the commission and the authority are in conflict, the commission takes primacy. The authority's incidental and consequential amendments can only be those that flow from the commission's modifications. I hope that that answers the right hon. Gentleman's questions.

Lords amendment agreed to.

Lords amendments Nos. 56 to 69 agreed to.

Clause 45

POWER TO REQUIRE SECURITY

Lords amendment: No. 70, in page 49, leave out lines 18 to 21 and insert—

("(b) a person ("the initial contributor") has made a payment to the distributor in respect of those expenses, the line or plant having been provided for the purpose of making a connection to any premises or distribution system as required by that person.'").

Dr. Howells: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 71, 101, 119, 120 and amendment (a) thereto, Nos. 159, 160, 161 and amendment (a) thereto, and Nos. 162, 163, 166, 172, 181, 184, 185, 189, 190, 192 to 196, 200, 202, 203, 205, 217, 229, 232, 233, 240, 242 and 243.

Dr. Howells: I congratulate you, Mr. Deputy Speaker, on getting every one right.

Mr. Wilshire: More than can be said for you.

Dr. Howells: Well said.

All the amendments are consequential on the decision to separate electricity supply and distribution. They make mainly minor adjustments to passages of the Bill dealing with connections, uniform prices in Scotland, pre-payment meter provisions, deemed contracts, determination of disputes arising from the duty to connect, billing disputes, standards of performance, transfer schemes, transitional arrangements for former tariff customers and miscellaneous provisions.

I understand that the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) wishes to move amendment (a) to Lords amendment No. 120 and amendment (a) to Lords amendment No. 161, which the Government will resist.

Mr. Gibb: Late in the Committee stage, among the many hundreds of amendments, new clauses and new schedules, the Government tabled a particularly unpleasant and authoritarian amendment to what is now schedule 4 and clause 83. The new measure gives gas and electricity suppliers the right to enter someone's property and home to install a pre-payment meter against their wishes.

Under the existing law, if customers fail to pay their bill and become problem customers they have a choice, if the supplier company finds it appropriate, between disconnection and accepting a pre-payment meter. If customers refuse to accept the installation of a pre-payment meter, they face disconnection. However, it remains their choice; a matter for them.

The new provisions, introduced late in the day by the Government, give the electricity and gas supplier the power to enter premises by force to install a pre-payment meter. That is an unacceptable power for one person to have over another, except in exceptional circumstances in which safety is an issue. It certainly should not be a power over future payments.

Aside from the issue of forced entry, pre-payment meters are extremely expensive for the customer. The Government's Green Paper illustrated how expensive they are. On page 34, it says:

> A recent Offer study found that these generally range from approximately £9.50 to £27.50 per annum, although one company had a negative charge of around £4.50. The median surcharge is between £14 and £15 per annum.

So the poorest customers pay the highest charges. The Government, who claim to be on the side of the fuel poor, are giving more powers to suppliers to enable them to install pre-payment meters.

Pre-payment meters hark back to the dark days when the utilities were state-run monopolies—inefficient, unresponsive, uninnovative monoliths—that tried to force people to pay huge cash deposits simply to become one of their customers. I remember from my student days being forced to pay a £100 deposit before I could be supplied with electricity. Those days, thankfully, have gone and so too should pre-payment meters.

Throughout the proceedings on the Bill, Conservative Members have tried to put over the important principle that private sector competition in the utilities has led to falling prices—a 30 per cent. fall in real terms. That has done more to help the fuel poor with their bills than any mountain of regulations that the Government are intent on creating. That 30 per cent. cut would not have happened had Labour had its way in 1986 and 1988, when it opposed the privatisation. It is a result of privatisation that the proportion of homes with central heating has risen enormously since 1986.

6.30 pm

The truth is—a truth that those with a left-wing socialist approach still cannot bring themselves to accept despite all the evidence around them—that moving the gas and electricity industries into the private sector and opening up the markets to competition has delivered, and will go on delivering, huge benefits to society and to the least well-off in particular. The Government claim that the market and competition will not serve the least profitable customers, such as the poor or the elderly, but we have tried to explain that a fiercely competitive market with suppliers desperate for new customers and desperate to keep existing customers will develop new innovative products to enable companies to attract every last customer, including poor payers.

The Government said that that was nonsense and that massive intervention was needed. I am afraid that, yet again, the Government were wrong. When the industries were privatised, the Conservative Government put in place provisions for the protection of the elderly, the sick, the disabled and those living in rural areas as part and parcel of the process of mimicking competition. When competition arrives, that protection is not necessary.

For example, PowerGen has entered into an arrangement with Age Concern to provide a special lower-priced package for the elderly. The scheme is called "Better Deals for all Concerned" and it offers lower standing charges, cold weather rebates, free carbon monoxide detectors, free early warning hypothermia thermometers and free energy efficiency advice. That is just the start; there will be many such schemes in due course provided that the Government do not drive out the entrepreneurial spirit and capital from the industries.

Another example is the stay warm scheme introduced by TXU, the owners of Eastern Energy, in May this year. The Minister was at the launch of the scheme, which is specifically for households on low incomes, such as those on state benefit, the disabled, the long-term sick and the elderly. It provides fixed payments for unlimited use of gas and electricity, and those payments are £120 a year less than those groups would have had to pay before. It is an extremely innovative scheme and way of enabling previously unprofitable customers to become highly viable for the industry. For the company, the scheme cuts down on meter readings—it carries out just one meter reading a year—and on the cost of dealing with debt problems. For the consumer, it results in lower bills.

The scheme does away with the need for pre-payment meters and it could have never emanated from the industry had it remained under state control. It can not survive in the long run if the Government over-regulate the industry. It has happened only because of competition.

The new powers to enter premises to install old-fashioned, unfair, highly expensive pre-payment meters should not have been introduced by the Government. The amendment would add a safeguard to that power so that it can be exercised only if the customer has agreed in writing to have a prepayment meter installed. Competition and enterprise—and not draconian rights-of-entry powers—are the solution to helping the poor and to heating their homes. I urge the Government, at this late stage, to think again about this issue.

Mr. Wilshire: On amendment No. 71, it seems that we are being asked to approve a draconian power. Clause 46(21)(b) refers to

any terms restricting any liability of the distributor for—

this is the important point—

economic loss resulting from negligence which it is reasonable in all the circumstances for that person to be required to accept.

Action must be taken in such circumstances and I do not necessarily disagree with that.

However, the other place has said that it is a technical provision. Therefore, it has asked us to approve the removal of all the references to restricting liability, economic loss and negligence. It ask us to accept an amendment in which any terms can be imposed that are

reasonable in all the circumstances for that person to be required to accept.

There is no reference to economic matters, negligence or loss; the amendment refers only to any terms that are reasonable in all the circumstances. We are back to the old chestnut—defining what on earth is reasonable—and this provision relates not merely to some circumstances, but to all circumstances.

The amendment is so draconian as to be worthy of comment from the Minister. He clearly thinks that it does not matter and that he can give people the power to do anything that they like and to impose any terms they like in any circumstances they like. We were offered no explanation whatsoever, and I should be grateful for one.

Dr. Howells: I shall try to give the hon. Member for Spelthorne (Mr. Wilshire) an explanation. Ostensibly he is right, and the amendment provides a very wide power, but it must be borne in mind that the provision will come within the scope of section 23 of the Electricity Act 1989, as amended by the Bill. Under that section, in the event of a dispute about the terms offered by a distributor for making and maintaining a connection, either party may refer the matter to the authority for determination. I hope that the hon. Gentleman will view that as the safeguard that he is seeking. In the end, the question of whether it is reasonable in all the circumstances for a person to be required to accept a particular term is likely to become a matter for determination by the authority, especially where the term is novel or unusually burdensome.

I turn now to amendment (a) to amendment No. 120 and amendment (a) to amendment No. 161, in the name of the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb). I agree entirely that it is fierce, fair competition that brings all consumers the greatest benefits, and I certainly do not believe that increased state intervention is the way to bring down electricity or gas prices. I agree also that excellent schemes are offered by companies such as PowerGen, which display a great regard for corporate responsibility. Long may that thrive—I am certainly doing all that I can to encourage it. However, we will resist the amendments.

The amendments provide that a customer in debt to his supplier could not be required to accept the installation of a pre-payment meter in place of his existing meter. The supply company would be able to install a pre-payment meter in such circumstances only if the customer had agreed to it in writing. That is strange because it would mean that the customer who refused or, worse, forgot—many of us have forgotten to send our returns to such companies as quickly as we should have done—would be almost certain to have his supply disconnected unless he agreed in writing to accept a pre-payment meter.

I am sure that the hon. Gentleman cannot intend to increase the number of disconnections that arise from non-payment of gas and electricity bills; but by seriously weakening suppliers' powers to replace credit meters with pre-payment meters when a customer is behind with payments, the amendments would achieve exactly that. I am sure that he is aware that it costs a great deal more to be reconnected than to come to an arrangement for the installation of a pre-payment meter.

Mr. Gibb: Essentially, the amendment would simply change the law back to what it was before the Bill was introduced so that suppliers would have no right to enter people's premises to install a pre-payment meter. Despite that, disconnections have fallen over the past few years.

Dr. Howells: They have fallen over the past year by about 25 per cent., and I hope that they will continue to fall. However, it is important to remember that a supplier has to get a warrant before he can force entry to install a meter or to disconnect the supply. The existence of a power of entry to install a pre-payment meter does not necessarily mean that companies will use it. Like the hon. Gentleman, I welcome the innovative approach of some companies and the way in which they have sought to get around the problem.

Mr. Wilshire: It sounds to me as though the Minister objects to the fact that somebody has to get a warrant before they force entry. Is that what he is saying?

Dr. Howells: I am not suggesting that at all. It is important that a company should get a warrant before it enters somebody's home.

Mr. David Winnick (Walsall, North): Before an application for entry is made—as my hon. Friend has explained, a warrant will be required—surely all the circumstances will be taken into account. Does my hon. Friend agree that it would be unfortunate if, as a result of disconnection, a household was left with no supply whatever? Children may be involved and the supply may be disconnected as a result of the parents' irresponsibility. There is therefore a case for ensuring that the household has some fuel connection—to either electricity or gas.

Dr. Howells: My hon. Friend has expressed the essence of this provision beautifully. It is important that we do not have disconnections, but have pre-payment meters fitted wherever possible.

The hon. Member for Bognor Regis and Littlehampton will be interested to learn that one major gas supply company has told Ofgem that it estimates that some 80 per cent. of gas supply disconnections occur because the company cannot illicit a response from defaulting customers, despite oft repeated attempts to do so. How are such people to be persuaded to avoid disconnection by being made to write to their suppliers agreeing to the installation of a pre-payment meter, when they do not communicate in the first place?

Mr. Gibb: Those people are exercising their perfect right to refuse a gas company entry, and I believe that

they should continue to have that right. The Bill removes people's right to refuse gas companies entry to their house to install meters.

Dr. Howells: I have tried to explain to the hon. Gentleman that the Bill contains a great many safeguards. We have confidence in the system. We certainly believe that it is a far better way to proceed than making children, innocent of the shortcomings of their parents, endure the cold, and then subjecting their parents to a hefty reconnection charge. We shall therefore resist the amendment.

Lords amendment agreed to.

Lords amendment No. 71 agreed to.

Clause 56

INFORMATION TO BE GIVEN TO CUSTOMERS

Lords amendment: No. 72, in page 54, line 42, leave out subsection (6) and insert—

("(6) Subsection (3) shall cease to have effect.").

Dr. Howells: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 79 to 94, 98 to 100, 125, 138 to 140, 142, 173, 175, 186, 191, 222 and 238.

Dr. Howells: The amendments deal with the standards of performance and aspects of consultation on renewables and energy efficiency targets, including some of the implications of the trading of obligations between gas and electricity obligation holders, rather than simply gas obligation holders on the one hand and electricity obligation holders on the other.

Mr. Stunell: On the whole, I welcome the amendments. I wish to deal briefly with amendment No. 79, which requires any action by the Secretary of State in making an order to be preceded by consultation with renewable energy generators. I certainly welcome that, and regret that provisions on renewables are still missing from the Bill. We need more action to promote and support renewable generation, as well as simply consulting renewable energy generators before orders come into force.

Can the Minister update the House on the DTI's views about the banding of the renewables obligation and the approach that the Government are likely to take in regulating in support of the Bill? I understand that a meeting was held at the DTI yesterday to discuss the banding of technologies. It would be helpful for the House to know the outcome.

Is the Minister still as satisfied as Ministers have been in their public declarations in the past that the targets of achieving 5 per cent. of renewable electricity generation by 2003 and 10 per cent. by 2010 are still realistic and feasible? If the Minister is able to reassure us on those points, how would he refute the arguments put forward by those in the industry who believe that the targets are increasingly unrealisable and unrealistic?

6.45 pm

In supporting amendment No. 79 and agreeing on the need to include the renewable generators, will the Minister explain how he can reassure them that future investment will be worth while, that their product will be taken up in the market and that the Government's targets will be achieved? That is a vital part of the Government's longer-term policy to comply with the Kyoto agreement. There is definitely a gap in the Bill, and I hope that the Minister will at least give a signal that further work will be done and further proposals will be put before the House.

Mr. Forth: We are now wading knee-deep in gobbledegook, especially with amendment No. 81. I shall give the Minister the opportunity to tell us, succinctly and with his usual clarity, exactly what he thinks amendment No. 81 means. It looks like complete nonsense to me. I suspect that it is to do with environmental strutting and posturing. What it is supposed to achieve is beyond me, but it seems to sanction sleight of hand. If I were to believe in any of the Kyoto nonsense, I should be very suspicious because a provision such as amendment No. 81—if I even begin to understand it—seems to represent almost an invitation to fiddle the books and to pretend that we are doing all sorts of Kyoto things when we are doing nothing of the kind.

Amendment No. 81 is akin to the Government policy that, on the one hand, put additional taxes on vehicle fuel—which they claimed was an environmental measure—but, on the other, lowered taxes on domestic fuel consumption. They have never been able to explain the justification for that. I suspect that, if it means anything, amendment No. 81 comes into the same category.

I am worried that amendment No. 86 will undermine any viability that may have existed in the adjustments for inflation. As we know from recent examples such as pensions and so on, those adjustments can be of the greatest importance to people of all ages and categories. However, amendment No. 86 seems to provide almost unlimited scope to fiddle the books on inflation. It states:

for any such sum to be adjusted from time to time for inflation by a method specified in the order . . .

That is fair enough; one would expect such a provision, but it continues:

including such a scale or index or such data in a form not current when the order was made, but in a subsequent form attributable to revision or any other cause and taking effect afterwards . . .

I do not know what that is supposed to mean. I was just about following it until adjustments "by a method specified" were mentioned. That is fair enough, but it then took off into the stratosphere of completely blank cheques, allowing people to produce whatever figures they felt like producing

in a form not current when the order was made

and for any reason.

We are getting into some odd and difficult territory, but as usual in such circumstances, I rely on the Minister to step up to the Dispatch Box and, with great clarity and as succinctly as ever, to set right my anxieties about those matters and tell us exactly what he thinks amendment No. 81 means. When he says what he thinks, it becomes official and fixes matters. I have no doubt that he will tell

[Mr. Forth]

us equally succinctly about amendment No. 86 and explain the reason why my unhappiness about it is completely unfounded. I cannot wait.

Dr. Howells: I do not intend to make the right hon. Gentleman wait. May I deal first, however, with the hon. Member for Hazel Grove (Mr. Stunell)? Taken together, the amendments that he has mentioned try, I suppose, to set out some of the thoughts of another place on where we have got to. For example, the comprehensive spending review was excellent for encouraging renewables. I was glad to see that. A consultation will be conducted by my right hon. Friend the Minister for Energy and Competitiveness in Europe on the banding of technologies. It is far too early to predict the outcome of that consultation, but it is important.

Mr. Stunell: I am encouraged by the fact that there is to be a consultation and that prediction is too early, but, before the door is shut firmly, is the Minister indicating that the door is now at least a little open?

Dr. Howells: On the Government side, we are always receptive to constructive arguments and to imaginative approaches to what are important issues.

The hon. Gentleman asked whether we were still on line for 5 per cent. It is a big challenge—I give him that—but it is do-able and the CSR will help a great deal. Essentially, we are trying to move the renewables from the margins to the centre of the market. That must be a good thing.

The right hon. Member for Bromley and Chislehurst (Mr. Forth) wanted to know more about amendment No. 81. It says that an order may provide that, to a specified level, under-achievement or over-achievement in a particular period of a supplier's obligation may be carried forward into a subsequent period—so-called banking and borrowing. I do not think that it is a fiddle. He will recognise that, sometimes, for example, a power station may be down for a time—an efficient one that does not spew out various pollutants into the air. The company that owns that power station may need a bit of time, going into the following year, to make up for the period when the power station was down, so the measure allows a bit of leeway at the end of the year. However, he is right to highlight the point because it must not be a big percentage of the obligation that the suppliers have. I hope that my saying that from the Dispatch Box will reinforce what he said—that when the Minister says something, it does matter.

Mr. Forth: When this Minister says something, it always matters. Therefore, I want to press him a little on two things. He has just touched on one of them. Is he satisfied that there does not appear to be any limit on either the percentage—therefore, that leaves it very open ended—or on the period? I am prepared to accept what he says about the power station example over a limited time, but the amendment, as I read it, appears to allow the possibility of such movements over almost any time. That does begin to look like fiddling.

Dr. Howells: Clearly, strict guidelines and time limits, where necessary, must be imposed by the authority. There is no question about that. The right hon. Gentleman is right to raise the matter, but I am sure that he will agree that there must be some flexibility for companies—not too much; I agree about that.

The right hon. Gentleman asked about amendments Nos. 85 and 86. Amendments Nos. 80 to 94 are pretty minor. They do not make substantive changes to the renewables power in the Bill, but make some technical adjustments and enable the provision to be more effectively applied.

On the specific measure that the right hon. Gentleman asked about, it provides that a different buy-out price may be set for different periods within the overall period of renewables order under clause 61, and that the buy-out price may be adjusted for inflation, which is important in case, suddenly, his party were returned to power and it became rampant again. To return to his earlier point, percentages and periods will be set in the statutory instrument.

Lords amendment agreed to.

Clause 58

LICENCE ENFORCEMENT

Lords amendment: No. 73, in page 55, line 31, at end insert—

("( ) The Authority shall not impose a penalty on a licence holder under subsection (1) where it is satisfied that the most appropriate way of proceeding is under the Competition Act 1998.")

Mrs. Liddell: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 74 and amendments (a), (b) and (c) thereto, 75 and amendment (b) thereto, and 76 to 78, 126 and 127, amendments (a), (b) and (c) thereto, and 128, amendment (b) thereto and 129 to 131, 183, 201, 219, 220 and 237.

Mrs. Liddell: Lords amendments Nos. 73 and 126 insert into the financial penalties provisions protection against double jeopardy in regard to the Competition Act 1998. They follow closely the terms of the protection against double jeopardy that already applies to licence enforcement orders in the utility statutes. They help to achieve consistency between the provisions inserted by this Bill in both the Gas Act 1986 and the Electricity Act 1989, and provisions that already exist. They also ensure that there is clarity on the interaction between licence enforcement provisions and Competition Act enforcement provisions.

Lords amendments Nos. 74 and 127 respond to concerns raised throughout the Bill's passage about the lack of a specific upper limit on financial penalties. The principal limit on the level of financial penalties remains the requirement for a penalty to be reasonable in all the circumstances of the case. We have had lengthy discussions in Committee and on the Floor of the House about the definition of "reasonable". The amendments, however, give licence holders extra comfort, in that they impose an upper limit on the amount of any financial penalty that can be imposed. That limit is 10 per cent. of the licence holder's turnover. Detailed provisions—for example, the definition of turnover—will be set out in an order made by the Secretary of State by affirmative resolution.

Lords amendments Nos. 76 and 129 relate to the 12-month time limit applying to the imposition of a financial penalty in cases in which there has been a contravention of an obligation, and no enforcement order has been made. If the amendments are accepted, no penalty may be imposed in respect of such a contravention unless, within 12 months of that contravention, the authority has issued either a penalty notice or a notice under section 28(2) of the Electricity Act 1989 or section 38(1) of the Gas Act 1986, as amended, seeking information for the purpose of its functions in relation to the imposition of financial penalties. When the authority issues a notice under either the Electricity Act or the Gas Act, no further time limits will apply to the imposition of a penalty.

The amendments will ensure that the authority has enough time to investigate alleged contraventions and to decide whether to impose a penalty. The authority will be able to determine the amount of any such penalty, particularly in large, complex cases in which it may have difficulty in obtaining information from the licence holder, or licence holders, concerned. That will mean that legitimate investigations of alleged contraventions will not run out of time as a result of licence holders taking too long in supplying the authority with information. That could well happen in the case of companies that did not wish to comply with licence requirements. The amendments remove any incentive for foot-dragging.

Lords amendments Nos. 77 and 130 are consequential on Lords amendments Nos. 76 and 129. Lords amendments Nos. 78 and 131 apply to the enforcement provisions of the Gas and Electricity Acts, as opposed to the proposed financial penalties provisions. Lords amendments Nos. 75, 128, 183, 201, 219, 220 and 237 are minor, technical and consequential amendments, replacing a reference to the commencement of a subsection with a more accurate reference to the commencement of a section of the Utilities Act 2000.

The Opposition have tabled some amendments—

It being Seven o'clock, the debate stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business) and Order of 25th October 1999,

That, at this day's sitting, the Utilities Bill and the Postal Services Bill may be proceeded with, though opposed, until any hour.—*[Mr. Pope.]*

Question agreed to.

Lords amendments again considered.

Question again proposed, That the House agrees with the Lords in the said amendment.

Mrs. Liddell: The Government will resist the amendments that the Opposition have tabled to this group of Lords amendments. I shall speak to those amendments in due course.

Mr. Gibb: We have argued long and hard—on Second Reading and in Committee, as well as in the other place—for the Government to introduce a cap on the potential penalty and fines that the regulator can impose on the utility companies for failing to comply with licence conditions or breaching standards of performance obligations.

Limitless fines were one of the major concerns that industry had with the Bill. The problem with a penalty regime without a ceiling on the upper fine is that it adds to the level of regulatory risk faced by the utility companies, and that that increased risk leads to demands from the providers of capital for a higher rate of return in compensation. As the industries that we are discussing are highly capital intensive, such demands constitute a significant hit to the profit and loss account, which inevitably will be passed on to the consumer either in higher charges or in charges that are not as low as they would otherwise be.

We were delighted, therefore, that the Government eventually backed down and introduced, in the other place, a cap. However, that cap is still high. The fact is that a fine of 10 per cent. of turnover is still sufficiently high to wipe out completely any company that receives one. A significant portion of the regulatory risk will remain, notwithstanding the cap. Therefore, our amendment (a) seeks to reduce the 10 per cent. figure to 5 per cent.

Our next concern about the penalty regime hinges on the definition of turnover. The wording of the 10 per cent. turnover cap used in Lords amendment No. 74 echoes that used in the Competition Act 1998, which also has 10 per cent. turnover cap. However, we had to wait several months after implementation of that Act for "turnover" to be defined. When the statutory instrument defining turnover was finally produced, it added to rather than alleviated concerns.

In our amendments (b) and (c), we have sought to clarify the definition of turnover to avoid the same problems in this legislation. That will at least save the Minister for Competition and Consumer Affairs the inconvenience of having to produce another statutory instrument, speaking to another Committee on statutory instruments—he and I have already met in several such Committees—and swotting up on his briefings.

Our amendments will also remove the uncertainty over whether "turnover" means only the company's turnover in the United Kingdom, or whether any turnover derived from abroad should also be included. The amendments make it clear that the turnover should be derived only from the United Kingdom.

Our amendments also deal with the sleight of hand that the Government have perpetrated in the 1998 Act. In that Act, as the Minister knows, the cap for fines was set at 10 per cent. of turnover. However, the definition of turnover in the subsequent statutory instrument—which I think that he introduced—was such that it could be applied to up to three years of turnover. Therefore, at a stroke, he changed the 10 per cent. limit to 30 per cent. That is not an acceptable approach under the 1998 Act, and it certainly should not be an acceptable approach in the Bill.

Our amendment (c) defines turnover as a period not exceeding 12 months, so that the maximum fine in the Bill will remain at 10 per cent. and not be tripled by means of a subsequent statutory instrument.

I am disappointed—the Minister for Energy and Competitiveness in Europe will be pleased to hear—that the Government will resist our amendments. If they do, however, I shall try to persuade my colleagues to vote for them.

Mrs. Liddell: There we have it—soft on price fixers and soft on the causes of price fixing. *[Interruption.]* At this time of night, I always find it best to be catchy.

[Mrs. Liddell]

I resist these Opposition amendments to the Bill's financial penalty provisions. As the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) said, amendment (a) to Lords amendment 74 and amendment (a) to Lords amendment No. 127 seek to replace the cap of 10 per cent. of turnover with a cap of 5 per cent. of turnover. The Government have been consistent on this point. We have always maintained that the primary constraint on the level of any financial penalty is the requirement for the penalty to be reasonable in all the circumstances of the case.

We initially resisted the imposition of the cap on penalties on the ground that it was not strictly necessary, but we have also listened to the views of groups inside and outside the House and responded to the growing view that a limit would provide some comfort to companies without unduly constraining the authority's ability to protect consumers' interests.

Now that we have done that, the Opposition want to move the goalposts again. No one gains from that. The Government have already done everything that is necessary to respond to the concerns that have been put to us about these provisions. We have introduced a cap on penalties, as requested, analogous to that in the Competition Act 1998, which seemed to be the example that the Opposition referred to most often in Committee and elsewhere when pressing for a cap.

The only possible reason for wanting to introduce a lower cap is to protect companies from facing a penalty that would be reasonable in all the circumstances of the case when they have committed a serious contravention. A cap of 5 per cent. of turnover would run that risk, and on that basis the Government cannot accept it.

Amendments (b) and (c) to Lords amendment No. 74 and amendments (b) and (c) to Lords amendment No. 127 would insert provisions in the Bill to the effect that the definition of turnover used in relation to the cap on financial penalties shall be the UK turnover of the licence holder in the year preceding the imposition of the penalty.

The Lords amendment inserting a limit on financial penalties also states that detailed provisions in relation to the definition of turnover and other matters shall be set out in an order made by the Secretary of State by affirmative resolution. There will therefore be ample opportunity for Parliament to discuss the relevant provisions when the order is made. The definition that the Opposition amendments would insert would pre-empt the debate that will take place when the order is made. The amendments are therefore unnecessary.

Amendment (b) to Lords amendment No. 75 and amendment (b) to Lords amendment No. 128 have been linked—very tenuously—to a part of the financial penalties provisions that prevents penalties from being applied retrospectively. The amendment tabled in another place was purely technical.

The amendments to the Lords amendments are an attempt to reintroduce a provision that penalties shall be limited to cases of recklessness and intent, similar to the Competition Act 1998 restriction to cases of negligence and intent. The Government have resisted amendments to that effect throughout the passage of the Bill, on the ground that the onus should be on companies to comply with their licence conditions and that such an amendment would work against the interests of consumers.

As my noble Friend Lord McIntosh explained in another place, there are valid precedents for our approach, such as the National Lottery Act 1998 and the Broadcasting Acts 1990 and 1996, which were introduced under the previous Administration. Those Acts provide for the relevant regulatory authority to impose financial penalties for contraventions of licence conditions. They do not provide get-out clauses for companies that breach their licences without negligence or intent. There are good reasons for the approach that the Government have adopted.

We hold to the view that the onus should be on the licence holder to maintain compliance, especially when the consumers concerned cannot move to another service provider, as is the case with the electricity transmission and distribution companies and the gas transporters.

The amendments to the Lords amendments ignore entirely the nature of the powers that we are providing. The authority will have a power, not a duty, to impose financial penalties. Any penalty that it imposes must be reasonable in all the circumstances of the case. It seems most unlikely that any penalty that did not take account of best endeavours by a licence holder to remedy a contravention would be considered reasonable in all the circumstances of the case, and any such penalty would without doubt be liable to challenge in the courts. Consumers none the less deserve proper protection, and the amendments do not help in that respect.

For all the reasons that I have set out, I cannot accept the Opposition's proposals. I hope that the hon. Gentleman will not press the amendments to a vote but, if he does, I am afraid that we must oppose them.

Lords amendment agreed to.

Lords amendment: No. 74, in page 56, line 39, at end insert—

("(6A) No penalty imposed by the Authority under this section may exceed 10 per cent. of the turnover of the licence holder (determined in accordance with provisions specified in an order made by the Secretary of State).

(6B) An order under subsection (6A) shall not be made unless a draft of the instrument containing it has been laid before and approved by a resolution of each House of Parliament.")

Amendment proposed to the Lords amendment: (c), leave out from "holder" to end and insert—

'the turnover being determined on the applicable turnover for the business year preceding the date when the infringement ended and shall in any case not exceed a period of 12 months'.—*[Mr. Gibb.]*

Question put, That the amendment to the Lords amendment be made:—

The House divided: Ayes 120, Noes 257.

Division No. 297] **[7.10 pm**

AYES

Ainsworth, Peter *(E Surrey)*	Brooke, Rt Hon Peter
Amess, David	Browning, Mrs Angela
Arbuthnot, Rt Hon James	Bruce, Ian *(S Dorset)*
Atkinson, Peter *(Hexham)*	Butterfill, John
Baldry, Tony	Cash, William
Bercow, John	Chapman, Sir Sydney
Beresford, Sir Paul	*(Chipping Barnet)*
Blunt, Crispin	Clappison, James
Body, Sir Richard	Clarke, Rt Hon Kenneth
Boswell, Tim	*(Rushcliffe)*
Bottomley, Peter *(Worthing W)*	Collins, Tim
Bottomley, Rt Hon Mrs Virginia	Cormack, Sir Patrick
Brady, Graham	Cran, James
Brazier, Julian	Davies, Quentin *(Grantham)*

Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan Smith, Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat–Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith,
Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Robathan, Andrew
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Geoffrey Clifton–Brown and
Mr. John Randall.

NOES

Abbott, Ms Diane
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Buck, Ms Karen
Burden, Richard
Burnett, John
Byers, Rt Hon Stephen
Cable, Dr Vincent
Caborn, Rt Hon Richard
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Denham, John
Dismore, Andrew
Doran, Frank
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Godman, Dr Norman A
Godsiff, Roger
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoon, Rt Hon Geoffrey
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Laxton, Bob
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle
(B'ham Yardley)
Mountford, Kali
Mullin, Chris
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
Öpik, Lembit
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles

Rammell, Bill
Rapson, Syd
Reed, Andrew *(Loughborough)*
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Skinner, Dennis
Smith, Jacqui *(Redditch)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Trickett, Jon
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Wood, Mike
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. Jim Dowd and
Mr. Don Touhig.

Question accordingly negatived.

Lords amendment No. 74 agreed to.

Lords amendments Nos. 75 to 94 agreed to.

Clause 67

HELP FOR DISADVANTAGED GROUPS OF ELECTRICITY CUSTOMERS

Lords amendment: No. 95, in page 66, line 35, leave out ("1989 Act") and insert ("Electricity Act 1989")

Mrs. Liddell: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 96 and 148.

Mrs. Liddell: These are technical amendments which are necessary to provide that clause 67 commences at Royal Assent. Clause 67 gives the Secretary of State powers to change electricity licences to implement the new electricity trading arrangements in England and Wales. Commencement at Royal Assent is essential so that the powers can be used in time to bring the new trading arrangements into effect in the autumn. The planned start date for the new arrangements is 21 November this year.

Lords amendment agreed to.

Lords amendments Nos. 96 to 143 agreed to.

Clause 103

TRANSFER TO AUTHORITY AND COUNCIL OF FUNCTIONS, PROPERTY ETC.

Lords amendment: No. 144, in page 108, line 36, leave out ("and in Part I of the 1986") and insert

("which are defined in section 48 or 66 of the 1986 Act or used in Part I of that")

Dr. Howells: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 145 to 147 and 149.

Dr. Howells: Amendments Nos. 144 and 145 make the drafting of clause 103 slightly more transparent and user-friendly—and it needs it. The amendments assist the reader by inserting into the clause specific references to the interpretation sections in part I and part III of each of the existing Acts.

Amendment No. 146 has the effect that section 46 of the Gas Act 1986 applies to the Utilities Bill. This amendment is needed because the Bill itself does not contain any provisions as to the manner of such service.

Amendment No. 147 clarifies the scope of the Secretary of State's power under clause 106 to make transitional and consequential provisions concerned with the coming into force of this Bill. The amendment makes it clear that the power to modify any enactment for that purpose extends to Acts passed and subordinate legislation made in the present parliamentary Session. Amendment No. 149 makes provision that a commencement order made by the Secretary of State may contain transitional provisions and savings relating to the provisions being brought into force by the order.

Lords amendment agreed to.

Subsequent Lords amendments agreed to [one with Special Entry].

Postal Services Bill

Lords amendments considered.

7.26 pm

Mr. Deputy Speaker (Sir Alan Haselhurst): I draw the House's attention to the fact that privilege is involved in Lords amendments Nos. 33, 34, 124, 125, 149 and 154. If the House agrees to any of these Lords amendments, I shall ensure that the appropriate entry is made in the Journal.

Clause 4

PROVISION OF A POSTAL SERVICE: MEANING.

Lords amendment: No. 1, in page 2, line 32, leave out from beginning to ("are") in line 33 and insert

("a service of conveying relevant postal packets from one place to another by post and the incidental services of receiving, collecting, sorting and delivering such packets")

The Minister for Competitiveness (Mr. Alan Johnson): I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 2, 30, 31, 44, 45, 49, 91, 92, 94, 101 and 126 to 132, No. 133 and amendment (a) thereto, and Nos. 134 to 140.

Mr. Johnson: This group of amendments relates to the rights given to universal service providers in connection with the provision of the universal service.

Amendments Nos. 1, 30, 31, 44, 45, 91, 92 and 94 are drafting amendments, which deal with the definitions of postal services, postal operator, post office, universal postal service and related consequential amendments.

Mr. David Wilshire (Spelthorne): The Minister referred to amendment No. 31. Will he explain why it is considered necessary to remove the word "transports" and insert "conveys", as I am struggling to understand why it is worth taking up the time of the House to make such a footling little pedantic change?

Mr. Johnson: I will do my best to explain when I get to that amendment.

The amendments narrow the definition of postal services, postal operator and post office to prevent catching persons or places only involved in the provision of services related to postal services, such as the sale of stamps at a newsagent or the sale of envelopes by a stationer. They also ensure that those related services are only caught if they are provided in conjunction with the conveying, receiving, sorting, collecting and delivering of relevant postal packets.

Amendment No. 2 is intended to ensure that it will be possible to identify a universal service provider or providers in the United Kingdom for the purposes of the Bill in the event that the current requirement to notify the commission of their identity under the postal services directive lapses.

Amendment No. 101 is a minor, consequential amendment resulting from amendment No. 2 to the list of expressions in clause 1. Amendment No. 49 inserts a new clause into the Bill, which replaces the provisions in the Post Office Act 1953, to enable a universal service provider to require the owner or operator of a ship or aircraft to carry mailbags in connection with the provision of the universal service. It also provides for the transport tribunal—or, where relevant, the Department of Economic Development in Northern Ireland—to decide the level of remuneration where the remuneration for providing such a service cannot be agreed.

The clause proposed updates the 1953 Act provisions so that they apply to universal service providers and apply only in those areas where such provision is still thought to be justified; for example, where ships and aircraft are operating to places not readily accessible by road. On some air and sea routes, there may be a single provider. Unless the prices charged to universal service providers are reasonable, the cost of delivering postal packets to remote areas will increase and could threaten the maintenance of the universal service at a uniform tariff.

7.30 pm

Mr. Wilshire: On amendment No. 49, has the transport tribunal the power solely to deal with price, or can it deal with the length of time allowed for delivery? That is not a pedantic point: if there is no time limit, there will be problems, but a time limit would surely mean that passengers would have to be taken off transport in order to deliver the mail, which would be unfair.

Mr. Johnson: The tribunal's power relates only to price. The procedure is well tested and carries forward the provisions of the 1953 Act, with which there have been no such problems as those identified by the hon. Gentleman. We felt able to translate it to the Bill in its original form.

Mr. Michael Jack (Fylde): Can the Minister satisfy my curiosity about what happens when one of the universal Post Office people is told that he cannot put his mailbags on some mode of transport? What mechanism exists to resolve such a dispute?

Mr. Johnson: The point of the clause is that such transportation providers cannot say no. That would affect the Post Office's ability to provide a universal service. This provision relates to the costs of the service. Transporting the mail will be a requirement of the Act.

Amendment No. 133 addresses the legal authority relating to the installation of post boxes and postal pouch boxes in the street, which is unclear in the current legislation. The amendment puts universal service providers on the same basis as other statutory undertakers in relation to the New Roads and Street Works Act 1991 and reduces the unnecessary administrative burdens involved in installing postal apparatus.

Mr. Wilshire: Subsection (7) of amendment No. 133 states:

Sub-paragraph (1) does not free the universal service provider concerned from obtaining any other consent, licence or permission which may be required.

What does that mean when it comes to obtaining planning permission? The erection of a post box technically involves a structure. How will that be handled?

Mr. Johnson: At present, permission is not required for the construction of a pillar box, but is required for placing a post box in the street. The Bill will not change that.

[Mr. Johnson]

We must ensure that delays are not caused in the installation of postal pouch boxes, which are important to ensure that letters are delivered on time. Pouch boxes are secure receptacles from which postmen and postwomen collect additional mail sacks without returning to the delivery office. That enables health and safety legislation to be observed as well as responding to increasing volumes of mail. The alternative would be to deliver extra sacks to postmen by van, which would be environmentally undesirable.

The other amendments are minor drafting amendments to the compulsory acquisition and other land provisions in schedules 5 and 6.

Mr. John Bercow (Buckingham): It is a pleasure to joust with the Minister this evening. First, I should explain my presence and the absence of my hon. Friends the Members for Rutland and Melton (Mr. Duncan) and for South-West Hertfordshire (Mr. Page). Both my hon. Friends have been indisposed and have experienced hospital treatment. The House will be pleased to know that both are making a full and rapid recovery and will return to active service 'ere long.

I have been posted—if I may use that term without being accused of a pun—on a free one-day transfer to the shadow Trade and Industry Front-Bench team. I have discovered that it is en route to the shadow Home Office team shortly thereafter. I wondered why the Opposition Whip's Office chose me to deputise for my hon. Friend the Member for Rutland and Melton. The only explanation at which I could arrive was that they were looking for someone of a similar size and shape to my hon. Friend. The House will understand, therefore, that necessarily there was in more ways than one a very short shortlist.

I have a simple query on Lords amendment No. 2 for the Minister, with which I feel sure he will be able to deal speedily. In what circumstances would the amendment apply? That is not entirely clear to me. The amendment specifies the circumstance in which there would be no "obligation to notify" the European Commission of the identity of the universal service provider. Although I read the amendment and re-read it, as I was duty to bound to do, it became none the clearer. However, with the great talents that the Minister brings to bear in debates in the House, I feel sure that he will be able to put my mind at rest and tell me that the amendment has a good purpose.

Briefly on amendment (a) to Lords amendment No. 133, my noble Friend Baroness Miller of Hendon flagged up this issue in another place some time ago. She took up the cudgels on the matter on 8 June—if I remember rightly, it was in an amendment No. 19. We are concerned about the power that exists under the amendment to alter the designation of a letter box or a universal postal service pouch box in a street.

Paragraph (2)(b) of Lords amendment No. 133 refers to

> inspecting, maintaining, adjusting, repairing, altering or renewing such apparatus which has been so placed, changing its position or removing it.

We could legitimately debate a number of those matters, but my concern is the reference to the entitlement to alter. This is no trifling matter. I hope that the Minister will accept that many people in local communities—especially in rural areas and small villages—can be considerably exercised about the location of post boxes and what they may in some cases consider to be any unjustified changes to them.

Mr. Jack: I am following my hon. Friend's argument keenly. Does the existing law as it applies to the Post Office, give the facility for moving, changing or altering, which are his causes of concern about these new universal providers?

Mr. Bercow: I am not sure that my right hon. Friend has it right. Until now, I have not had a particular concern, but I am concerned in the context of the amendment. My right hon. Friend is a patient chap. If he will hold on a moment, he will find out why.

The reason for our concern is that the amendment did not occur to the Government at an early stage of the Bill; it made a late entrance. That prompts me to ask the Minister—although I have looked at the record, I cannot find it anywhere—when the idea occurred to Ministers, whom did they consult and why did they decide at such a late stage to insert so apparently substantial an amendment? I wait with eager anticipation, bated breath and beads of sweat upon my brown to learn the hon. Gentleman's response.

Mr. Alan Johnson: We are delighted to see the hon. Member for Buckingham (Mr. Bercow) on the Opposition Front Bench. He has been recruited as a type of Christmas casual to the post office team in the shadow Department of Trade and Industry, while the hon. Members for South-West Hertfordshire (Mr. Page) and for Rutland and Melton (Mr. Duncan)—who made important contributions to the Bill in Committee—are both indisposed. We wish them a speedy recovery. I hope that the hon. Member for Buckingham does not catch whatever is going around the Opposition DTI team.

Mr. Bercow: I would not want there to be any confusion, so I should explain that my hon. Friend the Member for South-West Hertfordshire (Mr. Page), who is still in considerable pain—although making a good recovery—is suffering that pain because he fell off his horse.

Mr. Johnson: I hear that the hon. Member for South-West Hertfordshire was trying to use his mobile phone at the same time, but that is probably a vicious rumour.

I was asked about the reference to determining universal service providers. That attaches to a European directive whose life itself stretches until 2004. It is almost inconceivable that there will not be a replacement provision in that directive after 2004. However, we need to be wary and to ensure that, if that European provision should be subsumed or disappear, there will be provision in the Bill so that universal service providers can be properly listed and put on record. That is the reason for Lords amendment No. 1.

On amendment (a) to Lords amendment No. 133, the hon. Member for Buckingham referred to pouch boxes. They are a source of considerable concern, although not so much in rural areas, where postal staff use vans for deliveries and are thus able to deal with the extraordinary increase of mail that has occurred during the past 10 to

15 years. Postmen or postwomen in urban areas, who have to deliver, on cycle or on foot, by 9.30 am, have an increasing amount of mail. That is why pouch boxes have crept on to the scene during the past 20 years.

The hon. Gentleman asked at what stage we considered the matter. We addressed it after Committee stage when it was realised that there was no provision to deal with it. There have been provisions on pillar boxes for more than 100 years, but pouch boxes are different. The only change that we are making is to a costly and bureaucratic system under which providers have to apply for street works licences to cover alterations to postal apparatus, although they are exempt from that requirement when they inspect, maintain, adjust, repair or renew such apparatus.

The provision was introduced after discussion with the Post Office and the Department of the Environment, Transport and the Regions—because there is an environmental aspect. The discussions continued for some time and it was not until the Bill had gone to the Lords that we could table the amendment.

People are understandably concerned when pouch boxes are erected at the end of their street. The boxes are usually free-standing. We have not changed any provisions that relate to planning applications. The right of the public to oppose such an application remains. The problem with the Opposition amendment is that the removal of the word "altering" might prevent the postal service provider from undertaking sensible work; for example, changing the metal plates that inform the public of clearing times for the pouch boxes. If the pouch box is attached to a pillar box—which would also be covered by the provision—that could create unwarranted interference to improvements to the service to the public.

The provision could prevent the Post Office from blocking up pillar boxes when there is a terrorist attack or a postal strike. That would be an alteration. Nothing horrendous would result from alteration that could not also be caused when such an appliance was replaced, renewed or adjusted. Therefore we believe that the amendment may prevent innovations of a type that may result from a more competitive marketplace. We cannot see that the schedule as it stands would be improved in any way by removing the word "altering", and we are very anxious to ensure that the public still have the right to oppose planning permission for pouch boxes, because that is an essential safeguard for communities throughout the country.

On that basis, I hope that the Opposition will see fit not to press amendment (a) to Lords amendment No. 133.

7.45 pm

Mr. Tony Baldry (Banbury): I shall be brief. I believe that I am the only Member on the Conservative Benches who served on the Standing Committee of the Bill and is also a member of the Select Committee on Trade and Industry, which has several times considered the working of Post Office services.

I believe that it would be in order for me to put my argument on practically any group of amendments to the Bill, so I shall make it briefly on this group and make it relevant.

Under the Bill, Ministers are giving themselves powers to introduce social and environmental guidance to the Post Office that will give Ministers the power to direct the Postal Services Commission to do various things, but that guidance will not be issued until the Bill receives Royal Assent. In other words, until that happens, we have no idea what the guidance will say.

We have some indication of that guidance, however, because it was issued in draft in February. Rather presumptuously, it describes itself as draft guidance to the Postal Services Act 2000, and in paragraph 4.9, under the heading "Access to the Universal Postal Services", it says that the commission has a duty to ensure that sufficient access points are provided to facilitate the universal postal service. It also states that the commission will wish to consider, as part of its duty to ensure the provision of a universal postal service, the number, type and distribution of access points necessary as a minimum to ensure that the licence holder so required for providing a universal postal service can operate. It makes it clear that access points are considered to be pillar boxes and post offices and other places and points clearly marked as such, provided for users to deposit postal items for collection by UPS providers.

On Monday, when the Minister gave evidence to the Select Committee on Trade and Industry, he said that until the Bill receives Royal Assent, there is no social and environmental guidance to tag it on to. Ministers have, however, promulgated draft guidance which, once the Bill comes into being, they will impose by way of policy. That guidance could say anything. The draft guidance is totally relevant and germane to the points that the House is now considering, but it is otiose for the House to consider those points if, irrespective of the Government's ability to drive the Bill through with their majority and regardless of what is said in that legislation, they have an all-embracing clause that says that they are enabled to issue environmental and social guidance. What is more, under that guidance they can then promulgate any policy that they wish, which has never been considered by the House but which, regardless, will have statutory force.

If that is so, one really wonders what the House is doing. Why are we here if, effectively, somewhere in the Bill, there are powers for Ministers to issue guidance that will never be considered by the House, but which will have far-reaching effects on everything from the provision of postal boxes to how many post offices are allowed to stay open?

My argument, which I can put succinctly, having sat through the Committee proceedings and having considered the Bill on the Trade and Industry Select Committee, is that this is a rottenly drafted Bill, and that it simply gives Ministers, through so-called social and environmental guidance, almost unlimited powers, which will never be subject to any parliamentary scrutiny. It is a sad but appropriate note that the last Bill to be considered on the last day before the recess treats the House with such contempt that, effectively, Ministers are taking unto themselves universal powers to impose policy on the universal postal providers and others by way of a device called guidance. If such a device was introduced in any and every Bill, Ministers would easily be able to bypass Parliament. I would not wish the House to accept the amendment without noting what is happening here. We are giving the Government a blank cheque to issue any further policy. I suspect that few hon. Members have heard of the social and environmental guidance. The consultation period ends on the 31st of this month.

[Mr. Tony Baldry]

This is a rotten Bill that is rottenly drafted, and it is contemptuous of the House and the scrutiny of Parliament.

Lords amendment agreed to.

Lords amendment No. 2 agreed to.

Clause 13

LICENCES: CONDITIONS AND OTHER PROVISIONS

Lords amendment: No. 3, in page 9, line 26, after ("lie") insert

("or, in Scotland, be competent").

Mr. Alan Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker (Mr. Michael Lord): With this it will be convenient to discuss Lords amendments Nos. 4, 5, 8, 9, 11, 12, 15 to 19, 21, 23 to 26, 32, 41 to 43, 47, 48, 55, 56, 87 to 90, 93, 95 to 98, 100 and 141 to 144.

Mr. Johnson: These are all drafting and consequential amendments intended either to clarify various references or to ensure consistency within the Bill. On that basis, I ask the House to accept the amendments.

Lords amendment agreed to.

Lords amendments Nos. 4 and 5 agreed to.

Clause 30

FINANCIAL PENALTIES

Lords amendment: No. 6, in page 21, line 6, at end insert—

("(1A) No such penalty shall exceed 10 per cent. of the turnover of the licence holder (determined in accordance with provisions specified in an order made by the Secretary of State).").

Mr. Alan Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to take amendment (a) to the Lords amendment, Lords amendments Nos. 7, 10, 13 and amendment (a) thereto, No. 14 and amendment (a) thereto, and Nos. 51, 52 and 83.

Mr. Johnson: This group of amendments deals with a number of issues relating to the Postal Services Commission's duties and powers. It will place a cap on the financial penalties that can be imposed on licence holders for contravening a licence condition.

Mr. Bercow: I shall focus my remarks on our amendment to Lords amendment No. 6 and other Lords amendments in the group, especially amendments Nos. 13 and 14.

The purpose of amendment (a) to Lords amendment No. 6 is to restrict any fine that is levied under the Bill to 10 per cent. of turnover. We are concerned that the period in which turnover is taken into account should be a period of only one year, or certainly not exceeding one year.

It is at least arguable and it has been argued in other contexts, not least by my right hon. and hon. Friends, that a 10 per cent. fine is excessive. We contend that one such fine imposed on a company in respect of three years of its turnover would be extortionate. The Conservative Opposition moved a similar amendment, as the Minister will be aware, in Committee in another place. It was flagged up and eloquently argued for by Baroness Miller of Hendon on 8 June. She objected to what she thought was the potential for grossly excessive fines. It is interesting that on that occasion the Minister rejected the amendment tabled by my noble Friend on the grounds that the clause stated that any fine that was imposed would have to be reasonable.

I observe, almost in parenthesis, that it was a slightly curious line of argument for the noble Lord representing the Government to deploy. On several instances during the other House's consideration of the Bill, my noble Friends argued for the insertion of the word "reasonable" in respect of other clauses and amendments. They were swiftly rebutted on each and every occasion by the noble Lord on the ground that reasonableness was implicit in all the clauses and amendments to the Bill. It would thus be otiose to insert the word in the Bill. However, when it suited the Government to argue that their plans were reasonable and did not require our amendment, that is what Lord Sainsbury did.

As the Minister knows, I am a fairminded chap and, in continuing my description of the chronological sequence of events, I must tell the House that, by Third Reading, the Government had had a change of heart. I am sure that that was the result not only of the intellectual ferocity but of the personal charm of my noble Friend Baroness Miller of Hendon, which I could not possibly hope to emulate. Nevertheless the Government changed their mind and tabled an amendment.

The draft Competition Act 1998 (Determination of Turnover for Penalties) Order 2000 was made on 10 February and it implemented section 36 of the Competition Act 1998. Although the order owes its origin to section 36(8) of the Act, that section says:

> No penalty fixed by the Director under this section may exceed 10 per cent. of the turnover of the undertaking (determined in accordance with such provisions as may be specified in an order made by the Secretary of State).

Therein lies the reason for the continuing dissatisfaction of Conservative Members. The Government have shifted their position and that is welcome. However, it would help if they changed their position somewhat further so as to recognise the force of the argument, made not least by commercial undertakings, that it is unfair and excessive for the fine to be able to apply to three years of turnover. There is nothing in what the Government have so far provided for to suggest that the period could exceed one year but equally, there is nothing to say that a limit of one year will be observed.

That, therefore, is the problem with the provision. The Secretary of State could issue an order that would triple the figure from 10 per cent. to 30 per cent. There was no mention in Committee or on Second Reading that turnover would exceed one year, but out of the blue last August, the Department of Trade and Industry issued a press release that said that

> companies engaging in anti-competitive practices will face a maximum penalty of 10 per cent. of their UK turnover for each year of the infringement, up to a maximum of three years.

that could amount to tens of millions of pounds in some cases.

It beggars belief, but the Minister and his colleagues in the Department of Trade and Industry were not merely acknowledging that they were providing for the application of a fine on three years' turnover, but were bragging about it as though it was something of which to be proud. First, the Government gave no sign that they would do that and then they did it. They then talked about an amendment in the Lords Committee, assuaging, in some way, the Opposition's legitimate concerns. However, at heart, the Government still want there to be a punitive fine regime.

Although there is indubitably a case for a fine regime, that regime should be fair. It should not be punitive or extortionate and it should assuredly not be used as a source of revenue for application elsewhere. The suspicion exists—my hon. Friend the Member for Bognor Regis and Littlehampton (Mr. Gibb) will confirm it after three years of this Government—that such moneys can be regarded as stealth taxes. In this case, those stealth taxes are imposed not on individuals, but on businesses.

8 pm

As the Minister will acknowledge, consultation revealed a long hostility towards the new penalty regime. The Confederation of British Industry is especially critical of the order. A Government who pride themselves on their apparently close relations with at least some representatives of business, and with the CBI in particular, should at least have taken on board those comments and changed the order accordingly.

The CBI said:

> The proposed maximum penalty for breaches of the Act is excessive. It could lead to extremely large fines, and affect the viability of businesses, potentially leading to insolvencies and consequent job losses . . . The CBI believes the imposition of a maximum fine on a three-year basis to be contrary to the principle of section 60 of the Act; the equivalent time period at EU level is only one year.

It went on to say:

> The proposed level of maximum fine may also be contrary to the general Community law principle of proportionality.

It continued:

> Such a level of penalty goes beyond normal bounds, whether in terms of deterrent, retribution or proportionality, and arguably runs counter to the Government's stated goal of creating a healthy, pro-business environment.

My next concern relates to paragraph 4 of the Competition Act 1998 (Determination of Turnover for Penalties) Order 2000, to which I direct the Minister's attention. It reads:

> Where an undertaking consists of two or more undertakings that each prepare accounts then the applicable turnover shall be calculated by adding together the respective applicable turnover of each, save that no account shall be taken of any turnover resulting from the sale of products or the provision of services between them.

That seems further to emphasise the punitive character of the fine regime. One can have a substantial number of companies only indirectly and tangentially involved with the main culprit, whose turnover is contributing to the sum on which the 10 per cent. fine over three years is levied. That does not seem fair.

The Minister is an immensely reasonable specimen. He is the closest approximation to reasonableness that one can expect in this Government.

Mr. Patrick McLoughlin (West Derbyshire): He never used to be.

Mr. Bercow: As my hon. Friend points out from a sedentary position, the Minister used not to be reasonable, but that was when he was representing the forces of organised labour—he was veritably an old-fashioned trade unionist in those days. Of course, he has since made the transition to new Labour, and he is an aspiring and rising Minister. His tune has changed, but we will dig out what he has said on previous occasions. If he can persuade us that the provision is reasonable, we will be interested to hear how that can be so.

This is a matter of particular concern at a time when the Post Office is trying to expand. It has recently made several acquisitions—German Parcel being the most notable example—and it is in the process of forming important and potentially profitable strategic alliances. When it is getting bigger, the scope for hefty fines to be imposed is a legitimate source of anxiety, and I hope that the Minister will at least reflect on that point.

In the DTI press release to which I alluded earlier, which was issued on 9 August last year, the Government proudly flagged up the fact that they were providing for tough penalties. If memory serves me correctly, in 1996, when my right hon. and hon. Friends were considering proposed reforms to competition law, there was consideration of a new fine regime, which was to be determinable by, or at least capable of being heard by, a tribunal. The idea was to impose a maximum limit on a fine of about £1.5 million. Here we have a proposal that could result in extortionate sums of money being taken from companies. On the principle of reasonableness and proportionality, I hope that the Minister will reconsider.

I turn now to Lords amendment No. 13, which is also a matter of legitimate concern to the House, and the Opposition seek to amend it. This amendment is intended to place the commission under an obligation to conduct benchmarking operations with other postal operators in order to ensure a competitive market place. The present commission has indicated a willingness to do that, but the commission should be under an obligation to do something, rather than simply consider whether it is practicable.

The Government have talked about the prospect of benchmarking where it is "practicable" to engage in it. We think that that is not a persuasive case. If benchmarking is a good idea—if it is in the national and commercial interest to be able to compare the performances of different service providers, it is not clear, given that there is to be a regulatory structure, why this should be only an opportunity and not a formal obligation.

We welcome the Lords amendment based on the amendment tabled by my hon. Friends the Members for Rutland and Melton (Mr. Duncan) and for Banbury (Mr. Baldry) in Committee in the Commons, but we want to strengthen it. In doing so, we would be meeting a function of the commission under clause 5(3), requiring that the commission

> shall exercise its functions in the manner which it considers is best calculated to promote efficiency and economy on the part of postal operators.

[Mr. Bercow]

Accordingly, this amendment proposes that the commission collect information about the effectiveness of the Post Office, as compared with similar operations, and then report on the information that it has collected. It is difficult to see how the commission will be able to discharge the function referred to in, and provided for by, clause 5(3) without the benefit of such information. The proposal provides the information necessary to enable the commission to carry out its functions and the reassurance that that information will definitely be sought.

Thus the amendment that we commend is similar to that tabled by my hon. Friend the Member for Banbury in Committee, and I ought properly to add that it is supported by the Periodical Publishers Association. It is designed to ensure that the Post Office make efficiency savings and offer a competitive service. When a similar amendment was tabled in Committee, the Minister rejected it, as it would have required licence holders to arrange and fund the carrying out of annual independent reviews of the efficiency and economy of its operations.

Our contention is that the amendment seeks the same ends, but the commission will be responsible. Because the Post Office is, for the time being, the only realistic carrier of magazines, PPA members want it to operate in a manner calculated to promote efficiency and economy.

I shall detain the House only briefly to say something about the amendment to Lords amendment No. 14—*[Interruption.]* The Minister for Trade is a distinguished denizen of this place. He has detained this House on many occasions. I have listened with wide-eyed enthusiasm to the sheer power of the hon. Gentleman's oratory, so I hope that he will forgive me if, in performing my duty on behalf of the Opposition, I briefly detain the House on the amendment to Lords amendment No. 14. If the hon. Gentleman knows me well, he will know that it is much better for him to keep quiet and not provoke me. If he insists on provoking me, it will take a great deal longer, and the blame and responsibility for that will be his, not mine.

The amendment to Lords amendment No. 14 is designed to ensure that a reference to transparency and accounting appears in the Bill. It would ensure that the commission considers any potential cross-subsidy and reports on it each year to ensure fair competition. The Government amendment was tabled in response to concerns expressed by my noble Friend Baroness Miller on 15 June. It seeks to highlight how the commission is performing its functions under the European directive. I emphasise to the Minister that this is a welcome concession from the Government, but we would like to see in the Bill a direct reference to transparency in accounts.

It might be helpful if I explain to the House that the wording of the amendment is taken directly from article 14 of EU Postal Services Directive 97/67/EC. The Minister will understand that the background is the July 1999 White Paper "Post Office Reform: A world class service for the 21st century", which emphasised the importance of transparent accounting and limiting cross-subsidies to a level necessary for the preservation of essential services. It stated that the regulator would need to ensure that the necessary accounting transparency was in place to give credible assurance that there was no undue cross-subsidy from the business units operating in the monopoly area to those competing in other market sectors. That point was expanded upon at page 25, paragraphs 25 to 26, which no doubt the Minister could reproduce off the top of his head and with which I will not therefore weary the House.

The White Paper made it clear that, until the regulator was established, responsibility for ensuring transparent accounting and for monitoring cross-subsidies rested with the Government. The Select Committee on Trade and Industry in its 12th report reached a similar conclusion. Transparency of accounting and the limiting of cross-subsidies are central themes of the European postal services directive. That is clear from recitals from that directive. In article 14, there is an express requirement to keep separate accounts and to allocate costs to each of the non-reserved and reserved services.

The amendment would ensure that the Bill gives appropriate weight to the stated aim of the directive, of the White Paper and of the Select Committee report, that competition should be fair and cross-subsidies be limited to cases where they are necessary to maintain the universal service obligation, and necessary to the transparency of accounts. The amendment seeks to enhance, rather than to detract from, the existing provisions of the Bill.

On 14 March, in Committee, the Minister said that the Government had considerable sympathy with our aims. I hope that he will accept that our amendment is a robust means by which to achieve them. It would have the advantage of transparency and predictability for commercial operators, which have long complained about unfair cross-subsidies to the Post Office's Parcelforce.

It is a powerful case. I hope that the Minister will reflect on it on his feet, if I may put it that way, and accept the wisdom of our arguments.

Mr. Alan Johnson: All three of the issues that we are debating and that were covered by the hon. Member for Buckingham (Mr. Bercow) have come about as a result of us listening to points that were raised at Committee stage in the House and in the other place. I am a little surprised that Conservative Members have tabled amendment (a). The Lords amendments that they seek to amend or to remove concern issues on which the Government have accepted changes to deal with particular concerns in the other place.

The hon. Gentleman was right to say that we took note of the intellectual ferocity and charm of Baroness Miller of Hendon. She said about our amendment, which the Opposition are trying to amend:

> We have no difficulty in accepting this amendment—

amendment No. 6.

> We argued for it quite strongly either in Committee or on Report. We thank the Minister for bringing it back in this form.—*[Official Report, House of Lords*, 11 July 2000; Vol. 615, c. 171.]

The people whose intellectual ferocity and charm convinced us to table the amendment have said not one word in support of amendment (a). Lord Dearing of Hull, who knows one or two things about the Post Office, also warmly welcomed the change.

Amendment (a) would define the applicable turnover for determining the maximum fine under clause 30 as being for a period of not more than 12 months, and being either the period of the business year preceding the date

when the contravention ended, or the date of the imposition of the penalty if the contravention had not ended. It would also effectively make the order-making power of the Secretary of State—which is a crucial element of that part of the Bill—unnecessary. It would, in that sense, be a backward step.

The amendment is overly prescriptive. We believe that it is technically deficient. I know that arguments about technical deficiency are always the bane of those on the Opposition Front Bench, but it makes no provision, for example, as to whether the relevant turnover is to be restricted to that of the business in the UK, or extended to cover worldwide turnover. Nor does it allow for the possibility of the detailed provisions to change over time.

Careful consideration is needed to define turnover for those purposes. That will entail a level of detail that would be inappropriate in the Bill.

Detailed provisions should be set out in an order made by the Secretary of State, as provided for in Lords amendments Nos 14 and 83. Such provisions would mirror the procedure adopted for the analogous provisions in the Competition Act 1998, and in the Utilities Bill.

8.15 pm

The hon. Member for Buckingham made a valid point. He was concerned about whether a Government would use the power to impose burdensome fines on what could be the Post Office but could, in the future, be other universal service providers. That is the whole point about the licensing regime. The time to raise the issue, however, will be when the Secretary of State lays the order before the House by means of a statutory instrument. That, entirely properly, will give the House an opportunity to decide whether there are any problems relating to the fine.

Mr. Jack: My hon. Friend the Member for Buckingham (Mr. Bercow) made an entirely reasonable point. The Minister batted it off, saying, "We can discuss this later, when an order is laid". Given that my hon. Friend raised an important point, however, will the Minister assure me that there will be a period of open consultation, so that when the order is laid, the important accounting and equity issues raised by my hon. Friend can be properly discussed?

Mr. Johnson: We are talking about circumstances in which the terms of a licence have been breached. We were originally reluctant to put a cap on the fine imposed, but the forceful arguments advanced in another place convinced us that we should do so. That is entirely consistent with the Competition Act and with the Utilities Bill, and it is perfectly reasonable for us to say that we should not be burdened in the Bill by the form that the penalty should take.

Mr. Bercow: May I press the Minister on the question of the entitlement to fine on three years' turnover? This is a matter of grave concern. We do not dispute the principle that fines should be imposed, but business representatives out there believe that the scope for fining of three years' worth of turnover is excessive. How will the Minister reassure them?

Mr. Johnson: I would reassure them on this basis. As I said earlier—I realise that someone was speaking to the hon. Gentleman at the time—the amendment, as drafted, does not take account of whether turnover in the domestic part of the business is involved, or turnover in its European subsidiaries. There is a technical deficiency. It is impossible to deal with such technicalities in the Bill, but we will ensure that an order is laid before the House so that the issues can be debated.

The money obtained from any fine will not go into Treasury coffers; it will go to the Postal Services Commission. There will be no great imperative either to impose too many fines, or to insist that the fines are used to plug a gap in public finances. The money cannot be used in that way: it will go to the commission.

I do not think the amendment is necessary. I think the Opposition should quit while they are ahead. They made a good contribution which was accepted in another place, and I do not think we need amend that further.

Amendment (a) to Lords amendment No. 13 would require the Postal Services Commission to collect information enabling comparisons to be made between the efficiency and economy of different postal operators, whether in the United Kingdom or abroad. Unlike Lords amendment No. 13, the amendment leaves the commission with no discretion whatever.

We do not doubt that comparative information will be essential to the commission when it carries out many of its core duties. The point was raised by the hon. Member for Rutland and Melton (Mr. Duncan) in Committee; we thought it sensible, and we have dealt with it. However, we do not think that we need to be prescriptive in the Bill. It is important to leave operational matters to those who are in the best position to make the decisions—in this case, the Postal Services Commission.

It is important that the commission should have some discretion in when it collects comparative information, because it may not always feel that a comparison is useful. The Government do not want to require the commission to do work—for which licence holders will pay—if the commission believes that that work is unnecessary.

The commission also does not have the power to require such information from unlicensed operators or from anyone except universal service providers in the United Kingdom. It certainly does not have the power to require information from operators abroad. However, an important aspect of comparisons, particularly of the services provided, will be to consider operations in the private sector and in countries such as Sweden. Removing the element of choice and insisting that the commission must do such work regardless of whether it is necessary would be a backward step and would not be acceptable.

We think that amendment (a) to Lords amendment No. 14 is quite unnecessary. I agree entirely with the hon. Member for Buckingham that transparency is essential and absolutely healthy. Indeed, ensuring that a universal service provider keeps separate accounts within its internal accounting systems for each of its reserved and non-reserved services is one of a number of important requirements of the European postal services directive. However, a requirement to report on how it has complied with that duty is already subsumed within the provisions of amendment No. 14, which will require the Postal Services Commission to include in its annual report a report on how it has complied with its obligations under the postal services directive. Highlighting that specific aspect of that duty would have no practical effect and would serve no useful purpose.

[Mr. Johnson]

Now I come to the point that is dreaded by every speaker at the Dispatch Box, when it is necessary to correct an earlier statement. I am told that the money goes not to the commission, but to the Consolidated Fund. However, the commission has no financial incentive to fine companies. I hope that that fully clarifies the point.

I cannot accept the amendments to the Lords amendments.

Lords amendment agreed to.

Lords amendments Nos. 7 to 19 agreed to.

Clause 49

POWERS OF ENTRY AND SEIZURE

Lords amendment: No. 20, in page 32, line 13, leave out (" 95(2)") and insert ("(*Inviolability of mails*)(2)")

Mr. Alan Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 36 to 40, 50, 53, 57 to 61, 72, 73 and 79.

Mr. Johnson: This group of amendments clarifies and improves the Bill's provisions protecting postal packets in the course of transmission by post. The amendments were made to honour a promise made in Committee that the Bill's provisions on interference with the mail and the connected provisions on inviolability and conditions of transit of postal packets would be clarified. The matter required careful consideration, and I regret that we were not able to complete our consideration of it in time to make the amendments on Report. However, we believe that, with the introduction of the amendments in the other place, the provisions have been clarified.

Lords amendment agreed to.

Lords amendment No. 21 agreed to.

Clause 54

EXERCISE OF FUNCTIONS: GENERAL

Lords amendment: No. 22, in page 34, line 34, leave out paragraph (c) and insert—

("(c) shall establish at least one committee, and may establish other committees, in relation to England (whether a committee for England or a committee for an area within England).")

Mr. Alan Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 27 to 29, No. 68 and amendment (a) thereto, and Nos. 109 to 120, 149 and 166.

Mr. Johnson: This group of amendments relates to the Consumer Council for Postal Services established by clause 2. The lead amendment requires that at least one regional committee must be set up in relation to England, whether for the whole of England or an area within it. That reflects concerns that there should be at least one regional committee in England. The amendment leaves the council free to recommend whatever number of committees it feels is appropriate, but there must be at least one. There are several consequential amendments to schedule 2.

Lords amendment No. 28 removes from clause 57 the requirement to notify investigations. Lords amendment No. 68, which inserts a new clause after clause 110, facilitates the transfer of property and staff from the existing consumer bodies and the Post Office Users National Council to the new council.

The rest of the amendments are drafting, technical or consequential. I commend the Lords amendments to the House.

Lords amendment agreed to.

Lords amendments Nos. 23 to 32 agreed to.

Clause 71

LIMIT ON LOANS AND OTHER ARRANGEMENTS WITH GOVERNMENT

Lords amendment: No. 33, in page 44, line 30, at end insert—

("( ) amounts outstanding in respect of the principal of debt securities issued in pursuance of section 63 of this Act, and")

Mr. Alan Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 34 and 35, No. 66 and amendment (a) thereto, and Nos. 67, 121 to 125, 146, 153 and 154.

Mr. Johnson: These amendments relate to the financial and tax provisions in the Bill concerning the Post Office company, and to issues arising out of the transfer from the statutory corporation to the Post Office company.

Lords amendments Nos. 33 and 34 amend clause 71 to remove the Government's shareholding from the calculation of the Post Office company's indebtedness to Government while retaining in the calculation any debt securities issued to Government under clause 63. The amendments stem from an agreement in Committee in the Lords to consider further the inclusion of the Government's shareholding in the Post Office company in the light of Lord Dearing's amendment seeking to remove both the shareholding and debt securities issued to the Government from the calculation.

Lords amendments Nos. 67 and 146 deal with public records. Amendment No. 67 inserts a new clause recreating a power similar to that in section 75(2) of the Post Office Act 1969, to enable the Secretary of State to vest in the Post Office company the property in the records of the Postmaster General and to give directions to the Post Office company in respect of making those records available to the Crown for inspection and copying.

The order-making power in section 75(2) of the 1969 Act has never been exercised, so the vesting of the pre-1969 records remains an outstanding matter from that Act. Amendment No. 146 amends schedule 8 to bring the Consumer Council for Postal Services and the Post Office company into the scope of the Public Records Act 1958 when the bodies come into existence.

Lords amendment No. 123 inserts a new paragraph into schedule 3 to ensure that the managers of welfare funds for persons who are or have been engaged in the business of the Post Office, and for their relatives and dependants, have the power to alter the funds to take account of the transfer of the Post Office to the Post Office company. The amendment maintains the rights of persons eligible for assistance under the existing funds.

Lords amendment No. 125 is a deeming provision with the effect that, on or after the appointed day mentioned in clause 62, the Post Office company will be treated for all purposes of value added tax as if it were the same person as the Post Office. That will mean, for example, that no charges will arise from changes to the Post Office company's VAT group simply as a consequence of the transformation into the company. Together with the other tax provisions in the Bill, the amendment will ensure that the transfer of properties, rights and liabilities from the Post Office to the Post Office company under clause 62 is tax neutral.

The remaining amendments are minor technical or drafting amendments that complete or clarify existing provisions in the Bill. I commend the Lords amendments to the House.

8.30 pm

Mr. Bercow: The Opposition propose a small but significant amendment to Lords amendment No. 66. Our understanding is that there is a provision for loans to the Post Office and reference is made to the powers of the Secretary of State in that context. What foxes and perturbs my right hon. and hon. Friends is the provision that where sums are made available in currencies other than sterling

> For the purposes of this section equivalents in sterling shall be calculated as the Secretary of State considers appropriate.

Our amendment would ensure that calculations were not made by the Secretary of State, but determined in accordance with the dictates of the market.

It seems curious that the Government wish to arrogate to themselves power for the Secretary of State to determine equivalents in sterling where other currencies are involved as their track record over several years is that whenever Ministers have been challenged, they have been very reticent on the subject of exchange rates. It genuinely perplexes me that now, instead of leaving these matters for market determination, they wish to arrogate to themselves the authority to make such judgments.

I shall not take the House through the litany of examples of occasions on which Ministers have been challenged. I remind the House of just one pertinent example, namely the proceedings of the Select Committee on Trade and Industry on 4 November 1998, the detail of which I feel sure is still firmly imprinted upon the mind of the then Secretary of State for Trade and Industry, now the Secretary of State for Northern Ireland. I specifically questioned him on the subject of exchange rates and the relevant issue of economic and monetary union, and whether it should be undertaken at exchange rate mechanism mid-rates. The right hon. Gentleman looked most perplexed and, after reflection, said that he thought that I was jumping a whole lot of hurdles very prematurely. I make the observation simply to underline the surprise of Opposition Members that the Government wish to determine these matters themselves.

It could be that there is a peculiarly good reason why Ministers wish to be able to judge the equivalents in sterling where other currencies are made available, but it is not clear to me or to my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning).

I suspect that, in addition to all his other claims to fame, the Minister for Competitiveness is a financial wizard of the highest calibre. His explanation will be comprehensive and compelling in equal measure, I hope. I wait to hear it.

Mr. Alan Johnson: Obviously, the hon. Gentleman has heard about my economics O-level.

Mr. Corbyn: My hon. Friend is boasting again.

Mr. Johnson: I am surprised that the hon. Member for Buckingham (Mr. Bercow) proposes an amendment that will have a very short shelf life as it would apply only to foreign currency loans made to the Post Office Corporation. Of course the corporation will cease to exist once the plc company comes into being—hopefully next year—after the Bill has received Royal Assent.

Lords amendment No. 66 to clause 109 has nothing whatever to do with the rate of interest applied to foreign currency loans. The hon. Gentleman did not raise that point, but it has been raised elsewhere. It merely provides that, for the purposes of calculating total indebtedness of the Post Office Corporation under clause 109, the Secretary of State will determine the sterling equivalent of any foreign currency debt. That is particularly applicable to the acquisition of German Parcels last year. The amendment ensures that clause 109 mirrors the provision in clause 71(4) regarding the determination of the sterling equivalent of any foreign currency debt for the Post Office company.

There is absolutely no doubt that market rates will be taken into account for the purposes of the calculation. The Government amendment creates the flexibility for sterling equivalents to be valued in different ways according to their purpose. It allows for foreign currency loans to be given a sterling valuation first by taking the prevailing exchange rate at the date of the loan for the purposes of measuring the Post Office's outstanding borrowing against its statutory limit, and secondly, by taking the prevailing exchange rate on the balance sheet date for Post Office and National Loans Fund accounting purposes. The key point is that market rates will be taken into account for the calculation. Opposition Members have nothing to fear in that regard.

For those reasons, I hope that the hon. Member for Buckingham will not press his amendment, and that he will accept that the Government amendments fully account for the questions that he raised.

Lords amendment agreed to [Special Entry].

Lords amendments Nos. 34 to 53 agreed to [some with Special Entry].

Clause 103

APPLICATION OF CUSTOMS AND EXCISE ENACTMENTS TO CERTAIN POSTAL PACKETS

Lords amendment: No. 54, in page 62, line 20, leave out ("other country") and insert

> ("country or territory outside the United Kingdom")

Mr. Alan Johnson: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 69 to 71, 75 to 78, 80 to 82, 85, 102 to 104, 106 to 108, 145, 147, 148, 150 to 152, 155 to 165 and 167 to 171.

Mr. Johnson: The amendments in this group modify the detailed arrangements in the Bill to ensure its smooth commencement, and the transition to the new arrangements.

Lords amendment agreed to.

Lords amendments Nos. 55 to 65 agreed to.

Clause 109

EXTENSION OF EXISTING POWERS RELATING TO THE POST OFFICE

Lords amendment: No. 66, in page 65, line 15, at end insert—

("(7) After section 74(4) of that Act there shall be inserted—

"(4A) For the purposes of this section equivalents in sterling shall be calculated as the Secretary of State considers appropriate." ")

Amendment proposed to the Lords amendment: (a), in line 4, leave out from "calculated" to end and insert—

'in accordance with market rates'.—*[Mr. Bercow.]*

Question put, That the amendment to the Lords amendment be made:—

The House divided: Ayes 107, Noes 226.

Division No. 298] **[8.37 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cran, James
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan Smith, Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Howard, Rt Hon Michael
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
May, Mrs Theresa
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paice, James
Paterson, Owen
Portillo, Rt Hon Michael
Prior, David
Robathan, Andrew
Ruffley, David
St Aubyn, Nick
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wiltshire, David
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. John Randall and
Mr. Geoffrey Clifton-Brown.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beith, Rt Hon A J
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Buck, Ms Karen
Burden, Richard
Burnett, John
Cable, Dr Vincent
Caborn, Rt Hon Richard
Campbell–Savours, Dale
Cann, Jamie
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dismore, Andrew
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gerrard, Neil
Gibson, Dr Ian
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Hesford, Stephen
Hewitt, Ms Patricia
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin

Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Laxton, Bob
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marshall, David *(Shettleston)*
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mountford, Kali
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
Olner, Bill
Öpik, Lembit
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Reed, Andrew *(Loughborough)*
Rendel, David
Rogers, Allan
Rooker, Rt Hon Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Shipley, Ms Debra
Skinner, Dennis
Smith, Jacqui *(Redditch)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and Mr. Gerry Sutcliffe.

Question accordingly negatived.

Lords amendment agreed to.

Lords amendments Nos. 67 to 171 agreed to [some with Special Entry].

PARLIAMENTARY CONTRIBUTORY PENSION FUND

Resolved,

That Bernard Harold Ian Halley Stewartby, Baron Stewartby of Portmoak, shall be appointed as a Managing Trustee of the Parliamentary Contributory Pension Fund, in pursuance of Section 1 of the Parliamentary and other Pensions Act 1987.—*[Mr. Betts.]*

PETITIONS

Doncaster-Finningley Airport

8.49 pm

Caroline Flint (Don Valley): It gives me the greatest pleasure to present to the House a petition from 21,000 residents of my constituency and the surrounding area, including Mr. Andrew Bosmans of 14 Strutton close, Cantley, Doncaster, who is a member of the Finningley "Say Yes" campaign, which organised the petition.

The petition states:

To the House of Commons

The Petition of residents of the Don Valley Constituency and surrounding area

Declares that Doncaster and the Yorkshire and Humber Region will greatly benefit from the employment and services generated by the proposed Doncaster-Finningley airport.

The Petitioners therefore request that the House of Commons calls on the Secretary of State for the Environment to allow the application for the proposed Doncaster-Finningley airport to proceed without a public inquiry.

And the petitioners remain, etc.

I should like to add that that petition has my full support and that of my hon. Friends the Members for Doncaster, Central (Ms Winterton), for Doncaster, North (Mr. Hughes) and for Barnsley, East and Mexborough (Mr. Ennis).

To lie upon the Table.

Silver Springs Motel, Tenpenny Hill

8.50 pm

Mr. Bernard Jenkin (North Essex): It is a great honour to present the House with a much humbler petition, which, though signed by a mere 370 people, comes from a village in my constituency that is home to a mere 800 or so souls.

The petition states:

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

The humble Petition of the Residents of the Parish of Thorrington and the surrounding area.

Sheweth

that, while the United Kingdom should always remain a safe haven for genuine refugees who are fleeing persecution, the Silver Springs Motel on Tenpenny Hill is a completely unsuitable facility for the accommodation of up to 120 asylum seekers, because—

it is in a rural area, where the nearest settlement of Thorrington has a resident population of only 850 souls, only one shop and none of the necessary facilities or available jobs to accommodate a major influx of new people;

it does not comply with the criteria laid down by the government's policy of dispersal of asylum seekers, namely that there is no ready access to the legal advice, English language support, mental health services and refugee community organisations which offer practical and social support that asylum seekers need, and which the recent Audit Commission report cited as necessary in order to achieve the Government's social inclusion objective;

it comprises only wooden structures that comprise nothing more than the most basic bed and breakfast accommodation;

and because there has been no local consultation whatsoever with local people, who are shocked to learn that planning law provides no protection from the change of use of the premises;

and, notwithstanding any central government grant assistance to local authorities for the costs of asylum seekers, the use of Silver Springs is likely to give rise to additional costs that will be borne by local taxpayers;

and that the announcement that Silver Springs is being considered has not unnaturally given rise to exactly the kind of adverse reaction in the community and hostile press reaction that those seeking to protect the genuine interests of asylum seekers would wish to avoid;.

Wherefore your petitioners pray that your honourable House urge the Secretary of State for the Home Department to prevent the housing of asylum seekers at Silver Springs in Thorrington.

And your petitioners, as in duty bound, will ever pray, etc.

To lie upon the Table.

Industry and Employment (Dunstable)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Robert Ainsworth.]*

8.53 pm

Sir David Madel (South-West Bedfordshire): It is three years since I had an Adjournment debate on the position of industry in Dunstable. That was in May 1997 and, while I did not expect immediate action in the first month of a new Labour Government, I hoped to put Dunstable's industrial problems at the top of Minister's in-trays and I think that I achieved that.

Three years on, however, industry and employment in Dunstable are again sliding backwards. By that I mean that there have been job losses and no improvement in the infrastructure, which harms local industry in Dunstable and the next-door town of Houghton Regis. Last year, the TRW steering group left the area, with almost 300 jobs losses. Of immediate concern to Dunstable and the surrounding area was an announcement on 4 July by Automotive Sealings Systems, BTR. In a press statement the company announced

the closure of its Dunstable factory with the loss of up to 400 jobs.

BTR manufactures rubber seals for car doors and windows for all the major European car manufacturers. The press statement went on to say that the company

plans to set up a smaller plant in the Dunstable area which will employ up to 130 people.

That was a bad blow for the town. The company followed it up with a request to me for three forms of action—three areas of financial assistance that would help. The first was relocation assistance in establishing a new greenfield site. The second was training grants in connection with the multi-skilling programme for the work force who are going to transfer to the new site. The third was local employment assistance for those people seeking alternative jobs as a consequence of the reduction in employee numbers—alas, 400 jobs are going.

Other auto-component manufacturers in the town are not finding it at all easy. One cause is the high value of the pound. One month ago in June, Mr. Richard Marton, the chief executive of Britax plc, made the most ominous comment on the sale of his company's automotive components business. On 26 June, he said:

It's a very unpleasant industry. It's a beastly environment with some very unreasonable demands and pressures being put upon all the people that operate in it.

Decoded, one could say that that means that there is strong global competition and car manufacturers are putting heavy pressure on components manufacturers to keep prices as low as they can.

The good news in the past 24 hours was the announcement of the new assisted area map, and I am grateful to the Minister for Trade, who is to answer the debate, and to his civil servants for keeping me informed as to local developments. The Minister says in his letter to me of 27 July:

You will have been pleased—

I am very pleased—

with the confirmation yesterday that the European Commission accepted our proposals and for the first time these wards—

three wards in Dunstable-Houghton Regis, Houghton South, Northfields and Icknield—

qualify for Tier 2 funding. The company—

BTR—

may be eligible for grant-aid under the Regional Selective Assistance scheme subject to it satisfying that the intended investment meets the same criteria and European Union sectoral restrictions do not apply.

That is good news, but when the company made its press announcement on 4 July it said:

The company expects the factory in London Road, Dunstable to close by March 2001. The 42,000 sq metre site is likely to be re-developed.

The site is not in any of those three wards; it is in the Priory ward. I do not know where the company will move. If it goes into one of the three wards that now have assisted area status, it will get help.

Also, I draw to the Minister's attention the fact that we want the London road site to be redeveloped, but for industry. I do not want another derelict site in Dunstable. I want someone to go to the London road site and provide jobs. If such a company needs help to restructure and alter the site, I hope that there will be a way of finding that help. BTR has said that it will have a new site locally, with 130 jobs. That is fine, but finding a new employer for the other site is equally important.

In our area, we are not merely sitting back and wondering what on earth to do after these employment difficulties. As I understand it, the East of England development agency is involved in an infrastructure benchmarking study—a fair bit of jargon, but I hope that it means that the development agency will help us in the Dunstable area to re-use a number of brownfield sites for industry.

If our assisted area status is to be of lasting benefit to south Bedfordshire, we must use this opportunity to make those sites suitable for 21st century usage. That means high-tech companies. However, as the study notes, infrastructure funding must also be provided. We need help from the EEDA on that problem.

Furthermore, we are considering a scheme described as an Oxford-Cambridge technology arc. That too is jargon; it means a proposal to build on the international reputation of Oxford and Cambridge universities to create an English silicon valley. It offers a possible way to spread the pressures and benefits of the Cambridge phenomenon sub-regionally to areas such as Bedfordshire, Luton and, of course, Dunstable-Houghton Regis by the provision of suitable infrastructure links.

The proposal is fine, but the EEDA has not yet agreed to part-fund the study. I hope that it will do so, because I think that our area can become a silicon valley between Oxford and Cambridge. When the Minister replies, will he say whether he can give the EEDA a shove forward?

I want to go into a little more detail on the infrastructure. There is a disused railway line between Dunstable and Luton. Detailed proposals for its conversion into a busway are on their way to the Government; work will be completed and submitted within the next few months. Do the Government think that it would better for us to restore the rail link between those two industrial towns? In Dunstable, there is strong opinion in favour of reopening the disused line. In one parish poll, 80 per cent. of people said yes. There will be another poll in the autumn. It would be helpful if the Government could give us their opinion during the next few weeks. In which direction—railway or busway—do they guide us?

A much bigger infrastructure problem for industry and individuals is the complete lack of progress on Dunstable's bypass and the effect that it has on industry. I have studied the glossy publication issued by the Deputy Prime Minister last week. I searched it until I was dizzy for a mention of Dunstable's bypass, but there is none, so I asked the right hon. Gentleman a question. He replied that

a five-year plan will be announced after full representations have been taken by December. Those plans—

that is, local transport plans—

will make recommendations for bypasses and roads and I shall consider them.

The crucial words in the reply are:

Of course bypasses can play a part on some strategic routes in both rural and urban areas and I shall take representations from the strategic regional review bodies and the development agencies. All that will enable us to identify those roads over the next six months.—[*Official Report*, 20 July 2000; Vol. 354, c. 560.]

Is there a chink of light there? Is it possible that, by December, the Government will nerve themselves to say that we can go ahead with a public inquiry into the Dunstable bypass—not least for industrial reasons? I cannot hold my breath until December, Mr. Deputy Speaker, or I shall pass away; a by-election in my constituency would not be welcome. However, I very much hope that, by December, the Government will agree to a public inquiry in Dunstable and that a bypass will be constructed.

I shall not seek re-election to Parliament at the next general election. After 30 of the happiest and most challenging years of my life, it is time for a new person to represent my constituency. It has been the greatest privilege for me to have served my constituents for those 30 years. While this Parliament continues, however, I am drawing up a list of leaving presents; not for myself—because I do not want to wreck my parliamentary career by having a row with the sleaze buster, or the Parliamentary Commissioner for Standards—but for my constituents. Here is one which I hope the Government will consider, and which I think will help us in our difficulties.

I refer to the final report by the Rover taskforce, which the Minister now has. The taskforce identified five areas in which action was needed to help industry in the Birmingham area: modernisation of the automotive base, diversification of the regional economy, regeneration and creation of new opportunities, support for the work force and support for families and communities. All of those apply to Dunstable and Houghton Regis. That is almost tailor made for our area in view of the industrial setbacks that we have had. There would need to be some modification. Those are five excellent aims that are just as relevant for us.

What I hope the Government can do—they will get my full support if they can—is to take Dunstable and Houghton Regis and the industrial area next door forward on the basis of those recommendations. We need to diversify our local economy. We need regeneration and creation of new opportunities. My goodness, we need support for the work force in view of what has happened

[Sir David Madel]

in the last few years and support for families and communities, who are used in Dunstable and Houghton Regis to working for a thriving industrial base.

Therefore, I am reaching out to the Government and the Minister this evening, as this Session almost comes to an end, to ask him for help, because if the Government will give such help they will get a superb response from people in Dunstable and Houghton Regis, who want to rebuild their industry and economy and who want to go on doing what they have done for years—making a substantial contribution to the economy and well-being of this country.

9.6 pm

The Minister for Trade (Mr. Richard Caborn): I begin by congratulating the hon. Member for South-West Bedfordshire (Sir D. Madel). I did not know that he would be retiring at the next general election, but I can say—I believe, for many people in the House—that he is a man of great integrity, and a person who has fought very hard for his constituency and his constituents from the Back Benches. He will be sorely missed.

In his usual style, the hon. Gentleman has put his case extremely forcefully on behalf of his constituents, and one agrees with him that any loss of jobs is a difficulty for those people who lose them, and who, obviously, have the Government's sympathy. However, against the background of an ever-changing world, we must now consider how we can manage the change that is inevitable in an ever faster-moving world and in the continued development of the global economy.

I say from the start that the Government are very supportive of manufacturing industry and, specifically, the automobile industry. In the automobile industry, especially around the Dunstable area, there are probably some of the best technicians, the best mechanics and the best designers. I believe that eight of the top 10 formula one teams are working in the United Kingdom—many around the area that the hon. Gentleman represents.

I agree with the hon. Gentleman that, in the wider context of manufacturing, it is important to put the automobile industry at the heart of our economy—the real wealth creation. To that end, since May 1997 we have been bringing forward a raft of initiatives to ensure that our manufacturing base not only continues but gets into the real value added and makes real use of the intellectual property that is in many of our academic institutions, in science parks and research centres.

I shall lay out a few of those initiatives for the hon. Gentleman. We have cut corporation tax to the lowest level ever. We have introduced a new 10 per cent. starting rate for small companies from April 2000, and that has benefited 270,000 companies. The temporary 40 per cent. first-year capital allowances for small and medium enterprises was welcomed; we have now made that permanent. We have introduced 100 per cent. first-year capital allowances for small businesses investing in information communications technologies.

We have introduced a research and development tax credit from April 2000 to boost the level of R and D undertaken by small firms. As the hon. Gentleman said, it is important that we encourage our small and medium companies to get involved in more R and D.

We have revisited the whole of the skills base of the nation and, after wide consultation, we have introduced the Learning and Skills Council. I hope that it will work in conjunction with the university for industry, which is now being developed, and will reach out to many of the employees and companies to which the hon. Gentleman referred.

We have neglected in the past few years the need to sharpen up our ability to export. That is why we have created a new organisation called British Trade International, which is a marriage of the Department of Trade and Industry and the Foreign and Commonwealth Office. It is designed to give exporters the best possible service. It will make directly available to those who want to export the knowledge and information that the 200-odd embassies and high commissions around the world hold. We shall do that by electronic as well as other means. We have to be seen to be managing change, which is inevitable. We have to see how we can equip the people to whom the hon. Gentleman referred and many others with the necessary skills to go into high-tech industry.

I have looked at the statistics for the hon. Gentleman's constituency. While I accept that when individuals are declared redundant, they and their families suffer, since 1997 unemployment has been brought down by 30 per cent. in south-west Bedfordshire, which is a considerable achievement, as a result of the Government's policy not only to tackle the problems of unemployment, but to manage change further along the supply chain, where real value is added.

As the hon. Gentleman knows, we are also trying to adopt a more sensible approach to regional selective assistance. Within the stringent constraints set by the European Commission, we have tried to make sure that all the facilities available to assist industry are used to best effect. That is why the hon. Gentleman welcomes the fact that 90 per cent. of the population in his constituency is covered by the assisted areas map. I hope that he and his constituents will use that facility in the most effective way. It can be used to do exactly what the hon. Gentleman was asking for—to assist companies that want to bring new investment into the area. There is a facility there that can aid and abet that.

The hon. Gentleman referred to his regional development agency. He is a sensible Member, so I hope that he will tell some of his Front-Bench colleagues not to propose to scrap the agency in the event of their gaining power. That is a long way off, but to undermine the development agencies in the job that they are doing would not be good for the region or the problems of Dunstable. So we have developed the regions and business-led boards that can look strategically at some of the problems to which the hon. Gentleman has referred.

I suggest that some of the ideas for development in Dunstable and the surrounding area are brought before the development agency. I am sure that not just the financial facility of assisted area status, but the agency's wider powers will be utilised. Last week, the comprehensive spending review showed clearly that the Government have confidence in the regional development agencies both by the amount of money that we are dispensing to them to carry out social and economic regeneration in their area and by providing flexibility in budgets, which my right hon. Friend the Chancellor outlined and discussed with the RDAs last Friday when he met all the chairmen of

the agencies. In the lifetime of the comprehensive spending review, the RDAs will have about £1.7 billion a year to dispense in a fairly flexible way.

The Small Business Service is now coming on stream along with the local learning and skills councils. The RDAs will be influencing them, so they are important bodies with which the hon. Gentleman ought to set up a dialogue to tackle the specific problems that he has raised this evening.

I am not able to answer in detail the hon. Gentleman's questions on transport links, but I assure him that I will convey his concerns to my right hon. Friend the Deputy Prime Minister. I can refer him to what my right hon. Friend said when he answered the hon. Gentleman's questions during the statement on the Government's plans for transport. Clearly, the answer offered a chink of light in terms of restoring railway links and taking a sensible approach to bypasses.

I assure the hon. Gentleman that, when my right hon. Friends the Deputy Prime Minister and the Chancellor of the Exchequer met the chairmen of the regional development agencies, the wider issue of the economic well-being of the region was discussed. My right hon. Friend the Deputy Prime Minister told the chairmen that he wanted them to become involved in the decisions that we shall take on transport and land use planning issues. Their advice will be factored into the decision-making process in the Department because my right hon. Friend recognises that it is extremely important that land use, transport and economic planning work together. If they do, we shall achieve the best results. Therefore, the RDAs will have a major influence on how the money is dispensed and, more important, on the evolution of land use and planning issues.

The hon. Gentleman referred to a site that might be vacated as a result of a company's reorganisation. That site could well be considered by the regional development agency, and I hope that it will be able to find a better use for it.

The facilities that the Government have put in place will assist in managing the change that is inevitable and necessary in the hon. Gentleman's constituency. I believe that that change can be managed. Reducing unemployment by 30 per cent. in the constituency in the past three years is not a bad result. The hon. Gentleman's constituents will be better-off in terms of their disposable income and they will have a future to which they can look forward.

Question put and agreed to.

Adjourned accordingly at seventeen minutes past Nine o'clock.

House of Commons

Friday 28 July 2000

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Adjournment (Summer)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kevin Hughes.]*

9.33 am

Mr. Tom Cox (Tooting): Madam Speaker, this is the last day that you will preside over the House. Having just seen the procession and the enormous number of Members who were watching it, I feel that I have the right to say that, in view of the glowing tributes that were paid to you on Wednesday, today is a very sad day for very many of us, who were privileged to be Members of the House during your speakership. For those like me, who have had a long friendship with you, Madam Speaker, you will be sadly missed. However, as colleagues said on Wednesday, we look forward to seeing you in the Palace of Westminster on many occasions in the future. I thank you for all the kindness that you have shown not only to me, but to all Members of the House. [HON. MEMBERS: "Hear, hear."]

I shall speak on Cyprus, as I have often done. I chair the Commonwealth Parliamentary Association Cyprus group, which has members from all the main parties. We have always campaigned for the rights of both Greek and Turkish Cypriots and for their security on the island of Cyprus. Since the Turkish invasion of the Republic of Cyprus in 1974, there have been many attempts to find an honourable solution to the continuing division and occupation of about one third of the northern part of the island.

The United Nations has issued many resolutions; I and many Members have always found those resolutions to be fair and honourable. We believe that they should be the basis of the talks between President Clerides and Mr. Denktash. To the credit of President Clerides and leaders of political parties in Cyprus, that is also their view.

Regrettably, the problem has always come from the Turkish Cypriot side, led by Mr. Denktash. After about 26 years of occupation, there has been no real progress. Another round of talks has begun. I and all Members of the House who want a settlement hope that those talks will succeed, but that rests with the attitude taken by Mr. Denktash. I hope that the British Government, as one of the guarantor powers for Cyprus and because Cyprus is a Commonwealth country, will be in the forefront of those discussions. We must make it clearly known that we want a settlement and that one is possible.

The text of the UN resolutions is the basis for the talks. I have great respect for and trust in the role and views of the UN. Over the years, as the talks have continued, there have been many hopes. For example, the return of Famagusta to the Republic of Cyprus was promised. Twenty-six years after the invasion and the departure of its people, because of the presence of the Turkish military, Famagusta—formerly one of the most beautiful towns in Cyprus—is a ghost town. Its return was promised by Mr. Denktash. He reneged on his promise, so great opportunities for Greek and Turkish Cypriots to live and work together were, sadly, lost. The UK must be foremost in seeking the return of Famagusta to the Republic of Cyprus so that those opportunities can be restored.

Cyprus is seeking membership of the European Union. I am delighted that its application is going well. President Clerides has repeatedly asked Mr. Denktash to join him in those talks for the benefit of Cyprus and its people—Greek and Turkish Cypriots. Sadly, Mr. Denktash refuses to join in those talks, in which the future of Cyprus would undoubtedly be developed.

My hon. Friend the Parliamentary Secretary, Privy Council Office is aware that, since the invasion of Cyprus, we have heard much about the independent state that Mr. Denktash has created in the occupied area. However, that independent state is recognised only by Turkey. I am one of the UK representatives on the Council of Europe—a parliamentary organisation with 41 member states. With the exception of Turkey, the Council of Europe refuses to recognise the so-called state.

It is also wise to point out that the United Nations refuses to recognise the state. However, we have heard repeatedly from Mr. Denktash that until his state—which he created with the support of the Turkish army—is recognised, he will not enter any discussions on the future of Cyprus. He has not shown any willingness to work for a settlement until this supposed state is recognised. I hope that my hon. Friend the Minister will clearly say that this country and this Government will not recognise this supposed state.

Early-day motion 952 is headed "Cyprus Talks". Among other things, it clearly states what could be the basis of a settlement of the Cyprus issue. It refers to

a bright and prosperous future for all Cypriots in an independent, federal, sovereign—

state—

with basic human rights guaranteed for all.

Can anyone who cares about his community, as I am certain that Mr. Denktash cares about his, object to supporting and working for the objective that the early-day motion clearly suggests could be achieved?

Cyprus is a member of the Commonwealth, for which many Members have a great respect. In September, the 46th Commonwealth Parliamentary Association conference will take place in London and Edinburgh. It will be opened in Westminster Hall by Madam Speaker and it will be attended by Her Majesty the Queen, by my right hon. Friend the Prime Minister and by senior representatives of Commonwealth countries from throughout the world. In attendance will be the delegation from the Republic of Cyprus—the only country in the Commonwealth that is divided and occupied by foreign troops. I will attend as an officer of the CPA, and the occupation of Cyprus and the division that has sadly existed for 26 years will be a black cloud hanging over that important conference.

There are people in Cyprus—Greek and Turkish—who want to live, work and meet together. However, many of us in the House, irrespective of our political party,

[Mr. Tom Cox]

know how difficult it is to achieve those objectives because of the restrictions that are put on meetings by Mr. Denktash. I ask my hon. Friend the Minister whether he will make inquiries via the British special negotiator for Cyprus, Sir David Hannay, on the political pressures that are now being put on opposition politicians and parties in northern Cyprus.

Early-day motion 1008 is headed "Cyprus" and it clearly gives details of the abuses that have taken place. It refers to a rally of 10,000 Turkish Cypriots that took place in northern Cyprus in recent days to demand the return of their country from the influence of Turkey. I hope that my hon. Friend will make inquiries not only about the rally, but about the arrest of trade unionists in northern Cyprus who are now clearly showing their opposition to Mr. Denktash and his lack of willingness to enter into the negotiations that President Clerides and, I have no doubt, the British Government want to take place in the current round of talks.

Many of us in the House have known for years of the opposition in northern Cyprus to the policies that are followed by Mr. Denktash. However, whenever we refer to that matter, we are always told that it is lying propaganda which seeks to diminish the status of Mr. Denktash. However, because of the recent events in northern Cyprus, we know that that opposition has now surfaced. Turkish Cypriots clearly want Cyprus to develop a meaningful, prosperous future from which they will benefit. They want the UN-sponsored talks to succeed. For years, their voice has been controlled and threatened. However, as in country after country throughout the world, there comes a time when people say, "We've had enough." That is what Turkish Cypriots are clearly now saying of Mr. Denktash. Will my hon. Friend ask the Foreign and Commonwealth Office to inquire further into the recent events that have taken place in Cyprus?

We all know that Turkey wishes to become a major player in Europe and wishes, in due course, to become a member of the European Union. I have been told that clearly by Turkish politicians. We also know of the influence that Turkey has over Mr. Denktash and the affairs of northern Cyprus. I therefore hope that the British Government and other members of the European Union will make it very clear to Turkey that, if it wants progress to be made in its desire to become a member of European Union, it will have to play a much more constructive and involved role in the affairs of Cyprus than it has done in the past. I very much hope that the British Government will say that.

Like many other colleagues in the House, irrespective of our party, I wish the present round of talks to succeed. I want a Cyprus in which Cypriots—be they Greek or Turkish—are proud of their country and see their future together, with all the rights and security in place to ensure that future. I hope that the present round of talks will start to develop that aim. I cannot believe that the House, the Government and this country can continue to see a Commonwealth country divided by a foreign power, as it has been, sadly, for the past 26 years.

9.48 am

Mr. Christopher Fraser (Mid-Dorset and North Poole): May I apologise for the fact that, because of a meeting with charities, I shall not be present for the winding-up speeches?

My remarks will be brief, but they are relevant because the House is about to enter its annual long recess. They relate to the communications system in the Palace of Westminster. We live in a technological age, and this place is not exempt from progress. For example, we need only consider all the technological advantages that Portcullis House will offer hon. Members as we carry out our work.

Hon. Members have an excellent e-mail service and our fax machines, which are sometimes tied to our computers, all work efficiently and effectively. We have internet access across the Palace of Westminster and much of the information that we glean from the internet is invaluable. We are able to telephone mobiles when we need to get hold of people at short notice or when our secretaries or offices need to get hold of us. More importantly, we have an 0800 number for direct access to the PDVN, which is invaluable to the work that we do.

However, there is one aspect of communications in the Palace that needs to be addressed. We are all about to go to our constituencies, and this place will close partially for a period of time. Secretaries and other people will work here on our behalf. I hope that we will all be working tirelessly in our constituencies—as we should and always have done—in the best interests of the people whom we represent. However, an aspect of the way in which a constituent may contact us during the recess gives me great concern.

Currently, we have a voicemail system, and constituents telephoning our offices throughout the Palace of Westminster are given a message. If they do not telephone us directly, they may call a central number and receive a message from us saying, "Please contact me on another number." That has two detrimental effects on our constituents. First, they must telephone a London number, although our constituencies are across the country, and secondly, they are so often asked to telephone a second number. Constituents who get in touch regularly are not always those who can afford to do so, yet the issues that affect them must be dealt with straight away.

My request before we rise for the summer recess is that the House considers what I put to the Information Committee on 2 February: that we should have a proper, serviceable call-diverting system on our telephones in the Palace. I have spoken to people at BT, and that is possible.

Mr. Patrick Nicholls (Teignbridge): Good God.

Mr. Fraser: If we are to work efficiently and effectively, it would on occasion be a great advantage for a constituent to be able to get hold of us directly, or for us to be able to access a constituent's call more easily. When a constituent telephones, the message reaches us remotely.

Mr. Andrew Rowe (Faversham and Mid-Kent): I am listening closely to my hon. Friend, but I am slightly bemused. Since I became a Member of Parliament, my telephone number has been in the local directory. My constituents have no problem getting hold of me.

Mr. Fraser: Nearly all of us have our numbers in the local directory. Mine is also on any publication that I put out. It is nevertheless surprising how many people choose to telephone the Palace of Westminster. I have heard such

comments across the Chamber and the political divide. I make my point on behalf of those people who, for whatever reason, are not aware of our numbers, but need access to their Member of Parliament. I certainly would not be standing here this morning if I had not already made every effort, as I shall in future, to allow my constituents to contact me. Such an anomaly in the system can be dealt with efficiently and effectively, allowing our constituents direct access—and vice versa—even when they correctly telephone the Palace and not a local number that we may have given.

The other aspect that I want to raise concerns telephoning abroad from this building on legitimate parliamentary business. To do so, one must go through a long-winded process of having the call logged and then claiming its cost accordingly. An example of the process was given to me by my hon. Friend the Member for Arundel and South Downs (Mr. Flight), who is chairman of the all-party Hong Kong group. He took the decision to set up that group, and I shall not pass comment on that, but he informed me yesterday that, when telephoning Hong Kong on parliamentary business to set up meetings and make representations, he must pay for the calls.

All I am asking is that the House consider the issue of communication and call diversion. That may be something of which not all Members approve, but there are certainly occasions on which constituents have pointed out that they could not access us directly when we might have preferred them to be able to do so. I draw the problem to the attention of the House and ask that through your good offices, Mr. Deputy Speaker, the matter be considered, via either the Information Committee or the Government.

9.54 am

Dr. Rudi Vis (Finchley and Golders Green): I shall also raise the issue of Cyprus. I followed my hon. Friend the Member for Tooting (Mr. Cox) in doing so in the debate on the Christmas recess, too. He is very good at putting the case for Cyprus, leaving one with very much less to say than one may have prepared. The issue of Cyprus is the main issue on which I want to touch, but I shall try to explore matters behind some of the figures and to identify the problems before us.

There are several problems in Cyprus. There are more than 1,600 missing people, and others live in enclaves, surrounded by occupied territories. Since 1974, 37 per cent. of the island has been occupied. The Anatolian settlers from Turkey are not at all the same culturally as the Turkish Cypriots. We have no problem with the Turkish Cypriots; Turkish and Greek Cypriots get on very well. There are tens of thousands of troops on the island, who should be withdrawn, and all churches in the occupied territories have been destroyed. I shall not expand on such points, as my hon. Friend has already made them. I should therefore like to make other comments about some of the causes of and reasons for the situation in which we find ourselves.

I am a delegate of the Council of Europe, which is closely connected to the European Court of Human Rights. Ten thousand human rights cases have arisen among the 41 member nations of the Council of Europe, but by far the most concern just one country: Turkey. As of March 2000, about 2,150 cases of human rights violations concerned Turkey. There are 455 cases land appropriation, 418 cases of alleged forced evacuation of villages in south-east Turkey, which is of course the Kurdish section, 350 cases of torture or mistreatment of suspects, 134 cases of mystery killings, 75 cases concerning freedom of expression and 94 cases of alleged unfair trials. That is a very long list of awful incidents.

I could say a great deal more about Turkey. The Loizidu case is before the European Court of Human Rights at the moment. It was decided 22 months ago that Turkey should pay Mrs. Loizidu for her not being able to use her home in the occupied territory, but nothing has happened. Turkey, as a member state of the Council of Europe, and therefore a country that subscribes to the Court, should have acted directly. Britain also has cases before the Council of Europe and the European Court of Human Rights, and, like most countries, we adhere to the Court's decisions—not so Turkey.

I could speak for a long time on such matters, but I do not want to make life difficult for my colleagues who want to speak. I could talk for a long time about the Kurdish issue, but I shall say just one thing. The case of the Ilisu dam has come before us several times over the past couple of weeks. It has been discussed in Adjournment debates, and questions have been raised about it, so we are reasonably familiar with the matter. The dam will affect 36,000 Kurdish people, who will have to move from what they regard as their homeland. The ancient Kurdish town of Hasankeyf will be flooded and that architectural treasure will be lost. Already, 19 villages have been cleared at gunpoint by the Turkish army. One could go on.

It still appears that the British Government are minded to support Balfour Beatty with £200 million back-up from the United Kingdom Export Credits Guarantee Department—for the country of Turkey, which is violating human rights thousands of times over. The real fight is about water. Water shortages in that part of the world are extremely important. If the Ilisu dam is built, one can expect military struggles between Turkey, Iraq, Syria and other nations. The country in that area that controls water and the water supply will conquer everything before it. That is how I think the Turkish Government will proceed in the Ilisu dam project. My message to the Minister is, therefore, that the British Government should insist that Turkey plays a full part in human rights, and until it does so, the Government should resist its advancing further in the European Union.

10 am

Mr. Patrick Nicholls (Teignbridge): On 19 April, in Westminster Hall, in one of my longest and most complicated speeches, I spoke about a west country computer firm, AllVoice Computing plc. I am sure that the House is pleased to hear that I do not intend to make a similar contribution today unless I am seriously provoked.

On that occasion, I told hon. Members that AllVoice is a specialist computer company with some extraordinarily innovative products. For instance, it has made the technology of voice recognition a reality. AllVoice did not invent the technique of computers being able to write out dictated speech, but it produced software that turned that invention into a reality. Before that, it was almost as if a car had been invented, but could never get out of first gear. AllVoice produced the gear box that turned a theoretical possibility into something that worked.

[Mr. Patrick Nicholls]

As I said, the story is long and complex and it is sufficient for my purposes simply to make the point that, although AllVoice patented its invention, it soon found out that it was a minnow in a sea full of sharks. IBM and Dragon Systems Inc. systematically exploited AllVoice's innovation, took it away and used it in their products. Without my going into great detail, one can imagine the effect on this small, innovative west country computer company if that practice had been allowed to go on unrestrained. To try and restrain IBM and Dragon Systems from behaving like that, AllVoice began proceedings in the United States to enforce its patent.

An extraordinary series of events in the American judicial system then followed. AllVoice applied for interim relief in the form of an injunction. Injunction proceedings are well known to Members of the House and to anyone with any acquaintance with the law, and they provide instant relief to ensure that there is no damage in the interim that would ultimately make a court case ineffective. Almost a year after the judge heard the application, he was not prepared to say whether he would grant temporary relief, so AllVoice, in desperation, asked me to bring the matter before the House of Commons. It wanted to ask Ministers for assistance, and argued that, through the small firms merit award for research and technology and other grants from the Department of Trade and Industry, a substantial sum of taxpayers' money had been paid to it to enable it to develop its products. At the very least, AllVoice hoped that Ministers would say that, in relation to that investment, they had an interest in what happened to that company.

To be fair, the Minister for Small Business and E-Commerce gave a surprisingly helpful and encouraging response. Indeed, judging by the faces of the civil servants who were present, she was more helpful than she had been briefed to be. I made the point that I was not asking the Minister to attempt to interfere in the American judicial process. However, I said that it seemed appropriate for Ministers to express surprise and concern that it should take a year to deal with an application for temporary interim relief. At that time in April, the application had not yet been dealt with. The Minister also conceded that something might be done under the trade-related intellectual property agreement or TRIPS, as I suggested. TRIPS conventions provide that a signatory to the proposition that patent law should be enforced across international boundaries is under an obligation to ensure that that patent legislation is applied in its own country. Uniquely, in the experience of the American lawyers acting for AllVoice, the judge took more than a year to consider interim relief and, each time he received a motion asking for direction, refused to consider the matter. On any showing, that suggests that the TRIPS conventions were not followed properly.

At the end of our debate, the Minister for Small Business and E-Commerce was content that she had given a proper response to my argument. The civil servants looked miserable, but there is nothing wrong with that. There were some grounds for thinking that action would be taken. As I said, that debate took place on 19 April, and at least had the effect of taking matters forward, as, after a year, the judge quickly decided that he would not grant temporary relief at all. I then had a rather curious exchange of correspondence with the Minister. In those early days, it was an exchange, but it has now become a one-sided attempt to produce a response. At one stage in our correspondence, the Minister seemed to suggest that, if there was any mediation to be done, perhaps it was my job to mediate. I am not AllVoice's American-based lawyer, and it would confuse matters extraordinarily if I were to attempt to start to mediate with international companies. I do not believe that that is my role.

The company is now faced with continuing litigation against IBM and Dragon Systems, two of the most powerful companies in the world. There seems to be no end in sight or, if there is, it is the outcome that happens all too often, especially on the other side of the pond, in which big predatory computer companies simply steal the innovations developed by smaller companies. When the smaller companies litigate in defence, the big companies simply drive them into the ground. On the broader argument that it is in the public interest that innovation should be protected and taken forward, as well as on the narrower ground of consideration for a company that has received large sums of taxpayers' money, Her Majesty's Government cannot stand idly by.

Certain action could be taken. First, Ministers could take account—and should already have done so—of the fact that Dragon Systems has been taken over by Lernout and Hauspie, which is known as L&H; that is an easier way of referring to it. In the course of the public filings that L&H had to make with the Securities and Exchange Commission in America, it was required to state specifically whether there was litigation pending against it. Extraordinarily, L&H said that no litigation at all was pending, even though AllVoice had litigation pending against Dragon Systems in America. It is extraordinary that Ministers can stand idly by—as, I am afraid they are, as I shall explain—during such takeovers, when British companies are involved and it is stated publicly that no litigation is pending, although, in fact, it is. Ministers could take a view on that.

In our debate on 19 April, the Minister for Small Business and E-Commerce said that about £750 million had already been paid in DTI grants to companies such as AllVoice to enable them to take forward innovative programmes. The irony is that, in this country, IBM itself benefits from Government grants such as those for regional assistance. In certain areas, IBM is practically subsidised to come to this country. We therefore seem to be in a position in which companies can come here, receive Government assistance and, at the same time, drive—or attempt to drive—into extinction British companies that have done innovative work. The Government should consider whether it makes sense for one hand to pay out to companies such as AllVoice and the other to subsidise those who would put such companies out of business. As I said, I understand why Ministers cannot interfere directly in the judicial process in America or this country, but there is no reason why they should not be entitled to take a view on the track records of those companies that they subsidise. Before they subsidise a company such as IBM, it is appropriate that they should look at what that company is doing and consider what sort of company it is.

The House may recall the Dyson case, when the inventor of the bagless vacuum cleaner had an appalling time trying to see off predatory litigation.

I have always taken the view that it is all too easy to bring problems to Ministers, but the least that one can do is to attempt to offer a solution as well. In correspondence with the Minister, I have pointed out that things could be done and that she should look at the way in which assistance is given to companies such as IBM. At the very least the Minister could meet AllVoice and hear about the work that it has done, the good use to which it has put taxpayers' money, and listen as it explains why it is essential that action is taken.

I wrote to the Minister on 2 July and 14 July. I accept that they were long and somewhat complex letters in which I asked her to meet AllVoice. So far—although I have not checked my post this morning—I have heard nothing back. Why? Before I became a Minister, I saw an episode of "Yes, Minister" many years ago, when Hacker arrived and saw that the contents of his in-tray were a nightmare. Those of us who have been in government will know that that is close to the bone. Sir Humphrey sorted it out; he picked up the in-tray and dropped it in the out-tray, saying "We will deal with it for you, Minister."

The problem sometimes with being a junior Minister is that the system can accommodate only those situations to which it is used. I have no doubt that when officials read the debate that I initiated on 19 April and the lengthy letters that I have written since, they said that the matter did not fit into the mainstream of their activities. Perhaps they thought that they should pause for reflection; perhaps over the summer recess. That is all fine and dandy, but for companies trying to survive in the marketplace, it is lethal.

Ministers must understand that this is not a usual situation; it is not something to which their civil servants will be used. We need Ministers to look at this and take an innovative view. One of the things that I find remarkable about this Administration, with their huge majority, is the lack of confidence among their junior Ministers. As I am addressing the Parliamentary Secretary, Privy Council Office—whose help I greatly value—I am restraining myself massively from saying that some of the outer members of the Cabinet suffer from that lack of confidence, also.

I see a number of other ex-Ministers in the Chamber, and I believe that if a junior Minister really wants to do something, he very often can. He may not have much power, but, very often, he has influence. If one looks at a problem without attempting to find reasons not to do something, and if one looks positively at how one can help, very often one can achieve extraordinary things.

I am bringing the Parliamentary Secretary a problem and a solution. I would like an assurance from him; not that he will begin to understand the complex details of the case—that would be outrageous—but that he will acknowledge the concerns that I have expressed. He and I have known each other long enough, so I hope that he realises that I do not turn up here every week making such requests. I hope that he will specifically draw this debate to the attention of the Secretary of State for Trade and Industry.

If Ministers do not act, and act soon, there will be two consequences—one national and one specific to AllVoice. The national consequence is that if we keep subsidising major companies which use predatory litigation to steal the software and inventions of small British companies, we will make this country a breeding ground for overseas predatory companies which will use taxpayers' money to rip off the taxpayer.

More specifically, AllVoice is not some dot.com company. It is not a fly-by-night company, but one with a proven track record in terms of profits and patents. This company has shown an ability to work at the forefront of technology and has received a substantial imprimatur from the Government with the investment of taxpayers' money. Even as I speak, the company is working on innovations which could bring billions of pounds of investment to this country. Ministers may do nothing and may allow themselves to hide behind the formula that this is about litigation which must be left to the courts. They may believe that it will be fine; at the end of the day, no Minister will be found responsible for not dealing with the matter as I have suggested. The safe option for Ministers, as always in these circumstances, is to do nothing. The right option is to look at the matter and say, "How can we help?"

10.15 am

Dr. George Turner (North-West Norfolk): Most of us will go back to our constituencies with a lot of good news to relate; the Chancellor's spending review has made sure of that. As we look to what it will mean locally to health and education and in terms of addressing the problems of crime, many of us will be in good heart that it is time to deliver.

However, I thought that it was important to be here today to raise the concerns of one group from my constituency—the large number of pensioners. I understand the technicalities of the spending review, which addressed departmental budgets and not the totality of Government expenditure, the rest of which is addressed in the Budget. However, pensioners do not understand that, although the Chancellor went out of his way to make it clear that he would be doing more work over the summer and would make announcements in the autumn.

The Government must bear in mind the disappointment there has been among many pensioners, despite the good start that the Government have made in addressing the problems that they inherited. My pensioners entirely recognise the roots of the problems. The very fact that for so many years, their campaign has been to restore the link between pensions and earnings—taken away at the outset of the Tories' period in power—shows that they know who was to blame for the problems that they face and the poverty that many have had to endure for far too long.

I represent a wide range of income groups among pensioners. My constituency is an attractive part of the country; the north Norfolk coast has a unique appeal. It is a designated area of natural beauty and protection, and has many sites of special scientific interest. It is an attractive area to live in, and many come there to retire. Some are well off, and many did very well under the last Government. A fairly typical figure nationally is that one in three saw their incomes rise more than those in work during those years.

To their credit, a fair number of those joined in the campaigning for others. Some are well known; Moss Evans comes to mind. In his retirement, he has been among the leaders in my area in the campaign for poorer pensioners. Certainly, at least a third are impoverished. Many pensioners retire to park homes. They have modest capital and have bought cheap homes for their retirement, in some cases having sold a house elsewhere, in the hope that they might use some of the capital to see them

[Dr. George Turner]

through their latter years. They are among those who have been thrifty in the past, with an eye to the future. They have a little capital and believe that, as the Government reverse the economic position of so many others in the nation, they deserve help and recognition for what they had to endure for 18 years.

In the middle group are many pensioners who worked for the state. I have very active branches of Post Office and British Telecommunications pensioners. They are typical of a group of people who have modest pensions from various sources. They are not rich and they have not had an easy time.

The Government have done much to address the needs of the poorest pensioners in my constituency. Many thousands have benefited from the minimum income guarantee. It is widely appreciated that the Government have done much good for pensioners across the board. The introduction of and the large increase in the winter fuel allowance were greatly welcomed. There was a huge response to the reintroduction of free eye tests. In Norfolk, there was a 90 per cent. increase in the uptake of national health eye tests—a dramatic increase which suggests that many pensioners had been suffering from poor eyesight, following the imposition of charges by the previous Government.

All these forms of assistance have been welcomed, but when pensioners hear announcements such as those that have been made over the past week or two concerning the future of the health service, education, the police and other public services, they feel that more needs to be done for them. That is the message that I bring to the House.

If I am to do my job of representing pensioners, I must pass on what they tell me. They tell me that what they want, and what they have been arguing for for many years, is the restoration of the link. I have explained to them that Government policy has been more targeted than that, but pensioners do not want to hear that message. However, reasonable folk that they are, they have sat down with me and discussed alternatives and priorities for which local pensioners groups seek support.

I have some extremely active groups—the King's Lynn and District pensioners group, the Post Office and BT groups to which I referred, and the North-West Norfolk pensioners group. I have many meetings and exchanges of correspondence with them. Among the most assiduous campaigners is Mr. Roland Worth, who is involved in at least two of those organisations, and Mr. and Mrs. Martin, from the King's Lynn and District group.

It is clear that pensioners understand the need to help those in most need first, but when the Chancellor introduces his proposals for the pensioners credit, they want it to be targeted not only at the poorest, but at those who, through their own thrift or because of their modest pensions, are only a little better off than those who have been helped so far.

I hope that, during the lifetime of this Parliament, we deliver on the promise that we made at the last election that we would ensure that pensioners shared in the economic prosperity that the Government brought the nation. We must therefore make sure that the scale of the help is in proportion to the benefits that we deliver to other parts of the economy. Pensioners must be seen to receive their fair share of the benefits.

There remains a concern among many pensioners that more should be done for older pensioners. In answers to written questions, I have been told that a £5 increase in the basic pension at age 75 would cost £700 million net, and that a £10 increase at 80 would cost £700 million. Those are large sums of money, but not in comparison with the sums that have been discussed in the House in recent weeks.

Despite the extra help that we have given through the free television licence, many of my constituents would welcome some cash as well, especially as that age group includes not only some of the poorest pensioners, but, I suspect, a larger proportion of those who fail to take up their entitlement under the minimum income guarantee. There is a good case for targeting older pensioners.

I hope that the Chancellor will bear in mind a further factor. I believe that the Government have a healthy lifetime ahead, and I am confident of the outcome of the next election, but it would be a foolish parliamentarian who did not want to make sure that pensioners' well-being did not depend on which party happened to be in government.

At the first opportunity, the previous Conservative Government undid what the preceding Labour Government had started to do a relatively short time before to safeguard the interests of pensioners. We must ensure that the measures that we introduce are protected, as far as that is feasible, against future changes in political control. There must therefore be as wide a consensus as possible on the ways in which we act to help the pensioner population. That must be tightly tied into law, so that it will not be easy for a future Government of a different hue to change it.

We must ensure that the changes that we have introduced in the pension regime for those in work will survive and be difficult to overturn. We must also ensure that when, as I hope, pensioners receive a boost this autumn, the Conservatives would find it politically difficult, if not impossible, to undo it if they gained power in the future. I hope that my hon. Friend the Parliamentary Secretary will assure me today that work is going ahead at full speed in Whitehall to make sure that the announcement this autumn will meet the needs of the many pensioners for whom I speak.

10.28 am

Mr. John Horam (Orpington): I wish to raise a topic that, at present, is of concern only to my constituents and the residents of the borough of Bromley, but which, in due course, will concern all hon. Members—that is, the proposed merging of health authorities throughout the country. I refer specifically to the proposed merger of the Bromley health authority with the neighbouring Bexley and Greenwich health authority. The consultation on the proposed merger has been launched and will be concluded before Parliament returns in October, which is the reason why I raise the issue before the recess.

The proposed merger in my area is a guinea pig, or a stalking horse, to allow the Government to work out the consequences for a merged authority, before rolling out a programme of mergers across the country. It is intended that the merger will take place in April 2001, to be followed by a series of mergers, possibly a year later.

The proposed mergers are necessitated by a change in the role of the health authorities following the creation of primary care groups, and in particular, primary care trusts,

which are taking more of the burden of allocating the moneys that they receive from the Government. Therefore, there is a reduced role for the health authority. Obviously, that has been a matter of controversy between the two major parties. We thought that it was not sensible to make a further bureaucratic change. We supported the old system. Bromley health authority was happily contiguous with the Bromley local authority, and, therefore, there was a good relationship between the two. Beneath that level there were GPs and fundholding GPs.

The Government, however, have made the change, and I do not wish to argue about that now. I do not wish to contest the principle behind merging health authorities in the way that the Government intend to do. If they merge them properly and sensibly, there may be savings in bureaucracy. However, I am concerned—I know that my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) and my hon. Friend the Member for Beckenham (Mrs. Lait) are also worried—about the effect on the funding of health care in Bromley as a consequence of the proposed measures. It seems to us that the effect will be unequivocally bad. No doubt the Minister is delighted that my right hon. Friend is not present to make the point in his inimitable way.

That follows from what is called the pace-of-change policy, which has been put forward by the Department of Health. At present, every health authority receives a target allocation that is based on its needs. For historic reasons, some health authorities have an allocation above their target. Some allocations are lower and some are equal. If there is an historic allocation above an authority's target, it will receive less than it otherwise would, so that ultimately there is convergence on target allocations. Bromley is on its target whereas Bexley and Greenwich is above it. Therefore, Bexley and Greenwich receives less each year than Bromley.

A combined health authority would come into the above target category. It would then receive less than the two separate authorities. The Library has calculated that this year, for example, Bromley and Bexley and Greenwich combined would receive £700,000 less than the two separate authorities would receive. Bromley health authority more or less concurs with that figure. It says that there would be a difference of £800,000. That will not happen only this year. As the pace-of-change policy will be unrolled over several years, millions of pounds will be lost to the funding of health care in the area that I represent.

The point was made clearly—perhaps more succinctly than I am making it—in an article in *The Health Service Journal*. It says:

> A financial "mismatch" could derail a health authority merger seen as a "blueprint for changes elsewhere". "Plans agreed at Bexley, Bromley and Greenwich are likely to become a blueprint for changes elsewhere in London as local decision-making is passed to PCGs, and HAs develop their more strategic role", said Bexley and Greenwich . . . Bromley HA chair Selwyn Ward said: "If you sit down and work out what the new authority looks like, it comes out closer to Bexley and Greenwich than Bromley. It would get very little growth money. There would be no advantage to merging if we end up with less money in the health economy as whole", he added. "I have made that clear to region."

That is the problem. In addition, the Bromley health authority has underspent over the past two or three years by a total of £3.7 million. Underspending on health may amaze some of our constituents, but underspending is a common problem throughout government. It affects health as much as anything else. We should all be concerned about the famine-and-feast approach to public spending that the Government have adopted. It is quite difficult suddenly to step up spending, even when funds are available. For all sorts of reasons relating to contractual obligations, it is sometimes not possible to spend the money in the appropriate period.

For whatever reason, the Bromley health authority has accumulated funds. It seems to me, and to those who are in charge of these matters locally, that the region is, in effect, using these funds as a sanction to persuade the health authority to go along with the plans. In other words, they are saying, "You cannot spend this money, even though it is your money, unless you agree to our plans for the health authority." When the merger takes place, there will suddenly be an announcement of an extra £3.7 million for Bromley. That will be its own money, which it should have had anyway. That seems to be a rather dubious way of proceeding.

There is no doubt that the money is urgently needed in Bromley. For example, the accident and emergency department has come under much criticism recently. We could spend money now, and certainly over the next 12 months, on improving conditions in that area. Despite the heroic efforts of staff, there are long trolley waits and other great difficulties. That is another problem which I should like the Government to consider.

In considering the merger of health authorities, there is the problem of the deficit that is attached to any particular hospital or NHS trust. Bromley has been cautious and does not have a deficit. It has hardly ever had one. However, neighbouring hospitals—for example, Queen Mary's and Greenwich health care trusts—have had deficits and in some instances still do. There is concern in Bromley, which has been careful, that money will suddenly be taken away from it and poured into dealing with the deficits of neighbouring hospitals. That could easily happen if there were no rule to prevent it.

I have no quarrel with the principle behind merging and, in a broad sense, I wish it well, but I seek an assurance that, following the consultation that will take place, Bromley will not be financially disadvantaged by any merger that takes place. If that assurance can be given, many of us would wish the merger to proceed. Until the assurance is given, my colleagues and I will be opposing the merger.

It is in the Government's interests that the matter is handled sensitively and well. As I have said, it is effectively a blueprint for other mergers that will be unrolled throughout the country. If the merger between Bromley and Bexley and Greenwich goes wrong, suspicions will be aroused among Members who are concerned about health funding in the areas that they represent.

While I am on my feet, may I raise another matter? As we all know, palliative care has come about because of huge voluntary efforts by many people throughout the country. The charitable work that has gone into the hospice care movement cannot be praised too much. I know from my own experience that South Bromley Hospice Care has been excellent in raising money over the years. Many people have made a huge effort, for which they should be praised. As it happens, little money comes to hospice care facilities from government.

[Mr. John Horam]

Only 21 per cent. of the money that comes to South Bromley Hospice Care comes from government. The rest comes from charitable fundraising.

As we all know, the demand for hospice care facilities and palliative facilities is rising almost exponentially. We know that hospices help to some extent to take the burden off local hospitals by providing for facilities to enable people to remain at home and receive appropriate care. Those are people who otherwise might have to go into hospital. It is a vital but underfunded part of the health care system.

However, South Bromley Hospice Care, like other such organisations, has run into charitable fatigue, as it were. Along with other good causes, it has had difficulties and funding problems. As a result, it has had to lay off staff and cut its provision of facilities. That has had a repercussive effect on the local hospital. There is a plan, which originates from the health authority, to increase funding from 21 to 50 per cent. over a five-year period. However, in the short term, there has been no help. I have corresponded about that with the Under-Secretary of State for Health, the hon. Member for Pontefract and Castleford (Yvette Cooper). She recognises the problem because, in recent letter to me, she said:

> From the recent national survey of palliative care provision we know that at present about 50 per cent. of health authorities have developed strategies for palliative care. This suggests that a more comprehensive strategy is needed.

A more comprehensive strategy certainly needed, but so is more immediate help for hospice care. In my case, South Bromley Hospice Care, which has laboured with great success, now finds itself in difficulty for those obvious reasons.

St. Christopher's—a well-known hospice care organisation—has benefited from Government help. It is ironic that it has received help, given that it had a much deeper crisis, involving much more money, whereas the hospice in my area has not. Obviously, I wish St. Christopher's well and do not want to cavil about its help, but those who have laboured hard and been successful should not be penalised because of those who have not done quite so well. The NHS report, which we received yesterday, states:

> The NHS has to move from a culture where it bails out failure to one where it rewards success.

I hope that the Government will take that on board in relation to South Bromley Hospice Care.

10.41 am

Mr. Keith Darvill (Upminster): I wish to raise several constituency issues that have more general relevance, the first of which relates to the swimming pool in Central park, Harold Hill. It is partly a good news story in that it has recently benefited from a major lottery award of £4.2 million. That grant will be used to replace and refurbish the swimming pool and extend other sporting facilities, as well as to create a healthy living centre. Of course any community receiving such benefits applauds all those involved, as I do. It may seem churlish to criticise when one has the benefit of such an award.

The total refurbishment and reconstruction project will cost £6.4 million. The balance in excess of the lottery grant will be provided by a capital advance from the local authority. The difficulty with the scheme is that the replacement swimming pool will be smaller than the existing one. I am told that the old pool has a life of only about two or three years, so the matter is urgent. A mixture of community and competitive sports use the existing pool. Several swimming, diving, life-saving clubs and so on use the facility in an organised and competitive way. The pool is used from first thing in the morning to last thing at night.

The dilemma is that reducing the size of the pool means that some of the community use or the organised use will be squeezed out. Although the local community recognises the benefit of having a new pool, the major issue is whether the new facility will provide adequate facilities for all those involved. Such matters are of national concern because those considering such bids—Sport England and the various associations involved—need to consider the wider regional and sub-regional activities that take place in a particular pool.

Those organisations have informed me that there are few facilities for diving in east London and Essex, so not only the local community, but those in a wider area, benefit from that pool. Therefore, those who use the pool have to travel some distance, often in the early hours of the morning, just to get their pool time. Given the large sum involved—£6.4 million—one might have thought that all the various uses could be accommodated, but they have not been. The local community may lose out in a small way, and the organisations that use the facilities may be squeezed out or may have to travel much further to continue their activities. Much wider consideration is needed when planning such facilities to ensure that they are adequate.

My right hon. Friend the Secretary of State for Culture, Media and Sport made an extremely good announcement on sport this week. We all hope that our national sports will be more competitive internationally. We need to balance the needs of competitive sport and community sport and to encourage more people to take advantage of the benefits. However, we do not want to squeeze the organisations, almost all of which are voluntary. Much hard work is involved in running those clubs for the benefit of others. The local authority and all those involved are re-examining the project. I hope that a resolution will be found so that the pool can be increased in size. That will involve additional capital.

The second issue relates to access to railway stations for disabled people. There are two main-line stations in my constituency—Harold Wood and Upminster—neither of which has very good access for those with disabilities. Such facilities should be improved in partnership. I have made representations to Railtrack, the train operating companies and others and have got the various bodies together. One of the big failings of rail privatisation is that it is difficult for the transport organisations to plan strategically. A loose partnership has been formed in this case, and Members of Parliament have a role to play in trying to get organisations together.

Railtrack has been helpful and has informed me that it and the train operating companies estimate that the cost of addressing accessibility issues nationwide is about £300 million. Given the funding involved, it will clearly take some time to improve access for disabled people across the country, but that delay is too long for those who will suffer in the meantime. There are ways in which

to get parcels of money together from the train operating companies, local authorities, Railtrack and, in some cases, businesses to improve such access.

Upminster station has four platforms, one of which is not served by a lift. That station is a major link between Romford and Lakeside, and Southend and Romford. Colleagues in the House may know the area. In effect, people with disabilities cannot make those journeys even if they wish to do so. We need to address those issues more quickly than is predicted by Railtrack and the train operating companies, especially in sub-regional hubs, as they are called in the parlance. I hope that the money allocated to transport in the comprehensive spending review will help to improve such access. I urge the Government to encourage local partnerships wherever possible.

Thirdly, I want to talk briefly about mobile phone masts. No doubt, that issue has been raised with other hon. Members. In recent months, there has been a proliferation of mobile phone masts in my constituency. I do not know whether that is a result of the recent inquiry and the Government's announcement of changes in the planning mechanism, but those involved seem to be getting in fast and putting them up wherever they can.

My message to the Government is that we should get on with the changes in the regulations quickly, because consultation is needed. One of the big failings of the current system is that mobile phone masts are suddenly erected with only a few local people knowing about them. People find it difficult to make representations to their local authority and suddenly there is a big outcry. That is of particular concern—some of it perhaps unwarranted—because of the issues raised in the Stewart report.

The final issue that I wish to raise concerns local government finance. I know that all hon. Members say that their local authority does not get enough money, and I am no different, but local government finance needs to be reviewed. My local authority is embracing much of the Government's programme, especially education spending, the community legal service and crime reduction partnerships, and putting efforts into all those programmes. However, Government policies always impact on local funding. Yesterday in Westminster Hall, we discussed crime reduction partnerships and heard of good examples around the country, and those are certainly working in my area.

The standard spending assessment for my local authority does not meet the needs of the area and leaves it strapped for cash. It means that the local authority cannot deliver as it would like. The best example of that is social services spending. In the past four months, some 90 beds a week in the local hospitals have been occupied week in, week out mainly by elderly people who could have been cared for in other parts of the care system. That delays operations in the acute sector.

Local authority financing cannot be ignored in relation to delivery of the Government's programme. Will the Government look urgently at that matter, so that local authorities such as mine, which want to deliver their programme, not only for political reasons but for the benefit of local people, have adequate funding to do so?

10.52 am

Mr. Andrew Rowe (Faversham and Mid-Kent): In principle, this could be the last time that I ever address the House because, if the Prime Minister wakes up one night in his Tuscan retreat and decides that he would really like to spend more time with his baby, he might call an election this autumn, which means that I would retire.

The House should not adjourn without considering two related issues. Men of my age and stage are expected to be gloomy. We are expected to believe that the country is going to the dogs and that the young are decaying beyond repair. I believe none of that, but I do believe that the Government are neglecting two issues to the peril of us all.

The first is the real value—actual rather than rhetorical—that the Government put on people. We hear constant repetition of the mantras about respect for people. We heard almost the whole mantra canon yesterday in the Prime Minister's statement on the health service. However, when we look at what is happening in the public services, we are entitled to question the real value of the mantras.

Let us take, for example, social services. In 1997, 7,722 social workers were in training; in 1998, there were 6,254; last year, there were 5,1764. No matter how much social workers or other workers in the public services are praised by Ministers, we shall see no improvement in the services if there are no workers to call on.

Another example is teachers. In education authority after education authority, the story is the same: teachers are simply not applying for vacancies and the numbers leaving early have become a haemorrhage. Part of the trouble is that the Government, building on the bad example set by us, have so increased the bumf and the controls that professional staff prefer to walk away from the stress. Another element of teachers' disaffection, however, is that the growth of abuse, in language and physical violence, has reached proportions that, in these days of high employment, make the jobs very unattractive.

The Government appear to have no answer to the problem. Ministers often appear to accept that bad language is now so common that nothing can be done about it. On playing fields, in the streets and, increasingly, in schools, hospitals and refuges, foul language and the depersonalisation of staff that that implies is taken for granted by those in authority, while the staff subjected to it take it for a while and then leave.

If the Government do not start to take this epidemic of crude behaviour seriously, we shall all be undone. Instead of wittering away about inclusiveness—a principle of great importance to which I greatly subscribe, but which in practice often means making a teacher's life impossible—Ministers should think about how they can give an effective lead in a campaign to restore the idea of dignity and good manners to hundreds of thousands of adults and children. The challenge may be less dramatic than that of drugs, but it is no less important. Indeed, the two are connected.

What is so sad is that the Government, who claim to believe in joined-up government, wander along ignoring the damage that they frequently do to those who try to stem the flood. For example, Kent has 1,400 armed service cadets, devotedly looked after by volunteers, who give up two nights a week and many weekends to nurture boys and girls who would otherwise be on the streets making trouble. What happens? New dispositions for the regular services are brought in, making it impossible for them to continue the former level of support for the cadets. However, this joined-up Government take no steps

[Mr. Andrew Rowe]

to make those losses good. Little by little, that successful way of bringing children to a decent adult commitment to society will be whittled away, and the Government will not even notice.

I wish to draw the House's attention to an even more fundamental issue. Some weeks ago, the Secretary of State for Northern Ireland declared that the age of representative democracy was drawing to a close. His grounds for making that assertion were primarily that the new forms of electronic communication mean that we can ascertain quickly what the public believe about a particular issue and then fashion policies to take account of their expressed views. I have since heard on the radio Mr. Morris, an adviser of President Clinton, explaining that the electronic age has changed politics to such an extent that a Government have to fashion a new agenda each day or lose their popularity. The British Government appear to be doing that by allowing confidential memorandums to seep out into the press, although I am not sure whether that is deliberate.

Mr. Morris recommended that, not only should tiny elements of a policy be drip fed to the media each day but, more importantly, that the policy should be amended according to the daily popularity polls and other information available to the Government. That is the advice of one of the principal advisers to the President of the United States.

Moreover, the new communications age will make it ever easier and cheaper to hold referendums—I hope that you notice, Mr. Deputy Speaker, that I deliberately used the spellcheck version of the plural to fit in with the electronic age.

The threat, not only to this place, but to democracy as we have known it, is so clear from those two examples that the House should have a full debate on them at the earliest opportunity. Let me put on the table at least some of my reflections on the scheme, and hopefully the Minister will take them seriously when he replies to the debate.

Let me deal first with representative democracy. At its weakest, our system of electing men and women who are expected to exercise their own judgment on the issues of the day can lead to an arrogant disregard of the opinions of those who send us here. It may be many years, if at all, before the electorate exercise the ultimate sanction of throwing out those in safe seats. That disregard is not common among Members of Parliament, who are nearly all conscientious in their desire to ensure that their constituents' views are taken into account.

When representative democracy is at its strongest, we have powerful debates occasioned by the determination of individual Members to hold fast to their own beliefs. It is clear that, on many issues, the short-term reaction of our constituents to a particular event is one that they would not hold over a longer time. The idea that policy of lasting value can be made on the basis of a daily thermometer reading of public opinion is as absurd as it is dangerous.

Secondly, every Member of Parliament knows that the first reactions of men and women in our constituencies to new ideas are usually hostile. That hostility is based on some of the commonest features of mankind: a desire to hold on to any privileges that we currently enjoy, a fear of the unknown, and, in particular, a fear that often leads to hostility to people who are perceived as different from ourselves. If it is suggested, for example, that a community should play host to asylum seekers, the mentally ill, or even a new housing development, a surge of self-interested hostility rolls out, and tries to drown out those who advocate the change. How should policy be devised if that is what the thermometer readings are telling the policy makers?

Thirdly, what part can principles play in the electronically driven computer game of policy making? If we are busily engaged in tailoring our policies to ensure that we stay ahead of the game each day, how do we make room for little awkwardnesses such as the idea that a person has the right to be deemed innocent until he or she has been proved guilty? Is it because the new philosophy is gaining ground at No. 10 that we have seen in this Parliament a weakening of even that ancient principle?

Yet, even for the Ministers who are most enthusiastic about the new democracy, there are some difficulties. Even they have some personal beliefs—or at least pretend that they have, for the sake of their activists. Among those beliefs may well be, for example, the idea that people should be treated equally, regardless of creed, nationality or colour. They may oppose the death penalty, or the smacking of children. Some may believe that it would be to the country's advantage to join the euro. If their beliefs are sufficiently strong, they will no doubt manoeuvre carefully in order to avoid altogether asking the public for their view. As a result of that, rather than the House being an arena for debate on matters of principle or the shape of our society, a handful of elitists close to the Prime Minister of the day would define for us all issues that are too important to be subjected to the activities of the otherwise ubiquitous pollsters.

I do not believe that the age of representative democracy is dead. I firmly believe that it remains the surest bulwark against short-termism in policy making and the vagaries of political fashion—and I trust that long after you and I have left this place, Mr. Deputy Speaker, it will be the forum in which issues of principle and practice are debated on behalf of all our people.

11.3 am

Mr. Christopher Leslie (Shipley): I want to raise with the Minister an issue that is important to my constituency: the proposal for a landfill site at a former quarry, known as Buck Park quarry, in Denholme.

The history of the problem is long and complex, but I firmly believe that the proposal should not go ahead, for a number of reasons. The first is the harsh environmental impact that its implementation would have on the surrounding water courses, especially as the disused quarry—an enormous hole in the ground—is immediately above the Hewenden reservoir, which eventually seeps into the drinking water serving the surrounding locality.

I am concerned not just about the effect of leachates on the reservoir, but about gases and other problems associated with landfill sites. The nearby Manywells quarry and landfill site has demonstrated those problems to many residents—environmental hazards, as well as, for instance, the mess caused by seagulls.

I am also worried about the traffic that the scheme would generate. I am thinking of all the heavy lorries and other vehicles going to and from the site, and the

congestion that would develop on local roads. Moreover, residential amenities would be blighted. In short, there are many reasons why the proposal should be rejected.

I think it was back in 1992 that permission was given for the original Buck Park quarry. A number of conditions were imposed in connection with landscaping on a phased basis. As local people know, many of those conditions have been breached. Rather than "backfill" taking place as stone was removed, the hole has got bigger and bigger. There is now an enormous scar on our landscape, and—in contrast to the original intention of landscaping and filling in the hole bit by bit—the current proposal is to fill it with waste and rubbish, over the brim, in a very visible area.

Many residents are very upset and angry. Around this time last year, a referendum took place. There was a turnout of 53 per cent.—which is unusual in the case of local referendums—97 per cent. of whom voted against the proposal. I myself am angry that the local council has failed for so long to enforce properly the conditions attached to the quarrying operations. There is a history not just of poor monitoring and insufficient landscaping, but of a host of problems relating to the removal of footpaths and a failure to provide adequate bunds to mask the area. I have had many letters and calls from worried constituents. Although they were not surprised when the proposal came along, they are worried nevertheless. There have been several big marches through Denholme, one of which I was able to join.

This is a not a party political matter locally: there is all-party opposition. Any planning application, however, involves difficulties relating to local democracy. The local council has to deal with such matters. The original planning application for this landfill site was submitted to the council recently—in the past year—and I was pleased when it was rejected for reasons connected with highways and residential amenities. Unfortunately, the council hired barristers to give an opinion about the likelihood that the refusal could be defended at an appeal. The barristers suggested, wrongly in my view, that the rejection was unsustainable. The council declared that at any public inquiry, it would be unable to defend its grounds for rejection. We were left in limbo, uncertain whether the applicant would pursue the matter in view of the council's failure to defend its rejection of the application.

For some reason, the applicant then decided to lodge a fresh application. The council considered it last Monday, 24 July, and rejected it again. However, the rejection was based not on the reasons of the environment, highways or residential amenity that I have described, but on the ground that the landfill would be detrimental to visual amenity.

I agree with that conclusion, but I am disappointed that it is now the only reason for the rejection. Given the big business interests behind the landfill development, it is likely that an appeal will be made to a planning inspector, who will be able to determine the case only with reference to visual amenity. I am worried about the outcome of that appeal. I despair about our chances, as I fear that the inspector will not decide for the local authority. We will try to persuade him of our case, but the council has a lot to answer for.

Why did the council give only reasons of visual amenity when it rejected the application? Surely it should have raised the serious environmental problems and highway dangers created by the proposal? What about the views of residents? I fear that the council's decision to turn down the application on the ground of visual amenity alone will be hard to defend.

Although I do not hold out much hope about the appeal, there is still a chance that the Environment Agency, which licenses landfill sites, will reconsider the environmental argument. Bradford council should have raised the question of licensing with the Environment Agency before the case began, and I am disappointed that it did not even take account of the proposals for further quarrying. The behaviour of the council's planning committee needs to be reviewed later, but I hope that the council will refer the matter to the Environment Agency.

I urge my hon. Friend the Minister to convey my strong feeling that the Environment Agency must call in the licence application for the landfill site. I believe that the site's impact on local watercourses means that the licence application should be rejected.

The residents have done stirling work in opposing the landfill proposal, which I considered important enough to bring to the House's attention. The fight goes on to try to stop the proposal.

11.13 am

Mr. David Amess (Southend, West): I want to raise several points with the Minister. He is always courteous, and although I do not expect him to respond today, I hope that on my behalf he will gee up the relevant Government Departments over the summer.

I misread the Order Paper earlier, and what I thought was a three-hour debate will in fact last until 2.30 pm. I apologise for that, and for the fact that a surgery that I am holding in my constituency at 3 o'clock means that I will not be present to hear the Minister's response. I do not want to be done for speeding, nor to be caught on film by the cameras along the A127. I hope that the Minister accepts my apology.

In addressing the House this morning, I want to secure help for Southend, and for some organisations there. The Minister will recall that the result of the local elections was that the Conservative party took control of the council from the previous Liberal Democrat-Labour administration. I was delighted at that, and the new administration has done a remarkable job in just two months, restoring all the difficulties suffered by residents under its predecessor.

However, the new council is keen to get a Government response on several matters. First, the Deputy Prime Minister announced that £180 billion would be spent on the transport system. Such sums are so huge that they go over people's heads. The right hon. Gentleman said that there would be cash for 100 new bypasses—70 local schemes and 30 national schemes.

The Minister knows that people are queueing up to visit Southend, the country's premier seaside resort. As a result, we are experiencing dreadful traffic congestion. Councillor Roger Weaver, deputy leader of Southend council, advises me that the best relief for that congestion would be a new bypass. I should be grateful if the Minister would find out how much of the £180 billion will find its way to Southend. I am glad that the previous administration's barmy schemes—for a dedicated bus lane along the length of the A13, and for traffic calming measures—have been dropped or moderated.

[Mr. David Amess]

I was delighted by the comments of the hon. Member for Upminster (Mr. Darvill). I agree with him about the swimming pool, and although I am sick of his local swimming squad beating Southend's, I shall not dwell on that matter. However, the hon. Gentleman made some very well judged remarks about telephone masts.

As the Minister will recall, the problems associated with telephone masts were aired in the Whitsun Adjournment debate. Although all hon. Members will welcome the Government's proposals in that regard, the masts are still being erected at great speed. I hope that the Minister will gee up the relevant Department, as action must be taken quickly. Many local residents are upset about the masts.

Southend is undertaking a review of special needs provision. Under the previous administration the officers appear to have decided to take advantage of the Government's plans to include such provision in mainstream schools. As a result, all hell has broken loose; try as we might to reassure them, parents of children at the five special schools in Southend are distraught, and feel that their children will not receive proper treatment in mainstream schools.

We have tried to tell parents that officers under the previous local administration had only launched a consultation scheme, but they are very upset. Other hon. Members with Essex constituencies will find that some children from their areas are educated at the five special schools in Southend, four of which are in my constituency.

I know that the Secretary of State for Education and Employment feels strongly about this issue. The House will be aware of the right hon. Gentleman's experiences in a special school, but such experiences are not always shared by people who attend such schools. My brother-in-law is blind, and my wife's sister has very little sight; they were educated in special schools. It is incredible that anyone could think that the children who go to the schools in the area that I represent, such as Lancaster, St. Christopher, Kingsdown and Fairway, or the school in the constituency of my hon. Friend the Member for Rochford and Southend, East (Sir T. Taylor), could be helped in mainstream schools.

I shall quote from a letter that I received from a constituent, who says:

> Our eldest son has so many psychological scars from mainstream schools. Parents will get to the stage where they feel backed into a corner, and for their children's emotional and psychological well-being will opt for no school rather than a mainstream . . . Children like ours are at serious risk of bullying, ridicule and being ostracized.

Will the Minister find out from the appropriate Department how we can reassure those parents that after Southend has gone through the special needs review, the Government will not insist that those children are taken out of the schools that they are so delighted with at the moment?

The next local issue that I wish to raise is socially affordable housing. Mrs. Gwen Horrigan, the chairman of our housing committee, was delighted with the Green Paper on housing. She welcomes the proposals for affordable housing. However, she is right to draw my attention to the document, because she wonders how the Government intend to fund their proposal. Southend is such a popular place in which to live that house prices have rocketed over the past year. Yesterday I phoned an estate agent, who reckoned that there had been an increase of 20 to 30 per cent. in the past year. Young professional people cannot afford the mortgage on a flat. An efficient implementation of the programme—with enough funding—would certainly benefit the Southend economy, which continues to struggle; that is why we have objective 2 status. I should be grateful if, during the summer recess, the Minister could find out how the Green Paper will help Southend.

The Kennel Club is concerned about the distressing situation in Germany regarding the treatment of some dogs. It has advised me that the German Government are attempting to pass legislation to ban the breeding and import of bull breeds, including the Staffordshire bull terrier. I should be grateful if the Minister could find out from the appropriate Department whether we are in talks with our German opposite numbers, because this issue is causing great distress to dog owners in this country.

The dogs that the German Government are classifying as dangerous are mainly British breeds—Staffordshire bull terriers, bull terriers, bull mastiffs, old English mastiffs, Neapolitan mastiffs and Rhodesian ridgebacks. I think that the British bulldog is not included. Those breeds are registered in the United Kingdom, and the Government do not consider them to be fighting dogs or a threat to public safety. I should be grateful if the Minister could find out what our response will be if the German Government go ahead with that legislation.

A little while ago we had a debate in Westminster Hall on volunteering, and I was told that I had spoilt the party. I suspect that that debate was planned to coincide with the Prime Minister's address to the Women's Institute. Much as I welcome the opportunity to rejoice in volunteering, I found it nauseating that although everyone was praising volunteers, voluntary organisations in my constituency had undoubtedly struggled under this Government. I shall bring to the Minister's attention the problems of two voluntary organisations, the first of which is the scouts.

We all enjoyed a splendid tea party in Speaker's House recently. The scouts in particular will be affected by the imposition of the requirement for a criminal records certificate, which will cost £10. I listened carefully to the response of the Minister of State, Home Office, the right hon. Member for Brent, South (Mr. Boateng) when we had the debate in Westminster Hall, and I have received much correspondence from the Scout Association. The Minister's response has been unconvincing, and the scouts reported him as having said that free checks would be an unsustainable burden on the public purse. If funding checks would be an unsustainable burden on the public purse, it will be even more of an unsustainable burden on voluntary organisations. It is ridiculous to expect voluntary organisations to cough up £10 a time.

We all understand that carrying out those checks is not compulsory, but we know only too well what the reaction would be if organisations did not do it. The Scout Association said:

> We need to see genuine "joined up thinking" being applied to volunteering, especially in areas of social exclusion—action not rhetoric.

Voluntary organisations in areas of social exclusion will find a charge of £10 per person difficult to pay.

The Home Secretary apparently told voluntary organisations to apply from grant assistance from the lottery. That is either naive or disingenuous. I cannot see how those organisations can apply for £750,000 a year in additional core costs. Will the Minister gee up the Home Office on this important issue, because Members' postbags will be flooded with letters about this problem when the project goes ahead?

The other voluntary organisation to which I pay tribute is the Women's Royal Voluntary Service. I had the honour to be attached to it for a few days, and it has 115,000 members, including 18,000 men. Last week I went to St. James's park on the morning of the Queen Mother's pageant, and I saw the volunteers preparing the food for the people who were taking part in the pageant. Those people do a magnificent job. We turn up when they ask us to present badges, and we say they are marvellous, but what on earth do we do to help them?

Since 1 May 1997, the Government have done everything they can to undermine such people. Will the Minister persuade the appropriate Department to embark on a television advertising campaign to encourage more recruits to voluntary organisations, because they cannot afford to do it themselves? They tell us that volunteers are getting older and that there are not enough new volunteers coming through. If all those voluntary organisations dry up, we will be in a difficult situation.

I shall end my speech with a few thoughts. The hon. Member for North-West Norfolk (Dr. Turner) is no longer present, but he waxed lyrical about the Government. I do not have a good word to say about them. I find Wednesday afternoons increasingly difficult to cope with when I listen to the patronising claptrap spoken at the Dispatch Box.

Today murderers are being released, which the relatives of the victims will find difficult to cope with. Yesterday we had a statement about the health service. My goodness, Southend, West is 31st out of the 659 constituencies—but it cannot wait until 2005 or 2008 to get help. I recently visited St. Thomas's hospital, and it was interesting to talk to nurses who had met the leader of the Labour party when he was involved in that public relations exercise a few weeks ago. They were deeply unconvinced by what he had to say.

Morning, noon and night, we listen to soundbites, and all the talk of "billions of pounds", and "joined-up government". In reality, however, the general public and the media no longer accept anything that the Government say about any issue.

This time last week, however, was a great occasion, because of the Warm Homes and Energy Conservation Bill. I do thank the Government, and hon. Members on both sides of the House, for their support for that measure. I also hope that it is a very happy summer recess for everyone.

11.30 am

Mr. Gareth R. Thomas (Harrow, West): I pay tribute to the hon. Member for Southend, West (Mr. Amess) for his work on the Warm Homes and Energy Conservation Bill. However, my view on the NHS plan differs completely from his. I think that it is an excellent document, and that the problems that it addresses are so serious because of the mess that was left to us by the previous Government.

I do not want to address the issues raised in yesterday's NHS plan, but I should like to talk about two important, although perhaps less high profile, health policy issues. The first is wheelchair provision. Quality of life for wheelchair users and their carers is often determined by the make or break issue of whether a high-quality wheelchair is provided. As many people will realise, wheelchairs can be the crucial factor in wheelchair users' independence and greater dignity and self-esteem. High quality wheelchairs often also improve their life chances by improving education and employment opportunities.

On 5 March 2000, the Audit Commission published a report highlighting serious problems with NHS and social services equipment provision. I shall concentrate on the report's findings on local provision by the wheelchair service. The report chronicled increasing pressures on equipment services. Demand is rising as the population ages, and expectations are rising thanks to advances in technology and science. The success of community care and the commitment of all parties to helping people to maintain their independence are also increasing demand for equipment services, particularly wheelchairs.

My interest in the issue was sparked by the mother of a young disabled person who came to my surgery and said that a wheelchair was absolutely vital to ensuring her child's full engagement in a school environment. She highlighted the totally unsatisfactory response that she had received from the local wheelchair service. After looking into the matter and examining in detail the conclusions of the Audit Commission report, I realised that, across the country, despite the rolling out by the Department of Health of good practice standards on wheelchair service provision, there is still great inequality in wheelchair provision.

Some NHS trusts offer a wide range of wheelchairs and do not place restrictions on wheelchair type or cost. Other NHS trusts have very tight eligibility criteria and limit wheelchair provision to intensive, permanent wheelchair users. Other trusts restrict the types of wheelchair they provide, although they may make wheelchairs available more widely and not only to intensive, permanent users.

The Audit Commission could find no evidence that the variations in wheelchair provision related to variations in local need. The commission found instead that the problem had more to do with historic patterns of wheelchair provision. The commission also chronicled wide variations in waiting times for assessment of need, receipt of wheelchair, and, in some cases, wheelchair repair.

The commission conducted a survey, at six wheelchair centres, to determine wheelchair users' opinion on the quality of service. It revealed that 40 per cent. of wheelchair users had not been shown how to maintain their wheelchair; 30 per cent. had not been given written information on using their chair; and 25 per cent. did not receive all the equipment that they needed. Perhaps the most telling statistic was that more than 30 per cent. of wheelchair users had not been asked what they wanted in their wheelchair. Another key statistic is that up to one in five wheelchair users have to wait more than two months for their wheelchair to be delivered. It confirmed that wheelchair service standards vary greatly.

It is crucial that the Department of Health should establish as soon as possible minimum core standards for all wheelchair centres. The Department must ensure that

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skilled assessment teams are available to provide technical and administrative support to the wheelchair service. There is also a clear need for more investment in wheelchair equipment. In some cases, local health authorities need to reconsider funding for the wheelchair service.

The Audit Commission report made two key recommendations: that health authorities review current service standards and urgently introduce quality improvement programmes; and that they introduce systematic reassessment programmes for all wheelchair users.

I know that my right hon. Friend the Secretary of State for Health is deeply concerned about the very stark picture of a second-rate service in some parts of the country, and that an extra £40 million will be made available for the service. Nevertheless, I hope that my hon. Friend the Parliamentary Secretary, Privy Council Office will encourage our hon. Friends in the Department of Health to speed up their response to the Audit Commission report.

I should also like to raise the issue of patients' complaints. When patients make a complaint about the care that they or their relatives have received and the NHS trust decides to convene an independent review panel, they do not always receive clear guidance on the contents of medical files. I raise the issue because of the visit to my surgery by Mr. Alex Eady, of Field End road. He came to see me after his mother, Mrs. Iris Eady, died. He was concerned that she had suffered poor care at the local hospital, that she had not received proper medication and that hospital staff sometimes displayed a negative attitude towards her.

Mr. Eady had a number of meetings with health care professionals at the local hospital. Ultimately, however, he asked for an independent review panel to convene to consider his mother's care in greater detail. The local trust refused the request. I believe that we may need to consider whether NHS trusts should be allowed to make the decision on establishing independent review panels.

Subsequently, Mr. Eady sought to gain access to his mother's files to examine the contents in detail. Although he was successful in that, he lacks the medical expertise necessary to analyse information on the quality of care given to his mother and other information provided by the doctors and nurses who treated her. My staff and I have attempted to secure support for him by working with voluntary and non-governmental organisations such as Inquest, and Action for Victims of Medical Accidents. Thus far, however, we have been unsuccessful. I suggest to Health Ministers, through my hon. Friend the Parliamentary Secretary, that it might be useful to provide community health councils with access to a doctor to examine precisely such cases.

Another issue that I should like to raise before the recess was brought to my attention by Mr. Bustin of 14 Wyvenhoe road, in my constituency. He highlighted the sell-off by Prudential of Egg shares, which could be bought only on the internet. If services become internet-exclusive, there is a real danger of exclusion for constituents such as Mr. Bustin, who do not have or do not want access to the internet. They are in danger of suffering if services or business operate only on the internet.

Prudential claimed that that method of trading shares reduced the costs to those who wanted to buy shares, but as my constituent highlighted to me, there is an element of discrimination against those who do not have access to a computer, or those who live in parts of the countryside where there is no cyber café or library with internet access. There is potential for some form of exclusion if we are not careful.

The last issue about which I wanted to speak was the story of the Tower colliery in south Wales. Not every hon. Member is as lucky as I am in having Welsh roots. However, many hon. Members, especially Labour Members, know the story of the Tower colliery and of the campaign to save it. That campaign was led in part by my hon. Friend the Member for Cynon Valley (Ann Clwyd). Those of us with an interest in mining communities, such as my hon. Friend the Parliamentary Secretary, or with roots in the Co-operative movement, are proud of the Tower colliery.

The story has been made into an opera, which was performed throughout Wales and, on several occasions, in Europe. My hon. Friend the Member for Cynon Valley tells me that it will shortly be made into a film. However, the opera has not been widely performed in England. The Arts Council of England turned down the application for support to help the company tour. I hope that my hon. Friend the Parliamentary Secretary will take issue with the urban peasants at the Arts Council of England and urge them to review their decision.

I hope that my hon. Friend the Parliamentary Secretary and other hon. Members have an excellent summer recess.

11.42 am

Mr. John Wilkinson (Ruislip-Northwood): I associate myself at the outset with the memorable remarks of the hon. Member for Tooting (Mr. Cox), who paid the warmest tribute to Madam Speaker at the beginning of our proceedings, after prayers. I am delighted that, in addition to her responsibility in chairing the September conference of the Commonwealth Parliamentary Association—an organisation which we hold in the highest regard—she will take time during the recess to visit the Baltic states and Ukraine. Those countries have regained their freedom and enjoy independence, which they did not have in the bad old days of the Soviet Union.

The Adjournment procedure provides an invaluable opportunity for me to consider the future of

Harefield hospital—one of the best-known heart hospitals in the national health service. I am grateful for the opportunity to describe the high regard in which we hold its services.

Coronary heart disease is the most common cause of premature death in the United Kingdom. It accounts for about a quarter of deaths under the age of 65 and is on the increase.

In 1997–98 in England, 389 heart and lung transplants were performed, of which around a quarter were undertaken at Harefield . . . This year, NHS providers in England will receive a total of £349 million for spending on research. The Royal Brompton and Harefield NHS trust is the health service's pre-eminent provider of research into cardiac and respiratory diseases and is receiving £20 million—just under 6 per cent. of that total.

Many people are aware that, under the inspirational leadership of Professor Sir Magdi Yacoub, Harefield hospital has become a world leader in heart and lung transplantation. It has the largest transplant programme in Europe . . . and has accumulated experience over the past two decades that is second to none, not just in this country or in Europe, but in the world. Since its programme was set up in the early 1980s, Harefield has completed well over 2,000 transplants.

I pay tribute to Sir Magdi and the whole team at Harefield, who have helped so many people over so many years to live a rich and fulfilling life.

Harefield not only provides top-quality medical care, but makes a major contribution to world-class research into cardiac disease through its links with the Imperial college school of medicine. The research output of the cardiac and respiratory sciences department at Imperial has been recognised in successive assessments by the Higher Education Funding Council for England as of the highest international quality. Some 20 per cent. of the UK's research output in cardiac and respiratory diseases is completed at Imperial and its associated NHS hospitals. Perhaps even more impressively, two thirds of top-quality research citations in the UK are generated by the same department.—[*Official Report*, 2 December 1998; Vol. 321, c. 1020-21.]

The words are not mine, but those of the then Minister of State, Department of Health, who is now Secretary of State, the right hon. Member for Darlington (Mr. Milburn), who was replying to my Adjournment debate on the future of Harefield hospital.

The Secretary of State and the Government now wish to close the hospital. I am delighted that my hon. Friends the Members for Beaconsfield (Mr. Grieve) and for Uxbridge (Mr. Randall) are on the Opposition Front Bench this morning. From their local experience, they fully appreciate the enormous merits of Harefield hospital, which is an incomparable national institution of international repute. Unless the Government have a change of heart, it will close shortly.

A three-month consultation period on the proposals outlined in the document "Modernising Specialist Acute Hospital Services in West London" began on 13 July. It is therefore opportune that we have the debate this morning. When we return in the autumn, only three weeks of the consultation period will be left, and the vagaries of the ballot system mean that I cannot be certain of securing an Adjournment debate in those remaining weeks.

It is important to get some vital facts on the record. First, the document's proposals are more orientated to building up the Paddington basin site, through new developments, and economically and socially regenerating that part of west London, than to addressing the future of cardiothoracic medicine in this country. The study's remit is far too narrow. I acknowledge that the specialist advice was given by the West London partnership forum. Perhaps it is therefore understandable, to some extent, that its vision should be so limited. However, we do not need to have limited vision. We should try to ensure that Harefield hospital, which the Secretary of State acknowledged as pre-eminent in its field, should continue and go from strength to strength.

The consultation document makes proposals for other specialist services with which I can readily concur. It suggests concentrating renal services at Hammersmith hospital and the movement to and concentration of paediatric services at St. Mary's hospital, Paddington. It also proposes two cardiac and thoracic centres for west London, and I do not demur. What is wrong is that both should be concentrated in inner London. We need one unit in inner London, at Paddington, and one in outer London—one must call it that, although I prefer "rural Middlesex"—at Harefield.

Harefield takes its patients primarily from outside London. Only 10 per cent. come from Hillingdon—the borough in which it is located—although 90 per cent. of patients in the borough with heart, chest and lung problems are referred to Harefield. The hospital is vital to us locally, both clinically and for employment in the village and that area of my constituency. There is no other comparable employment. The hospital is at the heart of the village economically and contributes greatly to its spirit.

Harefield's catchment area is wide; patients come from the whole of this country and from abroad. Earlier this week, I visited a patient who had received a transplant, without which he would certainly have died. His condition had degenerated and he was helicoptered from the south coast back to Harefield. He has been there for more than two months and, I am glad to say, is recovering well. Patients cannot be helicoptered into Paddington as they can be to the rural location of Harefield.

The patient's devoted wife has been at his bedside during the two months. She can stay in the hospital for £20 a night. She eats in the canteen. Those possibilities would not exist in central London—in Paddington.

The correct model is not necessarily to incorporate a specialist centre in a large general hospital. That is the model which the Government are pursuing, and I am happy for it to be set up at Paddington as they desire. However, at Harefield, not only is the most sophisticated treatment available—including heart-lung transplants—but there is a range of other services, such as angioplasty, bypass surgery and out-patient treatment.

The fact that the hospital offers the whole gamut of heart-lung treatments is its strength. This could be the model for the future. The Government should not put all their eggs in the general-hospital, central-London basket. They should build on the strength of Harefield and ensure that it has a real future.

Furthermore, Harefield has always benefited from private sector finance. In the NHS plan announced yesterday, with much fine rhetoric from the Prime Minister, the Government had something to say about that. The conclusion to the chapter dealing with changes in the relationship between the NHS and the private sector states:

A closer working relationship between the NHS and the private and voluntary sector will be mutually beneficial. By putting the relationship on a new footing NHS patients will benefit. It will, in particular, contribute to winning the war on waiting for treatment in the NHS.

Let the Government translate that into action. Let them allow us to build up Harefield as a centre of excellence based on partnership between the private sector and the NHS.

Since the consultations on specialist hospital services in west London began, the financial background has changed dramatically, not least because of the expenditure review announced by the Chancellor, but also because of the NHS plan. On investment in coronary heart disease, chapter 14 states:

We shall be investing an extra £230 million a year in heart disease services by 2003/04. There will also be an extra £120 million of capital funding from the Treasury Capital Modernisation Fund over the two years to March 2002, to expand capacity and modernise services.

According to current plans, the Paddington basin site will not be operational until 2006. The Government are pursuing a strategy to combat heart disease with great vigour—one hopes. Let them do so now by putting some of that extra money into Harefield. It would be the simplest and most cost-effective solution, as well as the one most appreciated by my constituents.

[Mr. John Wilkinson]

Paragraph 14.23 of the NHS plan states:

The National Service Framework pledged an expansion of 3,000 extra heart operations in the two years to March 2002 at a cost of £50 million. We shall now boost this with a further £10 million in the current year backed by £120 million over two years from the Treasury Capital Modernisation Fund, to support more rapid expansion of existing services and begin the development of new cardiac centres. This will enable the NHS to achieve the 3,000 target ahead of time, and to bring on stream at least a further 3,000 operations on top of this by 2003.

The first of the three consultation meetings about Harefield hospital was held yesterday in Hayes. It was noteworthy that one of the nurses, who works in the transplant unit and whom I had met on a visit to the patient to whom I referred earlier, said that the staff will not move to inner London. Their homes and schools are in the locality. They have a pattern of life in rural Middlesex and beyond that they enjoy; they do not want to move to congested, overcrowded central London.

The plan notes:

Decades of underinvestment in coronary heart disease services will come to an end.

If that is so, the Government need to enact the pledges in their plan. They state:

The Coronary Heart Disease Partnership Programme, starting in October 2000—

before we even return from the recess—

will work with a group of cardiac networks across the country to streamline the delivery of high quality, patient-centred care and—

I stress—

get the most out of existing capacity.

Either that is all baloney or the Government must review and change their strategy to close Harefield hospital. It is my earnest desire that Her Majesty's Government will see sense in this matter. They will be judged by what they do.

I shall end my remarks as I began, with a short quote from the debate on 2 December 1998. The debate needs to be reread by anyone studying the issue. I said:

Harefield hospital's situation in rural green belt, at the nodal point of the M1, M25, M40, M4 and M3 motorway network, near to Heathrow and Luton airports, with its very own helicopter pad, ample space, surrounding quiet countryside, clean air and cheaper housing, is surely the right one to make it the right place for the country's premier cardiothoracic transplant centre, now and well into the century that is to come.

Developers, PFI financiers and the great and good committee men may have other ideas, but I simply pray that Our Lady of Harefield—whose image in glass glorifies a window in the hospital chapel—and of the parish church dedicated in her name may bring advent wisdom to Ministers and allow the work of the healing of hearts to continue in the village where England's first and only Pope, Nicholas Breakspear—Adrian IV—was born.—[*Official Report*, 2 December 1998; Vol. 321, c. 1019-20.]

We have moved on. It is not advent; it is trinity and we are on the threshold of the recess. Let us use the quiet and tranquillity of our recess to reconsider policies which may not be wholly wise. It would certainly be damaging to cardiothoracic care in this country if Harefield were to close. I urge Ministers to think again.

12 noon

Mr. Barry Gardiner (Brent, North): The subject that I raise is by far the most distressing case with which I have had to deal since I became a Member of Parliament.

One of the things that parents come to realise is just how intimately their own happiness is bound up with that of their children. Therefore, one of the things that parents dread is the diagnosis that their child has meningitis. The disease strikes fast and can be fatal, and I remember the pain of my own son and his fear as he submitted to a lumber puncture when he had meningitis five years ago.

My son is now 15, the same age that Wassan Khatib was in February this year. In February, her father wrote to me as follows:

I am writing to you with reference to my only child Wassan who died on 6th of February 2000 and to the circumstances surrounding the twenty-four hours prior to her death.

Wassan was 15 years of age. She was born on 26th of June 1984 at Portland Hospital in London. She has lived all her life in the UK and attended Heathfield School in Pinner. Wassan was always in good health and was a happy child.

On Friday 4th of February Wassan attended a party at her school. We collected her from the school at 10.30 p.m. and she was safely in bed by 11 p.m. She awoke on Saturday the 5th complaining of a severe headache. She was vomiting and had a high fever. I considered the situation serious enough to call our GP at the Chalkhill Medical Centre and ask him to make a house call. I was advised that Dr. David Rapp, with whom Wassan was registered, would call as soon as possible. Dr. Rapp arrived at Midday. He asked Wassan what was wrong and she told him of her headache and vomiting. She evidently had a high fever although Dr. Rapp never actually took her temperature. He examined her chest and back with a stethoscope and visually examined her throat.

As a normal father, I was concerned about my daughter's situation. I was aware of the fact that there had been a number of cases of meningitis recently and that the government was undertaking a vaccination programme at all schools. I specifically told Dr. Rapp twice, once before and once after he examined Wassan, that she had not been inoculated against meningitis.

Dr. Rapp's diagnosis was that Wassan had a slight throat inflammation and told me that "there was nothing to worry about".

Dr. Rapp advised Wassan's parents to give her sips of water and paracetamol. Mr. Khatib says that he had never seen a slight sore throat cause high fever and vomiting, but he accepted Dr. Rapp's professional opinion, as did his wife, and they did what they were told.

Wassan's condition continued to deteriorate in the afternoon and by 7 o'clock that evening, her parents had become sufficiently worried to call the emergency number at the Chalkhill health centre. They requested another doctor to make a house call to see Wassan. Dr. Chowdhury, a locum, arrived at about midnight—five hours later. By that time, Wassan's condition was very bad. Her father says:

To my mind there was no doubt that Wassan was very ill. Once again I took comfort that she was being attended to by a doctor.

Dr. Chowdhury asked Wassan about her condition and she told him that she had a severe headache, had been vomiting and that she was very disturbed by light. Dr. Chowdhury examined her chest and back using a stethoscope and visually examined her throat. Her parents advised Dr. Chowdhury of his colleague's diagnosis. Dr. Chowdhury diagnosed that Wassan had a migraine. Wassan had never complained of a migraine before, and her parents could not understand how that explained her vomiting. They asked Dr. Chowdhury to explain. His response was simple: "Oh, it happens."

Dr. Chowdhury gave Wassan's parents four capsules of solpadol, with a prescription for further tablets if required. Once again, Wassan's parents deferred their doubts in favour of the doctor's professional opinion. Solpadol is a

strong painkiller and it alleviated some of the headache from which Wassan was suffering, and she slept for a few hours.

At 7.30 the following morning, Mr. and Mrs. Khatib checked on Wassan to discover that her body was covered with a rash and that she was extremely weak. She continued to vomit and have a high fever. They decided that she must go to hospital and told her to dress, only to find that she was unable to support her own body weight. They called an ambulance, and it took Wassan to Northwick Park hospital in my constituency. The parents were left in no doubt about the seriousness of the matter by the ambulance crew, who radioed ahead to tell those at the hospital to prepare an intensive care bed. That was seven hours after Dr. Chowdhury had told Mr. and Mrs. Khatib that Wassan had a migraine.

The staff at Northwick Park acted promptly and efficiently. A specialist unit at St. Mary's hospital was requested. Wassan arrived at Northwick Park at 10 o'clock in the morning and staff spent the next few hours attempting to stabilise her condition for the transfer to St Mary's. She was finally moved to St Mary's at about 3 o'clock. She survived at St Mary's for a further two hours before her fight for life ended at about 5 o'clock.

A formal complaint was submitted to the General Medical Council about the conduct of Dr. Rapp and Dr. Chowdhury. I obtained a copy of the medical notes of both doctors at the time of their examinations of Wassan. Dr. Rapp's notes were not contemporaneous; they were printed on a computer system on the Monday morning, the day after Wassan had died. They seemed to indicate a level of 20:20 hindsight at variance with Wassan's parents' recollection of Dr. Rapp's visit. Under the heading "Comments", Dr. Rapp recorded:

slight fever 2/7 slight vomit, alert, slight red throat, no nodes, no photophobia, no neck stiffness, no rash, chest clear, abdomen soft.

I believe that those notes are not a true record of Dr. Rapp's examination of Wassan. I believe that they were manufactured subsequently to protect Dr. Rapp against the repercussions of his failure properly to diagnose the disease that subsequently killed that young girl. Dr. Chowdhury's notes, which were contemporaneous, record no tests for photophobia, body rash, or any other classic symptom of meningitis. The diagnosis is simply: migraine.

What Mr. and Mrs. Khatib did not know when they wrote to me or when they registered the complaint—indeed, they do not know now—was that Dr. Chowdhury was already very well known to the General Medical Council. On 12 August 1994, Dr. Chowdhury was telephoned by a registered general nurse and asked to visit a seriously ill patient whom the nurse thought was dying. Dr. Chowdhury refused to attend the patient. On 9 September 1996, the national health service appeals authority had exhausted its complaints procedure and, owing to the seriousness of the case, submitted the complaint to the GMC.

It took a further one year and two months until, on 10 November 1997, the professional conduct committee of the GMC found Dr. Chowdhury guilty of "serious professional misconduct". At the conclusion of the proceedings, the chairman announced the committee's determination as follows:

Dr. Chowdhury: The Committee are seriously concerned that, on the facts admitted by you, you culpably failed to respond to the needs of a gravely ill patient. Your conduct fell grossly below the standards which patients are entitled to expect of their doctors.

The Committee have judged you to have been guilty of serious professional misconduct in relation to the facts admitted on your behalf and found proved against you in the charge.

In the light of your failure of care towards your patient, the Committee have considered most carefully whether they should direct the erasure of your name from the Register or the suspension of your registration.

However, the Committee have taken account of your expressions of regret, the assurances that you have learned from the event, and the evidence from your patients and colleagues about your general standard of practice. They expect you to ensure that your future practice is never open to such criticism again.

In all the circumstances the Committee have determined to conclude your case with a severe admonishment.

The House will note two extremely disturbing matters. First, Dr. Chowdhury continued to practise for three years and three months until he was finally found guilty of serious professional misconduct. Secondly, he was not suspended during that period. I ask the House to compare that with the complaints procedure that is applied to teachers, when anyone who is the subject of a complaint of serious professional misconduct is subject to an instant suspension from teaching duties pending an investigation. It is the same with the police force, as senior police officers have the power to suspend from service any officer accused of gross misconduct. The Government must examine why medical complaints take so long to determine and why doctors are so rarely suspended after the GMC has established that there is a prima facie case for the doctor to answer.

Sadly, the GMC's severe admonishment in November 1997 is not the sum total of complaints against Dr. Chowdhury. On 8 April 1998, less than six months later, Dr. Chowdhury began to sexually harass a patient. On 2 November 1998, that case too was brought to the GMC as a formal complaint. At this point, it might be thought that, with full knowledge of Dr. Chowdhury's disciplinary record, the GMC would act to suspend him. It did not do so. It did not even hold a preliminary proceedings committee until 9 September 1999, almost a year later. When it met, the committee still did not suspend the doctor, but referred the matter to the professional conduct committee, which did not meet for a further nine months until 2 June this year. On that occasion, it determined as follows.

Dr. Chowdhury:

Patients are entitled to have trust and confidence in the character and integrity of their doctors, particularly when doctors attend upon patients in their own homes. The Committee have found that, on a number of separate occasions you attempted to pursue an improper emotional and sexual relationship with your patient, Mrs "A", who was at that time vulnerable and unwell. Furthermore, you did so on visits to her home in the evening when she was alone. You also persistently made unsolicited telephone calls to Mrs "A". By your conduct you gravely and repeatedly abused the trust Mrs "A" should have been entitled to place in you as a registered medical practitioner. You sought subsequently to dissuade Mrs "A" from pursuing her legitimate complaint, by seeking to involve one of your practice staff.

The Committee have also heard evidence of your previous history. That history includes an appearance before the Professional Conduct Committee in November 1997 when you were found guilty of serious professional misconduct. Although the facts found proved on that occasion were different in character to those we have now found proved, you should nevertheless have been left in no doubt by the terms of the severe admonishment issued to you on that occasion as to the possible consequences were you to appear again. The Committee note with considerable concern that, despite that severe admonishment, the events in relation to Mrs "A" happened within a matter of months of your previous appearance here.

The Committee have carefully noted the evidence and testimonials given on your behalf. But in view of your grave abuse of your patient's trust, and your previous history, they have found you guilty of serious professional misconduct in relation to the facts found proved in the charge, and have directed the Registrar to erase your name from the Register.

That was on 2 June this year. Wassan Khatib died on 6 February, after Dr. Chowdhury had failed to diagnose her as having meningitis.

The Government must review the procedure and the length of time taken whereby doctors can continue to practise for years until they are eventually the subject of disciplinary procedures. There must be a proper process for suspending doctors.

Mr. Khatib wrote:

Wassan was our only child. She was the apple of my eye and my life revolved around her. She was a well-loved and happy teenager with everything to live for . . . There is something basically wrong in life when parents have to bury their own child. Believe me when I tell you that these two Doctors have condemned my wife and myself, as well as Wassan. It is imperative that you act immediately to ensure that no one else need go through the suffering that we are going through now and through that which is yet to come.

12.16 pm

Mr. Paul Tyler (North Cornwall): I hope to have time to respond to a number of contributions, not least the distressing case raised by the hon. Member for Brent, North (Mr. Gardiner). First, however, I want to make my own contribution.

I make no apology for saying something about the holiday industry—not only because it is topical, but because my constituency is one of the most important holiday destinations, outside London, in the United Kingdom. Some 21 per cent. of the county of Cornwall's gross domestic product comes from the holiday industry—five or six times the national average.

In the week of the Concorde crash, it is a sobering fact that we are far more likely to suffer serious ill health—even fatal consequences—from the conditions in the aircraft cabin than we are to be victims of an air crash. The Aviation Health Institute, which I have consulted, and whose representative I met yesterday, tells me that of the 1,000 deaths that take place in flight and on board worldwide each year, more are due to heart attacks than to air crashes.

I became interested in the subject because it was discovered that organophosphates—the House may know that I chair an all-party group on that subject—are used as lubricants in aircraft engines. It was discovered that dangerous vapours from OPs can leak into the cabin in certain conditions, with a damaging effect on the short and long-term health of pilots, flight attendants and passengers. I have recently met Senator John Woodley from Australia, who is conducting an inquiry into the matter. There is also a House of Lords inquiry, and in a recent debate in Westminster Hall I referred to the lack of attention given by Ministers to the problem.

Recently, I became aware of other health conditions that can arise as a result of long-haul air travel in particular. Those include deep-vein thrombosis, infectious diseases, some cancers, and the effects of reduced oxygen supply. It is the last of those that most people are aware of. I am grateful to the Aviation Health Institute for drawing my attention to the experience of Lufthansa's medical director, Dr. Luntz Bergkau, who said:

What passengers do not realise is that they fly in an artificial environment where there might be up to 20-25 per cent. less oxygen. This is equivalent to being on the top of a mountain and for people with heart or lung conditions, it can tip them into a crisis phrase.

In those circumstances, it is ironic that our present Government and their predecessors seem to be pursuing policies that encourage holidaymakers from this country to fly abroad for their summer holidays. I shall highlight three examples of the way in which that seems to be happening: VAT, the differential between regulation and overhead costs in this country compared with our competitors, and the artificial value of the pound.

Until last year, there seemed to be a steady increase in overseas visitors to the United Kingdom; indeed, the number doubled in 20 years. There were an estimated 25.7 million visits, which made a major contribution to the economy. However, especially in parts of the country outside London, there is evidence of slackening growth, or possibly even a fall, in the number of overseas visitors this year.

Businesses that had already cut their prices to impossible margins during the Conservative recession, to try to survive, have had to cut still further until, unfortunately, many of them have gone out of business or have had to increase their prices. They simply could not pull their belts in any more tightly. That is particularly true in my county, Cornwall, and in the west of England.

I turn to the factors that seem to have caused the problem, of which the first is VAT. The House may know that value added tax on hotel accommodation in France is 5.5 per cent., in Greece 8 per cent., in Spain 7 per cent., in Portugal 5 per cent., in Ireland 12.5 per cent.—and in the United Kingdom, of course, it is 17.5 per cent. Anyone, whether in Berlin or Birmingham, who looks at a hotel brochure recognises the disparity between the tax that must be paid in any of those other countries and the tax payable in the UK. That has an effect on both our domestic tourists and our overseas visitors.

Deloitte and Touche was asked by the British Tourist Authority to examine the economic effects of changing VAT rates on the British tourism and leisure industry. It found that a cut from 17.5 to 8 per cent. would mean a loss of £400 million to the Treasury in the first year, but that the gains would be £400 million in that first year, going up to £700 million in 10 years' time, from increased income tax and corporation tax, and savings in social security. Perhaps just as importantly in areas such as mine, which still have relatively high unemployment, 50,000 new jobs would be created.

The report also highlighted the fact that in Ireland in the 1980s, having carefully considered the balance of advantage, the Government halved VAT on accommodation and meals, with a major impact on the holiday industry. That was confirmed to me when, with several of my Cornish colleagues, I met Government officials in Dublin this week.

The rate of VAT affects the relative value for money for UK and continental holidaymakers. Although there may be a good case for differences and discrepancies in the VAT rates on some commodities, people do not travel from London to France, or vice versa, to buy a newspaper simply because lower VAT makes it cheaper in one place than another. However, when it comes to holidays, the competition is intense.

Secondly, on regulation and overheads, it was extremely interesting to find that the Irish Government had tackled the matter with great alacrity and success.

There are no water charges in Ireland. Compared with the south-west, where high water charges are imposed on our holiday industry, our competitors across the Irish sea have a major advantage. The same is true of local taxes. The uniform business rate can be a considerable imposition, particularly if it is set at a level that does not recognise the seasonal nature of the industry. The fire, hygiene and trade refuse charges imposed on the industry are a great deal higher than in other competitor countries on the continent or in Ireland.

Those penalties on legitimate businesses are made even worse because there is an degree of unfair competition at home. Any Member who represents a holiday area must know that the six-bed rule, and the pirates who exploit it, either by pretending that they have fewer than six beds or by ignoring the rule, are causing considerable difficulty. In opposition the Labour party said that it would deal with the discrepancy, but sadly, after three years of Labour government, the discrepancy still exists. The easiest way to deal with the problem would be to introduce local income tax. Account can then be taken of the ability to pay. Surely that must be at the root of a sensible local taxation policy.

Thirdly, there is the value of the pound. After agriculture, the industry worst affected by the failure to benefit from a stable currency environment must be the holiday industry. In Dublin I saw how well the holiday industry in that country was benefiting from being linked to the euro. That was very hard to take. There is a 20 per cent. competitive disadvantage to the United Kingdom holiday industry, and that is affecting a large part of the country—although perhaps not so much in London, where prices are higher anyway. It is certainly true of many of the more peripheral parts of the United Kingdom. The long delay in establishing a stable currency relationship will be devastating to the holiday industry.

My hon. Friend the Member for Torbay (Mr. Sanders), who takes a close interest in these matters, has asked the Minister for Tourism, Film and Broadcasting a number of questions. The Department has admitted that it is impossible to forecast the effects of exchange rates on the holiday industry. However, the omens are extremely bad. The evidence this year, in terms of the number of continental visitors to the south-west, including Cornwall, is that there is a real impact.

It is not all doom and gloom. I would hate to think that any right hon. or hon. Member leaving the Chamber today would not have his or her spirits lifted by the prospect of a happy holiday in Cornwall, so I shall be positive for a minute. First, we have a listening Minister. I pay tribute to her. The hon. Lady is coming to my constituency next week for at least the second time, and if I do not pay tribute to her, she might decide to go elsewhere. She is proving an effective advocate for what otherwise, I fear, is rather a Cinderella industry.

The three taskforces that have been set up—especially the resort taskforce, which my hon. Friends the Members for Torbay and for Southport (Mr. Fearn) have been urging to take action and to be more effective in getting real results—seem to be languishing in a bywater. There seems to be no effective reduction in regulation. Seaside resorts in particular have yet to see any real new investment or assistance.

The beach clean-up issue is in the news again this morning. It is a real problem. I absolve the occupants of the Government Front Bench from the problems that were caused by privatisation. Labour Members were on my side on that issue. We recognised from the outset that the privatisation of the water and sewage industry would impose intolerable burdens on some areas, not least because we are unable to take up the opportunities of EU funding that other countries, including Ireland, have had. The proposed legal action reported this morning must give the Government cause for real concern. I hope that it will mean that they will take action to help the worst affected areas.

On behalf of my Liberal Democrat colleagues, I shall respond briefly to some of the other points that have been made. I am struck by the way in which some themes have run through many speeches. Health and the environment have been mentioned very often today, as they have on previous occasions, as I am sure the Minister will acknowledge. The way in which we bring to Parliament our constituents' concerns on those subjects is important.

The hon. Member for Orpington (Mr. Horam) talked about the health facilities for his constituents. The hon. Member for Ruislip-Northwood (Mr. Wilkinson) referred to Harefield hospital. I think that we all recognise that that is a centre of excellence. Some of my constituents have received excellent treatment there. I hope that the Government will listen carefully to the hon. Gentleman.

What the hon. Member for Upminster (Mr. Darvill) said about the link between leisure, sporting opportunities, fitness and health was interesting. That is extremely important, as are the concerns about mobile phone masts and the health of children.

The hon. Member for Shipley (Mr. Leslie) referred to the connection between the environment, health and a landfill site in his constituency. Again, other hon. Members will have had similar experiences.

I was struck by the fact that the hon. Member for Harrow, West (Mr. Thomas) talked about patients' complaints before we heard the very harrowing experience recounted by the hon. Member for Brent, North. Clearly there is a major problem. Every hon. Member will recognise that unless we can improve the speed and efficiency of the complaints system, especially when something so serious as the death of a child is involved, our constituents will not be happy, whatever funding goes into the health service. Until that matter is dealt with, there will be something basically wrong at the heart of the health service.

Today's speeches have been dominated by the personal contributions and obvious heartfelt sincerity of several hon. Members. I cannot ignore the contribution of the hon. Member for Faversham and Mid-Kent (Mr. Rowe), who, sadly, is not now in his place. I pay tribute to him; he is absolutely right to say that this country's public services benefit greatly from the personal contribution of huge numbers of individuals. We do not recognise that sufficiently. His very sincere and thoughtful contribution strikes echoes on both sides of the House.

On a lighter note, I will cherish for some time the statement by the hon. Member for Southend, West (Mr. Amess) that the new Conservative-led council in his borough was "restoring" the difficulties of a former era. Out of the mouths of babes and sucklings!

I shall detain the House no longer; I simply wish you, Mr. Deputy Speaker, and every other Member a very relaxing and refreshing recess before Parliament reassembles in the autumn. I know that there are other

[Mr. Paul Tyler]

strains and stresses, and that most of us will have a great work load, but I hope that the recess will at least provide some Members with an opportunity to come to the delectable Duchy of Cornwall, where I can assure all Members that their health with be restored—and it does not have to be reached by aeroplane.

12.32 pm

Mr. Bill Rammell (Harlow): I am pleased to be able to make a short contribution to the debate. I wish to raise two issues that are of particular concern to my constituents in Harlow and to apologise for the fact that I will not be able to stay for my hon. Friend the Minister's summing-up because I have a constituency engagement, but I have already spoken to him.

First, I wish to raise the crucially important issue of access to university education. I know from my own experience—I was the first member of my family to go to university—how enormously beneficial a university education can be in offering opportunities, broadening horizons and genuinely empowering people. It is to the Government's enormous credit that they want greatly to expand the proportion of our young people who have the opportunity of a university education.

The target to get 50 per cent. of the under-30s into higher education by 2010 is long overdue. The fact that, for the first time in a generation, funding for universities will be increased by 11 per cent. in real terms during this Parliament is to be welcomed. The fact, which was not much commented on at the time, that the per capita funding for students will increase, instead of decrease, under the comprehensive spending review is especially welcome. All of that is enormously beneficial, and none of it would have been possible were it not for the tough and difficult decision to introduce tuition fees that the Government took when they came to power.

I was a university manager for nine years before being elected to the House, and that decision gave me pause for thought. At the time, I had some qualms and concerns about it, but I eventually became convinced that there is genuinely no alternative way in which to get the funds that we need to expand the higher education system. I say that because the figures show that dealing with the problems that the Government faced in the university sector when they came to power—such as the per capita cut in student funding, student poverty and the cap on access at 30 per cent. of the eligible age range that the previous Government instituted—would have cost the equivalent of three or four pence on the standard rate of income tax. I, and many other Members, were persuaded that no Government of any party would levy such a tax increase and spend all the proceeds on the universities and their students.

By 2002, 50 per cent. of students will not be paying tuition fees. The Government have introduced a fairer and more progressive loans system. That difficult decision, which was made to fund expansion, was taken in the fairest way possible.

However, I am raising this issue today because I believe that the recent proposal in the Greenaway report, on behalf of the Russell group of universities, to allow universities to charge differential top-up fees would blow that compromise apart and be a significant step too far. The Russell group universities already regard themselves as the elite institutions of this country. I used to work for one of them. Many of them are determined to charge increased fees and, in the process, increase their perceived exclusivity. That would be enormously damaging.

It is worth looking at the evidence around the world. Australia has gone through an experience similar to ours. In 1989, the then Labour Government in Australia introduced a tuition fee system similar to our current one. It did not impact on access, just as ours is not impacting on access. However, in 1996, the then Conservative Government in Australia introduced differential top-up fees and seven Australian universities now charge full fees of more than £8,000 a year. That change has had predictable results: a drop in overall applications; a slump in applications by mature students; and, particularly worrying, a significant narrowing of the social backgrounds of students attending those universities.

The United States of America has a two-tier system based on differential top-up fees and allows universities to charge whatever the market will bear. Proponents of the American system here argue that bursaries and scholarships are available to support the poorest students. I am not convinced that that works. Even if one accepts the argument that bursaries for the poorest students are the way forward, that scenario is based on a system of philanthropic private donations to universities, which this country is light years away from achieving. I am not convinced that a system of charitable postgraduate donation would ever be fully accepted in this country, because we have a different social model and a different attitude, rightly, to welfare, taxation and spending.

Thus the evidence around the world shows that top-up fees have been damaging. Were we to introduce them in this country, we would run the huge risk of creating institutions that were accessible only to students from the most prosperous backgrounds, and everyone else would be denied access and be forced to go to universities regarded as second rate. We would also force institutions to choose what kind of university they wanted to be. The choice would be between having a socially inclusive student population and not receiving additional funding, or receiving additional funding through top-up fees.

I refuse to accept the implication of the Greenaway report on behalf of the Russell group of universities that the best in higher education is limited to a small group of elite institutions—Oxford, Cambridge, University college London and the rest—and that those are the only ones that need additional funding.

When the proposals were first made, about a year ago, the Secretary of State for Education and Employment, while making clear his opposition to top-up fees, challenged the Russell group to engage in an open and honest debate and to justify how top-up fees would be consistent with expanded access. I welcome the challenge that he laid down because it put the ball firmly in the Russell group's court, and the Greenaway report is the group's response to that challenge. I have read and reread the report, and the only real suggestion that it comes up with to deal with that challenge is the scholarship proposal, but it gives no detail whatever of how that would genuinely meet the challenge of giving poor students and those from disadvantaged backgrounds a university education.

It is clear from the report that the universities have not even reached first base in terms of meeting the Secretary of State's challenge. The silence from the Russell group since the report's publication makes it plain that the universities are split. I think that, having noted the lack of substance in the proposals, many are resiling from the proposition that top-up fees are the answer.

I approve of the Government's present stance. The Secretary of State has made it clear that the Government still oppose top-up fees, as the Prime Minister did here on Wednesday. Yesterday, I tabled early-day motion 1049, which opposes the Greenaway proposals and which was signed by 100 Labour Members. I put it together in about a week: I have never found it easier to obtain support for an early-day motion. That demonstrates the strength of feeling in the Labour party.

I think it right to oppose the Russell group's proposals, not just in principle, but politically. Opposing them creates either clear blue water or clear red water between us and the Conservative party. We oppose top-up fees, while the Conservatives have a different view. The Teaching and Higher Education Act 1998 created the present system of tuition fees. At an early stage in the passage of the Bill, the right hon. Member for Charnwood (Mr. Dorrell), the then Opposition spokesman, made it abundantly clear that the Conservative party wanted to retain the option of top-up fees.

The second issue is pensions. I do not think that, since April, so much concern has been expressed on doorsteps in my constituency, and elsewhere, as has been expressed about the pensions increase. There was a perception on the part of some pensioners—a false perception in my view, but nevertheless a perception—that the 75p a week increase indicated the Government's disregard for pensioners' needs. I fear that that perception has obscured the Government's real achievement.

Since the general election, we have added £6.5 billion to pensions. We have done far more for pensioners than the last Government ever did. The winter fuel allowance, the free television licence, the reintroduction of free eye tests—which has led to 3,000 additional eye tests in my constituency—and, crucially, the minimum pension guarantee targeted at the poorest 20 per cent., are significant measures. The Conservative party had 18 years in which to introduce them, but it did not do so.

This is worth saying, in view of the Conservatives' false protestations. Pensioners, and people generally, do not judge politicians by their words; they judge them by their actions. During its longest uninterrupted period of peacetime office, the Conservative party had the opportunity to do something about pensions, but it did nothing.

Pensioners in my constituency have criticised the Government with regard to pensions over the past few months, but in all that time not one has said to me, "We believe the Conservatives would do better." They know from their experience that that is not true. Nevertheless, I believe that we must do more for pensioners. We said at the last election that we wanted them to share in growing prosperity. We have made a start—indeed, I have never known such prosperous times in most of my adult life—but we have the opportunity to do more. Let me give three examples.

First, I welcome the Government's review of the minimum pension guarantee, and the attempt to taper extra income to pensioners above income support levels. That is crucial, because it deals with the widespread perception among pensioners that people who play by the rules and save are penalised because they get no additional state help.

However, I urge the Government and my right hon. Friend the Chancellor to go further and raise the basic state pension substantially this year. That is the right thing to do, but it is also necessary politically: we must convince pensioners that we are on their side.

In addition, I urge the Government to consider restoring the link between pensions and earnings as soon as possible. That is not a fashionable view in the House. The Conservative party opposes the restoration of that link, which the then Conservative Government broke in 1980. The present Government are not yet convinced about restoring the link, and although the Liberal Democrats talk a lot about pensions, the detail of their record is revealing.

The Liberal Democrat general election manifesto did not call for the restoration of the link between pensions and earnings. Although the party has attempted to rewrite that and say that matters have moved on, its alternative Budget submission this year contained no costed commitment to restore the link. That was puzzling, given that leaflets pushed through my door in Harlow stated that the party was in favour of restoring the link.

Mr. Geoffrey Clifton-Brown (Cotswold): The hon. Gentleman and the hon. Member for North-West Norfolk (Dr. Turner) have both talked about pensioners, but does he not agree that the Government's minimum income guarantee for pensioners is meaningless as long as only pensioners claiming income support qualify for it? Is not it high time that the poorest pensioners should not have to rely on any form of benefit, and that they should be able to survive on the state pension as a minimum income?

Mr. Rammell: I welcome the fact that mine is the first speech today to attract an intervention. The minimum pension guarantee is paid through income support, and the Government are launching the biggest ever advertising campaign to ensure that pensioners apply for it. That is vital, as some pensioners—especially the most elderly—may not be aware that they can claim it, or may find the relevant forms difficult to complete.

The Government have been in power for three years; is what the hon. Member for Cotswold (Mr. Clifton-Brown) said the view of his party? If so, why did the previous Conservative Government introduce no proposals along those lines in the 18 years that they were in power? Claims made in opposition ring hollow in such circumstances.

Mr. Clifton-Brown: Will the hon. Gentleman give way?

Sir Richard Body (Boston and Skegness) *rose—*

Mr. Tony McWalter (Hemel Hempstead) *rose—*

Mr. Rammell: I will not give way, even to a Labour Member, as other hon. Members want to contribute to the debate.

Restoring the link between pensions and earnings is the best way to ensure that pensioners share in prosperity as the economy grows. However, there is a longer-term

[Mr. Rammell]

problem. The Government acted with the best of intentions when they introduced the minimum pension guarantee but, if the basic state pension remains indexed only to prices, the gap between it and the minimum pension guarantee will grow smaller. As a result, more people will become eligible for the minimum pension guarantee, and therefore for means-tested benefits.

In the longer term, that will reduce the incentive to save. I am not sure that that is the objective that the Government set out to attain when they made the essential and very welcome changes with regard to the minimum pension guarantee. I know that the Treasury has made projections about the consequences and cost of restoring the link between pensions and earnings, and I acknowledge that money has to come from somewhere.

However, I think it is possible to restore the link in practice, even if we do not restore it in principle. By that, I mean that we have to provide the public expenditure required, but that part of the problem is confidence in the City and elsewhere that our longer-term public spending plans and projections of public spending as a proportion of national income add up. If we make that longer-term commitment, the figures rise and there is a confidence problem. If we uprate pensions yearly according to the increase in wages instead of prices, we will get a better and shorter-term solution.

The Government have done far more for pensioners than the Conservative Government ever did, but I want us to go further and introduce a substantial rise in the basic state pension this year. I should like us to consider the restoration of the link between pensions and earnings. If that could all be achieved by the time we come back from the summer recess, I would be enormously grateful.

12.51 pm

Mr. Geoffrey Clifton-Brown (Cotswold): I am delighted to catch your eye, Mr. Deputy Speaker, in this summer Adjournment debate. Before I raise two constituency issues that have national implications, I shall respond to the hon. Members for Harlow (Mr. Rammell) and for North-West Norfolk (Dr. Turner), who have been trying to curry favour with pensioners by suggesting that the Labour party will give them a better deal than the Conservative party will. They have both misrepresented my party's views, as articulated by my right hon. Friend the Member for Richmond, Yorks (Mr. Hague). Under his proposals, pensioners over 75 would have £10 a week more in certain circumstances. To say that we have no proposals to improve the lot of pensioners is simply not true.

Mr. Rammell: I do not want to prolong this discussion, but is the hon. Gentleman aware of the House of Commons Library analysis showing that his party's proposal would simply take money from one pocket and put it into another? It would raise the income of pensioners over the age of 75 by only 18p a week.

Mr. Clifton-Brown: I do not accept that. As I understand it, my right hon. Friend's proposals involve £300 million of new money. What is more, they would reduce the bureaucracy that pensioners face when they have to claim for payments. I came across a pensioner in my constituency the other day who had a degree in social sciences. She said that by the time she had ploughed through the five pages of gobbledegook to claim the winter fuel payment, she still did not understand it. If she cannot understand it, that shows that there must be red tape and unnecessary bureaucracy. We will cut through some of that unnecessary red tape, and thereby reduce the cost of government. However, I do not want to be tempted too far down that line.

The first issue I want to raise concerns the National Fire College at Moreton-in-Marsh. I obtained a leak from the commandant of the college, Mr. Terry Glossop, to whom I pay tribute. He was brought in after the college had been making losses for years and had had problems with the Home Office. He introduced a new management team, turned the budget round, and the college is now making a profit.

Faced with the problem of the college, the Labour Government announced an options review when it came to power in 1997. It has taken all this time to come to a conclusion on that review. I heard from the commandant yesterday that the Government were planning to answer a parliamentary question. The Under-Secretary of State for the Home Department, the hon. Member for North Warwickshire (Mr. O'Brien), confirmed that. I tabled a written question yesterday. The answer still has not come through: I gather that there is some problem with the drafting. I thank the Minister for what I believe will be in that answer, which is that the college is to remain open. My constituents will be very grateful for that. They will be pleased that the college has a future training United Kingdom firefighters, and that the Government are considering transferring defence firefighting training to the college, thus ensuring it an even better future. That was also part of the previous Government's proposals for the college.

The problem now is that, having taken three years to announce the conclusion of the review, the Government intend to bring in consultants to work out the way forward. Although my constituents will be pleased that the college is to remain open, there is still no assurance on its way forward.

The college needs that assurance rapidly. Foreign firefighters thinking of coming to the college have to know what facilities the college is likely to be able to offer. The college desperately needs investment in new facilities, but it cannot obtain it until the consultants' report has been finalised. I therefore urge the Minister to urge Home Office Ministers to get on with ensuring completion of the consultants' report, so that my constituents can know the way forward for the college.

The second, and more substantive, issue that I wish to raise concerns the strategic road A419/A417. I shall try to describe to the House just where the road is, the problems, and then, very briefly, the solution. If one were travelling westwards from London on the M4, left the M4 at Swindon and took the A419/A417—almost completely on dual carriageway—one would reach the M5 at Gloucester. The road bisects the triangle that would be created if one went on the M4 all the way down to Bristol and then up the M5. The road saves about 50 miles compared with following that triangle.

One can drive all the way from Sicily, in southern Italy, to Glasgow on dual carriageways, with the exception of two little links. The first is at Blundson, outside Swindon. I think that that link will be dealt with soon because Swindon is such a rapidly expanding city.

The other link is one of the most environmentally difficult bits of necessary road building in this country. Its environmental significance is similar to that of Twyford down. It is situated right at the top of the Cotswolds area of outstanding natural beauty, on the scarp that goes down into the Cheltenham and Gloucester valley. Standing on the top of that scarp, one has one of the best views in the country. It is a magnificent bit of country. The problem is that no one has yet found a satisfactory way of building a safe dual carriageway over the top of that hill.

We have already had fatalities on the road, and I believe that we shall have more. The road must be completed urgently. Minor works are being proposed, but they are really only tinkering at the edges. They include building a right-hand lane for turning into the Golden Hart pub at Nettleton Bottom; a 40 mph restriction at Stockwell lane; and minor traffic calming as one enters Stockwell. Those minor works will in no way affect the problems.

There are three problems. The first is that there have been fatalities on the single-track road at Nettleton Bottom. We had an horrific case in which an articulated lorry shunted a car into the pub wall and the car's occupants were all killed. There have been other fatalities.

The second problem is that we have very considerable congestion, in the middle of what I call the missing link, at the Air Balloon pub. On a busy summer's morning, the traffic queues can extend six miles towards Cirencester. It is a very considerable environmental problem for my constituents.

The third problem is that not only do my constituents have to put up with long traffic queues—which are caused by national traffic on a national motorway system and are not generated by them—and deal with the fatalities, but some cars leave the road and start, as they say in the trade, rat running through some beautiful Cotswolds villages. It is a very considerable strategic national problem. It is also quite capable of solution.

The most expensive but best solution, which has been investigated by the consulting engineers Mott MacDonald in a desktop study, would be a tunnel. Mott MacDonald estimates that the tunnel would cost about £75 million to £100 million. I have no doubt whatsoever that if we were in France or Switzerland, we would adopt the tunnel solution, because it is by far the most environmentally friendly solution to this national strategic road problem. However, I accept that, in a practical and pragmatic world, that is unlikely ever to happen in this country. One therefore needs to look for other solutions.

The county council, with the Highways Agency and the Government office for the south west, has identified a readily identifiable solution. I urge them all now to get together to pursue that solution, which is a dual carriageway relief road at Nettleton Bottom, a proper roundabout and gyratory system at the Air Balloon pub, and—perhaps the most difficult of all—a fourth lane up Crickley Hill.

Those solutions have been costed at less than £25 million. That sounds a great deal of money, but, in the context of a national road network, I urge all those agencies that I have already mentioned—the county council highways department, the Government office for the south west, the regional development agency and the Highways Agency—to get together to examine the solution, be ambitious and include it in the 10-year road plan.

The money was announced by the Chancellor last week; the solution is perfectly feasible, and should be effected. I hope that my contribution today will hasten a solution so that too many more fatalities do not occur in my constituency before something is done.

1 pm

Dr. Doug Naysmith (Bristol, North-West): I want to consider some aspects of mental health services, which are important to some of my constituents. I know that they are important because three constituents came to see me here on 7 June. They came with approximately 2,000 others from all over England and Wales as part of a lobby that the Mental Health Alliance organised. The alliance is a consortium of 51 organisations which represent mental health service users, carers, professionals and service providers. It includes many well respected names and organisations in mental health.

I found through talking to other hon. Members that my three north-west Bristol residents, Judy, Phil and Gladys, were typical of the lobbyists: they were gentle, polite, well briefed but persistent in making their points and in asking why mental health service users seemed to be treated differently by the national health service from those with other forms of illness.

A previous Secretary of State said that mental illness is as common as asthma. Yet it is not well understood. People are frightened of it, and it carries a stigma that adds to the burden of illness. As part of a programme to create modern and dependable health and social services, the Government want radical change to improve the treatment of mental illness. They want to provide a system in which patients, carers and the public are safe, and security and support are available to all who need it.

A 21st century service must be aimed at reducing the stigma of mental illness, encouraging social inclusion, supporting patients when they return to work and providing a balance between safety, sound treatment and supporting measures. The Government have made a good start by increasing resources for mental health services and giving clear guidance about the way in which services should be run and, in many cases, improved.

Several documents contribute to the Government's policy. They include "Modernising Mental Health Strategy", a Government strategy document published in 1998; "The Mental Health National Service Framework", which was published last year; and the Green Paper on the reform of the Mental Health Acts of 1959 and 1983. The Green Paper followed last year's publication of the expert committee's findings on the reforms.

Despite all that activity, mental health service users continue to have severe reservations about the services on offer and those proposed for the future. They want a reduction in the use of compulsory powers, an individual enforceable right to a comprehensive assessment of need—and for those needs to be met with good and effective services—and a free independent advocacy service. They want new legislation to ensure that, as far as possible, people are allowed to make their own treatment

[Dr. Doug Naysmith]

decisions, and to protect properly those deemed to lack the capacity to make such decisions, and the right to draw up legally enforceable advance statements on their care and who should be involved in it. They also want full information on any proposed treatment, and informed consent to be sought in every case. Although they support the formation of new independent tribunals, such bodies must reflect the community they serve and must include people with broad experience, including service users, who must be properly trained.

Judy, Phil and Gladys focused on the first two of those points—compulsory treatment and the right to a comprehensive service—and the need to ensure that appropriate and effective medication is available without artificial restrictions. The aim of any new legislation should be to reduce the need for the use of compulsory powers. In many cases, compulsion is a negative experience for users of services; it risks harming their psychological well-being and their relationships with family, friends and mental health professionals. It can be highly stigmatising, and should be used only as a last resort and in strictly limited circumstances.

I accept that compulsion may be needed in some cases to protect others from harm. However, I share the expert committee's concerns about overplaying the issue of public safety. Its report states:

> It is important to emphasise that the legislative response to the perceived danger posed by people with a mental disorder must be proportionate to the actual risk.

The vast majority of violent crimes in this country—about 95 per cent. of homicides—are committed by people who do not have mental health problems. The proportion of homicides committed by people with a mental illness has gone down by 3 per cent. each year since 1957.

I share the committee's

> wish to avoid extending the scope of compulsion to situations in the community where it is not needed and where it would be counter-productive.

The Government have said that they do not intend to increase the number of people subject to compulsion. However, there is concern that the criteria set out in the Green Paper, which are wider than those recommended by the expert committee, would potentially extend compulsion to almost all those in contact with secondary psychiatric services who disagree with their doctor. That would be a vast extension of the scope of current powers.

New legislation should offer people an individual enforceable right to a comprehensive assessment of their needs and to have their identified needs met with good quality and effective services. Recently, a survey undertaken by the National Schizophrenia Fellowship found that more than one in three people had been turned away when seeking help. One in four people seeking hospital admission had been refused. Black people and those from ethnic minorities are less likely than white people to obtain help that is relevant to their needs. They are more likely to be subject to compulsory powers and other coercive treatment, and to suffer unmet need.

Many of those who are turned away from services find that their mental health deteriorates to the point where they are subject to compulsory admission. The introduction of rights to assessment and to services could encourage earlier treatment, thus reducing the need for compulsory powers. The Government's expert committee, set up to review the Mental Health Acts, proposed a right to assessment of mental health needs and stated that that should include a system for recording any unmet assessed needs.

The Government rejected that recommendation, arguing that the national service framework includes a requirement for any service user with a common mental health problem who contacts their primary health team to have their mental health needs identified and assessed. However, that does not give individuals an enforceable right to such an assessment; nor does it include a procedure for recording unmet need. Without an enforceable right to assessment, the current situation, in which people are turned away from services, is unlikely to change.

Access to appropriate and effective medication is also important. Regrettably, a number of people do not receive that. In recent years, several new medicines, known as atypical anti-psychotics, have become available for the treatment of schizophrenia. Those medicines significantly improve the quality of life for patients. They have a more favourable effect on both positive and negative symptoms and there are fewer side effects. There is better compliance than with the older, typical medications.

The older typical anti-psychotic treatments can have horrendous side effects—including difficulties with movement and uncontrollable shaking—some of which are irreversible even when the patient has come off the medication. That makes patients reluctant to continue with their treatment and often results in relapses and returning to hospital.

The new medicines offer better value for money than the older treatments, certainly over the medium to long term. The Government's mental health strategy document recognises the benefits of the new atypicals, and the 1999 independent report "Safer Services—A Report of the National Confidential Inquiry into Suicide and Homicide by People with Mental Illness" found that too many patients were prescribed older medicines and that there was a subsequent lack of compliance.

The Government are making extra resources available to assist in meeting the demands for new drugs and to train staff. People with schizophrenia should be treated fairly and prescribed the most appropriate medication, irrespective of where they live. Nevertheless, there is widespread evidence and concern that there are many gaps in service provision at a local level, that funding is inadequate and that many patients are being denied access to effective modern treatments.

At this time when, as we heard yesterday, incredibly exciting things are about to happen in the national health service, and when services for people with mental health problems are very much on the agenda, I am glad to have had the chance to raise the concerns of my three constituents—and many others—with my hon. Friend the Minister. I urge him to raise the points as strongly as he can with the appropriate Ministers at the Department of Health and the Home Office.

1.12 pm

Mr. John Randall (Uxbridge): I welcome my hon. Friend the Member for Beaconsfield (Mr. Grieve) to his new portfolio. I am sure that he will show as much expertise in this post as he did in his previous one.

I was going to use this important opportunity to raise one subject, but other matters have come to mind. These debates are a useful forum for Back Benchers to raise all manner of subjects. I do not think that I could be called in any sense of the word a moderniser, because I am the fourth generation in the family furniture business and could probably be described as an hereditary retailer—and I know the views of Labour Members on hereditaries. Although I do not think that I can normally be classed as a moderniser, I suggest to the Minister that there might be opportunities to have one or two more such debates in the parliamentary year. They give Back Benchers the opportunity not only to express their views, but to listen to the views of others. Although the more traditional Adjournment debates provide for such opportunities, they are not always used in that way. This debate is an interesting and useful exercise for us all.

I echo the words of my neighbour, my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson), about Harefield hospital. I pay tribute to the excellent work and sincere efforts that he has made on behalf of the hospital. The campaign has been felt acutely throughout the area and not just within the immediate confines of Harefield. My constituents lobby on the matter and the campaign has all-party support.

As hon. Members may know, Harefield was, until the general election, part of the Uxbridge constituency. My predecessor, the much-respected Sir Michael Shersby, was laid to rest in Harefield churchyard, and anyone who has visited the church will know why my hon. Friend the Member for Ruislip-Northwood was correct to describe the area as rural Middlesex.

Sometimes, when I sit on these Benches, the words of a Gilbert and Sullivan song come to mind. I think of a lot

> Of dull MPs in close proximity,
> All thinking for themselves is what
> No man can face with equanimity.

Obviously, today's debate is a notable exception.

As a great fan of Gilbert and Sullivan, I remember that one of my first deeds on entering the House was to help the all-party Gilbert and Sullivan group to lobby the Arts Council for some money for the D'Oyly Carte company. That fell on deaf ears, but bearing in mind that the Arts Council is now a little better off, will the Minister point out to his colleagues in the appropriate Department the need for some middle and lowbrow entertainment, as well as the rather highbrow stuff that sometimes passes over my head? Perhaps we should at some stage consider whether there should be not just the national opera houses but a national light opera house. Light opera is very often an entry into—as people would tell us—more sophisticated music, although the likes of Birtwhistle and so forth are still a long way above my head.

My hon. Friend the Member for Southend, West (Mr. Amess) and others have raised some transport problems. Government planning guidance is increasingly making parking provision in Uxbridge difficult. Although I understand the aims involved, the guidance is stifling development in town centres, especially before suitable local public transport options have been implemented. As such options seem to be a long way off, can some of the guidance be relaxed in the short term so that town centres are not entirely killed off?

I raised with the Deputy Prime Minister on the Floor of the House some months ago the possibility of extending the Central line to Uxbridge—a siding comes very close to the Metropolitan and Piccadilly lines. I was told by the Deputy Prime Minister that the Government considered the matter when they first came to office and rejected it. However, a subsequent exchange of letters between myself and his Department has revealed that, in fact, the Government did not consider the matter, but had they done so, they would have rejected it. I wonder whether it might sometimes be a good idea to admit such things. Such ideas, which have sometimes been around for a long time, should be considered before they are rejected out of hand.

Although we are still very much in the cricket season, I should like to use this opportunity to press the Minister to mention to Ministers in the Department for Culture, Media and Sport not only D'Oyly Carte but sport. I know that grassroots sport and football have been in the news and that work is being done on the issue, but I would like a little more emphasis on non-league football. Not only is such sport an opportunity for many to enjoy supporting their local side, but it can play an important community function.

I am lucky in having in Uxbridge the excellent Ryman division one team, which is aptly named Uxbridge. We have been delighted to be joined in that division—we may leave them behind when we are promoted to the premier next season—by the team of Northwood in the constituency of my hon. Friend the Member for Ruislip-Northwood, and by Yeading, which plays in the other constituency that covers Hillingdon. The hon. Member for Hayes and Harlington (Mr. McDonnell) puts too much emphasis on Hayes FC in the Nationwide conference, but he must not forget poor old Yeading.

Finally I turn to the more serious matter on which I originally intended to say just a few words. As we go away for the summer recess, I take hon. Members' minds back to last year and the NATO action in Yugoslavia. Since then, we have heard little of what has happened in Serbia, Yugoslavia or, indeed, Kosovo, as only a small amount of information is coming out. I remember some of the wilder claims and statements made during the course of the NATO action, and I should like to know a little more about what is happening. I hope that there will be a debate on the subject soon after we return.

Of course, the Select Committees on Defence and on Foreign Affairs have produced reports, some of which contain pretty damning statements, but I do not want to dwell on those now, but on the humanitarian aspect. As many of us, hopefully, are leaving for a break with our families, we should bear in mind the plight of refugees in Yugoslavia. There are more refugees in Yugoslavia than any other European country. As a result of sanctions and the NATO sanction, there is a great deal of deprivation in Serbia. One of the most alarming statistics that I heard recently was that 68 per cent. of the population cannot afford three proper meals a day. Obviously, the innocent and most vulnerable will suffer, not Milosevic's party elite.

The International Red Cross is doing work in Serbia, and, within that, the British Red Cross is doing what it can. However, there is a case to be made for a small change in British policy, as isolating the country from all significant spheres of activity is damaging those people who want to support change to a more western form of democracy. Most of the intelligentsia have left and, in many respects, the aims of the west's action have not been achieved—indeed, the very opposite has been achieved.

[Mr. John Randall]

Without being too radical, I think that we should start by having links at an ordinary level, so that the Yugoslav people realise that the British people have no argument with them. Perhaps we could have sporting and cultural links and, in time, trade links.

There is a danger of being seen to support a regime which most if not all people in this country are against. However, it is time to look seriously at what is happening. Serbia is probably the most important country in that region, and we must consider the Balkan area for the sake of Europe's security and peace. We cannot afford to ignore that region any longer.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. There are about 35 minutes remaining before winding-up speeches are due to begin. I think that four hon. Members are seeking to catch my eye. If there is mutual self-restraint, we shall accommodate everybody.

1.23 pm

Mr. Tony Banks (West Ham): I am grateful for the opportunity to take part in our debate. Listening to today's contributions, one realises that those who characterise pre-recess debates as a sort of nerds' corner clearly have not had the opportunity to pay attention to the excellent points made by hon. Members. Those who heard my hon. Friend the Member for Brent, North (Mr. Gardiner) describe a moving case involving the death of a young constituent will realise just how valuable these opportunities are for all of us.

We are about to go into a long recess and, to be perfectly honest, I want to have a quick whinge. Madam Speaker spoke about cynicism in relation to Parliament, especially the House of Commons, and the description of the long recess as a holiday tends to encourage cynicism. This morning I listened to "Yesterday in Parliament" and heard Rob Orchard and his fellow presenter referring to Members of Parliament going off on holiday to the beach—that is difficult for me in West Ham, which is landlocked—and taking their buckets and spades. That is one of the most ridiculous cliches that journalists use when describing the long summer recess.

I am not unique in terms of my holiday plans. I will have two weeks off, and the rest of the time I will be in my constituency here in London. My constituency office will be functioning daily, and staff holidays are organised so that it will be there every day during a normal working week. Post will be coming in and people will be working here in Westminster. Advice sessions will be held. To describe the long recess as a holiday is untrue, misleading, and tends to encourage that cynicism among voters who feel that we are all about to disappear to a beach to drink vast quantities of piña coladas and enjoy ourselves. I do not know how many Members of Parliament will be in that fortunate position.

Mr. Dominic Grieve (Beaconsfield) *rose—*

Mr. Banks: Ah, a pina colada drinker.

Mr. Grieve: I will be going away with buckets and spades, but as they are the buckets and spades of my four-year-old and my six-year-old, I count that as work.

Mr. Banks: I do not envy the hon. Gentleman in that regard. However, "Yesterday in Parliament" referred to Members of Parliament and their buckets and spades. I do not know what the hon. Gentleman does when he is on holiday; perhaps he helps his children to dig holes in the sand and build castles, which seems like good training for an Opposition politician. I wish him well, but I doubt whether he will be doing that for the next three months; if he will, he may develop muscles that I have not previously detected on his otherwise slim torso.

I plead with journalists not to perpetuate the myth that the recess is a holiday. They should come to the wonderful area of Stratford—not upon Avon, but in the east end of London—where they will see my staff and myself working hard through the recess, after our holidays.

The other item that I wish to raise has vexed the House considerably in recent days—the role of the Speaker and the election of the Speaker when we return on 23 October. Madam Speaker left us not only with regrets about her departure, but with rather a big problem in terms of finding a successor. I believe that this is a matter that should be determined not by this Parliament but by the next one. That is my opinion, but I suspect that it is not shared by the majority of Members.

Having the election of the Speaker on the very first day we return, 23 October, is awkward. For example, despite what I have just said about the recess, hon. Members do go our different ways and lose contact with one another until our party conferences. Keeping in touch during the recess to discuss the rival merits of different candidates becomes difficult. The list of candidates appears to be growing longer by the day. At present, there seem to be about a dozen people up for the job. Unfortunately, I do not know who they all are. It would be helpful—since I assume that they are all looking for support—if they identified themselves. Perhaps they have done so to their own supporters, but it would be useful if we all knew.

The way in which we are approaching the election of a Speaker leaves far too much to chance, and I very much regret that. There should have been a full day's debate on the role of Speaker and what we as Back-Bench Members—and, indeed, all Members—expect from our Speaker, who, after all, will occupy that distinguished position for five, seven, eight or 10 years. Before the election, we should have an opportunity to describe the sort of person we would like to see occupying the Chair.

There are a number of early-day motions on the subject, which I know that my hon. Friend the Parliamentary Secretary will have noted. That is evidence of the concern in the House about the way in which we are approaching the significant matter of the election.

I do not believe that there should be hustings. A candidate who plays to the crowd, so to speak, even when the crowd happens to be Members of Parliament, is not necessarily the person best suited to the job. None the less, the candidates should be given, if they wish, some opportunity to declare themselves and their opinions on the subjects that exercise us—modernisation, the role of Back Benchers, and keeping the Executive under some sort of control, which we always talk about but never manage to achieve; I doubt that we ever will. If we had a full day's debate, putative Speakers would have the opportunity to declare themselves on those important matters.

Will my hon. Friend consider giving us the opportunity of such a debate by arranging for the House to return on Friday 20 October, before we move to the election of the Speaker on 23 October? Perhaps he will respond to that proposal when he sums up.

My hon. Friend the Member for Workington (Mr. Campbell-Savours) yesterday asked whether the Procedure Committee should be invited to sit during the recess to consider the machinery for the election of the Speaker. As a member of the Procedure Committee, I would be prepared to give up my time—which, clearly, I will not be spending on the beach, with or without bucket and spade—to consider that important matter. The Procedure Committee has not examined it since 1996.

Finally, if none of those proposals finds favour with my hon. Friend or with my colleagues, perhaps Madam Speaker could be asked to invite those candidates of whom she is aware—they could identify themselves to her—to send right hon. and hon. Members during the recess a statement of their intent, and of their views on the issues which they know concern Members of Parliament.

Electing someone to the position of Speaker of the House, which is one of the oldest and most distinguished, responsible and admired positions in the country, should be approached with seriousness. We are doing that, but we should be able to approach the task with more deliberation, and give candidates a clear indication of the qualities that we seek in the person who will occupy the Chair in which you, Mr. Deputy Speaker, are sitting, and which our present Speaker, Betty Boothroyd, has occupied with such distinction during her eight years.

1.33 pm

Sir Richard Body (Boston and Skegness): I hope that the hon. Member for West Ham (Mr. Banks) will forgive me if I do not follow him—although on the subject of the speakership, if only he would suppress some of his prejudices and give us more of his wit, I would be one of those dragging him forcibly from the Back Benches into the Chair.

I revert to a subject on which two hon. Members have already spoken—the national health service. Although the new announcement contains many good features, there are two omissions, which I draw to the attention of those on the Treasury Bench.

The first is the growing shortage of general practitioners, which will become increasingly apparent in the coming decade. In the average practice there are probably five or six GPs, of whom perhaps only one is a woman doctor. One might think that the ratio of men doctors to women doctors should be 50:50. Our teaching hospitals are recruiting as fairly as they can, and none of us would object to an intake of 50 per cent. female students and 50 per cent. male students.

Theoretically that is fine, but in practice it is causing a shortage, because inevitably far too many women doctors drop out of the profession on marriage or on having children. Too often they find it difficult to return. If they are married, they have to find a practice near where their husband can find employment, which may be in another occupation. That presents enormous difficulties for practices that want to increase the number of women doctors in their partnership.

One partnership in my constituency has the average number of partners—six. It set out with the principle of reverse, or positive, discrimination. It said, "We will exclude any man. We will take only a woman doctor into the partnership this time." There were several applicants, but none of them was able to join the partnership because they were all married and there were no opportunities for their husbands to find employment in the area.

The partnership pointed out to me, as have other GPs, that there will be a growing problem. The shortage of GPs available to practise will become greater. The Government must start to consider what will happen about 10 years from now. We cannot retain the ratio of 6:1 or 5:1 in most practices, when the male-female ratio among those who are qualifying is 50:50. It does not work out. I hope that there will be a new policy in the national health service to enable those who have had to leave a practice for a while to take a refresher course, or whatever, in our hospitals. That would help them to come back. There are many new developments in medicine, and many women, having temporarily left the profession, even for a few years, feel diffident about coming back. They feel that they are not sufficiently up to date.

Another problem is the way in which so many cancer patients are being treated, once it is obvious in the view of specialists that they are beyond immediate cure. I suppose that all of us received a letter recently—it may have moved us—from a woman who was told that she was going home to die. That was five years ago, but she is still alive. That is because she turned to alternative treatment. She was admitted to the St. Catherine hospital, which is one of the two places where cancer patients receive a treatment which some practitioners dismiss as cranky. It is holistic, and treats patients medically, spiritually and in other ways.

I raise the issue because eight years ago someone who has been a friend of mine for many years was diagnosed as having a very serious form of cancer. He was told that his life could perhaps be prolonged with chemotherapy, but that he must expect his end to come in less than two years. He rejected the chemotherapy and instead went to an alternative establishment. Not only is he still alive, but he is extremely active. He is 79, and is on a lecture tour in Tokyo. Some would say that that was a remarkable recovery.

Alternative treatment is available. Inevitably, it costs a certain amount of money. I would hope that the NHS could be sufficiently broad-minded to appreciate what it can do. Obviously it does not succeed in every case, but the number of its successes is remarkable. I hope that the Health Ministers and those advise the Department will take a more sympathetic view of those treatments, which have proved successful for so many people.

The other matter that I should like to raise—which is very different, but is of increasing concern in my constituency—is the way in which the minimum wage is failing. *[Interruption.]* The hon. Member for Bristol, North-West (Dr. Naysmith) says no, but I wish that he could visit my constituency and see what is happening there. I may be being unfair to him, but he may be one of those who turns a blind eye to the illegal immigrants who are slipping into the black economy in their thousands. I cannot believe that he welcomes that, because when they get into the black economy, they are not paid the minimum rate.

People in my constituency are recruited to work in gangs by rogue gangmasters—not the good, decent ones, to whom I have no objection. They often come from the

[Sir Richard Body]

criminal classes, as the police have confirmed to me, and there are increasingly large numbers of them. Such gangs are required in my constituency, where seasonal labour is immensely important to the growing and processing of vegetable crops. They are taken to the factories, one of which sometimes employs 4,000 a day; others employ perhaps only hundreds. There is scope for illegal immigrants to get into those gangs, but they are paid less than £2 an hour.

The hon. Member for Bristol, North-West mocks me, but he would be the last to support those illegal immigrants being recruited by gangmasters and paid less than £2 an hour. That is bad enough for the immigrants, but I urge him to believe that it is pretty unfair on my law-abiding constituents, who do not wish to be in the black economy and who cannot live on a wage of less than £2 an hour.

Just over a month ago, I wrote to the Minister for Employment, Welfare to Work and Equal Opportunities to draw her attention to that important problem. Yesterday I received a reply, not from her, but from someone in the ministerial correspondence unit. It had taken more than four weeks to tell me that the matter would be referred to the Home Office because it was a matter for the Home Secretary. I have been banging on about illegal immigrants for a long time, and I am well aware—we all are—that that is a matter for the Home Office. However, I am emphasising the other side of the coin, which is a matter for the Minister for Employment, Welfare to Work and Equal Opportunities.

It is no good hon. Members saying how wonderful the minimum wage is; it may be, but only for those who are not in the black economy. The black economy is increasing in the tourist trade. Skegness, in my constituency, is a marvellous place for a holiday. Come to Skeggy. I shall be there with my grandchildren, although not with my bucket and spade. Illegal immigrants are employed casually in some places there. I will not name them: I do not want to get them into trouble at the moment.

We need the casual labour provided by such gangs, and there is nothing wrong with the gangmaster system, provided that the gangmasters are honest, well known in the locality and normally recruit members of their own families and their neighbours. They do a decent job when they do not face unfair competition from the rogue gangmasters, who have often moved in from places such as Sheffield, Mansfield and Grimsby, and who recruit the kind of people whom we do not want. I hope that the Minister will urge the Minister for Employment, Welfare to Work and Equal Opportunities to look into that matter as a matter of urgency.

1.45 pm

Mr. Martin Salter (Reading, West): Not only were many of the comments of the hon. Member for Boston and Skegness (Sir R. Body) offensive, but he did not even have the courtesy to be here at the start of the debate. I caught the 7.40 train to be here on time to make points to Ministers, and I intend to make them.

I rise on this end-of-term occasion to draw the House's attention in general, and that of Ministers in particular, to the serious problems facing some of our great public services in respect of staff recruitment and retention.

I am of course delighted that Reading, as the capital of the Thames valley, is an economic success story. We have the thriving and bustling Oracle shopping centre, which is the envy of the region, and we have virtually no unemployment. Only yesterday, I learned of a local computer software company that is offering £1,000 cash bonuses to members of staff who can find a friend to recruit to the company. When the new giant Green Park business complex is completed next to junction 11 of the M4, another 5,000 new jobs will be created. Goodness knows where the staff will come from to fill those vacancies.

Reading is a new Labour success story, but the price of that success is considerable. The insanely high cost of home ownership, not just in my constituency but in large parts of the south-east of England, is putting house purchase beyond the reach of many key public sector workers, including newly qualified nurses, teachers, firefighters, police officers and many local authority employees. In my constituency, a simple two-up two-down terraced house goes for between £90,000 and £100,000. Those properties, which were built for railway workers and Huntley and Palmer's biscuit factory workers, are now well beyond the reach of the qualified, professional people who keep our essential public services running.

To buy a house in my constituency, a first-time purchaser needs to earn in the region of £24,000 to £25,000 a year. How can a newly qualified teacher on £19,000 achieve that? How are police officers, whose salaries start at £16,000 and rise to £18,000 after two years, supposed to achieve that? Firefighters earn between £15,000 and £17,000, and nurses earn much less.

Problems apply not only at that end of the wage scale. Reading borough council has taken six months not to recruit a head of housing and social services at a salary of some £60,000. Clearly, house prices are not a factor in that case, but it shows the pressure on the job market.

Local schools face the real possibility of having to shut classes next September through lack of teachers. There has been a tradition of firefighters having second jobs, although the problem may be less well known in my area. I have highlighted in the Chamber before the insane situation of two firefighters in my constituency, one of whom commutes from Lincoln and the other of whom commutes from north Dorset, because those are the only regions in which they can afford to buy houses.

We all love nurses and want to see more in the NHS. We have been promised 7,000 new nurses in the new NHS plan. However, if it is to be a truly national plan, those nurses will need to be able to seek employment in all corners of the country.

My local police force, Thames Valley, has been hardest hit by the shortage in affordable housing and the previous Government's actions. In 1996, police numbers fell to an all-time low: 3,674 officers. Luckily, they have now risen a bit to 3,783. The fall was the result of the change in the funding formula by the then Home Secretary, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), which cost some 200 officers overnight. In Reading, that was further compounded by Thames Valley police force's total resource allocation formula, which cost us some 40 to 50 officers. Worst of all was the previous Government's ill-advised decision to implement the Sheehy report, which got rid of the police housing

allowance so that officers joining the service after 1 September 1994 were patrolling the beat with senior colleagues who were picking up £4,800 more than they were. No wonder we are reaping the rewards of those ill-thought-out policies.

I am glad that the Home Secretary and the Chancellor have put in extra resources. As a result of the crime-fighting fund, we shall have an additional 200 officers, the bulk this year and the remainder next year. As a result of the comprehensive spending review, the Thames Valley force will have another 180 officers. But will we attract new recruits, and will we retain our existing officers? I am afraid that the signs are not good. Steps must be taken, on an urgent basis.

There is a case for a regional cost of living allowance for key public sector workers, or for the taking of specific measures to assist home ownership. I have been lobbying the Home Secretary, the Chancellor of the Exchequer, the Secretary of State for Education and Employment and the Minister for Housing and Planning, and I welcome references in the housing Green Paper to the need to address the issue. Working with Thames Valley police, I have pressed the case for an additional cost of living allowance to mitigate the effect of the implementation of the Sheehy report.

I have been passed a copy of a report that is currently being considered by the police negotiating board. It was submitted jointly by the police authorities of Essex, Hertfordshire, Kent, Surrey and Thames Valley to the London pay working party. According to the report,

> The current remuneration arrangements for police officers stem from the Sheehy Inquiry into Police Rewards and Responsibilities which reported in June 1993 . . .
>
> In its formal response to the Sheehy Report, the body representing the police authorities of England and Wales stated that the report "risks long run damage to the service's ability to recruit officers of sufficient quality" and "endanger retention of high quality personnel."

The report also warns of the consequences of Sheehy's having created a two-tier police service. It draws attention to the Government's welcome crime-fighting fund, but doubts that, in many police areas, it will attract the necessary recruits.

Ironically, the situation has been made worse by a good decision: the Government's decision to increase the remuneration of members of the Metropolitan police. As a result of the payment of £3,000, a differential of about £2,500 has risen to some £6,000. It is small wonder that so many police officers in my neck of the woods—officers living in Reading or Slough, who can easily commute to London—want to transfer to the Metropolitan police. Some 55 officers want to transfer: that constitutes a record increase. Perhaps most worrying of all is the fact that our objective of attracting more black and Asian officers is being severely undermined by the recruitment problems.

It is time for the Government to grasp the nettle, and to recognise that training a police officer costs about £53,000. We cannot afford that haemorrhage of resources from our local police services. I welcomed the announcement in the comprehensive spending review of the provision of £250 million for the new starter home initiative, which will be fleshed out in the autumn. I hope that the money will be used for interest-free loans, and to address the terrible problem affecting our great public services.

The key divide at the next general election will be the difference between the parties' attitudes to those public services. The Conservative party wants to privatise them; I believe that my party wants to invest in them—with the exception of air traffic control. However, there is another divide: the north-south divide, as it affects our great public services. Unless affordable housing is delivered for police officers, firefighters, nurses, teachers and other local authority workers, that divide will go into reverse, which would have serious consequences for my constituency and those of many other Members in the south of England.

1.54 pm

Mr. Andrew Love (Edmonton): As the last speaker, let me return to the opening of the debate, and add my voice to those of my hon. Friends the Members for Tooting (Mr. Cox) and for Finchley and Golders Green (Dr. Vis). It is 26 years since the invasion and division of the island of Cyprus, and action by both Britain and the international community to reunite it is long overdue.

I want to speak briefly about the problem of abandoned vehicles, and their impact on housing estates. I am sure that that problem is familiar to other hon. Members, especially Labour Members.

By definition, abandoned vehicles are old and exhausted. They pose a hazard to any community in which they are dumped, and they attract vandals. Vandalised vehicles are a potential danger to everyone in the community, and especially to children. After a time, abandoned and vandalised vehicles are often torched, and the burned-out remains contribute to the general sense of decline. The Government are doing a great deal to regenerate estates, but abandoned vehicles give another example of the difficulties that residents face.

The problem is getting worse. Three years ago, scrap metal was worth between £50 and £60 a tonne. Prices have since declined rapidly, and people are lucky if they get £5 or £6 a tonne. The cost of getting rid of the rubber from the tyres of abandoned vehicles is going up, so it is impossible to make money from disposing of vehicles properly. As a result, people are abandoning vehicles increasingly often.

For example, it costs my local authority £26 to tow away a vehicle to the breaker's yard. It is therefore cheaper, easier and more convenient to abandon vehicles than to dispose of them properly. As a result, the number of abandoned vehicles that local authorities have to deal with has undergone a rapid escalation. In my local authority area, 108 vehicles were removed in April 1999. That compares with the 211 removed in March this year—an increase of almost 100 per cent. The numbers are continuing to increase.

Moreover, recent research shows that there is a growing trend for owner-drivers not to register vehicles. Recent estimates suggest that as many as 20 per cent. of drivers in greater London do not register their vehicles, with the result that they do not face any penalty if they abandon them, and need not fear being caught. That is causing considerable difficulties in my constituency.

My local authority is finding it hard to cope with the problem. The longer that it takes to deal with abandoned vehicles, the more likely it is that they will be vandalised and burned out. A serious fire in my constituency was caused in just that way two weeks ago, and we must be mindful of the safety considerations with regard to children.

[Mr. Andrew Love]

I have taken the matter up with my local authority, and have asked it to deal with what I consider to be local shortcomings. In its turn, however, the authority has asked me to raise in the House the question of what the Government can do to help councils deal with the problem.

First, local authorities have to write to the Driver and Vehicle Licensing Agency in Swansea to determine who owns a vehicle. On average, it takes 21 days for them to get an answer, yet the police can make a telephone call and get an answer to the same question on the same day, or the day after. I am told that data protection requirements are the reason for that disparity, but it cannot be impossible to cut the amount of time that local authorities have to wait.

Secondly, a vandalised and burned-out car that still has a registration plate cannot be towed away. That is amazing. The local authority has to leave a notice on such a vehicle stating that it will be towed away in two weeks, even though it could pose a potential danger to the local community. That provision needs to be looked at and amended.

We must also tighten the arrangements for ownership of vehicles, because too many people are getting away with not paying for their vehicles to be towed away. DVLA has introduced notification schemes, but it is still too easy for people to evade their responsibilities by not registering their vehicles and not paying their road tax. The Government must deal with those problem areas.

It takes six weeks before a vehicle can be towed away. The owner must be informed in writing, and that takes several weeks. A notice must be left on the vehicle, and that accounts for a few more weeks. Surely those procedures could be telescoped, so that the vehicles could be taken away sooner. They often sit there for several months before anything is done. We must shorten the administrative procedures. The Government should work with local authorities and the police to address that issue.

Negotiations are taking place at European level on the end of vehicle life directive, but it will be some years before that is implemented. In the meantime, we cannot wait and the Government must take action. They must create a sustainable, economically viable disposal system. That would provide an economic incentive for drivers not to abandon their vehicles, but to take them where they can be dealt with. It would also reduce pollution, protect our environment and help to recycle the components of finished vehicles.

I make a plea to the Minister. We must deal with this serious problem for many inner-city areas. With good will from the Government and improved efficiency from local authorities, we can address this issue.

2.2 pm

Mr. Dominic Grieve (Beaconsfield): It is a pleasure to respond to this varied debate on behalf of the Opposition. My hon. Friend the Member for Uxbridge (Mr. Randall) was kind enough to refer to me in my new role, but I still keep my old role. My predecessor, my hon. Friend the Member for South Staffordshire (Sir P. Cormack), who would normally have been at the Dispatch Box and who was inimitable in that role, was thought to be so inimitable that his role has been carved up between the remaining members of the constitutional affairs team. It is quite likely that the Minister will have to cope with a number of different people appearing at the Dispatch Box in this role to respond for the Opposition. I shall still speak for the Opposition on Scottish matters.

We have had 22 speeches from Back Benchers, which undoubtedly is very good news. It has been fascinating to listen to the debate. I have learned that one never learns so much as when one is prepared to spend five or six hours sitting on the Benches listening to debates. It is no surprise to me that the Parliamentary Secretary, Privy Council Office is such a pleasant and courteous man because he, more than any other member of the Government, has to do precisely that. It is a pleasure to see that he will respond to this debate.

Moving slightly away from those conciliatory comments, I should tell the Minister that one of the pleasures of the debate is that it has given hon. Members the opportunity, not too fettered by time, to develop ideas. That is in sharp contrast with the way in which the rest of this week's business has been conducted. There has been a series of timetable motions and guillotines when there was absolutely no question of the Opposition spinning matters out. That was done solely because the Government wanted to conclude business even though they have grossly overloaded the timetable. The nadir was reached yesterday. It is my understanding that Lords amendments have never previously been guillotined when they have come back for consideration in this place, but that is precisely what happened on the Football (Disorder) Bill. It reflects very badly on the way in which the House conducts its business.

Mindful as I am of Madam Speaker's comments in her valedictory message to the House about how we need to conduct ourselves if we are to make a reasonable impact, I ask the Minister to pass on to his colleagues the message that we need more time for sensible debate. Grateful as I am for the opportunity to have such a debate on a diverse range of issues today, the end of this Session has been a very poor example of how we should conduct our business.

As my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) has said, if there were any possibility for the key points that hon. Members make in Adjournment debates to be replied to not only by the Minister but by written replies from the various Departments, it might be an interesting step in ensuring that our speeches had a greater impact. I am conscious of the fact that the Minister, wise as he is, will not necessarily have the answers to all the points raised in this debate.

I shall try to address the issues that have been raised in the debate. I apologise if I touch on some of them only very briefly, but time is very short.

We had several speeches on foreign affairs—by the hon. Members for Tooting (Mr. Cox) and for Finchley and Golders Green (Dr. Vis), and, on Yugoslavia, by my hon. Friend the Member for Uxbridge. The speeches had a common theme: warfare, far from producing conclusive or clear results, has led to constant future tension and problems. We have seen that in Cyprus—a country which I know and love. I spent my honeymoon there, walking around the Akamas peninsula

and swimming in the baths of Aphrodite. It is a divided island with many problems that were never resolved by armed conflict.

Equally, my hon. Friend the Member for Uxbridge was right when he said that Yugoslavia's problems had not been resolved by the NATO intervention. That is not to suggest that the NATO intervention was not justified, necessary and inevitable. However, it is a burden on the Government. I simply say to the Minister that he knows that the Government will enjoy the Opposition's support for all constructive action that they take in dealing with those matters.

A huge number of local issues were raised in the debate. They illustrated clearly that hon. Members have a detailed knowledge of what goes on in their areas and constituencies, and the enormous contribution that they can make. My hon. Friend the Member for Teignbridge (Mr. Nicholls) described the problems of a computing company in his constituency. I hope that the Minister will be able to enlighten us on those.

The hon. Member for Upminster (Mr. Darvill) made some compelling points on leisure facilities in his constituency. I sympathise so much with him on mobile phone masts, which are the bane of my constituency and probably that of almost every other hon. Member. Something must be done about them. Something that started with the very good intention of trying to free up regulation to enable people to have access to cellnet phones and others has gone completely haywire. Something has to be done about it.

I was a little surprised to hear the comments of the hon. Member for North-West Norfolk (Dr. Turner), which seemed to be a classic example of a Back Bencher taking an opportunity to have a dig at the Government. Two points emerged from his speech. The first—which he did not make—on pensions was that the truth is that, since the national pension was established in the 1940s, all Governments have been conning pensioners and the electorate. Successive Governments have behaved like Mr. Maxwell: they have raided the pension fund to pay for their current expenditure.

I tell the hon. Member, on a completely non-partisan basis, that that is why the crisis exists. Even the Minister knows that there is very little solution to it. However, I commend to the hon. Gentleman the Conservative party's suggestion that it is time that we got away from gimmick offerings to pensioners. We need to make some progress in ensuring that pensioners have a set pension that is higher than it is now, while getting away from gimmickry costing great sums to administer.

My hon. Friend the Member for Orpington (Mr. Horam) touched on the issue of hospitals in his constituency and the problems caused by the merger of health authorities. We have in the health service an enormous bureaucratic organisation. I sometimes wonder whether we are benefiting people by the constant interference in trying to change, reform and streamline. There was a health service in this country before the NHS existed. It was provided by a range of voluntary institutions, which also took in those who could not afford to pay. There are lessons to be learned from that, even if the national health service has much to commend it.

My hon. Friend the Member for Southend, West (Mr. Amess) dealt with many topics that were relevant to his constituency. Again, he showed a complete mastery of his local problems. I share his views on the disgraceful release today of convicted murderers in Northern Ireland. Some are being released under the terms of the Good Friday agreement, but it beggars belief that, having included a minimum period of two years in the agreement, an exemption is made off the cuff, through exercise of the royal prerogative and the royal pardon, to accommodate a vicious killer who has not served that requisite period. We have approached the matter inconsistently.

The hon. Member for Harrow, West (Mr. Thomas) made important points about wheelchair use. It is not the first time that such a problem has been raised. I have certainly experienced it and I hope that the Parliamentary Secretary will pass on those comments to his colleagues.

The hon. Member for Brent, North (Mr. Gardiner) made a speech that was rightly heard in silence. It seems to me, prima facie, that he presented a massive indictment of the operation of professional procedures against doctors. It is impossible to comment further, but I hope that the matter can be examined. Perhaps one of the problems is that the existence of so many doctors means that professional control inside the profession is more difficult to achieve. The question whether people should be suspended during inquiries should be considered. The House should be grateful that the hon. Gentleman has brought it to our attention.

The hon. Member for North Cornwall (Mr. Tyler) made many points about tourism in his county. I have occasionally taken a bucket and spade to north Cornwall and I hope to do so in future.

The hon. Member for Harlow (Mr. Rammell) displayed complete expertise in his subject. I disagree with him about pensions. He sent a shot across the Government's bows, but he also asked about pensions and the minimum pension guarantee. As I said earlier, we must get away from gimmickry on pensions.

My hon. Friend the Member for Cotswold mentioned a strategic road through his constituency. I have driven along the road to which he referred; it is a genuine problem. I hope that the Government will be able to find a way in which to deal with it within the available cost parameters.

The speech of my hon. Friend the Member for Boston and Skegness (Sir R. Body) was ill received by some hon. Members—for little reason. My hon. Friend is a great expert on agriculture and farming in this country, and the House would be wise to listen to him. His comments on gangers and the way in which the system works reveal a scandal. We live in such a regulated society, and people are therefore more apt to wish to break the regulations.

The hon. Member for Reading, West (Mr. Salter) did not seem to understand that. He made several points about policing, and I share some of his anxieties, as my constituency also lies in the Thames valley. He mentioned the total resource allocation formula; it has nothing to do with the previous Government. My constituency is suffering because of that formula under this Government. The hon. Member did not make many good points on that.

The hon. Member for Edmonton (Mr. Love) made important points about abandoned vehicles. I am sure that his views will be shared by many hon. Members. The increasing number of abandoned vehicles in my constituency is enormous. They are burnt out and they constitute a danger. There must be a simpler way to deal with them when they are on the street.

[Mr. Dominic Grieve]

Let me briefly consider several wider issues. The hon. Member for Bristol, North-West (Dr. Naysmith) considered mental health services. He made an excellent speech, and I share his sentiments. As one of the chairmen of the all-party mental health group, I greatly sympathise with the points that he made. Mental health legislation must be addressed. That is a massive task, and I hope that the Parliamentary Secretary realises that he will have Conservative Members' support when the Government decide to grasp the nettle. It is not a party political issue; it is a very complex one.

My hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) spoke about Harefield hospital—a matter of great concern to my constituents. In my experience, the disruption caused by removing a centre of excellence is often extremely damaging. I hope that the Government will consider that fact as they decide how to resolve the issue.

The hon. Member for Shipley (Mr. Leslie) spoke about landfill at Denholme. As there is a landfill site at Denham in my constituency, I thought for a moment that the hon. Gentleman was straying away from his patch. His comments are correct and raised an interesting point. The Government believe in devolution, but the hon. Gentleman came to the House to raise an issue because he realises that, when there is local government mismanagement, the buck stops with him as Member of Parliament. It was a bold step to take. I often reply to my constituents that Parliament has devolved such matters to local authorities to decide—even though I may not agree with that.

The Conservatives propose that there should be a method whereby local communities can appeal against the planning decisions of local authorities. That proposal should commend itself to the hon. Gentleman. I hope that he will reflect on it and pass it to his colleagues.

I agree with the hon. Member for West Ham (Mr. Banks) that we work hard in the vacation—it is an important part of our activities. Some of us also work hard with buckets and spades. The path of shining light could be followed by MPs; it is commendable to do some hard labour. I certainly recommend that path to any hon. Members who are able-bodied enough to take it.

My hon. Friend the Member for Mid-Dorset and North Poole (Mr. Fraser) dealt with a question relating to the House. We should be able to divert our phone calls, although perhaps not for the reason he gave.

I hope that the speech of my hon. Friend the Member for Faversham and Mid-Kent (Mr. Rowe) was not valedictory. It was a considerable speech that dealt with some philosophical points of great importance. I cannot do justice to it in the time remaining for my speech, but some of the points that he made reflect directly on the operation of government in this country. The question whether government should be by representative democracy or by focus group is critical.

At present, we suffer from the fact that we have a Government who court popularity; their use of referendums or other devices resembles the Government of Napoleon III. Indeed, the Prime Minister was once heard to say that he wanted to make government in this country less feudal and more napoleonic. I regret that that is exactly what he seems to be achieving—although he may have been thinking of another Napoleon.

The Prime Minister also suffers from the Tinkerbell factor. When the light starts to go out, or something goes wrong, he needs reassurance so that the light can shine again. As he is not receiving that reassurance at present, I think that he needs a long holiday. I am happy to wish him a good holiday. Indeed, I wish every Member of the House a good holiday, especially the Minister, whose comments I look forward to hearing.

2.18 pm

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): The debate has been extensive and interesting, with some surprising comments. The hon. Member for Cotswold (Mr. Clifton-Brown) was delighted with a written answer that he had not yet seen—a first for the House.

My hon. Friend the Member for Upminster (Mr. Darvill) told us that we should listen more attentively to each other—behaviour that we do not often witness in the House. For the hon. Member for Ruislip-Northwood (Mr. Wilkinson)—a great lover of his constituency—outer London became rural Middlesex. We all love our own constituency.

The hon. Member for Southend, West (Mr. Amess) told me that I had been too polite and too helpful in the past. Perhaps I can keep up the good work. I shall continue the tradition of writing to all those hon. Members who I do not mention in my speech. I shall pass messages on to my colleagues and try to secure responses.

My hon. Friend the Member for Tooting (Mr. Cox) started the debate in pole position on Cyprus, as he often does. He was well supported by my hon. Friend the Member for Finchley and Golders Green (Dr. Vis). We do need to make progress. The Government are committed, as guarantor, to a settlement in Cyprus. We fully back the efforts of the United Nations. We take every opportunity to press human rights issues with the Turkish Government. Our view on the Ilisu dam has not changed since the statement made by my right hon. Friend the Secretary of State for Trade and Industry on 21 December. Objective criteria have to be met and environmental concerns will be taken into account.

One of the major themes of the debate has been new technology. The hon. Member for Mid-Dorset and North Poole (Mr. Fraser) said that the House could improve its telephone system. I think that he is right, and I shall pass on his suggestions. Change takes place so quickly that improvement will become inevitable.

My hon. Friend the Member for Harrow, West (Mr. Thomas) made an important point about the possible problem of poverty of access to internet and e-mail systems. He will know that my right hon. Friend the Chancellor of the Exchequer takes that issue very seriously.

My hon. Friend the Member for Upminster and the hon. Member for Southend, West talked about mobile phone masts and the Stewart report. Let me make it clear that the Government are committed to responding to the report and are consulting on new planning powers for local authorities. It is an important issue on which we want to make progress quickly.

The hon. Member for Teignbridge (Mr. Nicholls) spoke about a problem with a computer firm, AllVoice, in his constituency. He had a reply from a Minister today. Using

new technology, we have faxed the answer to the hon. Gentleman, so that he knows that the matter is in hand. I will not comment on the specific case, but there is the wider issue of the knowledge network and keeping intellectual and professional rights. He asked me specifically whether I would write to my right hon. Friend the Secretary of State for Trade and Industry on the issue. I give him the undertaking that I will.

An announcement of major investment in the national health service was made yesterday. Real-terms spending will increase by 6 per cent. for the next six years—a growth over that time of a third in the money that will be spent. There will be major changes in practice and the need to modernise was expressed. Therefore, it is not surprising that the NHS has dominated our debate.

My hon. Friend the Member for Upminster spoke about the important need to bring social services and health together and to pool budgets and good practice. The hon. Member for Orpington (Mr. Horam) spoke extremely eloquently about the problems in Bromley and Bexley and about the consultation programme on amalgamation. I will, of course, pass on his comments; that is what they were designed for. I assure him that, given the scale of spending, all local authorities—whether they are above or below the index—will receive increased spending. Many of us challenge the index, so I can also say that it, too, is under review.

The hon. Member for Ruislip-Northwood made an important speech about an extremely valuable institution—the Harefield hospital. It is internationally renowned and has an international team of medical consultants. Ministers are talking to the staff team there, because it is important that it is kept together—that is where the knowledge is. The hon. Gentleman made his case powerfully and I shall ensure that his views are passed on.

My hon. Friend the Member for Brent, North (Mr. Gardiner) spoke eloquently about the specific case of Wassan Khatib. I do not want to comment on that case or on the case of Alex Eady that was raised by my hon. Friend the Member for Harrow, West. However, we can learn much from considering complaints and taking them seriously. I fear that, in the NHS and elsewhere, we do not learn from our mistakes or examine them properly or confidently enough, and that we are afraid of apologising when things go wrong. Several Members have said that the complaints system against medical practitioners is not adequate and does not have patients' confidence. I agree with them, and that is why the Government are talking to the profession about a better way forward.

My hon. Friend the Member for Harrow, West also referred to the provision of wheelchairs, which has been a Cinderella service. There has been a damning Audit Commission report and, given the level of investment in the NHS, we should be able to make progress.

In an authoritative and knowledgeable speech, my hon. Friend the Member for Bristol, North-West (Dr. Naysmith) spoke about mental illness services. Those, too, have been a Cinderella service. A Green Paper has been published, and consultation is taking place. I want to pick up on two points that he made. First, we need to strengthen community-based mental health services and intervene at an early date, and secondly, new drugs and treatment are making mental health issues and problems far more manageable in the community.

I agree with the hon. Member for Boston and Skegness (Sir R. Body) that there ought to be more women general practitioners. They bring sensitivity to the health service. Another form of sensitivity would be to allow alternative medicines and treatments to be available. Some health authorities do that better than others.

My hon. Friend the Member for North-West Norfolk (Dr. Turner) spoke about the plight of pensioners. A lot has been achieved, but there is much more to be done. Pensioner groups in King's Lynn and elsewhere in north-west Norfolk, including Mr. Worth and Mr. and Mrs. Martin, will continue their campaign. I make my hon. Friend a promise: we will do more; a lot more needs to be done. Only yesterday, we made a major announcement about the provision of services and finance for residential and nursing care. In the autumn, as he knows, we will make a significant and important announcement on the pensioners tax credit. I suspect that when the next pensions increase is agreed and announced, it will be far in excess of the current year's agreement.

Another major theme of the debate was the environment. I know the site and area to which my hon. Friend the Member for Shipley (Mr. Leslie) referred. I will not comment on the specific case, but I stress the need to move away from landfill and to do more on recycling. If the Environment Agency has not been consulted on the specific planning application to which my hon. Friend referred, there are real grounds for concern.

On another transport and environment issue, my hon. Friend the Member for Upminster spoke about the need for proper access for people with a disability to the railways. As he said, we need to get people off the roads and on to high quality public transport. Both he and the Government support such a policy; it is important to do so sensibly.

The hon. Member for Cotswold spoke wisely about the A419 and the A417. Yes, there is a problem. There is a solution, but it is difficult to balance the needs of traffic and transport with the wider needs of the environment. That is, of course, also the case in Southend, West, where a bypass is desperately needed. Money has been made available for new bypasses just this week, but we have yet to resolve which schemes will go ahead. None the less, the hon. Member for Southend, West made his point extremely well.

My hon. Friend the Member for Edmonton (Mr. Love) spoke with great knowledge about the problem of abandoned cars. Some local authorities are at the forefront of good practice on the matter. We need to consider that and to use best practice, although, as he clearly recognises, we must move in the longer term towards manufacturers having ultimate responsibility for recycling.

I hope that the speech of the hon. Member for Faversham and Mid-Kent (Mr. Rowe) was not his last. He made important and significant points. I know of his commitment over many years to working with young people, giving them citizenship and education and developing and adding value to them. If we can achieve that, some of the problems with yobbish behaviour in our schools will die away. We must praise and support teachers and social workers, as the hon. Gentleman said. It is far too easy to be critical of people and not to strengthen them. That support and praise can go wider.

[Mr. Paddy Tipping]

As my hon. Friend the Member for Reading, West (Mr. Salter) said, it is important that we offer housing assistance to public employees.

We have talked about tourism and holidays. On my ministerial duties, I shall be going to Cornwall, Skegness, Boston, north-west Norfolk and the Balkans during my alleged holiday. I will enjoy working hard, I will enjoy working hard in my constituency and I will enjoy a bit of a holiday. I hope that you, Mr. Deputy Speaker, and all your staff enjoy your well deserved holiday.

Mr. Deputy Speaker: I reciprocate those good wishes, as I did approximately 12 months ago. I am grateful to the hon. Gentleman.

It being half-past Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

ROYAL ASSENT

Mr. Deputy Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified her Royal Assent to the following Acts:

Finance Act 2000

Sea Fishing Grants (Charges) Act 2000

Child Support, Pensions and Social Security Act 2000

Government Resources and Accounts Act 2000

Learning and Skills Act 2000

Local Government Act 2000

Regulation of Investigatory Powers Act 2000

Census (Amendment) Act 2000

Football (Disorder) Act 2000

Postal Services Act 2000

Utilities Act 2000

Church of England (Miscellaneous Provisions) Measure 2000

Fire Deaths

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McNulty.]*

2.31 pm

Mr. Jim Fitzpatrick (Poplar and Canning Town): In opening this Adjournment debate on Government targets for the reduction of fire deaths, injuries and costs, I must declare an interest, as I am a non-executive director of the Fire Protection Association, a not-for-profit organisation whose aim is to reduce deaths and injuries by fire, as well as the huge costs incurred as a result of fire, which are estimated to be between £4 million and £7 million to the UK. I am sure that that objective is shared by all parliamentary colleagues. I am also co-chair of the all-party parliamentary group on fire safety, and I was a member of the London fire brigade for 23 years, 13 as an operational firefighter and 10 as a fire brigade union official, so it could be said that I should have some familiarity with the subject.

I should like to express my delight at having secured this debate and at having the opportunity to be the last Back-Bench Member to speak in this Session under Madam Speaker's stewardship. I am not sure whether the Under-Secretary of State for the Home Department, my hon. Friend the Member for North Warwickshire (Mr. O'Brien), who is responsible for fire matters, was equally delighted when he saw the subject on today's Order Paper. I did think of apologising but, given the publicity that the Minister has recently had for catching criminals, I thought that he should get some good press for putting out fires.

I congratulate the Minister and his Department on several recent fire-related initiatives, including the Home Office fire and emergency planning directorate and the national community fire safety centre, which was established in September 1998 and operates within Her Majesty's fire service inspectorate. The centre's aim is to drive forward recommendations in the report of the community fire safety task force called "Safe as Houses", and develop a co-ordinated sustained national strategy to deliver fire safety awareness and education. The centre contributes directly to the Home Secretary's key aims, namely to reduce accidental fire-related deaths in the home by 20 per cent. over the next five years, and reduce the overall number of fires.

The centre is working with the fire service, its representative organisations and the wider fire industry to implement a programme of action. Before I speak about that programme, I should like to pay tribute to the recently retired general secretary of the Fire Brigades Union, Mr. Ken Cameron. He held that position for 20 years, and is a professional, diligent and genuine individual who did his best for his members in the fire service. It was my ambition to follow him one day, but I find myself in this place instead, and am proud to represent Poplar and Canning Town. I offer my best wishes to Mr. Cameron's successor, Andy Gilchrist.

The centre's programme includes developing and evaluating a programme of national fire safety publicity campaigns to meet specific domestic fire risks and trends. I know that we shall a see a series of hard-hitting national television advertisements this autumn that were trialled in Yorkshire to promote the message of fire safety and fire

awareness. The centre provides a toolbox of community fire safety programmes and resources which can be used by brigades. It has developed a strong unifying fire safety branding for all national fire safety initiatives, as well as for individual brigade use. It has established partnerships and networks of national and community-based organisations, agencies and Government Departments to target, in particular, the hard-to-reach groups in the community. It is also researching and developing opportunities for the provision of curriculum-based fire safety education in schools.

I wish to refer to a number of other important matters. One initiative being explored recently with the Association of British Insurers is the promotion of a smoke detector campaign. I applaud the work of Mr. Chris Mounsey of the ABI and Mr. Jonathan O'Neil, managing director of the Fire Protection Association. The one year that there was a clear dip in fire deaths was at the height of the smoke detector installation campaign in the early 1990s. However, the working party that looked at the issue identified early on that there was clear evidence that most smoke detectors in homes did not work due to dead or removed batteries or poor maintenance. Batteries are removed because of nuisance alarms or to be used in remote controls for televisions or other domestic appliances. There is also clear evidence of poor maintenance and badly-sited fire detectors. I urge all those who have a detector to check it.

There is an initiative in Northern Ireland called "Thumbs Up, It's Friday" which encourages people to check their smoke detector on a Friday. This is very much in keeping with the peace process, with people from both communities being encouraged to give a thumbs up to the fire brigade, rather than attack them when they are trying to put out blazes caused by civil disturbance. There is also a European initiative to promote an annual day in the European calendar for people to check their smoke detector batteries. Research undertaken by the Institute of Child Health shows that fire detector giveaway schemes do not appear to be the solution, and hard-wired or ten-year battery-operated fire detectors may be a way forward.

I congratulate my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck) on her Fire Safety (Houses in Multiple Occupation) Bill. She is attempting to make it a requirement to install smoke detectors in HMOs. These are categorised as bedsits, shared housing, households with lodgers, purpose-built HMOs, such as hostels, guest and boarding houses, bed-and-breakfasts and self-converted flats. Only 6.25 per cent. of the UK population live in HMOs, but 28 per cent. of all fire deaths and 36 per cent. of all fires occur in these dwellings. In real terms, this means that around 230 people died and over 600 were injured last year in HMOs. That is unacceptable.

The Government have moved the goalposts in other areas. From 1 July this year, new regulations mean that single-storey commercial buildings of over 2,000 sq m will require sprinklers. That is welcome both to those protected in those buildings and to firefighters.

In a debate in Westminster Hall on 8 March, I referred to residential sprinklers for domestic purposes, which are a tool for the future. I quoted the experience of Scottsdale, Arizona, where every building was sprinklered. The reductions over the past 10 years have been dramatic. Property damage is down 80 per cent., water damage is down by 95 per cent. and not a single life has been lost in the whole town.

There is a clear lack of understanding among people in Britain about sprinklers. It was reported at the time of the fire at Windsor castle that a senior Minister said, "Thank goodness the building was not sprinklered." That indicates a lack of awareness that sprinkler heads are activated only in the area of fire and not throughout a whole building when a fire occurs. Sprinklers would have considerably reduced the damage to the nation's heritage and the Queen's property.

As a result of fires in the United Kingdom, for the last three years for which figures are available, there were 736 deaths and over 17,000 injuries in 1995, 709 deaths and 18,000 injuries in 1996, and 723 deaths and more than 18,600 injuries in 1997. It must remembered that such injuries are not like football injuries—broken limbs that should heal. Fire injuries more often than not mean that the victim is scarred for life.

The Government's target of reducing deaths and injuries by 20 per cent. has been criticised as being too modest. It is argued that that is tantamount to saying that we are prepared to accept about 500 people a year being killed by fires. I understand the feelings of those who say that the targets are not as ambitious as they might be, but I agree with the Government that we need to get the figures going in the right direction, then keep driving them down.

The majority of deaths and injuries are a result of fires in the home, which account for more than 60 per cent. of all building fires and more than 75 per cent. of all casualties. One is three times more likely to die in a fire at home than anywhere else.

Insurance claims in the UK as a result of fire were £615 million in 1994, £700 million in 1995, £707 million in 1996 and £739 million in 1997. Those figures do not take into account the high number of fires that occur in uninsured buildings or the environmental and other hidden costs. There seems to be clear agreement across organisations that more detailed and reliable data collection systems are needed to demonstrate how much fire is costing the United Kingdom.

Those most at risk from fire are members of society at the bottom of the social scale. More than 50 per cent. of all fire casualties are the very young or the old, those who are physically or mentally incapacitated and cannot help themselves, and those under the influence of drink or drugs. These are the politics of fire. One is more likely to suffer injury or worse by fire if one is at the bottom of the social scale.

Among those involved in trying to help to meet Government targets, I should mention Dr. Rosemary Everton, Professor of Fire at Lancaster university, who has contributed a great deal and who, I know, has been seriously ill recently. We all wish her well soon. Others who have made a significant contribution are London's Chief Fire Officer, Mr. Brian Robinson, who was last year's president of the Chief and Assistant Chief Fire Officers Association, and this year's president, Mr. Malcolm Eastwood.

Another organisation that plays an important role in the UK fire service is the national training college at Moreton-in-Marsh. I would be grateful if my hon. Friend the Minister could give some indication of its future role

[Mr. Jim Fitzpatrick]

and structure, in view of the speculation in recent years and the consultation that has taken place about the role that the college should play, nationally and internationally.

Fire safety week takes place this year between 23 and 30 September, with a launch at Oxford on Monday 25 September, coinciding with the Labour party conference. We are trying through European agencies to establish a European fire safety day. Friday the 13th is considered in Europe, as it is in this country, a bad luck day, so it would seem appropriate for that to be a fire safety day in October.

With reference to the comprehensive spending review and local authority fire brigade funding, the Prime Minister said yesterday, launching the NHS national plan:

> With the strength of the economy, we can either put more money into our essential public services or not.—[*Official Report*, 27 July 2000; Vol. 354, c. 1269.]

I do not believe that there is a more essential service than the fire service. I know that the thrust of Government policy is to improve fire prevention, but after 20 years of cuts and continuing pressure from the pensions budget, which will consume up to 25 per cent. of some fire brigade budgets by next year, it is time to make a greater investment in local authority fire brigades through the SSA formula.

Firefighters are rightly held in high regard by the British public because of their sacrifice, bravery and professionalism. Firefighters welcome better fire prevention, but they need better resourcing. I would welcome the Minister's views.

There have been some welcome developments, with the re-forming of the Fire Protection Association, bringing together all the key players in central and local government, the private sector and insurance businesses. That is undoubtedly a sign of joined-up thinking. The formation of the Fire Industry Confederation, which has brought together private sector fire protection bodies, is also a positive move. Indeed, it initiated the report of the fire safety framework group as a prompt for and suggested programme of the new national fire safety board, which is being set up by the Minister. Brendon Gately of the FIC had much to do with that. I understand that the new national board has its inaugural meeting on 3 August. Perhaps my hon. Friend might update the House on its progress, his vision for its future and the role that it might play.

What is the prospect for a fire safety Bill to update, modernise and rationalise legislation across the spectrum that covers fire? Generally, we get new fire laws only after a tragedy because of the demonstration of a gap in public protection. There is an agreed and clear need to improve fire protection legislation. I hope that we can make progress in that area.

I fear that there is an opportunity that we may be about to miss. That is to use the excellent Government initiative called the home energy efficiency scheme. Following the successful passage last Friday of a private Member's Bill, the Warm Homes and Energy Conservation Bill, promoted by the hon. Member for Southend, West (Mr. Amess)—he and I happen to be the co-chairs of the fire safety all-party group—it is clear that the Government are committing hundreds of millions of pounds to help the most vulnerable citizens in our society, who are unable to keep their homes warm, by providing a variety of options including insulation. There are plans also to improve the security of their homes. There is a great opportunity to install smoke detectors at the same time, with 10-year batteries or hard wire.

I wish to reinforce what I said at the beginning of my remarks, and applaud the Minister and all the members of his team for building on the work of his predecessor. He has set ambitious targets, but I believe that they can be met, and should be exceeded. Were the whole House present, I am sure that it would wish him every success.

2.46 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): I thank my hon. Friend the Member for Poplar and Canning Town (Mr. Fitzpatrick) for initiating the debate. These are important matters, and he brings to the subject unrivalled knowledge and practical experience of the fire service.

The fire service is rightly held in high regard by the public, not only for its outstanding bravery and commitment but also for its effectiveness and professionalism. It has been described by the Audit Commission as one of the highest performing public services. It sustains and improves that performance year on year, particularly in its prompt attendance at fires. Unlike people in some other parts of the world, all of us, wherever we live, can rely on the fire brigade to come to put out a fire in our home if we need it to do so. We owe a great deal of gratitude to generations of firefighters, who have stood by and waited for that call, and who in responding to it have often saved lives in the process.

The Government value and invest in public services such as the fire service. Since we took office, we have agreed revenue and capital settlements for the fire service which demonstrate an understanding of its needs that was sadly lacking during our predecessors' last years in office.

Last week, as part of the spending review, we announced a 5 per cent. increase in revenue funding in 2001-02, and 4 per cent. increases in each of the two following years. On Wednesday I was particularly pleased to announce for 2001-02 a 67 per cent. increase in provision for credit approvals to almost £60 million, to help meet the service's pressing capital needs. We will sustain that sort of investment over the next three years.

In return, it is entirely right that the public should expect the service to continue to work to improve its efficiency, and to use these additional resources well. I believe that the latest settlement provides the resources and confidence to carry forward the programme of modernisation on which the Government and the fire service are already jointly embarked.

My hon. Friend referred to the fire service college. Today, I have answered a written question from the hon. Member for Cotswold (Mr. Clifton-Brown) on the future of the college following the prior options review. We intend to draw on the skills of both the public and the private sector. Fire service interests have canvassed the option of a public service consortium. We will give them a chance to develop that idea, but we are also open to the possibility of a public-private partnership and to including the private sector. Either way, together with the Ministry of Defence, we are drawing up an operational specification of the fire service's central training

requirements. I have asked that that be done straight away; it will be done during the summer. We shall then look for partners in the public or the private sector in the autumn. The fire service college is important, and we want to safeguard its work in future.

As my hon. Friend the Member for Poplar and Canning Town has already stressed, combating the ravages of fire matters. The Government have firmly gripped that challenge, and good progress has been made; we want to ensure that that progress continues. It is the result of collaboration between all sectors of the fire service, including the trade unions.

I join my hon. Friend in paying tribute to Ken Cameron, the retired general secretary of the Fire Brigades Union. Ken has a strong commitment to trade unionism and an equally strong commitment to ensuring that we have a fire safety agenda in this country. He contributed greatly in both respects when serving as the FBU's general secretary. I also wish his successor, Andy Gilchrist, all the best in his new job.

The constructive relationship that has developed between the Chief and Assistant Chief Fire Officers Association, the FBU and the fire authorities is enormously important, especially in creating the sort of partnership spirit that the fire community has come to embody. My hon. Friend has done a great deal to help to promote the sense of a shared vision of how to proceed.

I pay particular tribute to my hon. Friend's contribution as chair of the fire safety framework group, which draws together several fire interests, and has produced proposals for a fire safety strategy, which will provide an invaluable foundation for future work. That initiative is wholly consistent with the thrust of the Government's policy to make fire safety and fire prevention the future priority of the service, and to build new relationships so that all who contribute to policy making are involved from the start in developing such policies.

I take pride in the Home Office national community fire safety centre, which we set up and funded. With brigades, it has run major safety campaigns on chip-pan fires, smoke alarms and escape plans. I welcome the establishment of the fire safety advisory board, which will meet for the first time next week and draws together a wide range of interests. I am also pleased that the new arson control forum will meet in the autumn. It is to our credit that we have introduced the Fire Precautions (Workplace) (Amendment) Regulations 1999, and that despite the difficulties of finding time in the legislative programme for a Bill, we are pursuing regulatory reform to secure the much needed rationalisation and consolidation of fire safety law. I hope that we shall be able to introduce such measures in the not-too-distant future.

The fire service has waited a long time for a fire safety Bill, and patience is wearing thin, but I hope we shall be able to make progress and that they will not have to wait much longer. I cannot promise to introduce a Bill in the near future, but we shall pursue the regulatory options as a way in which to take forward much of that agenda. That will be done broadly in line with what the fire service community would wish to support.

My right hon. Friend the Home Secretary has rightly focused on targets. If there is one thing that characterises the Government it is that we not only invest resources in public services, but clearly specify the service improvements and reforms that the public can expect in return. We are concerned with measuring what public services can deliver, improving efficiency and focusing on results.

We have set the fire service, and ourselves, specific targets to improve fire service efficiency by 2 per cent. a year, to reduce the predicted upward trend in the number of fires by March 2002, and to reduce fire-related deaths in the home by 20 per cent. by March 2003. In addition, I share my hon. Friend's wish not to overlook the economic as well as the human cost of fires, as well as his wish to drive down injuries as well as deaths.

I am glad that our targets are well on their way to being met. Fire service efficiency is improving, and the recent revenue and capital settlements will give that added impetus. The increase in the number of fires is much lower than projected, although we have been helped in part by our rather wet English summers. The number of injuries is falling; it is 4 per cent. lower in the year to September 1999 than it was in the preceding year. The best news of all is that accidental fire deaths in the home are falling faster than the quite ambitious target that we set. For the year to September 1999 the provisional figure for deaths is 319; in 1997 it was more than 400. Thus progress is being made.

My hon. Friend suggested that the targets that we set had been criticised by some as lacking in ambition. The important thing about setting targets is that they should be realistic and achievable within a defined period. Laudable but unrealistic targets are the surest guarantee of demoralising the organisations that have been set them. We need to maintain the high morale that exists in the fire service by ensuring that it realistically believes that it can achieve the targets that we have set. Morale will improve as a result of achieving those targets. There is no point in setting a target that, although desirable in the long term, causes greater problems than it resolves because the fire service fails to achieve it.

I entirely agree with my hon. Friend that it is important that we set targets—and that we set the right targets. I also very much agree with what he said about sprinklers and hard-wired alarms with 10-year batteries. We must give full attention to all those things because they are important elements in a broader fire safety strategy. A number of fire service community organisations will consider them, and we hope to say more about them in due course.

My hon. Friend deserves congratulations for his work in this area, and I congratulate him on today's debate. I assure him, however, that there is no room for complacency, which is why it is important to keep reinforcing the key fire safety messages, and to continue to invest in the research that he urges into the total cost of fire to the economies of England and Wales. There is cause for optimism. We can win, and we are winning. We are determined to continue to do so, and with my hon. Friend's help, and the help of his former colleagues in the fire service and those who work in fire authorities and the fire industry, I hope that we can further reduce deaths and injuries, as well as reducing the number of fires that take place in this country.

Question put and agreed to.

Adjourned accordingly at three minutes to Three o'clock.

Westminster Hall

Tuesday 18 July 2000

[MR. MICHAEL LORD *in the Chair*]

Leeds LEA

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Dowd.*]

10 am

Mr. George Mudie (Leeds, East): In November 1999, Ofsted inspected Leeds local education authority, and in February, it published a report in which it claimed that the authority was so bad that it suggested total outsourcing of the authority's services to schools, and consultants were installed to advise on the way forward. The suggestion is now for a joint venture board and company, which would almost certainly involve a private sector partner. The local authority would have two places on the board and the private sector two, with the Secretary of State choosing a chairman from a list provided by the council.

Before I comment on the proposal, two points need to be forcefully made. In the discussions that have been taking place since February, when Ministers have been criticised, they, understandably, take a high moral stance. I am not sure that we shall hear them do so today, but they cry, "Our only concern is for the education of the children."

On behalf of hon. Members who represent Leeds constituencies, I want to make it clear that we in Leeds and all hon. Members present share that position. Indeed, we go further. Although Ministers can only use words in relation to Leeds, we do not only use high moral language. We, as local Members, either have had or have children at Leeds schools, along with our friends' children, our neighbours' children and our constituents' children, and we care deeply about that responsibility. We understand the importance of good education to children's life chances, and I defy Ministers in the Department for Education and Employment to imply that we care less than they do. The implication that we would put political or educational structures before the future of Leeds children is, rightly, regarded as insulting. We want the best for our children, and we have fought and will continue to fight for that objective.

The second point that needs to be placed on record is that not one hon. Member who represents a Leeds constituency regards the LEA as perfect. I challenge the Minister to say that the DFEE is perfect. Like most big cities, Leeds struggles against problems and difficulties of which the Government are aware. It is not easy to run an authority that covers a large inner-city population, with all the attendant problems. In addition, problems have been encountered in finding a director. People accept the fact of and want to end bad provision in some of the services offered to schools. I am not trying to minimise the problems involved, but nor should the Minister try to exaggerate them. It is understood that the authority is working hard under its new management team to tackle a range of problems.

Where do those two key points—first, that the objective is to provide the highest-quality standard of education for children and, secondly, that the authority needs improvement—lead us? We could debate the Ofsted report and the PricewaterhouseCoopers report that followed it, but would that be sensible or productive? What it would amount to, after the dust has settled, is that I, like many others in Leeds, feel that Leeds is an average authority in most ways but is acceptable, given that its primary school results are above the LEA league table average and are improving at above the average rate of improvement. Although its secondary element needs improvement, its primary element is doing well.

Why did both Ofsted and the DFEE single out the authority? It is one of the biggest Labour authorities, and there is a feeling that everyone would take notice if Leeds were made an example of. It is that type of syndrome. If the Minister reads the press, she will discover that the mood in Leeds has become worse as the saga has developed. The authority may not be perfect, but the grotesque picture painted by Ofsted does no service to anyone, unless the political agenda is to destroy local education authorities. We now know that the increasingly eccentric chief inspector finds that proposition attractive; it touches a nerve with him, which should come as no surprise. We do not yet know the DFEE's intentions, but we know the Conservative party's. The Minister should spell out the Government's approach to LEAs, in relation to that of the Conservatives and the chief inspector.

I have enlarged on my original point and returned to where I started. Would it be sensible or productive for the Minister to fill *Hansard* with an attack on the Leeds LEA, as reported by Ofsted and PricewaterhouseCoopers? The only result would be to increase the bitterness and anger felt in Leeds over the issue.

Given that we share common objectives, we should decide whether the proposed joint venture company is the most appropriate way forward. In discussions in Leeds, officials from the DFEE and PricewaterhouseCoopers have conceded that the venture is new and unique. Does the Minister accept that, and does she think it appropriate that children's education should be gambled with in such a way? Officials have even used the word "experimental" to describe that joint venture company. Does the Minister think that Leeds children, whom she and the DFEE care deeply about, should be experimented with by handing over their education to an untried body?

Can the Minister tell us of the educational track record of the various firms listed by the DFEE as suggested partners? That list includes W. S. Atkins, Serco Ltd., Prospect, Include and Ensign consortium. None of those names falls readily from the lips of educationalists when the subject of running an education authority is raised. Will the Minister tell us whether it is a fact that none of those firms has a track record of running an education authority? Will she tell disbelieving Labour Members that she is prepared to employ Group 4 to run Leeds primary schools? In the previous Session of Parliament, Group 4 was seen as a joke for losing prisoners. The firm has gone from running prisoners to primary schools in one Government—that is quite a leap in quality, is it not?

[Mr. George Mudie]

I suppose that the fact that Group 4 has teamed up with Tribal group makes it an appropriate partner in the running of Leeds schools. However, will the Minister tell us the track record of those companies?

Is the joint venture body not simply a body set up to allow the DFEE to run Leeds schools from 200 miles away? It will be good if the Minister disagrees with that theory, but can she explain why her officials continue to insist on the Secretary of State choosing both the chairman and the council nominees? Despite the fact that the Secretary of State once led a local authority, there is the suggestion that councillors would not be acceptable as board members. Does that suggestion have the Minister's approval and backing? If so, could she tell the Leeds council members and the Chamber why it is so?

Will the Minister clear up the confusion between the parties about who sets policy and strategy? Will the joint venture board deal with operational matters only, and is it absolutely accepted that the council will deal with policy and strategy? If that is the case, will she confirm that the outsourcing of services, which is clearly a policy matter, is a decision for the council?

Will the Minister tell us what length of time is needed for the experiment? What levels of performance are required and, when they have been reached, will the service revert to being run by the democratically elected council? If not, why not?

Finally—I know that many hon. Members wish to speak on this important subject—I ask the Minister to consider the following points. It is unacceptable that Leeds children will be experimented on by a company that has no track record in delivering education and it is disturbing that a Labour Government cannot work with a Labour council to agree a common strategy. Leeds does not claim perfection, but it wishes the best for the children and will work with anyone who shares that objective. Foisting an experimental system with untested private sector partners on a large city seems an irresponsible and insensitive approach by a Labour Government. I ask the Minister, although I imagine in vain, to reconsider the matter.

10.10 am

Mr. Harold Best (Leeds, North-West): I support my hon. Friend the Member for Leeds, East (Mr. Mudie). The questions of whose interests we seek to represent, and whether those interests are best served by the people in Leeds elected to do that job or by an outside body appointed from central Government, have been posed to us many times over the past few months.

I want to start by giving a brief outline of my education and that of my family. I was born and educated in Leeds. I have four children, who all went through the Leeds educational system; three of them obtained university degrees and the fourth won a college place in Leeds and obtained a vocational qualification. I have four grandchildren in Leeds. Anyone who questions the interests of the Leeds MPs should understand that we are the organic, elected representation of the people of Leeds. We represent both roles.

If there were weaknesses in the management of the LEA in Leeds, it would not have come as any surprise to any Leeds MP, given the status that I have just claimed for us. We were aware of the difficulties and we continually pointed them out—that is part of the natural, continuing process of elected representative democracy. There has never been a period in local government in which all was perfect and management ran like a Swiss watch. Anyone involved in managerial functions understands that anyone—especially I, for example, with my less than expert qualifications to examine the management of any structure—could find fault with any aspect of it if they chose to do so.

Leeds looked long and hard for those managerial skills. For several years, it looked for a director of education who could take on the perceived weaknesses—and managed in the intervening period. Ofsted's identification of several weaknesses in the LEA in Leeds therefore came as no great surprise. At least the problems were being identified by elected representatives—slowly and persistently, one might say, but solutions were being sought. Every time I think of the PricewaterhouseCoopers report, the Beatles song, "Paperback Writer" comes to mind:

I can make it longer if you like the style
I can change it round.

The report has no street credibility in Leeds whatsoever.

The big issue for me is that of democracy. The vital questions are whose education it is and who will manage, control and own it. Democracy is not simply a matter of a snapshot of one frozen moment of history or public opinion. It is about ownership, control and management of the structures of our society and it is extremely important in ensuring people's confidence in those who manage and control, and in the measure of control that they in turn have over those managers. Democracy is at the centre of all things, and as we speak in this place we are acutely aware of our role.

We are concerned with a public agenda, but we have been recently worried about what other agenda is at work. The recent lessons of the Rover car company flooded to mind when it became self-evident that the questions of ownership and control were extremely important to the people in a certain locality.

Make no mistake: the people of Leeds want their children's education back in the control of their elected representatives. The suggestion that it would take five to seven years for the required management skills to be instituted, and therefore before the return of control and management of the educational system to the city's elected representatives, was beyond my ken and that of everyone else in Leeds. The system has served the people of Leeds well for generations.

It is an undisputed fact that large sums of public money are involved. It seems possible that such sums will be handed over to people who need them, for five years or seven years, and the reasons for that are beyond the understanding of the people of Leeds. The Members of Parliament for Leeds suggested that if the expertise in educational management existed outside all local authorities of educational significance, we could buy it in, as we do in many other situations, until we had managed to raise any weaknesses to the required level of expertise. We cannot understand why such a simple solution—a self-evident way forward—was not adopted.

Many hon. Members want to speak, and I thank you for being kind enough to call me to speak second, Mr. Deputy Speaker. The observations made by my

good and hon. Friend the Member for Leeds, East would be supported not only by me, but by the generations of my family who have benefited from the LEA in Leeds. For my grandchildren's future, I think that they would like control to be back in the hands of the people of Leeds as rapidly as possible.

10.17 am

Mr. Hilary Benn (Leeds, Central): It is clearly evident from the two contributions so far that there is genuine passion about education in the city on the part of all those who are present to represent it in the Chamber, but there is also concern about how the people of the city will be able to influence education in future.

I share others' view about there clearly being aspects of the educational system in Leeds that need to be improved. I say that not least because head teachers have told me so when I have visited schools. From talking to those same head teachers, however, I also know that there are great strengths in the system. In passing, I should say that on Thursday I had the pleasure of attending a dinner in Leeds for 200 people from schools to celebrate the fact that nearly a quarter of schools in Leeds have achieved Investors in People status. I doubt whether there is an LEA elsewhere with such a high proportion.

Many people have also expressed the view to me that, whatever problems are identified in the Ofsted report, Leeds should have the opportunity to solve them itself. However, I must say to my hon. Friend the Member for Leeds, East (Mr. Mudie) that the city council has acknowledged the need for outside support to address the scale of the problems that it wants considered.

One of our big problems is the fact that there remain many questions about how the new arrangements will work. One can be forgiven for thinking, from reading some of the newspaper coverage of the proposals, that Leeds LEA will cease to exist and that elected members will have no say in, influence over or contribution to make to the future of education in the city. That is not the case, as I understand it, and it would help if my right hon. Friend the Minister would confirm the reasons for that.

The LEA remains in existence as the body that decides the level of education expenditure in schools. It remains responsible for key decisions. My hon. Friend the Member for Leeds, East made an important point about where the balance of responsibility will lie. Crucially, the LEA will be responsible for drawing up the specification to which the new partnership board will work. I hope that, as a result of that process, the LEA will take the opportunity to lay down clearly what it wishes to be provided in terms of educational services. It should focus on further raising standards to build on the success to which my hon. Friend referred. On the other hand, head teachers should have the opportunity to lay down clearly what support they want to help them in their principal job, which is to support children in learning and progressing in their school lives.

On the issue of accountability, I have no doubt that the council, having drawn up the specification—and, as I understand it, having legal responsibility for ensuring that services are delivered according to the contract that it has determined—will use the scrutiny mechanisms, which it recently established, to ensure that that is the case. It is not just a question of drawing up a contract and leaving the contractor to get on with it for seven years, five years or whatever period is determined. It will be an on-going dialogue.

There is another reason why I think that some of the fears may be misplaced. As a newcomer to Leeds during the past year, I am conscious that the council has used its influence, which is a result of its democratic legitimacy, over many years to make many things happen. As an outsider, my observation is that much of the success of Leeds as a city is owed to the influence and leadership of the council in partnership with other bodies. The council has little formal control over those bodies, but the legitimacy that comes from being elected puts it in a strong position. My hon. Friend was rightly concerned about major questions of policy. I do not believe for one second that when the elected representatives of the city of Leeds speak clearly and with one voice on such matters, on behalf of the people whom they represent, the partnership board—two of whose members are appointed by Leeds, while the third is appointed by the Secretary of State from a list of persons agreeable to the city—will say, "We don't care what you think; we're going to do something different." Accountability and democracy is not just about how the relationship is established. It must be about an on-going dialogue. As democratically elected representatives, we need not be too pessimistic about our ability to influence others.

Some crucial details—such as contract length, to which my hon. Friend the Member for Leeds, East referred—are yet to be determined. It would help if, in responding to the debate, my right hon. Friend the Minister would deal with the important question of how the decision will be taken in relation to what happens when the contract ends. Assuming that the issues identified by the city council and the Ofsted report have been successfully addressed—and given that the city council makes the contract with the partnership board—will she confirm that the city council will determine, subject to satisfactory progress, how it wishes the delivery of education services to continue in the future? It is difficult to understand how a view on the outcome can be expressed now, because it is difficult to prejudge the situation in five years' time. It would encourage greater confidence and clarify many questions if my right hon. Friend were able to deal with that point.

I ask all these questions because I am a strong believer in the principle of democratic accountability and in the need for a local authority, in the proper sense of those words. An organisation that is elected by the people and democratically accountable is necessary to hold the ring, ensure fairness, deal with problems that arise and hold to account all those who are responsible for providing education. With great respect to the Conservative spokesperson, I cannot say that I look forward to his contribution. However, I shall listen to it with interest, because the Conservative party's proposal to do away with LEAs constitutes the real threat to the democratic oversight and scrutiny of education.

The final point is that the new arrangements, whatever they are, must be made to work. I feel strongly that Leeds, the subject of the debate, has suffered enough from the Ofsted process. It has gone on long enough. Parents, teachers and pupils, elected members

[Mr. Hilary Benn]

and the city itself now need confidence and certainty about what is to happen next. Leaving to one side this debate, which is about the means, the common view held in the Chamber today about the end is clear: we should continue to work hard to raise the levels of achievement of the children in Leeds schools.

I know from my one year's experience in the city that anyone there will say that, in order to address the problems of a two-speed Leeds—the fact that some parts of the city and some people who live there do not share in the city's prosperity—it is most important of all for the city to make education a priority. That is why all those Members who represent Leeds constituencies feel so strongly about the issue.

10.26 am

Mr. John Gunnell (Morley and Rothwell): I should like to add my voice to those of my hon. Friends because, like them, I wish to see educational standards raised in Leeds, and I am anxious that whatever is done is successful.

I speak frequently with the local authority about the needs of the children and parents in my constituency and, like other hon. Members, I am frequently disappointed with the response; and the parents on whose behalf I have spoken are often frustrated by the actions taken by the authority. Some of those experiences have been identified by Ofsted as areas of weakness, particularly in special needs provision. Although the city council recognises that assistance is required, change is needed in the attitudes of those who deal with the issue at some levels in the city council's administration. I remain to be convinced that the departmental approach will bring about the necessary changes, particularly in the attitudes of the administration. Like other hon. Members, I hope that it will be effective in raising standards in Leeds, and in putting right those weaknesses that have been identified.

I hope that the structure of the joint company, which received general assent from hon. Members, comes about, and I hope that the company's chairman will be acceptable to the Leeds authority. I hope that it will be possible to have a public-public partnership rather than a public-private partnership, because authorities not a great distance from Leeds have expertise in matters that have been found to be weak in Leeds. One such authority worked closely with West Yorkshire council when I was leader. The area has some strengths where Leeds was found to be weak. A public-public partnership would be more acceptable to many people in Leeds.

I hope, too, that the city council will have the pivotal vote in deciding which services to outsource to the joint company. It has identified and accepted weaknesses, including the one that I mentioned. I trust that discussions between the Department and the city of Leeds will identify those weaknesses more clearly. Leeds must have the strongest voice in determining what is outsourced and the length of time during which that takes place.

I also want the matter to be concluded as quickly as possible in a manner that is consistent with the necessary raising of standards. The contract should run no longer than the time needed to bring about the necessary changes. I am anxious for the exercise to succeed, which it will if it proceeds in a positive and constructive way. The elected Members of Parliament who have a responsibility for Leeds want to reach the end point in the minimum time and ensure that the services return to democratic control.

10.31 am

Mr. Paul Truswell (Pudsey): It is a pleasure to follow my colleagues from Leeds. Like many who have participated in the debate, I come to this Chamber not only as a Member of Parliament but as a parent, former governor and former councillor.

The individual weaknesses identified by Ofsted were predictable, as my hon. Friends explained. Wearing my various hats, I have, at one time or another, raised most of those. I have no vested interest in excusing the inexcusable. My loyalty to my children and my constituents' children is greater than any that I have to Leeds city council or the Labour Government. But where I and many others part company from Ofsted is on the way in which the weaknesses have been assembled into an unrecognisable picture of a desperately failing authority. Many respected head teachers in my constituency, although critical of aspects of the LEA and sharing the criticisms of Ofsted, reject outright the doomsday scenario painted by Ofsted and subsequently by PricewaterhouseCoopers. I appreciate that my right hon. Friend the Minister—I hope that we will remain friends—will refer to the questionnaires that were completed by head teachers during the Ofsted process. I suspect that the outpouring of criticism was a cathartic experience for heads. It resulted not only from frustrations with the LEA—of which there were many—but from the intensifying pressures of Government initiatives.

My hon. Friends have questioned the role of the chief inspector of schools. He appeared on the scene like a grave robber, anxious to have life pronounced extinct or even to assist in the demise of the hapless victim. That he has his own agenda is beyond doubt. His recent forays into the political arena must make that clear to anyone who may have doubted it. We ask ourselves in Leeds whether the chief inspector of schools is servant or master. It is clear that he possesses delusions of being the latter.

I would not want anyone to run away with the idea that we are simply debating a disagreement between Leeds Labour MPs and the Labour Government. As several hon. Members have pointed out, it is also a disagreement with the philosophy of the Conservatives. It will be interesting to hear the contribution of the hon. Member for Buckingham (Mr. Bercow), who has turned up to be the spectre at this Leeds feast.

Of course, Conservatives and Liberal Democrats have sought to make political capital out of the Ofsted report. They echoed the claims of political interference made by Ofsted, yet they all colluded in one of the major examples of so-called political interference. The chief inspector singled out payments from miscellaneous improvements in the community and environment, or MICE, as it is called in short. The scheme allocated £3,500 to all councils for investment in local projects based on their knowledge of their areas. That is why it

has been popular with all and sundry and enjoys all-party support. Many councillors of all parties have chosen to allocate some of the money to schools, but the scheme has been defined as a great crime of political interference.

Historically, Leeds has spent more on education than its standard spending assessment. Expenditure rose to £18 million more at one stage under the Conservative Government. Before we become too focused on specific issues, I should remind hon. Members that much greater damage would have been done to our children's education by retaining the spending levels of the Conservative Government than by anything of which the LEA has been accused. All parties have been involved in campaigns to keep schools open. Is that political interference? Some would say that it was, as it has meant that schools have not closed and surplus places have not been removed. Indeed, that has been the subject of another Ofsted criticism. The Conservatives have cried crocodile tears about Government interference in Leeds, while announcing at the same time their plans to abolish LEAs.

The post-Ofsted debate has resolved the question whether the Leeds LEA has the capacity to achieve improvements in all the weak areas identified by PWC and Ofsted. I shall quote one relevant section from PWC's report. It states:

> We conclude that the scale and scope of the agenda for change is such that we do not believe that the current LEA delivery mechanism has the capacity to bring about the fundamental and rapid changes required in a time frame that is acceptable.

As far as I know, however, there has been no definition or clear description of an acceptable time frame. A year will elapse before the so-called joint venture company is set up. It is suggested that the period of the contract should be five years. What sort of time frame for improvement is that? What are the Minister's views on it? It appears to question the speed with which even the new experimental arrangements can deliver. It also fails to acknowledge that the project is an experiment, as my hon. Friend the Member for Leeds, East (Mr. Mudie) said. Experiments can go wrong and five years is a long time to give such an experiment the opportunity to do damage.

I add another question that concerns me greatly, but which I shall not explore in too much detail. What consideration has been made of the staff caught up in this maelstrom of change? I think that the answer is precious little. Cost is another issue that has not been broached as emphatically as it might have been. Will the Minister ensure that, given the money that is going into making this experiment—I make no apologies for using that word—work is not diverted from my children and those of my constituents?

My understanding is that the original aim of the exercise was to assist the LEA in tackling the weaknesses identified by Ofsted. I do not think that there was any convincing argument to suggest that external support was not required. Why is there now a refusal to say, all things being equal, that the service can return entirely to the LEA, subject to the meeting of targets? Fixed-term support to address weaknesses is one thing, but are we really going to persist indefinitely with this rag-bag of arrangements? It exists not only in Leeds, but in other local authorities, whose number will probably increase in future.

The right hon. Member for Richmond, Yorks (Mr. Hague) has been unequivocal in stating his party's education policies. LEAs are to be abolished under the Conservatives. The policies promulgated by the right hon. Gentleman are crass. They probably represent straws that will break the backs of overburdened schools with more administration. They will herald back-door selection. They contain the most spurious financial calculations and will be utterly destructive to our children's education. However, they have one merit: they are clear. In conclusion, I ask the Minister this: why can she and her colleagues not be equally clear in giving their commitment to the future of local education authorities?

10.40 am

Mr. Fabian Hamilton (Leeds, North-East): I, like many of my colleagues, have a deep vested interest in the future of Leeds LEA. I have three children at school in Leeds. I want them to succeed as I want all my constituents' children to succeed. I want the schools to be of the highest possible excellence that we can achieve.

I chaired Leeds education committee for only one year; I take my small share of the blame for what has gone wrong, although by no means did all of it happen in that one year. I echo what my hon. Friend the Member for Pudsey (Mr. Truswell) said when he talked about the conclusions drawn by the chief inspector of schools regarding the real deficiencies of the LEA, which were clearly marked out in the Ofsted report. Those conclusions clearly equalled far more than the sum of the parts. Many of us could go along with the criticisms in the report because we knew the LEA and that the criticisms were valid. We knew also that they could be put right. However, the conclusions drawn by the chief inspector were a gross exaggeration of those parts.

I received a phone call this morning from councillor Peter Gruen, who is the lead member in Leeds city council responsible for schools. He rang to tell me that the early indications, which the LEA had gathered in the past couple of days, showed that the standard assessment test targets for 11-year-olds set by the Government would be more than reached this year. Indeed, we are heading for the more rigorous targets of 2002. Those are the early indications; they have not yet been verified. However, such SATs results are not the sign of a failing LEA.

In 1992-93, the LEA established the Leeds schools commission. That was when the then Conservative Administration wanted to see schools opting out of local authority control and taking control of their destiny—a policy similar to that promulgated by the Leader of the Opposition, the right hon. Member for Richmond, Yorks (Mr. Hague). The purpose of the commission was to ask all Leeds schools what they wanted from the LEA, what money they wanted devolved to them and what services they wanted the LEA to continue to provide. The study was detailed and all the schools in the city took part through representatives—head teachers, governors and stakeholders in the wider community. The exercise was unique; very few LEAs held similar consultation exercises. It went on for about six months.

The conclusion was that certain functions would be devolved and others would remain, at the request of the schools. I was going to say that, in the end, of the major

[Mr. Fabian Hamilton]

local education authorities in the metropolitan districts, Leeds was the only one to have zero opt-outs. In fact, two schools opted out. One was a Church of England primary due for closure because it was too small to continue and because the Secretary of State refused to allow it to be closed. The second was a Church of England secondary school that did not have the cash to rebuild a building that had been burnt down and needed to opt out to get the bribe money to rebuild. It came back into the LEA as soon as it could. The remaining 300-odd schools remained in the LEA. If the LEA was failing the schools at that time, why were they so anxious to remain part of it?

There is no evidence that a private sector scheme, opting out, the contracting out of many LEA functions, or even a joint venture company would succeed in rapidly improving LEA services. Does my right hon. Friend the Minister have any evidence that such rapid improvement is possible through the involvement of private sector organisations or a joint venture company? The Government and the chief inspector rightly said that there should be a rapid improvement in LEA services. Why, then, must we wait nine months for the establishment of the joint venture company, and probably a few more months for it to be up and running properly and efficiently?

We could start making improvements right away. We do not need to wait for a joint venture company to be set up. If we brought in private sector partners and consultants right away we should fulfil the Government's requirement for private sector involvement in rapid improvement, but immediately—or certainly within a few weeks. Why can we not, for example, bring in private sector recruitment consultants to ensure the replacement of staff who leave, and the appointment of the management team needed to ensure the rapid improvement, which can be dealt with much more quickly than by waiting for the joint venture company to be set up?

Like my hon. Friends, I wonder how long the company will be in operation. Is what is being done an exercise in improving LEA services so that the democratically accountable local education authority can continue to provide services, but of a much higher standard than at present, or is it an exercise in permanently removing the relevant functions from an organisation that is regarded as incompetent?

PricewaterhouseCoopers' report, which was published this month, contains the results of the preliminary evaluation of options in a table on page 61, setting out the criteria used and the different options—retaining in-house services, public-public partnership, joint venture company, outsourcing and strategic partnership. The table gives scores—a bit like credit scores, really, but less scientific—relating to the different criteria, under headings such as legal and regulatory, operational acceptability, cost acceptability, ease of implementation, rapid improvement and incentives to sustain the service. The total of the scores is given, from which we conclude that the joint venture company gets 45 points and total outsourcing gets 48.

On what, however, are those scores based? Surely they must be subjective. For example, retaining the in-house operation scores nine out of nine for operational acceptability, while outsourcing and the joint venture company score six out of nine. Why six? I believe that it should be two, one or zero, which would alter the final total. With respect to the heading of incentives to sustain the service, we know that there is a financial incentive for the joint venture company and for outsourcing, which therefore score nine out of nine. However, why is not the wish to serve the public effectively and efficiently—and out of a belief that the service in question should be provided in the public sector—also treated as an incentive? Why is the score for incentive three—not, say, six—for the in-house option? That change would radically alter the scores. The table on which the selection of options is based is highly subjective. I do not accept that the figures have been obtained by objective and measurable criteria.

One of the problems in Leeds is the general public's perception of Ofsted's report and the post-Ofsted action plan. When the report was published, the headline across every page of the *Yorkshire Evening Post* was not "LEA in Crisis" or "Ofsted Report" but "Leeds Schools Crisis". That is why, when I went to Roundhay St. John's primary school in my constituency shortly after the report was published, staff told me, "We have just had an Ofsted report. Ofsted says that we are one of the best primary schools in the city. Why are we being told by the Government that we are rubbish?" It was not understood that the Ofsted report on the LEA did not mean that Roundhay St. John's was failing to provide its pupils with an excellent education. That is a serious problem.

I reject utterly the Conservative party's policy of complete abolition. Schools have enough to do. My hon. Friend the Member for Pudsey said that the head teachers in his constituency—as in every constituency in the city and throughout the country—have more than enough to do. They do not want to have the functions of an LEA thrust upon them as a result of the abolition of such authorities. That is not an option.

We are concerned about the democratic accountability of the local education authority and the provision of an efficient and effective service that will drive up standards in schools. Most of our schools in Leeds have a good record of achievement, in terms of the league tables. The results are very good—I have mentioned the early indications on the targets for SATs for 11-year-olds—and we shall continue to have such results in Leeds. We do not have failing schools, although we are told that the authority is failing.

I hope that the Minister will answer the crucial questions about the length of time for which the joint venture company will operate, and assure us that the purpose is not the abolition or privatisation of our LEA. We must return the existing LEA, as the most excellent authority that we can have, to democratic control and allow it to continue its work of ensuring that our schools and the education of our children are improved.

10.51 am

Mr. Richard Allan (Sheffield, Hallam): When I entered the Chamber this morning, I noticed that the hon. Member for Leeds, East (Mr. Mudie) was looking surprised. He said that it was strange to see a Sheffielder at a debate on Leeds. The friendly rivalry between our cities might make us think that the best thing to come

out of our respective areas is the bus back to Leeds or Sheffield, depending on where we come from, but I can assure the hon. Gentleman that I shall speak as a member of the Liberal Democrat education and employment team and as a Yorkshireman. I am also spokesman for the parliamentary Opposition in South Yorkshire and West Yorkshire. I have held that lonely position since 1997, when the Conservatives were, quite properly, wiped out in our two great metropolitan counties.

I congratulate the hon. Member for Leeds, East and the other Members of Parliament for Leeds on the solidarity that they have shown by coming here today. Debates in the Chamber can be used to advance the cause of a particular area, and it is important that Ministers hear the views of hon. Members representing the entire area. We try to do the same for Sheffield, despite the fact that we have a political divide. Leeds is certainly at the cutting edge of the LEA debate, and we in Sheffield cede that position gladly. It seems that the Government are experimenting with their agenda for LEAs in Leeds. Several hon. Members have said that; it is an experiment. I would be concerned if it were to take place in my area, as would most other hon. Members.

The hon. Member for Leeds, East said at the beginning that he wondered whether the LEA reports had been mixed up, as there was a report on Sheffield at about the same time. The reports were not mixed up, but there was some awful spinning going on—perhaps people in West Yorkshire know more about the spinning industry—at the time of the inspections. Education correspondents were saying, "Leeds will say this" and "Sheffield will say that." There was a strong political agenda involved, and such spinning was not taking place by accident.

My party has a general concern about the Government's adoption of the whole Ofsted agenda, and that of the chief inspector in particular. The hon. Member for Pudsey (Mr. Truswell) mentioned the chief inspector's strong political views, which have been repeated frequently. The hon. Gentleman and I are, I hope, equally concerned about those political views, and the decision to adopt the chief inspector's agenda is part of the problem with the way in which LEAs are portrayed.

The LEA inspections are being used as a big stick to make local authorities go cap in hand to the DFEE, saying, "Please don't hit us. We will do A, B or C if you let us off." Some local authorities have managed to get off, but others have faced the full punishment of being told what they should do, with no options and no let-out. All the LEAs that have been through the inspection process feel that their independence has been challenged and that they must now go cap in hand to the Department, in order to come up with some kind of package to allow them to continue, rather than be forced down a route that they would not choose.

We are concerned that we are moving into an era in which the integrity of the LEA is being challenged. I am pleased that hon. Members have raised that issue, as part of the wider picture. We are specifically discussing Leeds, but the question of where local authorities are going in general is also relevant. There is room for evolution, but the key element is who controls the service and whether the local authority co-operates in the process. It is not at all about the dogma of public versus private, but about who controls local education services.

There have been successful examples of LEAs choosing to use the private sector. Islington, for example, has chosen to work with a private sector company, against a poor background. Other local authorities are doing that—some in ways that I would not support. Some of the experiments by Conservative-run LEAs, for example, have involved engagement with the private sector in ways that make me nervous—but they have a right, as an LEA, to do that. That is different from contracting out the whole LEA operation, as is happening in Leeds. If there are other examples of that, I stand corrected.

Mr. Hilary Benn: As I understand it, the whole of the service in Islington has been outsourced, whereas in Leeds a partnership between the local authority and other providers is proposed.

Mr. Allan: My understanding is that the LEA concerned will take a more positive view of the route that it has chosen than that put forward today by hon. Members representing Leeds. It is not just an issue of a single muddle—which is none the less important—but a question of who controls that muddle. I shall come to the issue of control, which is important in the context of LEAs.

We believe that LEAs need evolution rather than revolution—Darwinism rather than Trotskyism. LEAs can evolve. They have already evolved strongly, for example in terms of the local management of schools and the delegation of budgets, which have taken place co-operatively and sensibly. Listening to some of the Conservative spokespeople, one would not believe that LMS has occurred. There seems to be a perception that LEAs are the same as they were in the 1970s. That is not the case. LEAs have demonstrated a tremendous ability to evolve and to respond to schools' concerns.

The history of the LEAs is interesting. They have controlled education for about 100 years. The Local Government Association has pointed out that their name is confusing: why do we talk about a local education authority when we do not talk about a local social services authority or a local housing authority? LEAs are part of local government and, in the ideal model, part of a joined-up package of services. By naming them separately we have given the impression that they are distinct from that package. The LGA has pointed to a different route of evolution to that proposed in Leeds. It is pointing to the model of Cornwall, for example, where the council social services department, the education department and the Cornwall Healthcare NHS trust have jointly established a child and family service. It is talking about joined-up government and about bringing education together with other local government services such as social services and outside services such as health care services.

One of my concerns about the Leeds experiment is that it will reinforce "departmentalitis" and place education in a bunker. It will now be in the hands of a partnership that is involved purely with the delivery of the education service and will ignore some of the other possible evolutionary routes, such as those proposed by

[Mr. Allan]

the LGA. We need a much fuller debate on joined-up local government that brings the LEA further into the ambit of general local services. There are huge educational advantages in doing so. Anyone who represents a city area will know that issues such as health and nutrition are crucial, especially to the performance of primary school pupils. Many issues concerning primary school pupils involve the wider social context, not just what is delivered educationally. My concern is that the company will focus purely on educational aspects and will find it harder to work with outside issues.

We are concerned about centralisation. We are told that we will have an independent chair, who will none the less be chosen by the Secretary of State. Many people in local education are now chosen by the Secretary of State and there are concerns about how that will operate in practice. We are concerned about the DFEE list of possible partners, to which the hon. Member for Leeds, East referred. We are concerned about how those partners will be selected and what input local government will have, as opposed to central Government, in deciding the kind of partners that it wants.

In the short term, we are concerned about morale. Contracting-out processes, such as the one that happened recently in Sheffield with the housing benefit service, which went to a company called CSL, can cause incredible staff morale problems. I am concerned that there may be chaos in the Leeds education system for two years, given the big window that has been given for the process until April 2001. Naturally, there may be a fall in morale as a result of the major changes that are occurring. That is not an insult to staff members because, at a time of transition, it is natural for staff not to be able to focus 100 per cent. on their jobs because their thoughts are taken up with transition issues.

Finally, I should be interested to know what will happen if the new arrangements fail. We have had problems with the outsourcing of all sorts of services. The service that we are discussing is crucial—all hon. Members who have spoken have mentioned its importance—and we must have an option available for if, or when, a service change fails. What will happen if there is major disruption to the service? Will the big sticks be in the hands of the Leeds LEA, as they have been for other contracts, so that the authority is able to sort things out?

It is not simply a question of having a paper contract that states that, in certain circumstances, the authority can impose fines and do this or that. The authority must have a way of reasserting control if it is lost through the proposed mechanism. That is the bottom line, which must be established. However, the Government, to satisfy members of any LEA who are concerned about the future of their authority, must first answer the questions that they have been asked about the political driving forces behind the agenda.

11.1 am

Mr. John Bercow (Buckingham): This has been an important debate, but much of it has had a surreal quality, as several hon. Members from Leeds, though not all, coyly declined to debate the detailed particulars of the Ofsted report. That report offered a devastating critique of the performance of Leeds city council. It criticised the authority on such things as its educational development plan and its pursuit of special educational needs, on which it was said to have lost its way. It also criticised the authority for its provision of nursery, primary and secondary school places and of viable sixth forms, the monitoring of schools and the treatment of schools causing concern or judged likely to do so, the evolution of a strategy for the interests of ethnic minorities and the provision of educational welfare. All those policies were roundly attacked by the report.

The hon. Member for Leeds, East (Mr. Mudie), for whom I have a healthy affection and respect, criticised the chief inspector but did not respond to his arguments. The hon. Gentleman said that the chief inspector was eccentric, but that is a matter of opinion and not a robust political or educational case.

Mr. Hilary Benn: Will the hon. Gentleman give way?

Mr. Bercow: I will give way once and only once.

Mr. Benn: The other opinion that matters is clearly that of the head teachers within the authority. Does the hon. Gentleman accept that when Leeds Members have asked head teachers for their views, they have told us that, although there are things that need to be addressed, they do not recognise in its entirety the picture painted by Ofsted? Whose judgment should we trust?

Mr. Bercow: I am grateful to the hon. Gentleman for his insertion of the words "in its entirety", by which he gave the game away. I would not accuse him of telling an untruth and I do not doubt that there are head teachers who share the view that he has just described and are unhappy with the report in its entirety. However, the response rate to the study of Leeds was very high—something like 76 per cent. A great many teachers and head teachers are concerned about the quality of the education provided.

The report was described as shocking by the chief inspector. As he said, in a proud city of 750,000 people there are 117,000 children whose hopes and legitimate expectations have been betrayed by the failures described in the report. He emphasised that, although some schools provide a good education, others need support that the local education authority fails to give them. That is a damning indictment. I am bound to say to the hon. Members for Leeds, East and for Leeds, North-East (Mr. Hamilton) that they are no mere innocent bystanders in these proceedings. They both have long track records of service on Leeds city council, and both must accept some responsibility.

My principal target today is the hon. Member for Leeds, North-East. He may have been chairman of education in the city for only one year, but he was severely castigated for his record. I think it a matter of no little significance that Leeds city council's solicitor described his attempt to foist Mr. Gus John on the city as evidence of crass political judgment and said that the appearance of blatant canvassing was contrary to any notion of fairness. I do not dispute the good intentions of all hon. Members in the Chamber, or that some have

experience of the issues at local level. However, they have responsibility and, one can fairly conclude, culpability for a good deal of what has happened.

The chief inspector concludes that the authority's

weaknesses, particularly with regard to secondary schools, far outweigh its strengths, both in number and significance.

We have had no response to that pivotal change from hon. Members today. Pages 22 and 23 of the report refer to

inappropriate interventions...in parts of the city

being a

potentially destabilising influence on schools.

Curiously, we were told that local councillors were able to influence the allocation of extra funds to schools in their wards. That system is not found anywhere else, according to the chief inspector, and he hopes never to come across it again. It reeks of the worst kind of pork-barrel politics, and hon. Members have no reply to that.

Mr. Truswell: Does the hon. Gentleman accept a point that I tried to make, which was that all political parties and councillors colluded in the exercise that he now denounces? Will he turn his accusation of pork-barrel politics on members of the Conservative group on Leeds city council?

Mr. Bercow: I certainly do not accept culpability on the part of the Conservative party. At the material times at which the Labour party was in control of the council, it had responsibility for the policy and determined the direction. It must be held responsible for the consequences. We need to know from the Minister what targets are to be set under the new arrangements; how, in what form and when the findings are to be published; and whether hon. Members on both sides of the House will have the opportunity to debate them. I accept that the matter is of critical significance to hon. Members who represent Leeds, as they must do their constituency duty, but I hope that they accept that it concerns the wider community and the country. It is right that the House should have the opportunity to debate it.

I shall move on to a subject that may be more welcome to some Labour Members, although that is not why I shall do so. The hon. Member for Leeds, Central (Mr. Benn) tabled a parliamentary question in, I think, February. The Minister's reply suggested that in several significant respects the performance of Leeds at key stages 1, 2 and 3, GCSE and A-level was significantly better than the performances of Hackney, Hull, Islington, Liverpool and—wait for it, as it will trip off my tongue—

Mr. Mudie: Sheffield.

Mr. Bercow: The hon. Gentleman, with his unswerving knack, rightly detects that I was going to say Sheffield. It is a matter of great importance, for we know that the Secretary of State for Education and Employment, the right hon. Member for Sheffield, Brightside (Mr. Blunkett), has blood on his hands as far as that authority is concerned. It is a legitimate grievance of Leeds Members that they appear to have been singled out, comprehensively briefed against and rubbished in the media. They have been used as scapegoats.

The hon. Member for Leeds, East is a distinguished former Minister. The hon. Member for Leeds, North-East has less defence, as he is a new Member of Parliament. Although the record of Leeds seems poor, it is not obvious that it is uniquely poor. We are entitled to ask why less attention has been given to Sheffield city council, that other rotten apple in the educational orchard of the United Kingdom. It is an authority on which—

Mr. Allan: Will the hon. Gentleman give way?

Mr. Bercow: In a moment. The hon. Gentleman must contain himself and show what restraint he can, in the circumstances, muster.

The Secretary of State served on that authority for no fewer than 18 years, including, if memory serves me correctly, no fewer than seven years as its leader. In an Ofsted report, it is said of that authority:

Overall standards are lower than national averages at every Key Stage and vary greatly between schools. The rate of improvement is slow. The number of schools causing significant concern is high, school attendance is lower than national averages, and the percentage of pupils who stay on in education after the age of 16 is disturbingly low.

That authority performs poorly in terms of its educational development plan, support for improving attendance and provision for looked-after children. Its behaviour support plan is lacking, support for ethnic minority children is regarded as unsatisfactory and provision for special educational needs is deemed to be weak. In a press release issued on 2 February, the Department for Education and Employment told us that, despite progress, the overall performance of the secondary sector in that authority

remains disappointingly low. This is not acceptable.

For all his municipal misdeeds, educational vandalism and destruction of the life chances of a generation of children in Sheffield, have we heard so much as a word of apology from the lips of the Secretary of State? No. Rather, we have heard a robust, consistent and calculated denunciation of Leeds city council. That denunciation seems justified, but if we are to be balanced, fair and genuinely academic and dispassionate, we should hear why Leeds is considered to be so palpably inferior to Sheffield.

Mr. Allan: Just for the sake of the completeness of the record, I hope that the hon. Gentleman will also accept that the report referred to some good signs of improvement recently evident in Sheffield, and that Sheffield may be a good case to advance the argument about why LEAs can perform well when they are subject to political competition. Sheffield became increasingly competitive as the Liberal Democrat and Labour groups became increasingly close, until the Liberal Democrats took control in 1999, and the local authority definitely improved, as the report reflects.

Mr. Bercow: Some improvement has taken place. The hon. Gentleman makes a fair point, although I am bound to say that the improvement starts from a low base. In case he is considering climbing on to the roof of the building and trumpeting from it the achievements of the Liberal Democrat party, I would be inclined to advise him to hold his horses, as that would be premature. Much progress remains to be achieved.

[Mr. Bercow]

The onus of responsibility is on the Government to explain why Leeds is so much worse than every other authority. I give way once more, and then I must bring my remarks to a close.

Mr. Mudie: Despite the fact that the hon. Gentleman clearly has my right hon. Friend the Secretary of State in his sights, a more important issue in questioning Ofsted's subjectivity is the authority that the hon. Gentleman mentioned: Hull. Our primary school figures are good, as is accepted. We fail in secondary provision. Nevertheless, even in failing, our GCSE results are double those of Hull. Hull's GCSE results are about 25 per cent.; ours are in the 40s. Is that not a clear example of the subjectivity of an eccentric body that demoralises teachers and has now moved on to demoralising education authorities?

Mr. Bercow: The hon. Gentleman is wrong to pillory Ofsted. He is right to offer Hull as another example of a poorly performing authority with which he does not believe that his own compares badly, but he is wrong to attack Ofsted, which does a professional job of scrutiny and investigation. It does a proud and admirable job that I and my right hon. and hon. Friends on the Conservative Benches believe that it should continue to do. Nevertheless, the hon. Gentleman is right to wonder continually why his authority has been targeted, and the Minister for School Standards must explain why.

The Secretary of State has not apologised for a risible record of educational mismanagement in the city of Sheffield over a long period. I have been spoilt for choice—not least because of the hon. Gentleman's helpful intervention—in terms of the number of poorly performing Labour authorities that I could cite. There is a fundamental mismatch at national level between Labour's rhetoric and the reality of its record in office at local level. Its members' words are contradicted by their deeds. They preach excellence but practise failure. The Government's position is fundamentally implausible, and I invite the Minister to reflect that that might be why people are starting to see through them, regard them with cynicism and not believe a word that Ministers utter.

11.15 am

The Minister for School Standards (Ms Estelle Morris): First, I strongly endorse what hon. Members representing Leeds have said: I never question their commitment to Leeds children or schools. We are united in our objective to attain higher standards. I am happy to place that on the record here, as I have elsewhere.

I have had three meetings with Leeds MPs and four visits to the city over the past few months. It was a great pleasure, on my most recent visit, to visit the constituency of my hon. Friend the Member for Leeds, Central (Mr. Benn) to celebrate its schools' achievements in working with local industry. In this difficult and challenging time—more difficult than I would want—good work is going on in Leeds schools. We should find time and space to celebrate that success, as I was happy to do a few weeks ago.

The comments of the hon. Member for Buckingham (Mr. Bercow) were, frankly, disgraceful. I shall respond to a couple of his points but will not bother with them further. It was an outrageous slur on the chief inspector of schools to imply that he had somehow been got at and had written a better report about Sheffield LEA merely because that covers the constituency of the Secretary of State. If the hon. Gentleman has looked at the Ofsted report on Sheffield, he will have seen that it said that the LEA had the capacity to improve itself and did not recommend intervention. In the report on Leeds, the chief inspector recommended that intervention be considered because he did not think that the LEA had the capacity to improve itself. We are guided by the Ofsted evidence, as backed up by a careful reading of the reports on Leeds and on Sheffield, and it is an affront to the independence of Ofsted to imply that Sheffield has been treated in any way differently because it includes the constituency of the Secretary of State.

Mr. Bercow: I am grateful to the Minister for giving way. We can agree to differ on the issue and she can try to spin my words against me, but I did not impugn the integrity of the chief inspector of schools, of whom I have been a supporter since I came out of short trousers. I criticise the Government for the way in which they slant the evidence against one authority and seek to protect Sheffield city council. The chief inspector is an outstanding one and he deserves a better Government under which to work.

Ms Morris: The chief inspector wrote in his report on Sheffield that it was not as bad as Leeds and that it had the capacity to improve itself. We must always act on the evidence in the Ofsted report and if the hon. Gentleman goes back to the Ofsted reports, he will see that that is what we have done.

It is important to put the situation in context. Many local authorities have now been inspected and many have emerged with glowing reports: York, Warwickshire, Newham, Tower Hamlets, Kensington and Chelsea, Birmingham and Camden. All those local authorities, most of which are Labour controlled, are doing a good job in supporting their schools. Hon. Members will know that we are intervening not only in Leeds, but in the 15 LEAs that have a poor standard of service, from Liverpool, where the Liberal Democrats are in control, to Islington, Hackney, Rochdale and Southwark—in a range of authorities of different political complexions. We have demonstrated that we believe that where local authorities are good, they should be praised and left to get on with it, but where they are bad, something needs to be done.

If the Government were against local authorities, the easiest thing to do would be what the previous Government did—nothing. The hon. Member for Buckingham speaks about the failure of Sheffield, but what did the previous Government do about it? Absolutely naught. If it was that bad, one wonders why they did not fulfil their responsibility over 18 years. They failed to step in when local authorities were failing and letting down schools. We have not done that. We are happy to praise some LEAs, but some LEAs are poor, and we will support them.

We have never had a debate on LEA intervention before, and I suspect that we are having one now because reaction in Leeds to the report has been different from that in the other 15 local authorities in which we have implemented intervention strategies. I

will not argue about that. I say only that we must accept Ofsted's evidence. It would be wrong not to do so or to follow our subjective judgment, whether politically driven or otherwise.

We have already quoted much from the Ofsted report. I will quote only one sentence, which says:

> In a survey undertaken for this inspection schools' judgments on the LEA's work rated it significantly lower than the average for all LEAs being inspected this term in 73 out of 96 indicators.

I take the views of head teachers seriously. Hon. Members who represent Leeds were generous in saying that the situation was not perfect and has not been perfect for a long time. They want to see change, as do head teachers. Nobody defends the past or says that the present is good enough. Everybody hopes for better in the future. That unites us, and we must remember that.

I offer one criticism, only to defend what I accept is radical action. Hon. Members, teachers and councillors have long known that things were going wrong. Some hon. Members present tried to take action to remedy that, but did not succeed. In the long series of difficulties with appointing a permanent chief education officer who could do the job and had the confidence of the authority and the schools, improvement did not take place. I am not interested in apportioning blame, but there has been a long record of concern and no evidence that the authority can improve the situation by itself.

I pick up on a word used by my hon. Friend the Member for Leeds, East (Mr. Mudie). He talked about Leeds, as the hon. Member for Leeds, Central did, in an interesting way, and he meant some praise by saying that its schools were average. That is not good enough for Leeds. It is capable of better than average. It is a fine city with a proud tradition. It should be proud of its efforts to overcome the difficulties of the decline in manufacturing. It is a beacon in the north and throughout the country of excellence in the creative and expressive arts. The way in which it has grabbed that new agenda should make Leeds hope for a better than average education system. That is the kernel of the argument. Leeds can do better, and the evidence shows that all the efforts of right-minded people in the past few years have not made a difference.

We need a new set of relationships and we need to increase standards significantly within the time frame. How will we measure that increase? Being okay is no longer good enough for schools, because of the demands on them and the need to improve standards more than ever. I accept that those demands are new. New initiatives always involve risk. I was born in Manchester, and I represent part of Birmingham; places such as those and Leeds, Sheffield and Buckingham have survived only because they were prepared to try something new. I repeat my earlier comments, which were printed in the Leeds press last week. All that we can do when trying something new is stack up the odds in favour of success. I cannot promise that I have done more than that, but I promise that I have put effort into doing that properly.

I shall now discuss the example given about companies. A number of options are available. We could have outsourced, as in Islington. I am happy that Islington councillors were described as willingly agreeing to that. That relationship is good and I am happy for them to take the credit. I do not want the credit for that, although I know that the relationship would not have started without intervention. We have used both the method of outsourcing and of letting the LEA get on with the work by itself. I can give two examples from Liberal Democrat-controlled areas. Complete outsourcing was used in Islington. Liverpool LEA was left to get on with it once we made sure that the levers were in place. The hon. Member for Sheffield, Hallam (Mr. Allan) was ungenerous about Liverpool. People in Liverpool are quite fond of us at the moment because they know that our levers brought about those improvements. There is something in the middle, too. The argument in Leeds is not about the public versus the private sector, but about forging a new relationship between the best of Leeds LEA with something new that it currently lacks.

Some of these companies do not themselves have a track record in education. My hon. Friend the Member for Leeds, East was a touch selective so I shall go through some of the others, starting with Birmingham LEA, Arthur Andersen and APS Keele. My local authority in Birmingham will not go to Leeds with the intent of abolishing LEAs. Its chief education officer has spent his working life defending the right of democratically accounted people. The Centre for British Teachers is a not-for-profit provider of education services. Camden LEA is included, too. Serco has a track record not in education but in local government outsourcing. Given the interest of my hon. Friend the Member for Leeds, East in social exclusion, he might remember it better as "Cities in Schools", a small organisation with a valuable and proud track record of dealing with children who have been excluded from school.

The list includes people in the private sector who have expertise in management—much of what has gone wrong in Leeds is due to lack of management—but it brings together people who also have an educational expertise. We are busy building new alliances for a new challenge that is facing Leeds schools. Whether we get it right will depend on the relationship within those new partnerships and the attitude of Leeds and its schools.

In the remaining four minutes, I should like to consider democratic accountability. First, none of the money that goes to schools, which is 85 per cent. of the total schools budget on average, will go near this new company. It will go from us to the LEA and the LEA will decide the funding formula by which it goes to schools. Nothing changes that. We are talking about how the remaining 15 per cent. is spent to run the central services of Leeds LEA. The company will manage and run those services. The contract, the standards and the targets that the company should achieve will be set out by Leeds LEA, not by us, the private company or Ofsted. The democratically elected councillors will agree what the company should provide. They will hold it to account through scrutiny. They will build into that contract penalties if the company does not reach the targets and rewards if it does.

That is a clear role for Leeds local councillors. The council might not deliver those services itself, but it will ensure that they are delivered. When it next goes to the electorate it can explain what money it has given directly to schools, what it has asked the provider to do and how it made sure that the services were delivered. Its opponents will be able to argue the contrary. The

[Ms Morris]

accountability is there. The council will make sure that the service is delivered. The greatest advantage of that is that it puts the dividing line between strategic decisions, which are matters for locally elected LEA, and aspects of management implementation, which are not.

For the first time in the history of LEAs, the councillors will know what they are doing; the company will know what it is doing and the schools will know what both are doing. That will be the secret of success. There is clear accountability. Everyone knows what to expect for the money. We have devised something new in Leeds. It is a partnership and a board that is not just part of a private company, but is shared 50:50 with Leeds LEA. Although the chairman is appointed by the Secretary of State, he will come from a list compiled by Leeds LEA. The city's history has been one of meeting challenges. Leeds must put Ofsted's arguments behind it and seize this opportunity for the good of the city and its children, schools and teachers. They deserve it. Leeds has represented them well so far. Let us go forward and ensure that the new system works, so that Leeds becomes a flagship for excellent education, as it is in so many areas.

Mr. Roger Gale (in the Chair): Order. We now move to the first of three half-hour Adjournment debates.

Belarus

11.30 am

Mr. Michael Trend (Windsor): I have been fortunate enough to secure this debate on Belarus. To some people, it is the modern equivalent of Neville Chamberlain's "faraway country" and a people of whom we know little. To others, Belarus has in recent months produced a hero in Vladimir Voltchkov at Wimbledon. It is good to be reminded of that country. Its sorry position and difficult circumstances deserve to be better known in this country.

Recently, I travelled to Minsk as a governor of the Westminster Foundation for Democracy. The Minister and other hon. Members will know that it is both cross-party and party-orientated. That means that we can work to promote democracy together or party by party and with sister parties in countries throughout the world. I went to Minsk a few weeks ago with a group of centre and centre-right European sister parties and European Democrat Union colleagues from Sweden, Poland and Lithuania.

The British Conservative party has long-established links with the United Civic party, led by Mr. Anatol Lebedko. We are also developing closer links with the Belarusian People's Front (Renewal) party and its leader, Mr. Vintsuk Viacorka, who recently visited Westminster. We are keen to continue developing our ties with those parties. On our trip, we met the senior figures from both parties and I was impressed by the way in which they are working together.

Belarus is still a long way behind the countries that surround it; visiting Minsk is like going back 10 or 15 years. The atmosphere is one of oppression and fear, and President Lukashenko is very much an old-style communist leader. I have also visited Moscow recently and it is remarkable how much more liberal that city is than Minsk.

Surely this country and this Parliament have an interest in helping the democrats in Belarus, who deserve our sympathy. We should agree that the right place to put pressure is on Lukashenko, who is directly responsible for the misery and fear, the inflation in the economy and the uncertainty and instability in people's lives.

I shall explain a little of the background. Belarus declared independence in 1991. Lukashenko came to power in 1994 and, two years later, called a referendum that extended his powers considerably. He disbanded the Parliament, which was controlled by the opposition, and replaced the legislature with a body of his supporters, who are scheduled to come up for re-election shortly. I understand that the president has set the election for 15 October.

In 1996, close observers said that the referendum was fixed and western Governments have never recognised its results. As things stand, re-election of the chamber set up by President Lukashenko seems likely to face the same fate: people will not recognise its legitimacy.

Amnesty International published a report on Belarus last month. Again, it sounds curiously historical—like one that might have been written 15 or 20 years ago about the Soviet Union. It begins:

> This report gives an overview of the worsening human rights situation in Belarus in the period 1999 to 2000. The unwillingness of the Belarusian authorities to tolerate dissent and independent

thought and their tolerance of impunity is evident throughout the report. The propensity of the Belarusian authorities to use the state apparatus to repress dissent and criticism, often in the face of condemnation from abroad, through large-scale arbitrary detention and ill-treatment of peaceful demonstrators, imprisonment of prominent opposition figures, the possible abduction of opposition leaders, and the harassment of human rights defenders, academics and independent journalists has been common throughout this period.

Until recently, most observers thought that little could be done and that the course of misery was predetermined. Relations with Russia seemed more important and it was felt that poor Belarus could look after itself. Now, however, some close observers of the political scene believe that, after years in which the cause of democracy appeared to be moving in only one direction—backwards—recent developments in Russia have given rise to a moment of opportunity for Belarus.

President Lukashenko's personal ambitions have to some extent been thwarted by the emergence of a strong man, President Putin, in Moscow. It is difficult to read exactly how Putin will develop and react to international developments, but he may prefer a different leader in Minsk—he may prefer Minsk to show a more open and democratic face to the world at large. The problem is to interpret what opportunities the present moment provides. The immediate and difficult question for Belarusian democrats is whether to engage in the forthcoming elections. Presidential elections are scheduled for next year and I shall return to them in a few moments.

International advice differs. The United States takes a harder line than European countries about the participation of opposition parties in the elections. The week before last, the BBC reported that the United States had formally suspended Belarus from its list of countries with duty-free access to the American market. In a letter to Congress, President Clinton said that that action had been taken because of concern over workers' rights. American officials have criticised Belarus in the past for suppressing trade unions and harassing trade union leaders. The difference of opinion or emphasis between the United States and the Europeans about how best to move forward is regrettable, but it is important to understand it.

Various international bodies—we have already mentioned Amnesty International—take a close interest in developments in Belarus. The Organisation for Security and Co-operation in Europe, the European Union, the Council of Europe and the parliamentary bodies associated with them are also interested, particularly in the forthcoming elections. Internally, there is a congress or forum of democratic forces, which co-ordinates political opposition to Lukashenko's regime. It met formally on 2 July and decided to boycott the elections unless Lukashenko agrees to its conditions.

The conditions are intended to ensure a fair contest. There are four, all of which would be recognised in this House. What are the demands of the parties that make up the united opposition? The first is a full-powered and properly functioning Parliament with a proper division of powers—that does not exist in Belarus today because President Lukashenko rules by decree. The second is reformed electoral legislation—in particular, reform of a practice known as early voting, which is an open door for rigging election results. Thirdly, they want guaranteed, real and regular access to the state-run electronic media. The persecution of the independent press must stop and the means of distribution of journals and newspapers must be freed up. At present, a paper may be published, but it is often extremely difficult to circulate it. Fourthly, and most importantly, they want an effective and visible change in the political atmosphere—in other words, an end to political repression. Amnesty International has detailed the detentions, disappearances and forcible breaking up of demonstrations in Belarus.

On our fact-finding visit, it was clear that the opposition parties—those opposed to Lukashenko—were not just the centre and centre-right parties, but the trade unions, the non-governmental organisations and other bodies—[*Interruption.*]

Mr. Roger Gale (in the Chair): Order. This Chairman always wishes to hear the Member who is speaking. Interruptions from the side are distracting.

Mr. Trend: The opposition forces—the political parties, the unions, NGOs and other bodies—are severely beleaguered but unbowed. They act together impressively and come together in a forum. The question of whether to engage in or boycott the parliamentary elections has entered the end-game stage. My strong feeling was that the opposition parties would not take part unless substantial concessions were obtained and could be verified. At present, that seems unlikely.

The opposition parties would prefer, as far as possible, to frustrate Lukashenko's desire to legitimise the elections in international eyes; their eyes are set on next year's presidential elections. There is a good possibility that they will vigorously contest the presidential elections as long as the ground is not cut from beneath their feet in the next few months. They will agree a joint candidate through a primary system, although, for good reasons, they are unwilling to embark on it. That is a good example of the position in contemporary Minsk. If the opposition forces agreed on a chief opposition representative, who would be a figurehead for the presidential elections, that person would be under severe personal threat. It is therefore understandable that the parties would want to wait for a while before deciding who that person should be. That is the atmosphere in which democrats in Belarus have to work, and it is reminiscent of the worst moments of the Soviet Union.

Although I understand the pragmatic view that there might be gradual progress if the opposition parties engaged in the forthcoming parliamentary elections, it is difficult for foreigners who enjoy the luxury of liberty to criticise the present conduct of the Belarusian opposition. To return to Chamberlain, it is a faraway country about which we know little. He was speaking about Czechoslovakia, which is now well within the family of nations that enjoy democracy.

We were accompanied to Minsk by Poles. Ten years ago, people from the Conservative and Labour parties went to countries such as Poland to help them to establish democracy and to develop democratic structures. Now, we believe that the recent experience of Poles is most helpful; the virtuous cycle of the operation is beginning to show itself. One day, Belarus will be a

[Mr. Trend]

country about which we know much more and we will have much friendlier relations with its people. We should never accept that we have reached the limit, but should keep pushing the border forward.

I ask the Minister to join me in urging President Lukashenko to move substantially on the four demands. It is unreasonable for the opposition to take part in the elections unless substantial progress is made. There is no place for President Lukashenko's behaviour in the modern world and we should do all in our power to ensure that he does not have his way. The people of Belarus also have the right to join the family of free nations.

Mr. Andrew Mackinlay (Thurrock) *rose—*

Mr. Roger Gale (in the Chair): Order. Is the hon. Member for Windsor, who is responsible for the debate, willing for the hon. Member for Thurrock to speak?

Mr. Trend *indicated assent.*

11.44 am

Mr. Mackinlay: I will not take more than a few moments.

I reinforce what the hon. Member for Windsor (Mr. Trend) said and associate myself with his analysis. As a member of the left in Parliament, I am concerned about the denial of human rights in Belarus. President Lukashenko's mandate, and therefore his legitimacy, has long ceased to exist. I was disappointed that the European Union and other western countries did not protest more strongly about it.

I have tabled questions to the Minister about parliamentarians and journalists who have disappeared in Belarus and I hope that the good officers of the Foreign and Commonwealth Office can throw some light on what has happened to them and tell us what representations Her Majesty's Government and the European Union have made on their behalf. We must be constantly vigilant in our monitoring of what happens to opponents of the regime.

I should like my hon. Friend the Minister to make a statement on whether the Government and the EU think that the parliamentary elections in October should be monitored. When I was in Bucharest last week with the parliamentary assembly of the Organisation for Security and Co-operation in Europe, there was grave concern that observers from the OSCE and western Governments might validate that which is illegitimate. I do not want to rush a judgment, but we need to make up our mind. A large number of observers will be needed almost immediately. It is not enough to send them 48 hours or three days before polling day.

What is the EU doing for communities bordering Poland and Belarus? Those communities, which depend on cross-border trade, will have a problem when Poland accedes to the EU. Our mission in Minsk is extremely small. I hope that the Minister will reflect on the obvious reasons to upgrade significantly our resources there.

Let me reinforce the point made by the hon. Member for Windsor. Belarus is thought of as a faraway country. I was in Krakow, Poland, on 25 December 1998 when the treaty was signed by the President of Belarus and the President of the Russian Federation. Although there was great alarm in that region and throughout Europe about the dangerous implications for security and co-operation in Europe, there was not a peep about it in the western press. I returned to the House of Commons and searched for a press report on that major treaty but, despite the enormous ramifications for everyone in the EU and the west, there was no mention of it save a thumbnail in the *Washington Post*. That underlines how we are fiddling while Rome burns. Belarus is important and, while the totalitarian regime is allowed to endure, dangerous.

11.47 am

The Minister for Europe (Mr. Keith Vaz): The hon. Member for Windsor (Mr. Trend) is a knowledgeable commentator on the situation in Belarus. I congratulate him on his work with that country as part of the Westminster Foundation for Democracy. I am grateful to him for the opportunity to debate Belarus as it enters a crucial pre-election phase. This is the first time that the House has debated Belarus, so it is an important occasion.

I wish to set out the Government's assessment of the underlying situation in Belarus, explain our policy and comment on the forthcoming elections. I regret to say that the flawed Belarusian referendum of November 1996 set the country on an anti-democratic path from which it has not deviated. The referendum significantly increased President Lukashenko's powers, extended his term of office until 2001 and undermined the democratically elected Parliament, the 13th Supreme Soviet. Lukashenko disbanded the Soviet and replaced it with a rubber-stamping legislature largely comprising his own deputies.

To this day, political oppression and the anti-democratic style of Government in Belarus remain a major concern for democratic countries throughout the world. We are particularly concerned about cases of excessive pre-trial detention, politically motivated legal proceedings, the unresolved disappearances of several high profile political figures, the absence of judicial independence, state pressure on the independent media and strong political bias in the state mass media. Current European Union policy is based on the General Affairs Council's conclusions of September 1997, which place restrictions on EU-Belarus relations pending the restoration of democratic rule in Belarus. Those restrictions include withholding technical and financial assistance, except that which is in direct support of humanitarian or regional projects or initiatives that promote democracy; a ban on bilateral ministerial contact; stopping work on the European Union's partnership and co-operation agreement with Belarus, which had reached the stage of ratification by European Union member states; and refusal to support its ambitions for membership of the Council of Europe. The United States has adopted a similarly restrictive policy towards Belarus.

Last year, the European Union attempted to kick-start a rapprochement with Belarus by explaining to the Minsk authorities that the restrictions imposed by the 1997 General Affairs Council conclusions could be lifted step by step if Belarus made progress on specific constitutional and human rights issues. Regrettably, the

authorities' respect for human rights has not increased in the past year, so relaxation of the restrictions has been impossible.

In addition to applying pressure on Belarus to improve the overall quality of its democracy and show proper respect for human rights, the European Union has been quick to take up specific human rights cases with the authorities in Minsk. Those include the cases of Mikhail Chigir, Nikolai Statkevich, and Valeriy Shchukin. Following Chigir's arrest in April 1999, the EU pressed repeatedly for his release from pre-trial detention and his right to a free and fair trial. The EU has criticised the suspended sentence handed to Chigir in May, which seems designed to prevent him from standing as a candidate in the forthcoming elections, and we have made it clear that we view his appeal to the supreme court as an opportunity to revise the judgment against him.

The European Union has also made it clear to the Belarusian authorities that we regard the legal proceedings against Statkevich and Shchukin as having been politically motivated. We deplore the fact that their sentences seem designed to prevent them from participating in the parliamentary and presidential elections.

Hon. Members would also expect me to say something of our policy towards Belarus. We have strictly enforced the EU restrictions while continuing to work with civil society, the independent media, human rights organisations and non-governmental organisations. Our embassy in Minsk is in close contact with opposition political parties and the independent trade union movement. Leading opposition figures and union leaders have visited the United Kingdom as guests of the Foreign and Commonwealth Office. The hon. Member for Windsor will recall meeting the chairman of the Belarusian Popular Front, Mr. Viacorka, during his visit to the United Kingdom in May. Mention also needs to be made of the excellent work of the OSCE in Belarus.

The OSCE Istanbul summit declaration last November emphasised that only a real political dialogue in Belarus can pave the way for free and democratic elections through which the foundations for real democracy can develop. Through its advisory and monitoring group in Minsk, the OSCE has continued to strive for a breakthrough by maintaining objective and critical dialogue with the opposition and Government. The OSCE parliamentary assembly is another valuable tool for bringing international pressure on Belarus. I am well aware of the important role that Members of Parliament play in that assembly, and of their influence on the strong resolution on Belarus that it adopted in Bucharest earlier this month.

The hon. Member for Windsor mentioned the parliamentary elections. We consider the October elections to be an important opportunity for Belarus to take a step towards real democracy. Delegations representing the OSCE and its parliamentary assemblies, the Council of Europe and the European Parliament have all visited Belarus in recent months and have pressed the authorities to create conditions in which the opposition can contest the elections on fair terms. The improvements that are being called for are: first, better opposition access to the state media; secondly, a pre-election environment free from political persecution; thirdly, the strengthening of the electoral code; and fourthly, more powers to be given to the Parliament that is to be elected.

European Union ambassadors in Minsk have frequently put the same message to the Government of Belarus. Subject to Belarus's ability to create appropriate conditions for a free and fair election, the international community will consider whether to take up the Belarusian authorities' invitation to monitor the elections. Time is now pressing, but it remains possible for the Belarusian authorities to take the necessary steps, as set out by the OSCE and others, to provide a proper environment for a fair election.

As Belarus's closest ally and leading trading partner, Russia has more potential than any other country to exert influence on Belarus. During a recent meeting of EU senior officials with Russia, the EU side called on Russia to use its influence to convince Belarus of the advantages of free and fair elections. We will continue to take that approach in our discussions with the Russians.

Although it is looking increasingly unlikely that many of the Belarusian opposition parties will contest the forthcoming elections, we encourage them not to close the door on the opportunity that the elections might represent. I heard what the hon. Member for Windsor said about whether they should contest the elections. Their participation in an election that proved flawed would not be regarded by the international community as validation of that election, as some of the opposition parties seem to fear. On the contrary, as the recent example of Zimbabwe has made clear, participation in elections can make an important statement even when the conditions in which they are contested are not free and fair. Of course, the presidential election in 2001 marks another important opportunity to move towards democracy in Belarus. I hope that the opposition parties there will contest that election and offer a genuine choice to the people of the country, bearing in mind all the caveats that I have mentioned.

The Government share the concerns of the hon. Members for Windsor and for Thurrock (Mr. Mackinlay) about the situation in Belarus. We agree with the hon. Member for Windsor that closer relations with Belarus are desirable but can be envisaged only when Belarus brings itself back into the fold of democratically governed European states. I hope that the Government of Belarus will take the necessary steps quickly to ensure that that happens. I am convinced that improved relations with Belarus are in everyone's interests, not least those of the people of Belarus itself. However, it is up to the Government of Belarus to prove that they have changed and that they wish to make a genuine success of democracy.

Mr. Roger Gale (in the Chair): Order. As the sponsoring Member and the Minister are both present, we may move to the second of this morning's three half-hour Adjournment debates.

Tooting

11.58 am

Mr. Tom Cox (Tooting): I wish to raise an issue of major importance to my constituency, which is in the London borough of Wandsworth—the local council's application for £5 million under the single regeneration budget for the development of facilities in the Tooting area. The application is supported by the Tooting town centre partnership board. I pay the warmest tribute to local councillors representing wards in the area, who fully realise the importance and need for the approval of the application and also the importance of me, as the local Member of Parliament, doing all that I can to support and highlight the application.

Tooting is one of the key centres—if not the key centre—of the borough of Wandsworth. Many aspects of Tooting have changed in the years since I first became the Member. When I first came to the House, there was only a small ethnic community. Over the years, it has greatly increased. People have come into the area from many countries. Many of them arrived with little, but by hard work and commitment they now run well-organised businesses that provide important local services not only to the people of Wandsworth but to the many people who come into the area to shop and work.

Those who work in the community provide the day-to-day services that it needs, in hospitals, other health services, social services and schools. The people of the community have built up excellent day centres through hard work and commitment. Churches are run by people from many different countries; with temples and mosques, they play a major role in our community. Many of the youngsters in our schools were born in this country, but their parents are from many overseas countries. It is always a joy to visit those schools; there one sees developments taking place that will build the sort of multiracial society that we want. We in Tooting are proud of what our local community has done and what it is committed to continue doing.

The bid to which I refer had to be submitted by June 2000 and I understand that a decision will be taken later this year. We obtained a wide range of local views, especially from young people. A large number of people are unemployed and youngsters feel that they are socially excluded; sadly, nothing is worse for the area. The views of local residents' groups were sought, because they are often concerned about the behaviour of young people. The citizens advice bureau mentioned the development of projects for young people and also for smaller groups.

The views of local church groups were sought—we all respect them for th[illegible]le in the day-to-day life of our community. They [illegible]e a number of important proposals, including more support for families under pressure, helping one-parent families, tackling drug abuse, offering help and information about possible careers to young people, advising on health and trying to ensure that youngsters do not fall through the net—all problems that are common in many parts of the country. I could cite the many other groups that have supported the application, which has widespread agreement.

I mentioned the changes that have taken place in the Tooting constituency. Our Asian community now comprises more than 15 per cent. of the local population, and our Afro-Caribbean community is more than 14 per cent. Other issues highlight our case. For instance, about 25 per cent. of the young unemployed people in the borough live in the area covered by the proposals contained in the single regeneration budget bid, and 36 per cent. of households with children now living in the area are on benefit—that involves about 2,500 children.

We have a high teenage pregnancy rate and we have suffered a large increase in youth crime—something else that the budget would allow us to tackle if the bid were approved. Young people have repeatedly highlighted the need for more local recreation and leisure facilities. The exclusion rate from local schools is higher than the national average in what would be the single regeneration budget area. The drop-out rate among our Afro-Caribbean young people in business start-ups in what would be the single regeneration budget area is also very high.

I have been frank about what the local community wants and hopes to see. I have given a clear outline of the problems that we face and of how we hope to develop the central Tooting area, if we obtain the funding. The key development in the project would be a major town centre facility for young people. That is a priority and young people tell me that repeatedly. The facility would be developed in line with the views and wishes of young people. It would be attractive and comfortable and would offer access to the arts and music. It would provide advice on health, employment and training and information on the opportunities that exist in the area. There would be the full range of services that youngsters have told us that they want. We are committed to ensuring that local young people have a voice and are encouraged to make their views known. We must be in the forefront, listening to what young people want from the regeneration of Tooting. We have a large ethnic population and we want to build a community that will develop the richness of that cultural diversity.

All of us can have great ideas and hopes, but we need money. We attach great importance to local views and proposals, particularly those of young people. Young people have much to offer but they can, sadly, be turned off if they see no developments. That is why the bid is so important. We want to keep alive the interest and the culture of young people and provide a modern centre for them. We must encourage young people to start up new businesses, creating work for other young people in the area. That would create a sense of pride in their role in building up the local economy.

In Tooting and throughout the borough of Wandsworth, local councillors and local people want the project to succeed, which is why I, the local Member of Parliament, sought this debate. We look to the Government to support the project and we are in no doubt that we have presented an outstanding case. I hope that the Minister will confirm today the Government's support for our application for £5 million from the single regeneration budget. Then, we can tackle issues such as unemployment and how to get people off benefit, reducing the rates of teenage pregnancy, combating crime and getting more young people into business start-ups.

Getting people back into work has been one of the Government's outstanding successes. The money saved by doing so is important, but it is even more important that people should have pride in their jobs and in their local area. We must bring hope and opportunity to the area and its people. That is what we hope to achieve by applying for funding from the single regeneration budget. I look to the Government, in conjunction with the Government office for London, to support the project. My constituents, whom I am proud to represent, need the project.

I ask the Minister to give urgent attention to the following two matters. First, Gatton Road school, in the heart of Tooting, is now closed and to be sold, but was once used for other purposes within the community. I walked around that school at the weekend; it is on a site of 1.2 acres and amounts to 36,000 sq ft, and could be the ideal centre for the sort of project that my constituents, the local councillors and I want to be developed. I ask the Minister to contact Wandsworth council about that possible sale—not next week or next month, but in the next day or two. There is an enormous "for sale" board outside the school and I hope that she and her officials will find out why it is being put on the market when, in the view of many local people, it could be used for the sort of project that I am supporting today.

I will give the Minister a copy of the letter sent to me by Councillor Pam Taplow, one of the local councillors for the area. She says that, at the July meeting of Wandsworth council, cuts were announced of more than £180,000 from the youth service budget. I hope that she and her officials will take the matter up with Wandsworth council and find out why such a thing is happening when we are seeking money from the single regeneration budget. I have here some of the attractive publicity material that the borough of Wandsworth has put together so well. The headings are "Youth is the key" and "Green light for £5m Tooting bid".

I hope that the Minister will be forthcoming in her response and tell me that the Government intend to support the bid. However, I also ask her to take up the two matters that I have just raised—the selling of the school and the cut of £180,000 from the youth service budget—with the officials of the borough of Wandsworth.

Finally, my comments show that I fully support the bid. I want it to succeed, as do local councillors in that area and the people whom I am proud to represent. I hope that, after her response, my constituents and I will feel that we are on the way to winning the money because we have the full support of the Government. We need it for the benefit of the area and community and, especially, for the benefit of young local people.

12.14 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Beverley Hughes): First, I congratulate the hon. Member for Tooting (Mr. Cox) on securing this debate on such an important issue for his constituency. He has spoken of the contribution made by all the people of Tooting to the well-being and richness of that community and I applaud the way in which he celebrated its diversity. He also clearly outlined some of the needs that people in Tooting continue to face. He conveyed his message with genuine commitment and feeling for the people whom he represents.

The Government view the single regeneration budget programme as an important instrument in our drive to tackle social exclusion and create equality of opportunity. By reducing the gap between deprived and other areas and between different groups, we want to improve the quality of life of local people, especially in areas in need. That includes the important issue of tackling the disadvantage undoubtedly still experienced by people in this country's minority ethnic communities.

I am sure that my hon. Friend will be aware of the considerable benefits that have accrued to London boroughs through the SRB programme. The first five rounds of SRB in London have resulted in 197 successful schemes, which have attracted £1.2 billion of Government funding in their lifetime. Those schemes are expected to lever in a further £2.2 billion of private investment, creating or safeguarding around 186,000 jobs and establishing many thousands of new businesses. The SRB programme is clearly designed to try to achieve what my hon. Friend seeks in Tooting.

Four schemes have been under way in the London borough of Wandsworth, with Government funding of £22.5 million. The largest of them is the transformation of Wandsworth's town centre, which has focused on the Arndale centre—a large new shopping centre below an estate of high-rise council dwellings. The scheme is successfully improving the area's commercial, housing and social problems. Wandsworth is also involved with adjacent boroughs in four other schemes and in some pan-London schemes. The SRB has clearly made a significant contribution to London as a whole and especially to Wandsworth.

I shall explain to my hon. Friend this year's decision-making process on round 6 of SRB, as it is important to his point. SRB round 6 was launched at the end of last year and is expected to provide an additional £300 million for London in the next seven years. Its main objectives are to support and promote growth in local economies and businesses, to enhance the employment prospects, education and skills of local people, to tackle social exclusion and enhance opportunities for disadvantaged people; to promote sustainable regeneration, and to tackle crime and drug abuse and improve community safety. We injected extra funding into the SRB scheme nationally. We modified the framework to give greater clarity to bidders and to secure the greater community involvement that my hon. Friend says is such a strong feature of Tooting's bid.

Partnerships were invited to submit expressions of interest to the Government office for London in March. As my hon. Friend said, one of them was the scheme proposed by Wandsworth borough council, which aimed to support and involve young people in Tooting. Officials concluded that the proposals supported the objectives identified by the social exclusion unit in its "Bringing Britain Together" report. Tooting is also one of London's 68 priority community regeneration areas—identified as being the capital's focal points of need and deprivation. The Government office for London therefore encouraged Wandsworth to submit a bid on the basis of the expression of interest.

[Ms Beverley Hughes]

As my hon. Friend will be aware, the delegation to the mayor of London came into effect recently, on 3 July. With that transfer, responsibility for the approval of London SRB round 6 bids has passed to the mayor. It is his responsibility to decide how the money in SRB round 6 will be allocated across the submitted bids. The London development agency now exercises the day-to-day management of the SRB programme on his behalf. The Secretary of State's functions of giving guidance or directions to the agency are also now exercised by the mayor. In relation to London, Ministers have no further role in directing or giving guidance to the LDA. The mayor will be making the decisions.

My fellow Ministers and I have a legitimate interest in ensuring that the delegated functions are exercised by the mayor in accordance with the conditions of those delegations. If, at any time, the mayor or the LDA did not comply with the terms of delegations, Ministers would have the power to intervene, but only by revoking the whole of the delegated function. I have provided a fairly detailed explanation so that my hon. Friend will understand that decision making about allocation of resources under SRB 6 rests wholly with the mayor of London.

My officials made inquiries in the light of the Adjournment debate and I now understand that the Tooting bid was submitted and is being assessed along with the other London bids by the LDA, which will advise the mayor. I am told that the mayor will make his final decisions on the successful schemes at the end of this month. I hope that my hon. Friend will appreciate that although I cannot comment on the eligibility of the bid, which is a decision for the mayor, I shall try to respond to his points.

The bid for funding, which my hon. Friend outlined in relation to the Tooting submission, involves a number of key projects: training in information and communication technology through a learning matrix, which is very important; additional support for young learners to provide progression routes to further and higher education, which, as he outlined, is an important mechanism in trying to ensure that young people raise their capacity to obtain employment; involving businesses in providing work opportunities; involving families in education by providing family and community learning support; encouraging youth participation in community projects and volunteering; working with young people at risk of offending, to reduce youth crime and try to prevent their route into criminal activity, which would clearly be to their great disadvantage; providing facilities for young people in sport and cultural activities; encouraging young people to start up businesses; providing support for young people with mental health problems; and preventing drug abuse.

A strong feature of the bid—which the Government are supporting in SRB bids in the rest of the country, where we are making decisions—is the extent to which young people and those from ethnic minority groups have been involved from the outset in building up the bids, setting the priorities and trying to define some of the solutions, in terms of the projects specified for tackling some of the difficulties and problems that those young people face.

In other parts of the country, we have made it clear that we want more bids to focus on ethnic minority communities and their groups—they should be lead partners rather than merely the recipients of projects administered and managed by other people. My hon. Friend will be interested to know that I am discussing with other regional development agencies their submissions and I am making the point strongly that the Government feel that minority ethnic communities have not been sufficiently represented so far. The SRB bids that we will approve will require more focus on their needs. I have no reason to suppose that that will not also be an important focus and criterion for the mayor of London when he decides on bids from London authorities. In areas such as Tooting, where ethnic minority populations are concentrated, it is important that those people engage in the regeneration process and are involved in developing and delivering the bids and ensuring that the outcomes meet their needs. I was pleased that a combination of methods was used to get young ethnic minority people in Tooting involved in the regeneration process that has led to the bid. I am sure that that is a great strength.

My hon. Friend raised two specific issues: the school that has been closed and Wandsworth's budget. I shall ask my officials to look into the question of the school, which is a matter of local democratic decision making. If, after consultation, Wandsworth council decides to go ahead with the sale, and does so in an appropriate and legal manner, Ministers have no power to intervene in the process. However, I understand my hon. Friend's point about the school being an asset that, if the SRB bid is successful, could be used as a centre to support the project. We cannot deter Wandsworth, but I shall certainly instruct my officials to speak to the council on the matter and check that they have taken cognisance of my hon. Friend's point, which is sound and valid.

The council's budget is also set democratically and I cannot intervene to tell Wandsworth to revise it. I accept my hon. Friend's point that it would not look good if Wandsworth were the lead partner in a bid for additional Government money to develop services for young people while at the same time—according to his information—taking money out of its own budget. When the mayor considers the bid, he may want Wandsworth to explain that matter, in terms of deciding on the allocation of money. I hope that Wandsworth council will take that on board.

I regret that I cannot assist my hon. Friend directly, as the power to make such decisions now rests not with Ministers but with the mayor. However, my hon. Friend has fulfilled an important function on behalf of his constituency by raising the issue and hearing my remarks on the strength of the bid. I hope that he will make representations to the mayor before the end of the month.

Mr. Roger Gale (in the Chair): Order. As the Member sponsoring the debate and the Minister are both present, we can move on to the third and final half-hour debate.

NHS (South Gloucestershire)

12.27 pm

Mr. Steve Webb (Northavon): It seems appropriate to have a debate about cancelled operations and waiting times on a day when the Chancellor will no doubt announce—or re-announce—the investment of vast billions of pounds in the health service during the coming years. I make no apologies for raising the topic, as it is one that will not go away. In my constituency surgery and mailbag, day after day and week after week, the pressures on the local health service are among the biggest issues. I am grateful for the opportunity to bring them directly to the Minister's attention and I hope that he will offer some encouragement for the future.

I have nothing but praise for doctors, nurses and the other NHS staff—who are often not mentioned on such occasions—and for the work that they do in our local hospitals. I am not criticising them, as they need and deserve our support. They are trying, under great pressure, to deliver a first-rate service. By bringing such concerns to the Minister's attention, I hope that the Government will be encouraged to do more to support them. I shall comment on three issues: cancelled operations, waiting times, and plans in the local area to try to address those problems.

I shall set the context in relation to cancelled operations. The latest figures show that in England about 1.1 per cent. of operations and elective surgery are cancelled. In the Avon area, the figure is 1.9 per cent., which is a little less than double the rate of cancellation. I was alarmed to receive statistics from the House of Commons Library that showed a much more rapid deterioration in Avon than elsewhere in the country. The Library has given me quarterly figures to 1999-2000 from 1995-96. In that period, the number of cancelled operations throughout the country rose by about 11 per cent., while the number in Avon rose three times as fast. The problem of cancelled operations is clearly national, but it seems to be especially acute and rapidly becoming worse in Avon. I realise that Avon is not the worst authority by any stretch of the imagination according to these dodgy, or, rather, unwelcome, league tables, but clearly the problem is quickly becoming much worse.

The Library's statistics show not only how many operations were cancelled but how many breaches of the patients charter followed. It is a requirement that, once an operation is cancelled, treatment should take place within a month. Of the growing number of cancellations, the proportion of operations not performed within a month of cancellation doubled. Three times as many operations were cancelled and double the proportion of that larger number were not treated within a month.

The charter was breached in every quarter from the start of 1995-96. It was never breached more than 100 times in a quarter until the final quarter of this year, when it was breached 221 times. To humanise that figure, 221 people who looked forward to the date of their operations may have arrived at the hospital, or were telephoned first thing in the morning, to be told that their operations would be cancelled and they did not receive treatment even within a month of the time expected. That is a serious problem. A cancelled operation is one of the cruellest experiences possible and it seems to be happening much more and far too often in Avon.

The trusts that serve south Gloucestershire—the subject of the debate—and North Bristol NHS trust have kindly provided me with some briefing material, as has the health authority. When I requested the debate, I was not aware of the statistics. All that I had seen were the faces coming to my surgery, from which I observed that a problem existed.

The figures bear out that first-hand, anecdotal experience. I have been given monthly figures for cancelled operations from last October. In a typical month, if such exists, North Bristol NHS trust cancels 80 operations, which is, obviously, 80 too many. In January, it cancelled 253 operations—more than three times as many. At the time, we heard a lot about winter pressures, which I had the opportunity to discuss in a separate Adjournment debate in the House. Cancellations on that scale cause misery for far too many people. Clearly, winter pressures were part of the story, but even in summer the trust has to cancel 80 operations a month. The trust's briefing suggests that long-term trends are involved, which are not going away. Long-term upward trends are evident in emergency admissions, the number of over-85s admitted and length of stay in hospital.

The word that has arisen in researching the topic and speaking to hospital staff is "pressure". I am told that in summer it used to ease off, but now all year round there is pressure and a lack of capacity. The lack of capacity in the local NHS was evident from the national beds inquiry, which showed that Avon is an outlier. It has one third fewer hospital beds per head of population than the national average and about one fifth fewer than the regional average.

The strategy proposed is to use community care and nursing homes to help people to stay in their own homes, and to rely less on keeping people in hospital. We would all sympathise with that objective. However, the downside of that strategy is that when the pressure comes, no slack and, therefore, no capacity is available. According to the health authority briefing, the bed figures

> may explain why, at times of peak demand, the option to increase emergency capacity by the cancellation of surgical procedures is utilised.

In other words, no slack is available: hospitals must cancel operations. That is a source of great anxiety.

I could list many cases of people whose operations have been cancelled and who have come to see me. The Minister is well aware of the nature of the problem. It is the cruellest experience to have an operation cancelled on the day or in hospital, and that cruelty is compounded by the fact that some of my constituents have had operations cancelled two or three times. They phone me up and tell me of the cancellations and I feel completely helpless. I write to the trust, which tells me that there is a perfectly good reason, such as a sudden influx of emergencies or what are called medical outliers—that is the term for people being treated for whom there are no beds, who therefore take those that would have been used by the people due to have operations. There is always a good reason, but when will the situation end?

Cancelled operations are part of the story—one symptom of the pressure on the local NHS. Long waiting times are the other side of the coin. The Minister

[Mr. Steve Webb]

responded to a previous debate of mine about a year ago on orthopaedic out-patient waiting times. It is unfortunate that I have to raise again the fact that, despite an awful lot of imagination and effort on the subject of orthopaedic out-patient waiting times in the Avon area, the waits are still unacceptable.

The problem is not only in orthopaedics. One of my constituents—I shall refer to him only as Mr. K—needed a heart bypass. He was told in March 1999 that he was on a waiting list and is still on it 15 months later. I wrote to the United Bristol Healthcare NHS trust, which said that it was sorry and that he would be seen within the absolute upper limit of 18 months. The chief executive said that the trust had

encountered numerous problems in the past year in admitting routine patients for cardiac surgery.

Of course, my constituent does not think that his is a routine case. He feels that his heart problem is getting worse with every passing month. He is unhappy to be told that his is a routine case and that 15 months is therefore acceptable. The trust does not want the situation to have dragged on so long, but it is only at 18 months that he will go to the top of the queue. One reason is the number of urgent admissions, which obviously take priority. The blackly humorous word doing the rounds in the Avon area is that the only way to receive heart treatment is to have a heart attack. That is the way to jump to the head of the queue, or the wait is 18 months. That situation is deplorable.

The chairman of the trust says that there is a shortage of theatre staff for cardiac and thoracic surgery and that that has tended to lead to a large number of cancellations. He also says that there will be seven new beds, which is welcome. He does not say where the staff will come from, which is worrying if there are not enough staff for existing operations.

All sorts of surgery are affected. Another constituent, Mr. H, needed the condition of his heart investigated through an angiogram. He was told that it would be a year before he could have that done—a year before staff could assess what treatment was needed. The trust reassures me that it monitors people and if it thinks that a situation is urgent it will carry out treatment straight away. Mr. H was told that he could wait a year, so he paid privately for an angiogram, which concluded that he needed quadruple bypass surgery. If he had not had the angiogram and the need for the surgery had not been detected, would he still have been alive to have had the surgery? How many people come off waiting lists because they die?

The key promise that I want from the Minister today is to investigate the reasons why people come off waiting lists. I want him to consider not only death, but people forced to go privately even though they have no private health insurance cover. I do not mean members of BUPA or any such organisation, but ordinary members of the public who are put on waiting lists but see their health deteriorating as month after month goes by. Many are in discomfort for months, losing earnings—not all the people involved are elderly by any means—and cannot face the wait. They are driven to raid their life savings of thousands of pounds to have private treatment.

I shall give the example of a mother of two from Thornbury in my constituency, who was told by her doctor that she should see a consultant about an ear condition. She waited for the appointment, but time went by, so she paid privately for a consultation and was told that she needed an operation for a degenerative ear condition. It must be the worst possible scenario to be on a waiting list with a degenerative condition, because people in that situation know that each week and month that goes by makes them worse. Her NHS treatment was cancelled and she got to the stage where she was so desperate that she paid thousands of pounds, which she could ill afford, for a private operation. After being treated, she was told that if her condition had deteriorated for as long as the NHS was prepared to let it, and she had waited until the date she had been given for NHS treatment, there was a high probability that she would have suffered a stroke. She was also told that the delay between diagnosis and treatment had meant that her condition had degenerated so much that she would not recover the hearing in her ear. Had there not been such a delay, there would have been enough bone left to insert a hearing aid into the ear and her hearing might have been saved.

I wonder how many similar stories there are; we do not know because there is no evidence. I have tabled written parliamentary questions asking the Government to collect data on the people who come off NHS waiting lists by paying privately and have been told that such data are not collected. As a matter of priority, they should be. I hope that, if he says nothing else, the Minister will assure me that that data will be collected so that we can monitor how many people are being forced into that situation, over what time period, in what parts of the country, in what specialisms and how serious the situation is. If ever there was an indicator of pressure in the NHS, it is people desperately trying to buy their way out of long waiting lists.

A final constituency case is Mrs. E, from Chipping Sodbury, who was told in May 1999 that she faced an 18-month wait to see a consultant. She could not afford the £6,000 for private treatment and she badgered the hospital by ringing every week—at one stage, I gather, every day—and after 13 months she was seen and told that she was now on the in-patient waiting list for treatment. So she had waited 13 months to be told that she could be on the waiting list. She has had to give up full-time work and work part-time because of the discomfort. Her consultant was recently quoted as saying that the situation is extremely frustrating but medical staff have little control over it, that he did not know how they could get round it and that he felt very sorry for the patients. I therefore criticise not the people who work in the NHS but the system that puts them in the impossible situation of telling patients that they cannot be treated and of cancelling their operations.

Things are happening in the Avon health authority area. Money is going in and plans are afoot. We are told that there will be improvements in cardiology and orthopaedics. A hospital-at-home scheme, costing a quarter of a million pounds, will reduce the pressure on beds in hospitals—which should in turn mean fewer cancellations. Frenchay hospital is gaining 28 acute medical beds and there is work in the community to prevent people from coming into hospital in the first place. That is all part of the picture.

However, I am concerned about the conclusions of the briefing that I received from the local NHS trust. It says that it is making headway on cancelled operations and

believes that it will break the back of the problem, maintaining good performance on in-patient waiting times. However, my heart sank when I read that it is falling behind in out-patient targets. Something tells me that, unless things change dramatically, the Minister and I—the electorate permitting—may be here again another year, and another year. I may have more tales of woe and more tales of cancelled operations and unacceptable waiting times. I asked the Minister last time if he would take responsibility for the situation, because everyone always blames everyone else. Things are being done and money is being put in, yet the problems are still with us and I see no imminent prospect of a dramatic improvement.

We need hard evidence about the consequences of long waiting times and cancelled operations and of people being driven to fork out private savings for care that they should be able to get on the NHS. I hope that the Minister will promise such research and hard evidence on the scale of the problem and will reassure me that we do not need to be back here in 12 months.

12.44 pm

The Minister of State, Department of Health (Mr. John Denham): I congratulate the hon. Member for Northavon (Mr. Webb) on securing the debate. He described several problems, but I am not convinced that his proposal to divert resources from patient care into the bureaucracy of running surveys will cut waiting lists or improve the quality of care from the national health service. We need to deal with the problems of long waits and cancelled operations not only in the hon. Gentleman's part of the country but all over. That is the right way to reduce the number of cases, which I accept, from my constituency experience and his, is leading people to choose private treatment. We can reduce that number by improving service quality.

I shall describe our strategy and some of the changes occurring in Avon as a direct result of measures introduced by the Government. The hon. Gentleman will understand that he might have to wait until we publish the new national plan for the NHS next week to learn all the details. I recognise that the recent high number of cancelled operations at North Bristol NHS trust has increased the length of time that patients must wait for operations. The hon. Gentleman described clearly the effect on individuals, the disruption to their lives and families and the delay in providing their treatment, which I accept have occurred. We are investing heavily in the NHS and I shall shortly set out some of the measures that that investment has facilitated.

In common with some other trusts, since before Christmas, North Bristol NHS trust has been forced to cancel many elective in-patient operations, primarily because of the high level of emergency medical admissions, as the hon. Gentleman said. That phenomenon has continued well past the usual winter pressures period. The current level of admissions is far higher than that in previous years and has lasted longer. The significant decline in admissions that usually takes place at the end of the winter has not occurred—that is in addition to a steady underlying increase in the number of admissions to the trust hospitals in the past few years. The number of patients requiring emergency admission has made it necessary occasionally to admit those patients to surgical beds. That has forced the cancellation of operations for the patients who would otherwise have used those beds.

It is a significant achievement that the trust has continued to meet its in-patient waiting list targets during this difficult period. Those figures represent patients successfully treated. Out-patient figures remain unacceptable, although since we last spoke, the figures have fluctuated. The numbers considerably improved but, regrettably, they slipped back again, particularly in orthopaedics. However, I understand that the trust plans to appoint an additional orthopaedic consultant from September. I hope that that will put back on track the progress that the trust had begun to make.

In response to our national initiatives, the trust has prepared a detailed management plan to reduce the number of over-13-week waiters in out-patients and to manage GP referral rates more effectively. The trust has introduced a partial-booking system for out-patients. Such systems were piloted in Basildon and Chesterfield and were shown to reduce out-patient waits significantly. We will publish a report about that project, which will roll out nationally, in the next few days. I understand that the trust's plans contain proposals for considerable work in the four specialities in which the out-patient waits are longest.

The trust and the health authority are working together to resolve the problems facing the trust. We should discuss briefly the Government's wider assistance for the NHS. A key part of our help is in providing the necessary funding to support front-line staff and services in meeting the increasing pressures on them. Like the hon. Gentleman, I pay tribute to the staff in the trust for their hard work. They work under great pressure.

As the hon. Gentleman knows, my right hon. Friend the Chancellor announced the largest ever sustained increase in NHS funding in the Budget. In the next four years, expenditure on the NHS will increase by an annual average of more than 6 per cent. in real terms. That is twice the historic rate of growth in funding. This year, the NHS will receive a total increase of £4.17 billion. Of the new money for England, £600 million has already been allocated to health authorities to meet local pressures and a further £60 million from the performance fund will be made available when they meet specified levels of performance. Additional sums of money have also been released, including investment in critical care beds, which will help to tackle some of the problems that the hon. Gentleman outlined.

The total allocation in Avon this year was nearly £642 million. That is an increase of £37.5 million or 6.3 per cent. That money will enable Avon health authority, working together with local NHS trusts, to reduce waiting lists and times for both in-patients and out-patients and to expand services. The hon. Gentleman made an important point: the provision of money on its own will not treat patients unless we have trained staff to provide the clinical services. We have seen big increases in the number of doctors and nurses employed in the NHS in the past three years. By September last year, the number of doctors employed in the trusts in the Avon health authority had increased by 14.5 per cent. Since April last year, the North Bristol NHS trust has appointed 12 new consultants and five registrar posts have been approved. In the past year, it has also employed more than 50 new qualified nursing staff.

[Mr. John Denham]

Significant though those rises are, we still need more staff. That is why we have expanded nurse training, why we recently announced the expansion of medical school provision and why we are increasing the number of nurses and doctors that we want to employ. For the past two years we have run a national recruitment campaign aimed particularly at nurses. In the south-west region, about 183 nurses who had left the profession returned to the NHS last year, and since February this year, a further 136 nurses have returned to the NHS.

The number of nurses entering training each year in the Avon, Gloucestershire and Wiltshire training consortium area has increased by 26 per cent. since 1996-97. This year, the number of training places will be expanded further so that 41 per cent. more nurses will enter training than did so in the last year of the previous Government. The hon. Gentleman recognises that it takes time for that investment in training and training places to feed through into the supply of nurses available to the NHS.

In Avon itself the health authority received record additional levels of funding this year, with an increase of £37.5 million. The health authority is spending £11 million of that on meeting the priority of reducing waiting times for both in-patients and out-patients. The North Bristol NHS trust has agreed a £5.5 million package of investments to tackle its problems of capacity, reduce the number of cancelled operations and achieve reductions in the number of patients who are waiting too long for both in-patient treatment and out-patient appointments.

The measures in the package will mean that the trust will open an additional 90 beds this year. As the hon. Gentleman said, if one applies the conclusions of the national beds inquiry, he represents an area where there are fewer beds than in general. The opening of those additional 90 beds will be welcome. It is also important to understand how it is intended to use the beds. Those extra beds and wider changes in the way that beds are organised at the trust will allow the surgical beds at the Avon orthopaedic centre to be ring-fenced for surgical work. That means that they will not, hopefully, be occupied by medical emergencies, with the knock-on effect on cancellations that has been described. The orthopaedic centre has been most affected by the need to accommodate medical patients.

Mr. Webb: The Minister has only a few minutes left. I am interested in the key point about the evidence of people coming off lists into the private sector. He had the nerve to talk about spending money on the bureaucracy of surveys. How many millions of pounds were spent on the survey that he sent to millions of NHS users and staff, and how much would it cost to gather the information that I want, which would expose what is going on in the NHS today?

Mr. Denham: We all want shorter waiting times for out-patient and in-patient treatments. That should reduce the number of people wanting to go private rather than go on NHS waiting lists. I see little value in spending money on studying that matter when we could use it to cut waiting times.

The involvement of patients in shaping the new national plan was essential. We want a more patient-centred NHS than we have had, and it is doubtful whether we can achieve it without some form of patient consultation. As I recall, the consultation exercise cost about £200,000 to £250,000. The exact answer is likely to be on the official record, perhaps in response to parliamentary questions tabled by the hon. Gentleman.

Mr. Webb: I am still sceptical about the exercise. Can the Minister specify three points that were learned through the consultation exercise about patients' views that were not known before it?

Mr. Denham: The hon. Gentleman may want to wait for the national plan. However, basic cleanliness and a clear management structure in the wards were given a high priority by the public, which is not always clear from talking to managers and others within the health service. Understanding how the health service appeared to patients was valuable and helped to shape the national plan. The hon. Gentleman will have to wait a few more days to establish whether we have adequately reflected the consultation in our proposals.

The trust will also use nearly £750,000 on several schemes to deal with the problems of rising medical admissions and the cancellation of operations. The aim is to prevent inappropriate admissions and to facilitate the discharge of patients back into the community. The schemes include the appointment of a specialist registrar and staff positions in cardiology at a cost of £170,000. That will improve the availability of cardiac services, which the hon. Gentleman identified as a priority area, help to manage emergency demand more effectively and reduce admissions.

More than £250,000 will be invested in expanding the trust's existing hospital-at-home scheme, which helps to prevent unnecessary admissions and allows a speedier discharge of patients. About £170,000 will be invested in the community-based multidisciplinary stroke team and in additional outreach and rapid access occupational therapy and physiotherapy. The idea is to provide an intensive outreach rehabilitation service to enable patients to return to the community more quickly, and to support them in their homes.

I am aware of the hon. Gentleman's long-standing concern about the length of out-patient waiting times at the North Bristol NHS trust. We have had the opportunity to debate those issues in the past and I can assure him of my continuing desire to see substantial improvements. The Government have helped by making investment available in the previous and the current year, which should have an impact on the problem. I accept that some patients are waiting far too long at present. The trust has targets for improvement in the coming year, and we shall provide it and its staff with all the support that we can to achieve those targets.

Question put and agreed to.

Adjourned accordingly at two minutes to One o'clock.

Westminster Hall

Wednesday 19 July 2000

[SIR ALAN HASELHURST *in the Chair*]

EU Incineration Directive

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Sutcliffe.*]

9.30 am

Mr. David Amess (Southend, West): Since I was fortunate enough to win the ballot for this debate, I have become more and more popular. Many organisations have contacted me to make sure that I am appraised of their worries about the draft directive and, as a result, I am becoming increasingly alarmed. I recognise fully that the Minister has our best interests at heart, but several organisations are concerned that, unless we are firm about our position, we shall be rolled over.

I am sure that the Minister will tell us that a deal has been brokered that meets all our anxieties. That may be so, but practice has shown us that what comes out of the European Community does not always hold fast for organisations in the United Kingdom. I am worried about the impact of the directive on businesses throughout the country. I have been contacted by the Retail Motor Industry Federation, the Countryside Alliance and the Association of Private Pet Cemeteries and Crematoria— to mention three organisations. If the Minister can allay all our worries, I shall be delighted, but I suspect that the problem will not be solved by our debate today.

I am not targeting the Government's plans to establish a network of mega-incinerators to deal with household waste, but European legislation can spin out of control if the Government do not do their homework properly and defend United Kingdom interests. I am referring in particular to the inappropriate application of aspects of the European waste incineration directive to pet crematoriums and to farmers. The directive is now nearing the final stages of the legislative process and the danger is that the Government may have woken up too late to the harm that they are about to inflict on various industries.

I shall deal first with the worries of the Retail Motor Industry Federation. It believes that the directive would have a serious impact on small and medium enterprises, which make up the bulk of businesses in the retail motor industry. Those businesses, which have vehicle maintenance and repair workshops, are the primary users of small waste oil burners. Contrary to the statements of the Department of the Environment Transport and the Regions, neither the federation nor any of its constituent associations was approached by Entec, the environment consultancy employed by the DETR to gather views on the proposed directive. Consequently, it was not until 22 February this year in a meeting with the Environment Agency that the federation was made aware of the impact of the directive on small businesses.

Similarly, there was at no stage direct consultation by the DETR with the Oil Firing Technical Association for the Petroleum Industry, heating equipment manufacturers or the Building Services Research and Information Association. During the past two years BSRIA has been actively engaged in the development of an industry standard for appliances burning waste oil. That valuable work has been conducted on behalf of equipment manufacturers.

As there is no threshold to the application of the directive, the same flue gas monitoring requirements are equally applicable to major country waste incineration projects and to small workshop heaters. The initial monitoring and control equipment for the heaters will cost as much as £40,000, whereas the initial cost of the heaters is only £6,000. The equivalent value of the heat from burning the engine and gearbox oils taken from vehicles is £1,800 to £2,000 a year. The cost of the emissions control equipment is clearly disproportionate, given the fact that the heaters will no longer be able to burn waste oil. The alternative is that garages will buy gas oil if the heater can burn it, and will have to pay for waste oil to be taken away. That will add at least £3,000 a year to the cost of small businesses, and more if an alternative form of heater has to be purchased.

I believe that the industry is right. The directive is another example of gold-plated legislation being supported by the DETR with no concern for the impact on small businesses. The DETR needs to recognise its inadequate consultation on the subject, and to insist at the European level on the introduction of a threshold in the directive so that it will not apply to heaters of less than 0.4 MW.

The Countryside Alliance believes that if the directive goes ahead unamended, it will lead to the closure of small incinerators operated typically by farmers, hunt kennels and veterinary practices.

Mr. Mark Todd (South Derbyshire): Has the hon. Gentleman read the Entec report that covers this aspect of the regulation? It is clear in its advice to the Government on the impact on small farm-based incineration, stating that it would be almost impossible to pass on the compliance costs of the regulation. For a small business with a turnover of around £75,000 a year, the capital cost of compliance would be £200,000 and the annual running cost £12,000. Hardly surprisingly, one would expect that business to close. Does the hon. Gentleman agree?

Mr. Amess: I certainly do. The hon. Gentleman makes an excellent point. If the directive goes ahead unamended, it will have a devastating impact on small farmers. I know that there are such farmers in his constituency, and that many of them will go out of business. It is desperately disappointing that the Government did not cotton on to those concerns earlier.

The Countryside Alliance's policy team has spoken to the directive rapporteur, Hans Blokeland. He was aware of the difficulties that the directive would create in Britain and assured the Countryside Alliance that an amendment was still possible. He claimed:

> I cannot give you promises but I can give you hope.

and added that changes and exemptions were possible at the conciliation process. That will require all concerned to make them an issue and convince the Minister that it

[Mr. Amess]

is worth the trouble of having the directive changed. I ask the Minister to take that point seriously, because it is more than worth the trouble.

Mr. Todd: One might understand the rigour with which the sector was being tackled if the environmental gains to be achieved from its regulation were substantial. However, the Entec report suggests that the gains will be trivial. Will the hon. Gentleman comment on the apparent proportionality of that approach?

Mr. Amess: The hon. Gentleman again makes an excellent point, which I shall address in some detail. Obviously, we do not blame Ministers directly for such matters—[*Interruption.*] Perhaps some of my hon. Friends would blame Ministers directly; they seem slightly worried about that weakness on my part. However, Ministers cannot be expected to monitor everything. The Entec report suggests that the effects of proportionality should have been thought through much more clearly.

The conciliation process began in June. I am advised that when an amended draft of the directive becomes available, the Countryside Alliance policy team will examine it to assess the outcome and other options. I am also advised that if the directive is passed as amended, two further options will be available. First, as existing incinerators will have four years to comply with the directive, it may be possible to incorporate a review clause into the directive to assess the impact of regulation in four years' time. That might provide an opportunity to reform the law in future.

The second option is a small additional directive to provide an exemption from the directive. Pointless though that sounds, it would be the least painful option if the Government were minded to choose it. It could provide the United Kingdom with the best available opportunity for a positive legislative role.

The draft directive requires higher standards for all incinerators equipped with flue gas monitoring. Small incinerators, costing on average £5,000, will have to fit that equipment, at an estimated cost of between £30,000 and £40,000. As I mentioned, the plant will also cost an extra £3,000 to £5,000 a year to operate.

No one is suggesting that incineration should not be undertaken at the highest standards possible, a point to which I shall return. However, it is important that the effect of the proposal on several business sectors is properly evaluated.

As the hon. Member for South Derbyshire (Mr. Todd) said, the Government employed consultants Entec UK to examine the effect of the proposal on pet crematoriums in particular. There are about 60 pet crematoriums around the country, providing a caring service for many families when they are bereaved by the loss of a cherished pet. Some people might consider that a huge joke, but when I return to my house in Chalkwell, the only thing that I can guarantee is that my dog is always pleased to see me. For many people in the United Kingdom, their animal is everything. Therefore when an animal dies—by and large, with the exception of tortoises and parrots, animals do not live as long as human beings—it can be devastating.

I have my own views on cremation. When I pass on, I want to be—

Mr. Charles Wardle (Bexhill and Battle): Not yet.

Mr. Amess: As my hon. Friend says, I have no plans to do so at the moment. However, I would prefer to be put in the ground. Other people have different views on the matter, but increasingly more people are of the view that when they lose their beloved pet they would like it to be cremated. It is a very big issue for many people. An important article appeared in the *Sunday Express* at the beginning of the month, which dealt movingly with the trauma of losing a pet and the impact of the directive if it were passed unamended.

Entec's small-business litmus test on a pet crematorium showed that businesses will have to close. The Association of Private Pet Cemeteries and Crematoria estimates that upgrading each site would cost a minimum of £75,000—a huge amount of money—and that the majority of pet crematoriums would have to close as the increase in the cost of pet cremations would be prohibitive for a large section of the community.

Mr. Todd: The hon. Gentleman has been very kind. What is his view of the impact of the policy on the Government's approach towards diversification on farms? That is clearly an option for many farmers, including at least one in my constituency, but it would clearly be ruled out by a regulatory environment on such a scale.

Mr. Amess: The hon. Gentleman makes another splendid point far better than I could. I hope that the Minister, who has been listening carefully to the debate, will take that option seriously. Small farmers would certainly welcome such an opportunity.

When they came to power, the Government—ominously—renamed the deregulation unit the better regulation unit, a renaming at which some of us might groan, although it is an interesting piece of Orwellian socialist rebranding. The small business litmus test on every proposed piece of legislation or regulation rightly remains part of the Government's better regulation guidelines. However, in this case, we discover a remarkable new principle of applying the litmus test, but then deciding that the result does not matter. That is absolutely ridiculous—all spin and no substance.

In August 1998, in a foreword to the "Better Regulation Guide", the Prime Minister wrote:

> I have therefore decided that no regulatory proposal which has an impact on business, charities and voluntary bodies should be considered by the Government without a thorough assessment of the risks, costs and benefits, a clear analysis of who will be affected and an explanation of why non-regulatory action would be insufficient.

We all say amen to that. He especially wanted to avoid

> excessive or poorly conceived legislation,

which risked being

> particularly damaging to our small firms.

Yet two years later, an entire small business sector, largely composed of family businesses, is about to be wiped out. What an earth is the purpose of all the spin? There has been no substance and absolutely no delivery.

I now turn to small farm incinerators, an issue that concerns many hon. Members with farms in their constituencies. After subsidies were removed from the United Kingdom rendering industry, the big increases in rendering charges encouraged a move towards the use of burial for disposing of animal waste. For the protection of animal and human health and to avoid contaminating the water table and perpetuating long-lived BSE-infected material in water or soil, the Ministry of Agriculture, Fisheries and Food began to crack down on landfill. It was very much at the prompting of the previous Government, acting on scientific advice, that farmers began increasingly to invest in on-farm incineration. On-farm incinerators are used for quick, hygienic disposal of carcases, including casualty stock, mainly on intensive livestock farms and poultry units.

Especially relevant to United Kingdom farmers is the strict regulation of the disposal of bone-meal and meat, which does not operate elsewhere in the EU and means that carcases have no value. Incineration is therefore the disposal method of choice, backed and encouraged by Government policy. A regulatory impact assessment was undertaken, based on sound scientific advice. Entec reckoned that there were about 60 on-farm incinerators. William White Fabrications Ltd., one of the manufacturers of the incineration units, had already installed about 300 units in the United Kingdom and wanted to raise production by 80 units in the coming year before the threat of the directive hit home. The company stated:

> At a stroke it will wipe out all the benefits and gains that our development has achieved.

Sun Valley Foods used 90 small incinerators in its operations. A fair estimate of the number of on-farm incinerators would be 3,000. I congratulate the Government on admitting that the assessment was wrong; going wrong by a factor of 50 is quite something.

As to the impact assessment, based on a total figure of 120 animal remains, Entec estimated the capital cost of the directive at £43 million, with annual running costs of more than £2.6 million. If we accept that there are 3,120 farm and pet crematorium incinerators rather than 120, a quick bit of maths—assuming rough parity between incinerator types—will produce a broad estimate of the capital burden on the sector of more than £1 billion, an extra running cost of £68 million a year. Those are huge figures.

Another principle of better regulation is proportionality, a matter raised by the hon. Member for South Derbyshire. The "Better Regulation Guide" advises fitting the remedy to the risk and regulating only when necessary. What are the risks that are worth destroying pet crematoriums and the small incinerator construction industry and burdening farmers with millions of pounds in extra costs at what is already a very tough time for them?

The quantifiable cash benefits identified by Entec amount to £40,000; the quantifiable health benefits are virtually negligible. Even allowing for Entec getting it wrong again, those insignificant pluses may be completely outweighed by the risk to health involved in implementing the directive.

As an alternative to the incineration of animal remains, farmers are being pushed back to burial on site, with endangers human and animal health. Even if they could be persuaded to pay more to transfer animal waste to centres with large incinerators, there would be environmental drawbacks. For example, how long would carcases remain on the farm and what condition would they be in before being transported? Would the transport be odour-free? How many extra miles would be travelled by the juggernauts transporting the material? What extra pollution that is harmful to human health would be emitted by those heavy lorries? Would the transport of rotting carcases in skip lorries between farms increase the risk to human and animal health?

We are facing a nightmare scenario. How does that fit in to joined-up government? What price would be paid for the Government's reliance on the proximity principle for waste disposal? The DETR proclaimed only in May

> Waste should generally be disposed of as near to its place of origin as possible...the proximity principle is particularly applicable to hazardous wastes as they are intrinsically hazardous and moving them over long distances may increase the risk of damage arising.

How did the Government get themselves into this pickle, which conflicts with so many of their policies and rides roughshod over environmental, agricultural, health, transport and employment concerns?

Mr. Todd: Once again, I thank the hon. Member for Southend, West for giving way. I draw his attention to one of the common failings in the regulation, which we shall debate tomorrow when we discuss the integrated pollution, prevention and control regime: the lack of any attempt to look at the comparative picture throughout Europe. How are other members of the European Union that are affected by the regulations responding to them? Regrettably, there seems to be complete ignorance about the matter.

Mr. Amess: The hon. Gentleman is very sharp in summing up how angry the public are because the United Kingdom, being honourable through and through, adheres to the regulations while the rest of Europe turn up their noses and do their own thing. That is most unfair and damages the Government's position in our developing relationship with the European Union.

It is not too late for the Government to extricate themselves from their self-inflicted pickle. I hope that even at this extremely late stage the Government will press to exempt animal remains from the scope of the directive as they are already covered by the animal waste directive. I accept that it needs reviewing and updating and that some incinerators on farms do not conform to an acceptable standard. However, that should be dealt with by batch certification of incinerator models.

There must be consultation, which has been lacking so far; and the Government must try to avoid serially shooting the nation's interests in the foot. I hope that the Minister will respond positively to my plea, which I make on behalf of 120 small businesses that perform a much-valued service to the community, a dozen or so manufacturers of small incinerators, hard-pressed farmers who are trying their best to do their environmental duty and for the sake of common sense.

9.56 am

Mr. Charles Wardle (Bexhill and Battle): I am grateful for the opportunity to speak in the debate and I congratulate my hon. Friend the Member for Southend, West (Mr. Amess) on his success in the ballot and on his excellent and typically powerful and persuasive opening speech. My emphasis will be different from that of my hon. Friend.

I have tried for many weeks to obtain a similar debate on Government waste incineration strategy. Since their strategy hinges on the European Union directive, our interests are, broadly speaking, one and the same. I understand my hon. Friend's anxiety about the effects on small business of too rigid an interpretation of the draft directive, but the directive as interpreted by the European Parliament is also full of loopholes, in typically European fashion.

As my hon. Friend said, the public are angry and anxious; my interest this morning is in the toxic fallout from major new and planned, but not yet built, high-chimney incineration plants. Small incinerators as part of small businesses on farms would be better than major new plant, as my hon. Friend said. The hon. Member for Lewes (Mr. Baker) also has an interest in the subject.

My concern about waste incineration and the EU directive was prompted by East Sussex county council's proposal last December to site a waste incineration plant at Mountfield in my constituency. I shall not detain the House with a blow-by-blow account of the tortured deliberations of the joint committee of East Sussex and Brighton and Hove councils, which failed dismally to come up with an agreed joint waste strategy for the two authorities. However, after that committee had made its best—or worst—attempts, East Sussex county council turned to its own plans; the councillors went against the recommendations of their officers and opted for an incineration plant to be sited at Mountfield, which is slap in the middle of the designated High Weald area of outstanding natural beauty and close to three important water reservoirs. It is also close to the Tunbridge Wells to Hastings railway line, with all that that implies for shipped-in waste, on the A20100 into the historic town of Battle; the A21 trunk road to Hastings is nearby. The country lanes around the tiny village of Mountfield would become impossibly congested if the proposal became a reality.

However, what concerns me this morning are not just the arguments for and against Mountfield as a site for an incinerator, but the underlying principle of waste incineration as an appropriate and adequately safe technology. Whatever the outcome of the debate, Mountfield may yet be let off the hook because a sub-committee of East Sussex county council recently recommended dropping that proposal. I hope that the rest of the council will have the good sense to endorse that decision in a few days' time. Whether or not that happens and the people living in and around Mountfield are able to brief a collective sigh of relief, the dangers to public health, the contamination from toxic emissions and, in particular, the carcinogenic threat will continue wherever major high-chimney waste incineration plants are allowed to operate.

I am indebted to Councillor Harmer and his colleagues on Mountfield parish council, to Mr. Thorogood, Rosalind Hodges, Lucinda Fraser of the Mountfield Heritage Group and to many more of my constituents who have diligently researched the health risks arising from waste incineration. They have surfed the net for informative websites and have collected data from as far afield as the United States, Japan, Italy, France, Germany, Switzerland, Scandinavia and the Netherlands, as well as from eastern Europe. All the findings point to the conclusion that waste incineration technology is not yet completely safe.

The Minister, responding to the hon. Member for Lewes in an Adjournment debate on 31 January, seemed to argue that waste incineration was justified because recycling and composting alone will not enable Government targets to be met. He stated that

> waste incineration and energy from waste will have an important part to play in an integrated system of waste management.—[*Official Report, 31 January 2000*; Vol. 343, c. 885.]

Since that debate, and rather later than the Department of the Environment, Transport and the Regions originally anticipated, Waste Strategy 2000 has been published. Paragraph 5.59 states that waste incineration is

> among the most strictly regulated waste management options available

which will soon be subject to even more stringent requirements under the directive that we are now debating.

Paragraphs 5.62 and 5.63 offer comforting words about the importance of high environmental pollution standards and the noticeable improvements that have been made in the environmental performance of United Kingdom waste incinerators. However, is that what the draft directive really implies?

The European Parliament's common position paper on the draft directive, which was adopted last November, noted that a high level of environmental protection requires the setting of stringent operational conditions. It also provides a loophole for the less-than-assiduous member states by stating that where this is not practicable the limits set should do no more than

> reduce as far as possible the negative effects on the environment and the resulting risk to human health.

Later, in paragraph 18, we are told that

> there may be grounds for exemption from emission limits.

In other words, for all the expensive Euro-bureaucracy, member states will be able to proceed with standards as lax as they choose in some of the major incineration plants. So, no matter how virtuous the Government and the Minister sound in Waste Strategy 2000, and regardless of the good intentions of the Environment Agency, there appears to be little in the EU legislative framework that will prevent the breaching of emission control standards in major new waste incineration plants.

I have something different in mind. It would be a far better world if we allowed small businesses to get on with their own incineration practices, with small-scale plants. The same could apply to farms. My worry is about major new high-chimney installations. Highly toxic material, spreading fall out in the form of fly ash over extensive areas, and gathering in the incinerators as bottom ash too, is a matter of genuine concern. Dioxin

exposure has been shown, in as yet unfinished research in the United States, to have a strong causal relationship with cancer, as well as with changes in male biochemistry and physiology, affecting reproductive hormones, and with reductions in glucose tolerance, therefore having possible links to diabetes.

The risks were well summarised in a paper given by an American professor, Dr. Paul Connett, to the Waste to Energy conference on 24 November 1998 in Amsterdam. He said:

> Incineration of municipal trash with energy recovery has been an experiment which after 20 years has left the citizens of industrialized countries with a legacy of unacceptably high levels of dioxins and related compounds in their food, their tissues, their babies and in wildlife.

He spoke about the formation of hydrogen chloride, the generation of nitric oxide, the release of toxic metals such as lead, cadmium, arsenic and mercury into the atmosphere and the unmonitored spread of dioxins contaminating human tissue and the food chain alike.

It is therefore imperative that the Government think again about the importance of further research into the damaging fallout from major new waste incineration plants and the effect that that may have on human and animal health. It is much better to operate on a small scale than to release fly ash into the air over wide areas, contaminating water supplies and crops, and affecting health.

If the dangers are ignored, in future, the Government of the day and local authorities could face huge compensation demands from cancer patients and others made ill by toxic fly ash. Without seeking to be unduly dramatic—hon. Members know that it is not my style—the sums involved for compensation from court orders could even dwarf the gigantic payout ordered a few days ago by the US courts against cigarette manufacturers. We should act now to safeguard our future health.

10.6 am

Mr. Norman Baker (Lewes): I am delighted to take part in this morning's debate to consider the EU incineration directive. I intend to concentrate on the implications for East Sussex. I fear that those of us who represent East Sussex constituencies might hijack the debate, but other hon. Members will appreciate that this is a hot issue—no pun intended—for my constituents and those of the hon. Member for Bexhill and Battle (Mr. Wardle), just along the coast.

I am grateful to the Minister for making time available last week for a meeting with members of the public in my constituency and me. I fear that he might have to listen again to some of the points that I made then, but it is helpful to put them on the record.

I am worried that the incineration directive represents a further step towards making mainstream a form of technology that still has question marks over it on safety and environmental advisability, as the hon. Member for Bexhill and Battle rightly said. One of the worst aspects of incineration is that, because an incinerator has a high capital cost, a large amount of waste must be processed in order to repay the capital investment. In other words, once the plant exists, it is important for the person who runs it to secure as much waste as possible to try to recoup the initial investment. That undermines any attempt made by the local council to increase recycling. An incinerator is a hungry mouth that wants to be fed continually with ever more waste.

The Minister will be aware of the situation in Cleveland, before the system was abolished. The local council had a deal with the operators of the local incinerator to provide them with a certain amount of waste. As the council was so successful at recycling, it could not provide the contracted amount of waste and therefore had to make a penalty payment to the operators of the incinerator. We all want to avoid such consequences.

I accept that the Minister and the Government have a difficulty. The EU landfill directive sets the maximum amount of municipal waste to be deposited in landfill at 35 per cent. by 2014. The Minister for the Environment admits that the Government's recycling figure is a "pathetic" 8 per cent. That leaves a 57 per cent. gap. I am disappointed that the Government's answer is to take the easy way out and establish a chain of incinerators largely to fill that gap—[*Interruption.*] The Minister shakes his head and denies that that is the Government's position. No doubt he will expand on their view in his response, however, in yesterday's comprehensive spending review, the recycling target of 25 per cent. by 2005 appeared to be downgraded to 17 per cent. by 2004. That may achieve the same target in the end, but nevertheless, many of us wanted the target to be increased massively, not simply reiterated or at worst, diminished. We need to change the Government's approach, which I shall discuss shortly.

East Sussex has identified potential incinerator sites in my constituency and that of the hon. Member for Bexhill and Battle. Two places in my constituency have been mentioned. The first site is at Beddingham, not far from where I live—I suppose that I should declare that as a matter of interest. Beddingham is a village in an area of outstanding natural beauty. Local landmarks, such as Mount Caburn, feature regularly on postcards and drawings and are recognisable landmarks of a beautiful part of East Sussex. Yet Brighton and Hove borough council suggested that an incinerator should be placed not far from those landmarks in the middle of that pristine countryside. No development or industrial land surrounds the site, which is above a water table. The landfill site has already polluted the ground water supply.

The incinerator might replace the landfill site. When that was opened, the people of Beddingham were told that once it was full, that would be the end of the matter. The landfill site application described its purpose as restoring chalk downland and not as the precursor to an incinerator. It is impossible to imagine any environmental justification for placing an incinerator on that site. Unlike most people in East Sussex, Brighton and Hove councillors have argued for a south downs national park to take away power from democratically elected local councils. They have been the first to argue for an incinerator in the middle of the area of outstanding natural beauty and a football stadium at Falmer, as soon as the national park is designated and the boundaries are redrawn, as they would like them to be.

[Mr. Norman Baker]

That choice of location is out of order, as is the suggestion of a site at Newhaven, which is even more worrying. I can show the Minister and hon. Members last week's front page of *The Leader*, which is delivered free to every door. An article contains quotes from Marek Lorys of the Newhaven chamber of commerce, who says that businesses will leave Newhaven in droves if an incinerator is built in the town. That is also the view of the Newhaven economic partnership, a private-public partnership established by the previous Government, which has support across industry and the councils. In many ways, that group speaks for the town. Its chief executive, Julian Rea, takes the view that an incinerator in Newhaven would send all the wrong signals to those who have tried so hard to boost Newhaven recently, including the Government office for the South East, and that it would set back those efforts.

Last Thursday, the Minister admitted to me that it was perfectly possible under EU law for waste to be imported for incineration in Newhaven, Mountfield or elsewhere. Importing waste for landfill is prohibited, but there is no such prohibition on importing waste for incineration, or energy from waste, as the Government prefer to call it. Newhaven is a major port, situated directly opposite Dieppe. For the reasons that I gave, it is not beyond the bounds of possibility that an incinerator operator would want to maximise the amount of waste processed by importing waste into Newhaven. The proximity principle is thrown out of the window when we talk about dealing with French waste from "Monsewers", as the *Sunday People* said. That must be avoided, but that is the Pandora's box that we will open if we pursue incineration in East Sussex.

Whether or not any incinerators are built in East Sussex, will the Minister pledge that in no circumstances will waste be imported from France, Belgium or anywhere else for burning in incinerators?

Mr. Damian Green (Ashford): Or Brighton.

Mr. Baker: I shall come to that in moment. In fact, the point leads me on happily to Brighton.

The Minister's strategy is "A way with waste". There is a gap between "A" and "way", which is just as well, because waste is not diminishing overall, but increasing at 3 per cent. a year. The Government's strategy rightly emphasises the proximity principle. Yet Lord Bassam, the Under-Secretary of State, Home Office, when he was leader of Brighton and Hove council, said that Brighton and Hove would never have an incinerator—so much for the proximity principle when it suits Lord Bassam and his colleagues. They are happy to dump waste over the fence into rural East Sussex—an area designated as a national park.

Brighton and Hove's stance is hypocritical. If it is arguing that incineration is perfectly safe—as the Minister may argue—under the proximity principle, the incinerator should be located in Brighton and Hove. If the argument is that incineration is dangerous, how dare Brighton and Hove council impose its dangerous waste on my constituents and others in East Sussex. The council cannot have it both ways. Either incineration is safe or it is not: its logic should follow on from that.

For the reasons that I have outlined, we do not want an incinerator at Beddingham or Newhaven. My hon. Friend the Member for Carshalton and Wallington (Mr. Brake) will deal with safety issues in his speech.

I want to raise another serious matter relating to the East Sussex Brighton and Hove waste plan. There are six bidders for the contract, one of which is Viridor—the operator of the landfill site at Beddingham. Under the previous Government's arrangements, landfill tax funds went to a body called Entrust, and Viridor now has a role in the distribution of those funds. It has advised on distribution to pet projects for Brighton and Hove council and East Sussex county council. I am not blaming Viridor, which never asked for those circumstances to be created. Nevertheless, it has been put in a difficult position. It is helping the councils that created the plan with largesse running into hundreds of thousands of pounds. At the same time, it is bidding for a contract from those same authorities to deal with their future waste stream. That is worrying. Under those circumstances, does the Minister believe that Viridor should be allowed to bid for the waste contracts?

Finally, let me suggest some possible ways forward. It is easy to identify what is wrong with the Government's strategy and with incineration. I have not mentioned safety issues, which were dealt with by the hon. Member for Bexhill and Battle and will be addressed by my hon. Friend the Member for Carshalton and Wallington. However, there must be a presumption against incineration until such time as the scientific community is convinced that it is safe. There is no scientific consensus and there is no confidence in the population at large that incineration is safe. Recent reports from the US Environmental Protection Agency and others suggest the opposite and show increasing concern about the safety of incineration.

We should also redirect available funds to help local authorities. We should abolish Entrust, which is a private-sector body accountable to nobody and whose funding decisions are obscure at best and bear little relation to the waste stream. I am pleased to say that I have persuaded the body to fund some projects in my constituency, including Beddingham church, but I have achieved that through exploiting the system. I have received the funds for my constituency, but remain committed to the abolition of Entrust. The funds would more properly be invested in dealing with the waste stream.

Entrust money should be used for waste minimisation, recycling and re-use schemes, but it is not. Indeed, in my constituency, an innovative application for funding for recycling was rejected. That cannot make sense. One might argue that those who seek to build incinerators and are involved in the bidding process might have an interest in rejecting bids from other bodies. There is a clear conflict of interest. Entrust should be abolished and the money should be handed over to local authorities who should undertake that work.

We also need some fiscal measures. I am not sure what the small print in yesterday's comprehensive spending review says the DETR is doing about waste. I hope that the Minister will tell us that there will be some money for that.

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Chris Mullin): There is an awful lot of money.

Mr. Baker: Yes, but is it for waste? It is important that we have direct fiscal measures from the Chancellor. Even if local authorities are given more money or the Government do something themselves through the DETR, it is not sufficient to deal with the problem of waste. We must look at fiscal measures to discourage packaging. It is not enough to rely on the European directive on packaging. We must consider fiscal measures to discourage the use of virgin materials and to encourage the use of recycled materials. We need to take measures to encourage waste minimisation generally and, most importantly, we need action from the Government to develop a market for recycled products. My local authority in Lewes is good at collecting material for recycling, but it cannot always find a market for it. That is very dispiriting for an authority that makes the effort, as many do. We need action from the Government on those fronts.

I hope that I have made it clear today that there are severe difficulties with the Government's strategy and that there is a lack of public confidence in incineration as a technology that the Government have not addressed. I have identified a way forward which, if it did not eliminate incineration, would go a long way to reduce the need for this chain of incinerators which, I fear, may stretch across East Sussex and the rest of the country before very long.

10.21 am

Mr. Tom Brake (Carshalton and Wallington): I congratulate the hon. Member for Southend, West (Mr. Amess) on securing the debate. He is having a busy week: incineration today and the Warm Homes and Energy Conservation Bill on Friday. The former could help with the latter in some respects.

It is often said that pollution recognises no boundaries, and that is clearly the case. It is one of the reasons why we should co-operate at a European level on many environmental matters, and incineration is no exception. It is also, however, a source of concern to my constituents, most recently expressed when my local authority put forward proposals for a crematorium. The waste incineration directive has taken on new significance since the Government published their waste disposal strategy at the end of May. Although it was presented by the Minister for the Environment as a strategy to boost recycling, it was effectively a blueprint for the building of hundreds of incinerators all over the UK. Unlike the hon. Member for Southend, West, I will target Government plans for incinerators.

New fears about the impact of incineration have been raised following the leaking and subsequent publication of research by the US Environmental Protection Agency. According to the Environmental Data Services report, the ENDS report, the EPA has suggested that dioxins could pose considerably higher health risks than previously thought. The EPA has an on-going project to reassess dioxin exposure and human health risks, and a key finding has been that dioxins are more toxic than previously realised. It puts the chances of dioxins producing cancers at 10 times the previous levels.

I should point out that the report notes that there is currently no indication of ill effects in the general population from dioxin exposure, but it warns that there is no strong evidence for no effect either. It could be that deficiencies in scientific knowledge, as with Creutzfeldt-Jacob disease, prevent those clear links from being seen. The EPA's dioxin risk management strategy is due out this autumn and I do not want to pre-empt the report. We do not know whether it will impose even tighter controls on dioxin emissions from waste incinerators. Currently, the US national rules, which were passed in 1995 and 1997, aim to achieve a 95 per cent. reduction in dioxin emissions. The same Environmental Data Services report states:

> The European Commission has claimed that a draft EU directive on waste incineration...will cut European emissions of dioxins from the same source by over 99 per cent.

In the context of the EPA report and continuing fears locally about the impact of incineration on human health, we should welcome the broad thrust of the EU directive.

I and my colleagues think that a much better way to protect human health and the atmosphere from the undesirable effects of incineration would be to minimise the amount of incineration that is carried out. We therefore have concerns about the Government's strategy. In many respects the strategy is a missed opportunity and risks continuing a landfill and incineration policy. It would have been better to have a commitment, backed up by funding, to a massive increase in recycling, re-use and waste minimisation and a reduction in landfill, without having to resort to incinerators. I hope that the Minister can explain what portion of the increase in the Department of the Environment, Transport and the Regions' budget, which was announced in the comprehensive spending review yesterday, will be dedicated to increasing recycling and composting. As my hon. Friend the Member for Lewes (Mr. Baker) said, perhaps the Minister will explain whether Government recycling and composting targets have changed. In terms of a graph, an increase from 17 per cent. in 2004 to 25 per cent. in 2005 would not be a straight line but an exponential increase. If I am wrong, I hope that the Minister will correct me. If I am right, I hope that he will explain how that exponential increase between 2004 and 2005 will be achieved. Currently, I cannot see how it will. We believe that the number of incinerators is set to soar. The Government should have adopted a precautionary principle, as it should for other matters such as telecommunications masts. The Government's waste strategy targets are weak. In many cases, they are being achieved by the best local authorities, and are already being achieved in many European Union countries.

I often take the opportunity to quote the record of my borough, the London borough of Sutton, which has promoted recycling policies effectively since the 1980s. [*Interruption.*] I would welcome interventions from Conservative Members on that. I am proud of my borough's record, which has been praised by the hon. Member for Brent, East (Mr. Livingstone), the London Mayor, and the Under-Secretary, the hon. Member for Sunderland, South (Mr. Mullin). Sutton's strategy aims to encourage recycling and divert waste from landfill. The Minister will know, as it has been well publicised, that the local authority has dual bins—green bins and

[Mr. Tom Brake]

brown bins—which are collected on alternative weeks. There is also a free clear plastic sack collection, running between May and November, which people can use to recycle their garden waste, and composters are available to anyone who wants one.

The Association of London Government has used Sutton as an example of good practice. During 1999-2000, Sutton recycled 34.7 per cent. of its household waste compared with a London average of only 12.8 per cent. The Audit Commission has confirmed that Sutton not only recycles the most waste but has the second most cost-effective waste management service. The local authority in Sutton has achieved in 2000 the target set by the Government for 2015—15 years ahead of schedule. The hon. Member for Ashford (Mr. Green) attacked the scheme. He may want to comment on it further, although the fact that such schemes run in other local authorities, such as Conservative-controlled Daventry, may discourage him from doing so. Sutton has set itself the target of recycling 80 per cent. of household waste by 2005 and believes that it is on track to achieve that target. The approach adopted locally could, therefore, be replicated nationally. I hope that incineration can begin to be seen as the last resort.

I also hope that the draft EU directive will clarify whether energy from waste is renewable, or, if not, that the Minister will do so. The Government seem to believe that energy recovered through combined heat and power is renewable. I would argue that that is complete nonsense. No internationally recognised definition of renewable energy deems energy from waste to be renewable. It is a pity that the Government did not accept the amendment of my hon. Friend the Member for Lewes, which sought to clarify that point. Even in Westminster there is confusion about definitions of environmental matters. In response to a parliamentary question that I asked about recycled paper, I was told that vast quantities of paper are recycled, but that it is then incinerated. I am sorry, but that is not recycling. It was a bizarre response.

Waste contains large quantities of plastics and that is another reason why it cannot be considered renewable. Indeed, the director and general manager of SELCHP, a combined heat and power plant, readily accepts that energy from waste cannot be defined as renewable when plastics goes into the incinerator. A further source of concern, as expressed by the Paper Federation of Great Britain, is that much waste paper currently going to recycling will, if large numbers of incinerators are built, end up in incinerators, because paper has a high calorific value that keeps incinerators burning, instead of going into recycling. I hope that the Minister will assure us that that will not happen.

The hon. Member for Southend, West elegantly expressed the commercial concerns about the proposal. I remind him that Opposition Front-Bench spokesmen have taken a clear position against incineration. It is surely illogical not to address the issue of the incinerators that are currently in place. It is not good enough to say, "Well, we don't want to build any more incinerators but we are happy to let the ones that exist carry on burning, with the potential health risks of that."

Mr. Green: I should like to address that point now. Can I take it that it is now Liberal Democrat policy that all small incinerators on farms and pet crematoriums should be closed down? That is the logic of what the hon. Gentleman just said, but—despite the characteristic incoherence that one expects from Liberal Democrat policy—he cannot mean that.

Mr. Brake: It would have been better if the hon. Gentleman had just listened to what I was about to say on the issue. That is not Liberal Democrat policy, but it may well be our policy that the Government should consider measures to assist owners and users of small incinerators. It is entirely illogical to argue against incinerators while also arguing that smaller incinerators, about which there may be health concerns, should be left to continue their production.

The hon. Member for Southend, West outlined clearly concerns about incinerators used on farm premises and in the motor trade industry, and I hope that the Minister will respond to those points. Can he confirm that the compliance costs are in the region of £200,000 to £300,000 and, if so, can he offer any assistance? Has progress been made on clarifying whether animal carcases are covered by the directive? I look forward to the Minister's response and I hope that he can deal with some of the commercial anxieties that have been outlined, as well as the genuine environmental concerns about the proposed plans for an expansion of incineration.

10.35 am

Mr. Damian Green (Ashford): I join other hon. Members in congratulating my hon. Friend the Member for Southend, West (Mr. Amess) on securing this morning's debate. I do so for two reasons. First, the issue is significant and, in that regard, it is noteworthy that of the 417 Labour Members of Parliament, the only one who has turned up for the debate is the Minister, who is a pressed man and whom we always welcome to such debates. Not one Labour Member who did not need to be here has bothered to turn up for this important debate.

Mr. Mullin: To be fair, my hon. Friend the Member for South Derbyshire (Mr. Todd) has been present in the debate. He intervened four times on the hon. Member for Southend, West.

Mr. Green: Yes, the hon. Member for South Derbyshire (Mr. Todd) made important and helpful interventions. I shall rephrase what I said. No Labour Member who is not a Minister has bothered to make a speech. That is significant.

The second reason why my hon. Friend the Member for Southend, West should be congratulated on securing the debate is that the Department has made a catalogue of mistakes in dealing with the directive and, as negotiations are continuing, it is important to ensure that such errors do not continue. I shall address the bulk of my remarks to what my hon. Friend said about the specific effects of the directive on small farm incinerators. However, as the wider issue of the directive has been highlighted by my hon. Friend the Member for Bexhill and Battle (Mr. Wardle) and by the

hon. Members for Lewes (Mr. Baker) and for Carshalton and Wallington (Mr. Brake), I shall also seize the opportunity to make points about the Government's general incineration policy as it deals with the effects of the directive and the promotion of a cleaner, greener Britain to which the Liberal Democrat Members have referred and which has been described by many environmental groups as an important move towards greener policies from the Conservative party and, rightly so.

A key issue is the interaction between the amount of incineration that is required, the number of incinerators that are needed and the amount of recycling that is undertaken. Yesterday's announcement by the Chancellor of the Exchequer exposed the Government's dishonesty in their claim of how much extra money they will spend on recycling. They are trying to give the impression that they are improving their targets for recycling. The hon. Member for Lewes made a generous formulation of what the Government have done, however, if hon. Members read the national waste strategy that was published two months ago, they will see that the Government were aiming at a target of 17 per cent. recycling by 2003.

Yesterday, we were told with a great fanfare that the Government are aiming at a target of 17 per cent. recycling by 2004. They have weakened their targets over two months. The Government seem to think that the general public have a memory span of a goldfish and cannot remember what the Government said previously about certain issues. However, some of us can remember what the Government said. We have copies of their national waste strategy and they announced yesterday a reduction in their recycling target from the one that they published two months ago.

Mr. Brake: By way of clarification, I think that the 17 per cent. target applies to recycling rather than to recycling and composting, so there is a difference.

Mr. Green: I am not sure whether that is right. In the national waste strategy, the general target was 17 per cent. However, I am sure that the Minister will clear the matter up. As the hon. Member for Carshalton and Wallington intervened, I feel that I should congratulate him on his nice try at defending the Liberal Democrat council. It must be the most unpopular council in Britain in terms of its waste collection. In return for all the recycling that it manages, it commits its residents to the misery—especially at this time of year, when it is hot—of having their rubbish collected only once every two weeks. He will be aware that many thousands of signatures have been put on a petition presented to the Prime Minister by Lady Olga Maitland. Sutton council's waste collection policy is fantastically unpopular, and will be a significant factor in respect of the hon. Gentleman's seat at the next general election.

Mr. Baker: We are descending into party politics. In my constituency, a similar policy is operated on collection in the Polegate area by Wealden district council, which is controlled by the Conservatives. It is a very popular policy.

Mr. Green: As well as being run by Conservative councillors, the council is presumably run efficiently, which is why the policy is popular. Even the hon. Member for Carshalton and Wallington will admit that Sutton council is extremely unpopular.

Mr. Brake: I am sorry, but I cannot let that go without comment. The hon. Gentleman may not be aware that Sutton council regularly has one of highest, if not the highest, council satisfaction ratings in the country in opinion polls carried out by MORI.

Mr. Green: We shall see the effect at the election next year.

There is one key question for the Minister about incineration, given his recycling targets, however they are being softened and changed by the month. How many incinerators do the Government think need to be built to meet the target? He shook his head at the figure of 160 or 170, which Friends of the Earth suggested. It beggars belief that the Department does not have a range of calculations about how many incinerators will need to be built. Unless and until the Government can give us some figures, hon. Members on both sides of this Chamber are entitled to be sceptical about the Government's performance in respect of recycling and their commitment to a significant improvement in recycling as a way of meeting our international obligations on reducing landfill.

My hon. Friend the Member for Southend, West made several points when he introduced the debate. When the Government negotiate the terms of a European directive, it is clearly their duty to ensure that it does not damage the country. I am sure that all hon. Members welcome the thrust of the directive, which is meant to make incineration cleaner and safer. No one could argue with that intent, but we all know that the devil is often in the detail. Therefore, the Government have a duty to negotiate the detail properly, and they have lamentably failed in that duty.

The history of the Government's action in response to the directive is worth my rehearsing before I ask the Minister to deal with some specific points. As my hon. Friend the Member for Southend, West eloquently said, the directive will have a significant effect, especially on small incinerators. They cost an average of £5,000, and will have to fit new equipment at an estimated cost of between £30,000 and £42,000. Clearly, that will have deleterious effects on many farmers and on pet crematoriums.

The hon. Member for Carshalton and Wallington brought up a specific environmental point. I am glad that he has clearly read our waste strategy. As he said, we would like to see the emphasis moved much more towards recycling rather than large incinerators. There will be some role for incineration, large and small, and I hope that he would welcome a commitment to small, local incinerators. Pet crematoriums and on-farm incinerators not only provide a useful service, but mean that less transport of waste and carcases is needed. The unnecessary use of transport, especially polluting lorries, leads to an increase in the noxious emissions that cause global warming.

Mr. Baker: I accept and understand the point that the hon. Gentleman is making, but will the small incinerator not have the same capital costs in terms of

[Mr. Baker]

environmental protection? In fact, those costs will rise as a consequence of the new directive, which is something that we welcome in some ways—though not all—because it will give greater protection from unwanted emissions. Will that not work against the network of small incinerators to which he refers?

Mr. Green: It will not necessarily work for the existing ones. I agree with the point made by my hon. Friend the Member for Southend, West that a derogation is needed and a balance needs to be struck. In purely environmental terms, it would be foolish to close down the entire network of small incinerators, as the Government propose. That might reduce emissions, but it would certainly have the effect of increasing greenhouse gases as all the carcases were transported around the country. Therefore, the policy would be to our environmental disadvantage.

The Government were faced with the possibility of significant industries being closed down. What did they do? The answer is, not a lot. I refer to two written answers that I received from the Parliamentary Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Streatham (Mr. Hill). I asked him about the assessment that he had made of effect of the directive on the disposal of animal carcases, and his reply began:

> No assessment has been made of the effect of the proposed waste incineration directive on options for disposing of animal carcases.

By any standards, that is neglectful. I commend the Under-Secretary on the honesty of the answer, but the Department should do better than that. However, it gets worse.

We have had much discussion of the Entec report. In my second question, I asked what estimate had been made of the number of United Kingdom incinerators that failed to meet the terms of the EU waste incineration directive. In the course of his answer, the Under-Secretary said that Entec had undertaken a cost-benefit analysis, which we have discussed. He went on to say that the report

> identified numbers of incinerators in different sectors, although subsequently we have received information that the report significantly underestimated the number of animal carcase incinerators.—[*Official Report*, 13 June 2000; Vol. 351, c. 543-44W.]

I would not simply use the word "significantly". Entec thought that there were 60 incinerators when, in fact, there were 3,000.

The failures of that report, on the basis of which one assumes that Ministers have acted, have made public policy worse than it might otherwise have been. Will the Government tell us how much they paid Entec for that report, and whether they have paid the bill in full? In the instance to which I referred, the report has been damaging.

The Government have failed to negotiate the proper derogations as they should have done. There is now some hope that the directive will exclude from its scope animal carcases, which will be regulated by a different directive, but that would be without prejudice to any future amendments. The Government have been claiming a great breakthrough over the past few days but, given their performance so far, hon. Members would be right to be sceptical until the matter is nailed down and the derogations set out in detail.

The Minister owes hon. Members some specific guarantees, and I ask him to address the specific point about Entec. Will he guarantee an exemption for small farm incinerators and, separately, ensure that pet crematoriums will not be hit by the directive as they will not fall under the derogation to which I have referred? Will he give an estimate of when the process will finish? The Government have one last chance to rescue themselves from this disastrous episode and, for the sake of farmers and of those who run and use pet crematoriums, I hope that they get their act together and take it.

10.49 am

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Chris Mullin): The debate has ranged more widely than we were led to believe. However, the clever people who advise me suspected that it might.

I shall start by touching on the points raised by the hon. Member for Southend, West (Mr. Amess), as he secured the debate. He raised an important issue, as has been made clear by the speeches that we have heard today, and he made some interesting points, which the Government have already taken on board. To some extent, his points have been overtaken by events, therefore much of his indignation is misplaced. Suffice it to say that it was not until 10.48 this morning that the hon. Member for Ashford (Mr. Green) referred to the fact that an agreement has been reached that meets the points about which he is concerned. I shall return to that in a moment.

The hon. Member for Southend, West, in a throwaway line in his opening remarks—on which later contributions elaborated—said that the Government have a plan for a network of mega-incinerators. We do not. Anyone who pretends that we do is misleading people, although I can see the political advantages of pursuing that line in certain areas. Questions such as how many incinerators are built, and where they are built, are matters for local authorities. There are plenty of alternatives to incineration and we expect them to be pursued.

The hon. Member for Lewes (Mr. Baker) was right to say that it would be undesirable if big incinerators were driving our waste disposal policy. Those issues should be taken into account by local authorities when deciding whether incineration should be part of their programme. The hon. Member for Bexhill and Battle (Mr. Wardle) referred, as did other hon. Members, to the dispute between East Sussex county council and Brighton and Hove council. That is private grief, on which I should not intrude. Clearly, as I am a Minister in a Department to which that dispute—or a similar one—may be referred for arbitration, he cannot expect me to get bogged down in the details of an application.

There are plenty of alternatives to waste disposal, and the best one is recycling. The hon. Member for Carshalton and Wallington (Mr. Brake) referred to his authority's record in that regard, and other authorities also have good records. The Government are making

substantial sums of money available—to which only passing reference was made—the details of which will be announced in the next few days. The headline figures were available yesterday.

Mr. Brake: Will the hon. Gentleman give way?

Mr. Mullin: I have only seven minutes remaining to deal with the large number of questions that were asked. I hope that the hon. Gentleman will forgive me if I plough on.

For years, waste has been shovelled into landfill. Nobody wants an incinerator or a landfill site on his doorstep. The landfill policy cannot continue, so we must address the alternatives maturely. There is no doubt that incineration, in some shape or form, must be a factor in waste disposal; indeed, it already is. Many European countries that have a better record than us on waste disposal already use a good deal of incineration. Part of the concern about the environmental effects of incinerators—which is perfectly legitimate—arises from problems in relation to an older generation of incinerators. I agree that we should not be complacent, but the technology has moved on considerably and we should bear that in mind. Many countries with a better record on waste disposal and environmental matters—Denmark and Holland, for example—use incineration much more than we do. It is interesting to observe an alliance between a new, green, compassionate and merciful Conservative party—different from the one that we kicked out three years ago—and Friends of the Earth. However, I have heard representatives of Friends of the Earth privately admit that there is a place for incineration in our waste disposal policy.

The hon. Member for Lewes made some interesting and important suggestions, some of which he mentioned when he came to see me the other day, and the Government are actively considering them all. His stance verged between the high ground of lofty moral principle and nimbyism—and he needs to decide which of those two he intends to pursue. He is right to take a close interest in this important issue and we all respect his views, but at times I felt that his sleeves were rolled up and that he was taking part in a local brawl, which did not help his argument.

The hon. Member for Ashford asked about the number of incinerators, but the Government have no figures. I repeat that the Government have no target to aim for. I have heard a figure of 160 bandied about, but I would be amazed if anything like that number were required. I would be surprised if even half that number were necessary. The hon. Gentleman asked how much the Government paid Entec. I shall have to write to him about that, but I understand that the bill has been paid. I was asked about recycling targets, about which there has been some misunderstanding. They are 17 per cent. by the financial year 2003-04, and 25 per cent. by 2005-06. Those national targets will be backed up with local authority recycling targets.

In the few remaining minutes, I should address the point made by the hon. Member for Southend, West. Last Thursday, an agreement was reached between all parties on the amendments proposed to the common position following its Second Reading. Agreement was reached about small-scale animal carcase incinerators and Commissioner Wallstrom issued a press release on Friday heralding this. Although the agreed text is yet to be published we are confident that, as a result of UK efforts, the directive will be adopted with the specific exclusion from its scope of animal carcase incinerators—with the proviso that appropriate controls will be brought in via the proposed revision to the animal waste directive. It will cover pet and farm incinerators. The hon. Gentleman may also be aware that Commissioner Wallstrom stated separately that the incineration of animal waste must comply with environmental standards, which will be included in a proposal for legislation to amend the animal waste directive.

The environmental regulation of animal carcase incinerators is necessary. As farmers and pet crematorium operators would agree, it is part of their commitment to safe disposal. In the context of the revision to the animal waste directive, we shall continue to propose controls to ensure appropriate environmental standards while minimising the burden on small-scale animal carcase incinerator operators. We have not yet received any information on the environmental controls that the Commission will include in the revision. In supporting a clear exclusion from the directive, we recognise that the Entec report significantly underestimated the number of small-scale animal carcase incinerators operating in the UK. The full requirements of the directive will be disproportionate for small-scale animal carcase incinerators.

I am conscious that time has not allowed me to comment on all the points that have been raised. I shall comb through *Hansard* and write to hon. Members to whose points I have been unable to respond.

Park Homes

11 am

Mr. Hilton Dawson (Lancaster and Wyre): I am pleased to have secured today's debate. This is the second time in 15 months that the subject of park homes has been discussed in an Adjournment debate. I took part in such a debate on 21 April 1999. Today's debate follows early-day motion 750, which called for major legislation to resolve the fundamental problems of the sector. That indicates the interest and the concern across the House: at the last count, the motion had been signed by 98 Members from all parties.

The debate comes in the wake of the report of the park homes working party which was published on 12 July, in the middle of consultation on the housing Green Paper. Next week, in another place, my noble Friend, that redoubtable campaigner on park homes and on many other issues, Lord Ted Graham, will participate in a similar debate on the reform of park homes.

We are reaching the culmination of a major national campaign led by Sam Hart, the excellent reporter with *The Big Issue*, which has taken place at a time when hon. Members of all parties have expressed great concern about this sector. I have seen a petition from constituents of my hon. Friend the Member for Peterborough (Mrs. Brinton), and on Thursday my hon. Friend the Member for Stroud (Mr. Drew), who is another inveterate campaigner on such issues, will deliver a petition from his constituents calling for urgent attention to be given to reform of this sector.

This is an issue whose moment has come. For many people, park homes are a comfortable, safe and extremely pleasant way of life, and a delightful way to spend one's retirement in fine rural areas similar to those that I and numerous other hon. Members represent. They are also a good business opportunity for decent people who are prepared to work hard, invest money and time and treat people properly. However, people throughout the country are beginning to realise that in the midst of all that a serious problem of harassment and exploitation has been uncovered. Cheats and rogues are at work in this sector of housing.

I do not intend to name names, nor need I. We know who those rogues are because we have received letters from people all over the country who have suffered at their hands. Those in the park homes sector who suffer certainly know who they are. Ministers and officials of the Department of the Environment, Transport and the Regions have been fully informed by many park homes residents and their organisations about the iniquitous treatment meted out to a proportion of the people who live in park homes. We know about the abuse. We have heard about the threats and harassment that people who live in this sector suffer. We have heard about the lack of basic facilities: the electricity supply that blows when a few people put on a kettle at the same time.

We have heard of the park owner who refuses to advertise a home that is for sale, who puts off prospective purchasers and puts obstacles in the way of residents who want to sell. He then makes an offer that cannot be refused, and makes a killing when the home is resold. We have heard of vast increases being demanded in pitch fees—the annual fee for maintaining a park home on a particular site. We have heard of the increases imposed, without discussion, information or justification, and of absurd charges levied for basic information about reselling, utilities and other aspects of daily lives on parks.

In the worst instances we have heard of homes damaged and wrecked and of downright criminal behaviour from people who should be brought to book. There are brave people in the park homes organisations. There are steadfast individuals who have striven for many years to bring example after disgraceful example to official attention. It is time for their voices to be clearly heard and action to be taken to right the wrongs. There should be no room in the 21st century for the park owner who abuses the vulnerable, the elderly, the isolated, and who benefits himself by taking advantage of the deeply inadequate law and his position of utter and overwhelming power.

I was proud to be a member of the all-party delegation, led by my noble Friend Lord Graham, which met my right hon. Friend the Minister for Local Government and the Regions, in late 1997. I was delighted that she agreed to establish the park homes working party to take a full look at the way in which controls operate in the park homes sector.

I should like to commend all the members of the park homes working party for a job well done, especially the members of the Independent Park Homes Advisory Service, the British Park Home Residents Association, the National Association of Park Home Residents and the representatives of the owners' organisations such as the British Home and Holiday Parks Association and the National Park Homes Council. It is an enormous credit to them and to the civil servant, Michael Faulkner, who chaired their proceedings for almost two years, that they were able to work together to share problems, to achieve compromises and to acknowledge differences openly and straightforwardly. Their actions show that there is hope for the industry, for the decent and responsible people for whom it is a livelihood and for the decent and responsible people for whom it is a way of life.

There are some excellent recommendations in the report, which should be commended to the House. The written statement should be provided in advance of the sale and should be signed at the time of the sale and in the presence of witnesses. It is a vital contract and an important legal document. It should be deemed that a sale has approval unless the park owner expressly withholds it in writing within a maximum period. In some circumstances, a park owner could and should resist the sale of a home on his site—for instance, if the park were for retired people, the park owner should be entitled to prevent the sale of a park home to people who did not meet the eligibility criteria because they did not fall within the specified age band. However, we must have strictures to prevent people from inordinately delaying a sale.

Some park home owners have taken up the inspirational idea of collectively purchasing their parks when the owner places the park on the open market. It is good that the working group recommends deleting the age criterion for ending agreements. Park homes are becoming increasingly sophisticated, and major parts

are becoming easier to replace. There is no reason why a well-maintained park home should not last for a long time.

Residents associations should be recognised with rights to consultation and information. It is obvious that decent park owners have nothing to fear from the establishment of residents associations.

As the report says, we must take action on the resale of utilities. That is one of several opportunities for the unscrupulous to exploit what amounts to a monopoly position. I understand the working party's recommendation for a statutory maximum price for the resale of liquified petroleum gas, to bring it in line with all other utilities, but I do not understand why the park owner should make money from supplying the basic services that are essential to obtaining a site licence. Whatever the outcome of that recommendation, it is essential that, whether the park owner makes a profit from reselling services or simply levies a charge to recover costs, full information about charges is given as of right to consumers.

The report makes many worthy recommendations and demands scrutiny. We should encourage the 200,000 park residents throughout the land to participate in the consultation, which lasts until 31 October. I hope that the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Sunderland, South (Mr. Mullin), can assure me that at least the summary document will be widely disseminated. We know where park residents live and we should encourage the greatest participation in discussions about their future. I represent some 1,000 park owners—about 0.5 per cent. of the park residents in the country—so I was sorry to hear from my office that the Department of the Environment, Transport and the Regions can provide us with only 100 copies of the summary document. That is not good enough. I hope that we can obtain one copy per person, because every park resident should have one.

The document has some significant flaws and omissions. It acknowledges that there is some way to go on some important issues relating to park homes. The major question of commission on pitch fees remains to be resolved. We must have a full independent report on park homes financing. I find it difficult to accept that such a tenuous concept as the commission on turnover that might be achieved is a good basis for financing such significant business ventures. If a key element of park owners' income is dependent on a proportion of residents moving on, that is a serious and significant anomaly. Surely we should promote security and stability, particularly for the older people who form the majority of those who live on parks, rather than accept that a large part of park owners' income and sustenance comes from people deciding to move. That anomaly needs to be addressed.

The issue of good practice guidance crops up a little too readily in the document. Such guidance is fine when it has an adequate statutory basis, but we have problems if there are flaws and holes in the legislation. We need statutory duties from sound laws.

The best word in the document is "housing", which appears in the biggest print on the cover. Park homes constitute housing. Most park homes are extremely affordable, although they are not caravans. They are mobile in that they are taken to the parks, but it is hard to think of them as mobile when they have been bricked into position and are receiving mains services. It is extremely unhelpful to regard park homes as caravans or mobile homes.

Modern park homes are constructed to high standards. They are flexible and can be used for a variety of purposes. They are particularly adaptable for older or disabled people. They often provide a real option for people to realise hard-earned capital and take up residence in extremely pleasant, safe and caring communities, often at a quiet time in their lives. Put on a proper footing, the industry could address important aspects of housing needs for young and old people in urban and rural communities. Park homes could play an important part in the regeneration and diversification of both urban and rural areas.

Caravans and mobile homes are associated with the leisure and tourism industries or, more regrettably, with life on the margins. However, park homes should be regarded as mainstream housing. Almost all the serious problems can be traced to inadequate legislation, which has utterly failed to keep up with social changes and trends over the past 20 or 30 years. It is time to scrap all references to caravans and mobile homes and include park homes in mainstream housing legislation.

The housing Green Paper "Quality and Choice: A Decent Home for All" has been published. The title says it all. That paper rightly promotes a stronger role for local authorities. They must be given new statutory duties to register, monitor and enforce conditions on parks. Those duties must be informed by model standards that are suitable for good-quality homes—rather than inadequate caravans—and good-quality parks run by fit and proper people who are capable of providing an acutely important housing service for vulnerable and needy people.

The housing Green Paper states that the Government will build on developments in the Rent Service. That is right. Surely the rigorous and consistent independence of the rent officer could be brought to bear on pitch fees. That would provide an accessible and authoritative adjudication in an area that is currently ripe for exploitation, where issues are so easily clouded and where power is so readily wielded by those with easy access to the threatening power of the solicitor's letter.

The housing Green Paper also states that the Government will build on existing laws against harassment, recognising that some people have difficulty securing adequate protection from local authorities and the police. That is good and is also mentioned in the park homes working party report. Few aspects of life in this country could be more open to harassment than park homes, where the vulnerable and isolated are not properly protected by the law and lack access to sources of help.

The housing Green Paper also notes the development of a pilot tenancy deposit scheme, which aims to provide security for deposits and, backed by the independent housing ombudsman, swift independent resolution of disputes at the end of tenancies. Residents own and pay for their park homes, but they also have to pay a pitch fee to be sited on particular parks. Park home residents

[Mr. Hilton Dawson]

could benefit from such a service or scheme. It could help to resolve some of the crucial issues about commission and transfer of written agreements.

The housing Green Paper is keen to promote the provision of affordable housing in rural areas. That is great. We have a thriving park homes industry, which is crying out for more land to meet increasing demand. Many people choose to live in the sector and many good park homes are being built. There are good opportunities to develop park homes, which I support in the longer term. However, revisions to PPG3 and to general planning guidance should not go ahead until major reforms to put park homes on a proper footing have been implemented. We must drive out the rogues and villains and allow decent people to flourish in what should be a fine industry and a thoroughly good way of life.

Several hon. Members intend to speak on this issue. The full range of political views is represented on the all-party park homes group. Much work is being done at many different levels, and many Members of Parliament often deal with people in the park homes sector in their constituencies. The cause of park homes has been a hard road for many people for a long time. I now feel, however, that there is hope for the sector—hope for the people who live in it and who want to enjoy a pleasant and peaceful life; and hope for the decent responsible people who want to contribute by responding to good business opportunities.

The park homes working party report and the housing Green Paper provide the Government with the opportunity to introduce the serious and thoroughgoing legislation that this sector has never had before and so badly needs. It is an issue whose time has come, and it will not go away. I look forward to the rest of the debate, and hope that my hon. Friend the Minister will assure us of the Government's intentions to take this serious matter forward.

11.24 am

Mr. Christopher Chope (Christchurch): I congratulate the hon. Gentleman for Lancaster and Wyre (Mr. Dawson) on securing the debate and on his speech. In my constituency, almost one in 10 households lives in a park home. Fortunately, almost all those households are satisfied with the quality of the accommodation and the way in which it is managed. There are obviously exceptions to that, but my plea to the Government is to consider the variety of park homes and the different arrangements that apply to them. I hope that the Government will ensure that any change to the legislation will not militate against current best practice. In some park homes in my constituency, any change to the arrangements for the payment of fees would be unpopular with the residents, whereas in others that would be popular.

I hope that the Government will recognise the enormous variety of park homes that exist, even on one site. I spoke today to the proprietor of a family firm that owns a site in my constituency with about 150 park homes, ranging in value from over £100,000 to £25,000 or £30,000. A large new park home brought on to the site could cost as much as £120,000. When a home is sold, 10 per cent. of its value goes to the site owner, who obviously gets more money for the more expensive homes. If the legislation is changed so that site owners no longer take 10 per cent. when a home is sold, that may militate against owners of less valuable homes.

Many people put much of their capital into buying a retirement park home, so they do not want high outgoings. There is a trade-off: they may not want to pay so much in annual pitch fees because if and when they move they will pay around 10 per cent. of the value of their home to the site owner. The site owner to whom I spoke today told me that he employs two full-time maintenance people and provides a personal service for the 150 homes on his site. There is so much satisfaction among the residents that there is not even a demand for a residents association. By contrast, some sites are owned by multinationals and the quality of the management depends largely on the quality of the manager who is employed. There can sometimes be difficulties in that regard.

My instinct is that we should enable the variety of park homes to continue. I welcome the recommendations in the report on relaxing some planning controls and enabling the development of more park home sites. Park homes are popular and have proved their worth over time. Why should we not develop more sites such as those already in existence?

I should like to concentrate on recommendation 8 in the report, on pitch fees and commission. That issue is highly contentious—as shown by the fact that, although the working party met for more than two years, it was able only to conclude that the Government should hold an inquiry. It stated:

> The Government should commission as soon as possible an independent study of the economics of the park homes industry, to identify the maximum level of commission to be set and give clarification of the items to be included in the calculation of the commission. The study should also identify the principles on which pitch fees should be set and reviewed.

I hope that the Minister will announce that the Government will now commission such a study. There is no need to wait until the expiry of the consultation period for the report. It would not be contentious to commission such a study. I have every confidence that doing so would enable a balance to be struck between the interests of residents of the sort of park home that I described at the beginning of my remarks and those who occupy park homes that, in the words of the hon. Member for Lancaster and Wyre, have as owners those who are rogues and interested in harassment and exploitation. Fortunately, not many of those are found in the Christchurch constituency. However, it would be desirable for the Government to commission such an independent study on the subject as soon as possible. That would give me every confidence that we could deal with the worst circumstances and accommodate existing practice where it enjoyed the support of park home residents.

My constituents frequently raise the issue of council tax band A, which normally applies to park homes. In some cases, band B now applies. However, in the example that I cited earlier of a site of 150 park homes, including some worth more than £100,000 and others worth only £25,000, the current council tax banding system tends to band them all together. That can lead to injustice and resentment, especially among those who

occupy homes that are significantly below the top threshold for band A. I am disappointed that the Government have not yet said anything about their intentions towards band A council tax, as the information will interest several park home residents.

11.32 am

Mr. Paul Burstow (Sutton and Cheam): I support many of the comments made by the hon. Member for Christchurch (Mr. Chope). I congratulate the hon. Member for Lancaster and Wyre (Mr. Dawson) on having secured the debate. I know from my reading on the topic that he has been active in pursuing the matter on behalf of his constituents, and I welcome the opportunity to participate in the debate.

As the working party report highlighted, the legislative framework that governs the matter is inadequate and needs attention. It offers little protection to home owners and, as has already been mentioned, allows unscrupulous owners, albeit perhaps a minority of park home owners, to exploit, harass and extort money from their residents. It is right for debate on park homes to focus on permanent residents, as a clear case has been made for change in that respect. The park homes working party report makes interesting and encouraging reading. I hope that the Minister will tell us that it will lead to early legislation, guidance and various other developments that will effect genuine change in standards in the not-too-distant future.

I shall highlight the plight of recreational park home owners, who, when I began to investigate the matter as a result of a constituency case, did not seem to have been the subject of a debate in the House. The focus has, rightly, been on permanent residents. However, whereas the law affords little protection to permanent residents, it seems to offer almost none to those who decide to invest in a park home as a place of retreat, rest and recreation. A constituency case drew my attention to the matter. I shall ask the Minister a few questions and draw his attention to that case.

I shall briefly share the chronology of events relating to a case raised by a constituent of mine. It involves a site that is not in my constituency but is of interest to my constituents. I shall identify the site no more closely than by saying that it is in West Sussex. The site changed hands in 1996 after many years of good stewardship by a family-run business that paid great attention to the management of the site. Immediately, the fees were increased by 23 per cent., without consultation, explanation or, certainly in the eyes of many home owners on the site, good reason. At the same time, there was an electricity overcharge of £24 per caravan. The new owner insisted that insurance should be taken out for the caravans and their contents directly through him, at an increased rate.

In 1997, a caravan owners association was set up on the site to champion owners' causes and concerns. Rents were raised again and the electricity continued to be subject to overcharging. The association took up the matter with management. Its chairman wrote various letters on behalf of the members and received a fine of £130 for his pains. My constituent, who was a member, also took up the cause and wrote to challenge the owner on electricity overcharging. He, too, received a fine. All the fines have been repeated in the years since 1997. The chairman of the association's fines now total £270 and my constituent's fines total £440.

The owner was simply being required to respond to the concerns. It appears that fines as a form of response can best be characterised as extortion and as harassment of those trying to enjoy some recreational time on the site. When the owner took on management of the site, he also insisted that all the owners sign yearly licences. That does not fully comply with the current voluntary code of practice. Over the past four years, the park has deteriorated. The gardens, which were immaculately kept by the family owners, have now been transformed into open fields which are less attractive and appealing to the residents. The Office of Electricity Regulation has confirmed that the park owner has acted at least incorrectly and possibly unlawfully.

Even if the home owners seek to enforce their rights in respect of the overcharging, they face retribution or the fear of retribution in the form of further fines and being asked to leave the site. Annual licences make that incredibly easy to do. These people have made substantial investments. The hon. Member for Christchurch described the large sums that can be involved in purchasing such homes. On the site, investments of more than £10,000 are being made. It is often difficult to move and sell homes, especially if one does not have the co-operation of the park owner.

A case was referred to me about a deaf and dumb couple who had to leave the site because the fees had gone up so much. In the end, they sold their home to the park owner for £750. He resold it for £3,750. By any measure, that is a substantial mark-up for the park owner. The park homes working party report does not directly address itself to the plight of recreational park home owners, but many problems that it identifies undoubtedly exist across the sector. Caravan sites used for recreational purposes do not come under the definition of protected sites, and so do not benefit from the limited protections afforded by the Mobile Homes Act 1983. Their protection is based solely on the terms of contracts and there is sometimes doubt about whether contracts have been constructed fairly.

Recreational park home owners deserve greater protection, perhaps on a different level from that of permanent home owners. Park associations should have the right to information and consultation. The Office of Electricity Regulation should be proactive in using all its powers to protect residents and ensure that information is supplied to them. There must be clarity about what fees are for and how they are to be reviewed and set. I agree with the hon. Member for Christchurch that the research suggested in the working party report should be commissioned, but in a way that deals with not only permanent but recreational home owners.

I hope that such a different group of home owners will be subject to greater certainty and that the current voluntary code of practice will be enforced properly in the future. I hope that it will become something that can be relied on by park home owners and regarded as a national standard against which licences will be issued and services can be judged. That is how to ensure that those who suffer an inferior service and poor treatment will receive a better deal.

Mr. Dawson: Will the hon. Gentleman give way?

Mr. Burstow: I hope that the hon. Gentleman will forgive me, but I shall not give way to him as other hon. Members wish to take part in the debate.

[Mr. Burstow]

I hope that the valuable work undertaken by the working party, albeit focusing on permanent residents, can also be translated into lessons to be learned to deal with the recreational sector. Will the Minister undertake to deal with the worries of recreational home users as well as permanent users? They need to be helped just as much as permanent users.

11.41 am

Mr. Harry Barnes (North-East Derbyshire): I congratulate my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) on securing today's debate and on the fact that he has previously pressed the issue in the House. He has flagged it up as an important matter, drawn from his experiences of the wide provision of park homes in his constituency. Many of us share similar problems, although we also have experiences of acceptable park home site operators. How such sites function and operate is largely a matter of luck and the attitude of a particular site owner, rather than an obligation to act according to best practice.

Many changes take place in site ownership; new owners move in and regard it as a highly profitable area and press it considerably. There are many techniques by which a person can make money. A person can be a good owner and good employer, can make sure that people are satisfied with matters and can work well by using that technique. Others press like mad every avenue to exploit people. Such action is taken by many site owners in respect of pitch fees, utilities and the exploitation of the site rates.

As my hon. Friend said, many park home owners are vulnerable people and have great difficulty in coming forward publicly and expressing their views. That is why Members of Parliament are under a duty to do so on their behalf. Although some people, because of the publicity that surrounds the matter, are willing to sign *The Big Issue* petition and forward it to their Members of Parliament, they do not want the site owners to know that they are involved in such activity.

One or two brave individuals act as leaders of their communities and are willing to take the flak, but many people are frightened of coming forward. It must be made clear that the consultation process is open to all home owners, and when people submit their views they can say that they do not want such documentation to be made public. I hope that will be able to flex their muscles more freely. However, that is dependent on implementation of some of the measures contained in the party homes working party report. My hon. Friend has said that there are additional issues that he wants to advance and develop.

One of the extra issues brought to my attention by park home owners is council tax banding. I pursued that matter on many occasions with the previous Government, which introduced the banding, and have done so with the present Government. I have suggested that there should be extra banding so that park home owners are not charged such high council tax. There should be a wider extension at the other end of the scale, giving a closer relationship with reasonable and decent standards of charging which would benefit the people whom we are discussing.

The problem of unadopted roads has been brought to my attention and affects a wide area in my constituency. If an unadopted road leads to a site, there may be great difficulties in ensuring that, although other people have properties in that area, the site owner has the major responsibility. There are two national bodies for site owners, operating a type of self-regulatory system, but the way in which that system works depends on the organisation of which the site owner is a member. In my constituency, there are sites that are not tied in with those bodies, so the best practices of the industry cannot be fed in.

It is clear that we need legislation in line with the best interpretations of the proposals in the report. There is a worry that that may take some time. One of the recommendations, in connection with pitch fees, claims that another study is required. It is important to gather the correct information before making decisions, but the process has been going on for a long time. During the years of the Conservative Government, the park homes group did some valiant work, initiated by Lord Graham, with which many of us have been associated. At last, the Government have made some progress, but we need to ensure that, in the not-too-distant future, we produce effective legislation that tackles the serious problems faced by park home owners.

11.48 am

Mr. Roger Gale (North Thanet): Until my appointment to the Chairmen's Panel forced my resignation, I was chairman of the all-party group that the hon. Member for Lancaster and Wyre (Mr. Dawson) now chairs. I congratulate him and Lord Graham on the working group, on which my fingerprints are very light and on which he has done good work.

During my time as chairman, I discovered two things about this issue. I attended several conferences on the subject and managed to upset most of the mobile home owners and park proprietors present, which means that either I was completely right or completely wrong—I leave my hon. Friends to work out which. The issue tends to polarise people. People on both sides of the argument have the unhealthy attitude that if one is not for them, one is against them. As my hon. Friend the Member for Christchurch (Mr. Chope) said, most mobile home park proprietors are good and most mobile home parks are well managed.

Most residents live out what is often their twilight years—because that is the nature of the occupancy of many of the parks—in comfort and happiness. A small minority of rogue proprietors cause misery. They are usually outside the membership of the professional associations. If we are to do anything useful, we have to target those people so that we discern the baby from the bath water and do not over-react to a situation that is serious but relatively confined. It is obviously wrong for someone to run a site in which the roads and footpaths are in a dangerous condition, where gas supplies are overcharged, where electricity or gas supplies may even be dangerous and where a local authority exercises no control. That is absurd: it could not happen with any other form of housing—which is what we are talking about.

There is also the issue of commission and of how properties are bought and sold. The people who buy such homes are often trading down by selling larger

houses to release capital to provide for their old age or, in some cases, an overseas home. Some residents of good parks in my constituency spend the summer in the United Kingdom and the winter somewhere sunnier; that is their choice. If we are to concentrate on the problem parks, we need to persuade the Minister to legislate and to deal with the rogues by giving local authorities the powers to license all sites and all individuals. The hon. Member for North-East Derbyshire (Mr. Barnes) made the good point that parks change ownership. What has been a well-run, well-managed and fairly charged park can deteriorate rapidly, if not overnight then within a matter of months, if it falls into the hands of someone who is not a member of a professional association—other than the professional association of crooks—who rips off the elderly, escalates charges and creates mayhem where there was once tranquillity.

The all-party group that has been considering licensing laws for licensed houses has recommended that, in addition to the licences for premises, there should be licences for licensees through some kind of professional qualification. Proprietors will not thank me for saying this, but I believe that not only properties but those who run them should carry a licence. If we could achieve that, we would get to grips with most of the rogues in what can be an unpleasant business, although usually it is not.

The way in which park homes are traded has always perplexed me. People who put down large sums of money to buy such properties have few rights, and those on whose sites the properties are located are on occasion encouraged to exploit the conditions of onward sale. I have never understood why there is not a system similar to that for leases on flats. If one buys a flat with a 99-year lease one knows how much of the lease is left, and that the property is devalued as the lease decreases, even though property prices may be rising.

Madam Deputy Speaker, that is a sensible way forward, although I add a note of caution. [*Interruption.*] It is being indicated to me, Madam Deputy Speaker, that the proper form of address for you in this Chamber is "Mrs. Roe". As a member of the Chairmen's Panel, it is my view that if this Chamber is to have proper recognition, the person in the Chair, whether formally a Deputy Speaker or not, should be so addressed. I shall therefore continue so to address you.

I urge caution on the matter of leases, which may allow the unscrupulous landlord of a block of flats, of whom there are many, to impose exorbitant service charges through devious means. If we are to take the proposed route, as we probably must, we should ensure that the bad practices of more traditional leasehold property are not inherited.

Malcolm Kent, who is the proprietor of a good park in my constituency, urged me to say that the Minister's proposals must be proportionate. If we do not get the balance right, there is a danger that those good proprietors who might otherwise invest in parks will not do so. We may thus inadvertently encourage the bad proprietors and deny resources to those who wish to maintain parks properly and keep them in good order.

An equitable solution must be found that is fair to the park proprietor and does not lead to residents, many of them elderly, ending their days in misery and discontent as a result of exploitation.

11.56 am

Dr. Peter Brand (Isle of Wight): Mobile homes and park homes make a tremendous contribution to the quality of life on the Isle of Wight, where, I am glad to say, the parks are at the respectable end of the market. I am honoured to be the patron of the Medina park residents association, which does a brilliant job.

I endorse the remarks of the hon. Member for North Thanet (Mr. Gale). Parks need a regulatory framework in which to operate, which includes recognition of residents associations. It is essential to have a residents organisation that can negotiate with park owners and managers so that, for example, the cost of providing services and maintaining the roads, which the hon. Member for North-East Derbyshire (Mr. Barnes) mentioned, can be verified by residents before licence fees go up. There must be openness between the residents and the people who run the park.

I make a special plea to the Minister to consider council tax banding, as highlighted by the hon. Member for Christchurch (Mr. Chope). There is an anomaly in that park homes, which often have sophisticated and expensive fixtures and fittings, are compared with ordinary homes, which are often empty shells. There is a perception among park home owners that they are penalised because their homes come with fittings already attached, which puts them in a more expensive bracket than would be the case if they lived in a small house or bungalow. People in my neck of the woods feel aggrieved, as it is not unusual for park homes to be in band B or even band C. That is unfair to people who decide to convert from bricks and mortar, which have a much higher resale value—it would be extremely unusual for a park home resident on the Isle of Wight to pay £120,000—and to invest in a property that has a shorter lifespan but provides a high quality of life.

11.59 am

Mr. Andrew Miller (Ellesmere Port and Neston): I apologise for my absence at the beginning of the debate, which was for reasons that I explained to you, Mrs. Roe.

I endorse the remarks made by my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson). I congratulate him on following the work undertaken by Lord Graham and the hon. Member for North Thanet (Mr. Gale), which started the ball rolling. I too have encountered inconsistencies in the council tax banding. I urge my hon. Friend the Minister to look into that matter carefully. The answer lies in increasing the number of bands.

Certain other anomalies need to be dealt with in a regulatory regime, and I suspect that some of them come under the direct responsibility of my hon. Friend the Minister. Colleagues will remember the fiasco a few years ago when electricity companies gave households a rebate. They refused to give a rebate to individual home owners, but gave one to the site. The site owner did not gain greatly—only the electricity companies gained. Those issues need to be incorporated in any change.

There has been a steady move in the right direction. The voluntary code has been extremely helpful, but as the hon. Member for North Thanet said, there are the occasional rogues. We need to control them firmly, but without imposing a regime that will make it more difficult for those sites that are extremely well run. I am

[Mr. Andrew Miller]

grateful to my hon. Friend for raising the debate today. I hope that the Minister can offer some hope to those people who live on parks run by that small number of rogues.

12.01 pm

Mr. David Rendel (Newbury): I join in the congratulations to the hon. Member for Lancaster and Wyre (Mr. Dawson) on securing this Adjournment debate. Although the issue of park homes is not of enormous importance to a large number of the population of Great Britain, it is of enormous importance to those who either live in them or own the sites. It is therefore just the sort of thing that we should be discussing in an Adjournment debate. My interest in this matter goes back a long way, before I entered the House. There are several sites in my constituency, some of long standing, some better run and some worse run. I am a founder member of the all-party group and am proud to have been a member ever since.

As has already been mentioned on several occasions, the industry's first difficulty is the vulnerability of many of the park home owners. Many are elderly and have chosen to move into a park home either because it was the only home that they could afford for their retirement or because they wanted to use the capital that became available from the sale of their previous home as a source of income in their old age. Such people are vulnerable and desperately need to retain that capital to give themselves a reasonable standard of living in their old age. It can cause huge difficulties if it is whittled away by increased pitch fees.

The second difficulty, which has not been mentioned by other hon. Members is that some of the licences under which the park sites operate came into existence many decades ago. That is certainly true in my area, where several licences were originally granted by the local authority before the change in the local authority structure in 1974, and a number go back two previous changes. It is sometimes difficult to ascertain why the original licence was set as it was. Some of those licences are rather inadequately worded, as we have now discovered.

Park homes form a vital component of the supply of affordable housing, particularly in rural areas. In many parts of the country that supply is now critical, and in my area it is by far the biggest housing issue. My party's policy is that local councils should be given much greater powers to insist that developers include low-cost housing for local people in all new developments. If the Government followed that policy, the industry would enjoy a significant boost.

Although most people who run residential parks are honest and honourable, some owners are on the fiddle. They are the rogues who give the industry a bad name and from whom the public need to be protected. Britain has a fine and important industry that is being undermined by a minority of unscrupulous park owners who profiteer by overcharging residents for sales, site fees and basic necessities such as running water and electricity. That is why the House needs to consider passing new legislation to clarify existing laws and to ensure that the standard of service provided by park owners is evenly maintained across the country.

I am grateful to the Government for establishing the working group on park homes, which the all-party group has wanted for some time. That has provided all those with an interest in solving the industry's problems with several important recommendations. I broadly welcome the recommendations and hope that we can develop them during the consultation period set out by the Minister.

The Mobile Homes Act 1983 has many deficiencies. One of the most frequent complaints is that it gives park home owners insufficient rights over increases in pitch fees demanded by site owners. It helps that many site owners use a standard agreement drawn up by the National Federation of Site Operators. That agreement contains a pitch fee review clause that takes into account such factors as the retail prices index and the sums expended by the owner on the upkeep of the park.

However, even if that agreement is used, difficulties can arise when occupiers feel that the owner has done little to warrant the increase or that the increase is well above the inflation rate. One interesting statistic from the review conducted by the Department of the Environment in 1991 showed that although one third of park home site owners felt that they had consulted park home owners about their most recent pitch fee increase, only 3 per cent. of park home owners felt that they had been consulted. That is an anomaly. I welcome the recommendation that residents associations should have the right to information and to consultation by park owners on some matters. However, to make real progress on pitch fees, the Government should seriously investigate the proposal, originally made by Shelter, that rent officers should have powers to fix pitch fees whenever there is disagreement.

The issue of commission on sales causes frequent complaints. Site owners are entitled to claim commission of up to 10 per cent. on the sale of park homes on their sites. The justification for that charge is that the site value forms part of the overall price. That is a rather odd justification, because once the site has been sold, the site value should not stay with the original site owner but should go to the person who owns the park home that is to be sold. However, it is true that commission is a crucial way of financing new investment in parks. Without it, pitch fees would rise and that might make some park homes less accessible to those who need them.

I am pleased by the recommendation that the Government should commission an independent study into the economics of the industry to identify the maximum allowable level of commission and to clarify what can be considered when calculating commission. Such a study could also identify the principles on which pitch fees should be set and reviewed.

Another important problem is council tax, which other hon. Members have mentioned. Almost all park homes are in band A, which covers properties originally valued at up to £40,000. However, many park homes were worth nothing like that at the time of valuation, and people are understandably angry about being charged in band A. My party has long advocated the creation of a new council tax band A to resolve the issue. We are delighted that the hon. Member for Christchurch (Mr. Chope) supports that proposal.

I must tell him that when I pressed the previous Conservative Government on the issue, they were not entirely happy about that suggestion.

I was pleased by the inclusion of a recommendation regarding the sale of utilities. I fully support the introduction of a statutory maximum resale price for the resale of gas supplied by cylinder and bulk tank. I also welcome the possibility of a review of the park homes charter promoting good practice in the industry in relation to the supply and pricing of utilities.

Before I finish my speech, I want to make one point to the Minister on behalf of park owners. Although the rights of park home owners need to be clarified and enhanced, it should not be at the expense or to the discouragement of the majority of responsible site owners. Currently, park owners, unlike the owners of other small businesses, do not benefit from any relief on inheritance tax. That point has so far been ignored by the Government. I hope that the Paymaster General or the Chancellor of the Exchequer will review that apparent anomaly, which, when a park site owner dies, has the potential to cause uncertainty and distress for the owner's and previous owner's heirs. Park homes provide a vital source of affordable housing across Britain. With the co-operation of both sides of this House, legislation can be introduced that will benefit owners and residents.

12.10 pm

Mr. Nigel Waterson (Eastbourne): This has been a good debate. I, too, congratulate the hon. Member for Lancaster and Wyre (Mr. Dawson) on securing it. He was right to stress two points: the industry is thriving in many parts of the country, as is clear from the attendance at this debate, and it provides a livelihood for some people, which we must constantly bear in mind. For other people, it is also a way of life. That epitomises the balance that we must preserve in approaching the matter.

As always when we debate such subjects, we have heard a great deal about the bad operators. It is right that those who abuse tenants and their financial position should be dealt with. We have not heard as much about good and exemplary operators, who regard parks as a way of providing fairly high-quality accommodation, either on a long-term residential basis or for recreational purposes.

Harassment is probably the worst aspect of the problems that we have discussed. It should be deplored and there should be a cracking down, especially as many parks attract the elderly and vulnerable, who can be preyed on by less desirable operators. Local authorities have clear powers to deal with harassment, about which we have heard little. If harassment and intimidation are taking place, we must ask whether local authorities are doing their job in looking after those people.

I want to join other hon. Members in encouraging those of all persuasions on this issue to respond to the recommendations that are subject to consultation. The hon. Member for North-East Derbyshire (Mr. Barnes) made a point in that regard. If people want to retain anonymity, I presume that they can do so. It is important to send out the message that anyone with views on the matter should send them to the Minister. I was therefore slightly puzzled when the hon. Member for Lancaster and Wyre asked the Minister to give a clear indication today. I should have thought that that is the last thing that the Minister can give, and I am sure that he will refer us back to the consultation exercise with a slight sense of relief. He smiles broadly, so I may not be completely off-target, Mr. Winterton.

Mr. Deputy Speaker (Mr. Nicholas Winterton): Order. Because of the status of Westminster Hall, anyone speaking should address the Chair as Mr. Deputy Speaker or Madam Deputy Speaker.

Mr. Waterson: We had an interesting debate before you joined us, Mr. Winterton, and I was under the impression that the opposite was the case.

Mr. Deputy Speaker: If a member of the Chairmen's Panel chairs the meeting because of the unavailability of the four members appointed Deputy Speakers in Westminster Hall, he is addressed by name or as Mr. Chairman.

Mr. Waterson: I am grateful to you, Mr. Deputy Speaker. Nothing gives me greater pleasure than to refer to you as Mr. Deputy Speaker.

It is important that we do not allow the obvious and well-known malpractices of the few to blacken the name of all operators, because that will make them less likely to run parks or open new ones. We do not want to chase out of a thriving business—as the hon. Member for Lancaster and Wyre said, it is just that—those who are the best in the business.

The hon. Member for Sutton and Cheam (Mr. Burstow) spoke about unscrupulous landlords. He used the phrase "perhaps a minority". Perhaps, on reflection, he will want to rethink. On any view, this is a minority, but that is not to say that we should not take the problem seriously. The hon. Gentleman rightly talked about recreational owners. With respect to him, one problem with trying simply to treat these occurrences as any other housing situation by applying the whole panoply of housing legislation and regulation is that there is a dichotomy: some people regard park homes as their long-term homes and others keep them for recreational purposes, which causes problems of definition.

My hon. Friend the Member for Christchurch (Mr. Chope) spoke about well-run sites from personal knowledge of his constituency and we should not lose sight of that perspective. I join him in saying to the Minister that I cannot think of a good reason for our not just getting on with the independent study into the economics of the business. We have had a couple years of the working party, as my hon. Friend said. We are in consultation until 31 October, so why wait? Most people who are involved in these questions would be happy to see a start made because so much else flows from it. The issue is complex and requires careful examination.

My hon. Friend the Member for North Thanet (Mr. Gale) spoke with great knowledge, especially as a former chairman of the all-party group. He was right to talk about throwing out babies with the bath water. I agree with him that the problem is serious, but relatively confined: we must constantly keep that perspective before us. My hon. Friend touched on the

[Mr. Waterson]

role of local authorities, as I have. We have heard little about them, although they have a role under existing legislation. My hon. Friend's interesting thoughts on the sort of twofold licensing approach that he commended need further examination. I will not follow him down the leasehold path, not least because so far the Government have signally failed to meet their pre-election promises on reforming the law of leasehold and commonhold. I would not want park homes owners to become enmeshed in that scenario.

We heard from the hon. Member for Isle of Wight (Dr. Brand) and the hon. Member for Ellesmere Port and Neston (Mr. Miller), who also talked about such matters as council tax banding charges and roads, which are often a problem for these sites. I believe that the hon. Member for Newbury (Mr. Rendel) made a point about the need for balance, as I am doing. We are talking of up to a quarter of a million people who live in these parks in some 2,000 licensed sites.

It is wrong to suggest that existing legislation is inadequate. Of course improvements can be made, which is why consultation is so important. We already have the Caravan Sites Act 1968, the Mobile Homes Act 1983 and the voluntary charter, which is to be commended; but it is important to bring the responsible park operators on board. One example is the National Park Homes Council. It supports the majority of the working group's recommendations, the advance provision of an agreement, the project to look into the economics of parks and the independent redress mechanism, all of which are constructive and important. However, it has great concerns about simply applying housing regulations and law to the sites. It talks about the prosperous holiday caravan business. I have already mentioned that there is a different side to the issue.

The council also refers to occupiers' safety requirements and the significance of British standard 3632. It does not agree with the principle of offering first refusal on purchasing a park to its tenants or proposals to reduce the commission rate to 2.5 per cent. However, it is happy to await the outcome of research. The key point, which has been made more than once, is that the economics are fundamental. Tinkering with pitch fees or commissions could produce a counter-productive result.

People can be greatly encouraged by the way in which serious and responsible people in the industry are prepared to work together. This is an important debate, and I again congratulate the hon. Member for Lancaster and Wyre on securing it. I hope that the Minister is deluged with representations during the consultation period.

Mr. Deputy Speaker: I call the hard-worked Minister to reply to the debate.

12.20 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Chris Mullin): I join other hon. Members in thanking my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) for raising the important issue of park homes. From the contributions that we have heard, it is clear that the issue has not always enjoyed the prominence that it deserves, as it affects a large number of people. Some are residents and others enjoy recreational use of their park homes.

I pay tribute to the work of the all-party group, and particularly the work of my noble Friend Lord Graham. As the hon. Member for Eastbourne (Mr. Waterson) predicted, I shall not make any definitive announcements today, because the object of the consultation is to consult. When the consultation closes, we shall consider carefully the representations made to us, including those made by hon. Members today. In the short time allowed, I shall try to deal with some of the main concerns, particularly those raised by my hon. Friend the Member for Lancaster and Wyre.

I share the view of hon. Members that the park homes sector can play a useful part in providing decent, affordable homes. Many park home owners live in good-quality, attractive accommodation in well-run parks and enjoy the park homes life style. However, I also appreciate the concerns expressed about the need for park home sites to have an appropriate control regime that balances the needs and interests of residents and site owners.

That is why we set up the working party, which consisted of members of residents' bodies, site owners and local authorities. The hon. Member for Eastbourne was right to say that local authorities already have some powers in harassment cases. The report, published last week, made 30 recommendations for change. They included changes to the arrangements for the sale of homes, the issuing of written agreements, harassment procedures and site licensing. We shall consider the recommendations carefully, as hon. Members would expect, and we look forward to receiving responses in the next two or three months. We have set a deadline of 31 October for comments. My hon. Friend the Member for Lancaster and Wyre mentioned that he was having difficulty obtaining an appropriate number of the summary documents to distribute to park home owners in his constituency. I shall ensure that he receives what he requires. If other hon. Members have problems, I should be glad to raise those, too.

An important aim of the working party was to reach a consensus between residents and site owners. An impressive amount of agreement was achieved on a range of issues, and we are grateful to the working party for its efforts. It may be useful if I comment on some of its recommendations and the timetable for further action.

Most of the recommendations are for legislative change. Their broad aim is to provide greater clarity on the rights and responsibilities of residents and site owners and to improve the level of protection available to residents. For example, there is a proposal for the resident and the park owner to sign a written agreement at the time of a home's sale, so that both parties are aware of their obligations from the outset. There is also a proposal to tighten arrangements that currently allow park owners to exploit their power of veto on the proposed purchaser of a home.

Other proposals welcomed by my hon. Friend were the deletion of the age criterion to justify the ending of agreements between residents and park owners and the setting up of formal residents associations with

statutory rights to receive information from, and to be consulted by, park owners and local authorities. The working party also recommended changes to the rules on the sales of utilities, such as liquefied petroleum gas, about which a couple of hon. Members expressed concern.

As my hon. Friend the Member for Lancaster and Wyre said, the working party proposed that there should be a new statutory requirement on local authorities to impose and monitor conditions for mobile home site licences and to consult residents on those conditions. That would require authorities to carry out their responsibilities for site licensing more methodically and consistently.

My hon. Friend referred to the harassment of residents, and the hon. Member for Sutton and Cheam (Mr. Burstow) described a particularly shocking case, which perhaps calls for naming and shaming—it is for him to investigate the matter and deal with it in his own way. The report proposes changes to the legislation to bring the provisions on harassment of residents into line with those that apply to tenants in the private rented sector so that the same level of protection applies across both tenures.

My hon. Friend mentioned the possibility of involving rent officers in disputes about pitch fees. Voluntary arbitration arrangements run by the Chartered Institute of Arbitrators operate in respect of such disputes, and the independent housing ombudsman makes his services available in some cases, given the agreement of residents and park owners. Working party members were in favour of developing properly independent arbitration agreements, but did not make any recommendation about the involvement of rent officers in resolving disputes. However, we are prepared to consider that possibility.

The proposals requiring amendments to legislation must be further developed and their impact properly assessed. A legislative opportunity must then be found to implement them. All hon. Members will be aware of the tremendous pressure that the legislative programme is under. We are therefore anxious to make progress as quickly as possible on aspects that do not require legislation, while bearing in mind the fact that it may be required in due course. We are also anxious to have a consistent and thorough approach to the issues.

My hon. Friend suggested that mobile homes should be subject to housing legislation, and referred to *The Big Issue* campaign. I share his concern about providing residents with adequate protection against exploitative treatment, but the proposal in his early-day motion did not find agreement among the members of the working party. Nevertheless, we are willing to consider a wide range of suggestions in the interests of developing an appropriate control regime for mobile homes.

In addition to legislative changes, the report suggests the provision of good practice guidance to local authorities on the way in which they carry out their statutory responsibilities on harassment and site licensing. I accept the working party's view that there are wide variations between authorities in that respect, and we shall issue good practice guidance following the findings of recent Department of the Environment, Transport and the Regions research. Our aim in disseminating good practice is to improve the quality and consistency of the service that authorities provide to residents and site owners on harassment and site licensing. The working party identified a willingness on the part of residents and park owners' bodies to consider further provisions, which are included in the industry's voluntary agreement between the parties. I commend the parties for that.

The parties were unable to reach an agreement on pitch fees and sales commission payable by the resident to the park owner—the most controversial aspect considered by the working party. Several hon. Members referred to the proposal that research should be carried out into the economics of the industry, and we are not waiting until the end of the consultation period to deal with that. Talks are already under way to discuss the basis for such a study.

We are willing to consider action across a broad front—in the form of the good practice guide and, when the opportunity arises, legislation—following the publication of the working party's recommendations. At this stage, I cannot rule anything in or out. The matter is in the hands of my solicitors, as we say. I am especially keen to take forward those issues with clear support from the working party and other consultees.

A couple of hon. Members referred to a possible revision of the council tax band—

Mr. Deputy Speaker: Order. Time is up. The matter may be in the hands of your solicitors, Mr. Mullin, but you are now in the hands of the Chair.

We now move to the debate initiated by the hon. Member for Chatham and Aylesford (Mr. Shaw). Before I call him, I advise hon. Members that a number of other Kent Members have the hon. Gentleman's permission to participate in the debate. They have sought the sanction not only of the Chair but of the Minister, and that has been granted. As long as they stick religiously to the commitment that they have entered into, I hope to be able to call them all.

North Kent Economy

12.30 pm

Mr. Jonathan Shaw (Chatham and Aylesford): I shall present the case for the north Kent economy, and the principal purpose of this debate is to spell out the opportunities that lie within the area, not only for north Kent and the south-east region, but for the United Kingdom economy as a whole.

North Kent is characterised by traditional industries—heavy industries that have been in decline for a long time. That was particularly the case during the two Tory recessions, under which we suffered greatly, and nowhere more than on my own patch. When Chatham dockyard closed in 1984, 3,000 jobs were lost at a stroke. In the dark days of the mid-1980s, unemployment in the Medway towns rose to nearly 20 per cent.

Fortunately, those days are behind us. Unemployment in my constituency is now down to 3.9 per cent.—a fall of nearly 50 per cent. since 1997. However, north Kent Members of Parliament know that the headline unemployment rate sometimes places a shadow over pockets of deprivation in our communities where need is still very great. We are determined to play our part in relieving that deprivation, and if we can unlock the development potential of the area, it would be a sizeable contribution towards that end.

In this short debate we shall highlight the achievements of the Thames gateway in Kent, and spell out how, with the right investment and Government assistance, we can secure the economic regeneration that we all desire. In an Adjournment debate just over a year ago, I and my hon. Friends who represent the north Kent constituencies from Dartford down to Swale, called for assisted area status for the Thames gateway area of Kent. I am pleased to see my hon. Friends here in Westminster Hall today. As you have said, Mr. Deputy Speaker, they hope to catch your eye later.

Since that earlier debate, we have experienced the rollercoaster of celebration and disappointment. There was celebration when the Government responded to our calls and recommended to the European Commission that north Kent be included on the new map of assisted areas. That was followed by disappointment when the Commission turned down the Government's recommendation.

Last year, we made the case for north Kent with confidence. That confidence remains as strong today as it was then, because we, the north Kent Members of Parliament, are united in a common approach, as are our local authorities and the business community. We recognise that, throughout the gateway, we are interdependent, and that interdependence will bring success. Investment that brings jobs to Gravesham means job opportunities for people in Dartford and the Medway towns. The second Swale crossing—a key piece of infrastructure that my hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt) has fought hard to secure—benefits not only his constituents but all of us, throughout the gateway.

Many years ago, we woke up to the fact that people do not live their lives according to district council boundaries. Therefore, all our economic plans have a north Kent focus. If there is any doubt about that in Medway, we need only to remind ourselves that, in a population of 250,000, 50 per cent. of the work force work outside the Medway towns. Success for one means success for all. There are key development sites, but the right investment in the area can fulfil all the expectations that the previous Government and the present one have had for it, to relieve west London from the heat of over-development, and bring to north Kent the prosperity to which we have all referred.

However, we should also make it clear that there has not been stagnation. We in north Kent have not sat back and wrung our hands, waiting for Government assistance. It has not been simply all talk; we have made great efforts to lay the foundation stones for regeneration. However, we need financial assistance to complete our key projects, and the Government have recognised that. Principally, they recommended assisted area status so that we can unlock that potential, but they also recognised our track record of delivery, and I should like to point out a couple of success stories.

First, there is the Rochester and Chatham riverside development of 80 acres of brownfield land in the heart of the Medway towns. Plans for a high quality mixed-use development are now well advanced. New housing, which is essential to our prosperity, will be developed alongside businesses and leisure outlets. That is the essence of the recommendations in Lord Rogers' report "Towards an Urban Renaissance". Such projects do not appear overnight. Six years ago, Rochester city council, of which I was a member, decided to transform that derelict wasteland on the River Medway. We brought together finance and landowners, and in time created a sufficiently large area to enable development on a waterfront that is a stone's throw from the finest castle and cathedral in Britain.

The partnership has been formed, we have chosen a developer and the community is about to be consulted. This weekend, the community will participate in a planning conference that will shape one of the most exciting developments in the south-east. We have brought together the brownfield site and the landowners, and, where necessary, used compulsory purchase orders to buy land. There was a tendering process, through which developers put forward proposals, and we are involving the community in shaping that development. However, behind any project there is always an initial driving force—someone who is determined to get things started. That person was my former colleague, the late Tim Robson, who, before his untimely death in 1995, was chairman of the planning committee and a prospective parliamentary candidate for Chatham and Aylesford. He would have had great pride in seeing the community discuss the implementation of his vision.

Secondly, we in Medway are bringing together learning and economic development. The Medway innovation centre, in partnership with the council, the South East England development agency, the universities of Greenwich and Kent, and the Kent institute of art and design, will provide much needed research and development in advanced engineering, creative industries and electronics. Medway council has already invested £500,000 in the project, yet a further £3.5 million is needed to complete the necessary capital works.

Here I come to my final point. The Medway innovation centre is typical of many key projects in that, although the project is almost within our grasp, we need help to make it a success. There is massive potential for growth in north Kent. Brownfield sites in Dartford and Gravesham could generate some 50,000 jobs, and the Isle of Grain has the largest brownfield site in the south-east. Adjacent to the rail-head is the second largest container port in the United Kingdom, yet the infrastructure is woefully inadequate, particularly the A228, which is put to uses entirely different from those that were originally envisaged. There have been many fatalities and serious accidents along a stretch of that road.

Rail investment is a source of frustration in Medway. In particular, we want the Hoo junction to be developed. We have one of the best rail links to London, but we need faster delivery of improved rolling stock. It is vital that Railtrack and the train operators listen to local authorities and, importantly, user groups. The north Kent user group has an important role to play in the development of rail infrastructure.

We know that the Government recognise our area's potential, and we welcome yesterday's announcements in the comprehensive spending review, especially those involving transport investment. In this debate, north Kent Labour Members of Parliament have set out our case for the area. If the Minister provides the means, we shall continue to do what we do best, namely, to deliver for the people of north Kent.

12.39 pm

Mr. Paul Clark (Gillingham): I congratulate my hon. Friend the Member for Chatham and Aylesford (Mr. Shaw) on securing the debate.

My right hon. Friend the Minister for Local Government and the Regions is well aware that, during the past six months, all local authorities, including Kent county council, have invested much work in the area, as have private and voluntary sector groups, and others, and they have sought to deliver a partnership. My hon. Friend the Member for Chatham and Aylesford said that what is delivered in one area is important to the rest of the Thames gateway corridor, which is a sub-regional part of Kent. My colleagues and I, and those who work to realise the opportunities in the Medway towns, welcome the Government's initiatives and the creation of the new ministerial-led strategic partnership.

The Minister expressed slight doubts when my hon. Friend referred to our having the best castle and cathedral in Rochester—

Mr. Shaw: In Britain.

Mr. Clark: Sorry—in Britain. I extend to you an invitation to visit the north Kent Thames gateway as soon as possible so that we can show you some of its gems, including the finest castle and cathedral.

All local authorities and the private sector want to deliver the agenda that we believe in—it involves jobs, environmental issues and combating social exclusion. However, gap funding is involved. My hon. Friends referred to the Isle of Grain, and we hope that tomorrow a major Railfreight initiative will be announced which will help in that regard.

We welcome yesterday's comprehensive spending review announcement on regeneration budgets, the strengthening of the Regional Development Agency's role, the neighbourhood renewal fund and a national centre for neighbourhood renewal. We want to deliver the objectives that will benefit the Thames gateway in north Kent.

Mr. Deputy Speaker (Mr. Nicholas Winterton): The hon. Member for Gillingham (Mr. Clark) spoke for a little longer than he said he would in the commitment that he gave earlier. He also extended an invitation to me, rather than to the Minister, to visit his constituency and the Medway towns. I am sure that he meant to invite the Minister, but I should be delighted to accept.

12.43 pm

Mr. Derek Wyatt (Sittingbourne and Sheppey): I, too, congratulate my hon. Friend the Member for Chatham and Aylesford (Mr. Shaw) on securing the debate.

We have fortunately recently received the go-ahead for a second crossing of the Swale. The current bridge is called Kingsferry, and I wonder whether we shall be allowed to call the second bridge Queensferry. I have been in correspondence with the Minister about that. It would be a welcome way to twin the bridges.

Yesterday's announcement contained fantastic news about science—I am a great science supporter. We have a huge research centre, which is nearly full although it was empty four years ago. That shows how the north Kent economy has changed.

We do not hear too much about tourism and the north Kent coast, although earlier we discussed castles and cathedrals. At the end of a Remembrance Sunday memorial service, a constituent told me that HMS Cavalier, a destroyer in the second world war, would not be located at Chatham. However, through the good hands of a great Select Committee, we managed to persuade the lottery to give us £800,000. It will be fantastic to see the Cavalier at Chatham.

I want to discuss what will happen during the next 10 years, when the Labour party win the next election and the one after that. We shall make a cultural capital bid—a north Kent culture bid, where we have hardly any decent culture—for Rochester and Canterbury. We have no practice rooms, conference centres and little theatre, which was mentioned in yesterday's spending review. I also bring to the Minister's attention the east London-north Kent bid to host the Olympics in 2012—we are beginning to group together to make a bid.

On regeneration, we are missing a rail link to Ashford. Because the Canterbury stations are about half a mile apart we need a nodal point, but we have been in conversation with Railtrack about it until we are blue in the face. The cost would be £30 million, but it would link the docks at Sheerness to Ashford and on to Europe. The question is not whether it would make any money; it would provide the infrastructure to secure the regeneration of the whole area.

12.44 pm

Mr. Robert Marshall-Andrews (Medway): I join the general paean of praise to my hon. Friend the Member for Chatham and Aylesford (Mr. Shaw) for initiating

[Mr. Robert Marshall-Andrews]

this important debate. I want to use the opportunity to bring two matters to the attention of my right hon. Friend the Minister for Local Government and the Regions, both of which have been touched upon.

The first is higher education. Much has been done by an exemplary Labour-controlled council during the past two years to improve higher education in the Medway towns, but we remain the largest conurbation in Europe without its own university. My right hon. Friend will accept that it is impossible to unlock the full potential of the Medway towns until we have such a foundation, but I know that that is not specifically her responsibility. I have brought the matter to the attention of many other Ministers, but I mention it now to bang another marker into the ground. I hope that if enough markers are banged into the ground, there will be a seismic shift.

That brings me conveniently to the Strood tunnel. As my right hon. Friend knows, it has been closed or mainly closed for the past six months, which has caused immense aggravation and distress to my constituents. Railtrack cannot be blamed for that—I say that rather unwillingly—because the problem has been 150 years coming. However, it draws attention to the second matter that I want to bring to my right hon. Friend's attention.

The infrastructure serving the Medway towns remains lamentable. The outskirts of the Medway towns and the Isle of Grain have the largest potential inward investment site in the whole of the south of England. We need the key to unlock that because it would extend the prosperity not just of north Kent but of the whole south-east region. What we require from Government is the funding for that infrastructure. We also require pressure on the new utilities, specifically British Gas which owns the site, to make it available.

I hope that my brevity will earn me your accolade, Mr. Deputy Speaker.

Mr Deputy Speaker: I shall trust the hon. Member for Gravesham (Mr. Pond) to speak very briefly.

12.47 pm

Mr. Chris Pond (Gravesham): I shall speak briefly and quickly at 78 rpm.

I want to extend an invitation to you, Mr. Deputy Speaker, and to my right hon. Friend the Minister for Local Government and the Regions. My hon. Friend the Minister for Tourism, Film and Broadcasting recommended in the House last week that every hon. Member should visit Gravesham. I described Gravesend as the latest tourist hotspot, but that applies to the whole of north Kent where our cultural heritage is an important part of the regeneration potential, as are the available brownfield development sites and the transport links. In particular, the rivers Medway and Thames have enormous potential for regeneration and development.

Local authorities and other agencies in north Kent, as well as hon. Members who represent the area in Parliament, are committed to ensuring that we achieve regeneration to allow all the communities in the area to share in the growing prosperity and employment in a way that provides a driving force for prosperity and social justice. The Minister will agree that yesterday's announcement, particularly with regard to the 15 per cent. increase in regeneration budgets, brownfield sites and transport, will help. As other hon. Members have said, we have the commitment, determination and energy to make it work. What we need from the Government is the means to achieve that.

12.49 pm

The Minister for Local Government and the Regions (Ms Hilary Armstrong): I thank you, Mr. Deputy Speaker, and those hon. Members who represent north Kent constituencies for the debate. I am delighted to be here, although, coming from Durham, I will need a lot of persuading that any cathedral is better than Durham cathedral. I want to thank hon. Members not just for the debate, but for their work to ensure that we make progress in the Thames gateway and that we work together effectively at central and local government level and with the other partners who want to ensure that the Thames gateway is developed. We especially want the north Kent area within the Thames gateway to be developed in a way that really does enhance the opportunities of local people to achieve a better quality of life in all senses.

Hon. Members have outlined their particular aspirations. People and organisations in the public, private and voluntary sectors of north Kent have done much to respond to the vision of long-term regeneration strategy in the Thames gateway. They have worked hard to put good ideas into practice. Increasingly, that is being done in partnership, which is essential to identify and co-ordinate action on local priorities and ensure that regeneration does not exclude the needs of the existing community. A reflection of that approach is the decision to set up the new north Kent Thames gateway partnership on which the private and voluntary sectors are represented, together with the leaders of all the local authorities in the area. I welcome the efforts that have been made, and are continuing to be made, by all north Kent partners to deliver regeneration in the area.

The South East England development agency is also a member of the partnership. As hon. Members will know, the RDAs were set up to develop strategies to drive forward sustainable economic development in the regions. I was pleased to see and happy to endorse the high priority given in SEEDA's strategy to the Thames gateway in Kent. In part, that will be about bringing brownfield sites back into use, but it will also be about social regeneration, which local authorities, the Government office for the south east, SEEDA and, above all, local communities are tackling.

I recognise that the decline of traditional industries has left significant pockets of deprivation in which the community is excluded from opportunity. Five strategic single regeneration budget schemes are helping to address that problem. They are directing significant funding to local projects, helping to provide disadvantaged and unemployed people—especially young people and those from ethnic communities—with the skills required in the modern north Kent economy. Some projects include day care centres with facilities and support for young people with addiction problems. The people that such schemes are helping are some of the most excluded from our society. The ultimate aim is to offer them direct help, so that they can play a positive

role in the north Kent community. A good example of that is the role that the Kent Learning and Business Link Company has played in community economic development and lifelong learning initiatives.

I know that my hon. Friends welcome as much as I do yesterday's announcement of the outcome of the comprehensive spending review. That includes a major strengthening of the role of RDAs, giving them the flexibility that they have asked for to play a strategic role in delivering regeneration. The spending review will give RDAs nationally an extra £500 million by 2003-04 to deliver economic regeneration and growth. The settlement will allow the RDAs to provide an effective input, including via direct development where necessary. The spending review settlement also sets out substantial increases for housing and transport, tackling crime and the health service. It will lead to improvements in public services that we all want to see.

I cannot explain in detail today what that will mean for north Kent. However, the Government are committed to sustainable regeneration in the Thames gateway, an area of regional and national importance for regeneration and growth. As the 10-year transport plan is developed and local authorities do their part by producing local transport plans, I am confident that transport issues will be addressed. The same is true for other areas, such as regeneration and housing. That is why the area has been identified as a priority for public and private investment in the draft regional planning guidance for the south-east, and that it is why, to help delivery across the Thames gateway, we are setting up the new Minister-led strategic partnership to provide a focus for the whole of the Thames gateway area. That will bring together Government, regional and local bodies, and local partnerships including representations from the public, private and voluntary sectors, across the Thames gateway in Kent, London and Essex. It will also ensure that the area's economic and housing potential are married to its infrastructure needs.

I am particularly keen to see good progress in Kent. As has been said, Kent Thamesside offers huge potential for sustainable urban development, as set out in planning policy guidance note 3. New communities can be created, with integrated public transport provision, quality homes, jobs and supporting facilities, such as GP surgeries and schools, and the other cultural and educational opportunities, to which reference has been made, to meet local and regional demand for affordable homes and improved public services.

On business investment, continuing progress is being made on the construction of the channel tunnel rail link, which will give an enormous boost to the north Kent economy. In the borough of Swale, we have recently given the go-ahead to the second crossing of the Swale river, which will bring opportunities for inward investment and jobs for the islanders.

In Medway itself, in and around the constituency of my hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews), much good progress has been made. It is an area well placed to make the most of business opportunities that provide the right environment to attract inward investment. Thousands of jobs have been secured by the merger of Medway's largest employer, Marconi Avionics, and British Aerospace, creating BAe Systems, a company of world-class status.

Medway council's positive approach is illustrated by the development of the partners for growth scheme, a project that is closely linked to the development of the small business service. The scheme offers financial assistance to small and medium enterprises of up to £25,000 per company in key sectors such as advanced engineering and high technology industries. That is an excellent example of what can be achieved when the public and private sectors work in partnership. Medway council is also considering the potential to develop financial services and supply clusters to focus inward investment on the flagship site at Chatham maritime development, and the proposed mixed-use regeneration at Rochester riverside. The urban task force report recognised the good work that the council is doing there.

Other plans include the development of a business incubator centre, focusing on the advanced engineering and design sectors and the "learning city" concept, referred to by my hon. and learned Friend the Member for Medway, which involves the establishment of a university for industry, a university for Medway, and a European business school. All those factors, allied with the remarkable built and environmental heritage of the area, make Medway a prime area for a successful urban renaissance. I know that the decision on the assisted area map review in north Kent was disappointing for partners in several areas, but enterprise grant is available to assist small and medium firms to undertake investment projects.

In summary, there is every reason for continued confidence in north Kent. There is the on-going process of the channel tunnel rail link and the regeneration benefits that that will bring, and the establishment of the new Kent partnership, which will provide a co-ordinated approach to support and complement delivery by local authorities. There is also the new Minister-led strategic partnership, which will play an important role in ensuring co-ordinated action in Kent and across the gateway. As a Minister, I am determined that we shall play a full part in ensuring that that partnership works. In addition, the generous spending review will give the RDA, local authorities and other key players the tools for the job.

Mr. Deputy Speaker: Time is up, Minister. We move to the next debate, initiated by the hon. Member for Eddisbury (Mr. O'Brien).

Waste Dump (Winsford)

1 pm

Mr. Stephen O'Brien (Eddisbury): I am glad to have secured, through Madam Speaker's office, the opportunity to introduce a debate on an application being made in my constituency for the dumping of toxic waste into part of the worked-out areas of the famous Winsford rock salt mine in Cheshire. On 18 May and 6 July, I asked the Leader of the House to make time on the Floor of the House for a debate on the Government's "Waste Strategy 2000 for England and Wales", which was, interestingly, published a week after my first request. However, although it is such a critical issue for the country, a debate in Government time was rebuffed on both occasions. Therefore, I am doubly glad to have the opportunity to raise issues relating to that application, which is of deep concern to a vast number of my constituents.

Those constituents are here in force today, in the form of RAMP—Residents Against Mine Pollution. I pay tribute to them for their energy and tenacity in highlighting the issues for the local residents of north Winsford and the villages most directly affected, Moulton and Davenham, and the representatives of local newspapers and the regional and national media, who are all taking a keen interest. I welcome to the debate my neighbouring Cheshire Members, my hon. Friend the Member for Congleton (Mrs. Winterton) and the hon. Member for Tatton (Mr. Bell). The proposed waste disposal site would extend under their constituencies, as well as mine, traversing the constituency borders, the River Dane and Cheshire Ring canal in a subterranean manner. In advance of what I hope will be a helpful response from the Government in fully acknowledging and acting upon the concerns that I shall outline, I also thank the Minister in what I know is, for him, a week full of adjournment debates.

The site is unique, as it is the only dedicated rock salt mine in Britain. The rock salt is mined 560 ft below the surface of the Cheshire plain for use in de-icing on roads the length and breadth of the country. Anyone who has been down the mine, as I was with representatives of the applicants last November, cannot fail to be impressed by the extent and scale of the caverns. Some 110 miles of underground roadways, around 75 ft wide and 23 ft high, have been created at Winsford since mining began over 150 years ago. They are being added to each year as rock salt extraction continues. The temperature in the mines is a constant 12 to 13 deg C throughout the year, regardless of climate above ground. Humidity remains steady at 70 per cent.

It is a combination of those conditions, the vast size of the caverns and the fact that every part of the worked-out area underground remains open and accessible, that makes the mine available for other uses. For example, the underground environment has prompted a leading chemical firm and a major pharmaceuticals manufacturer to use one area as a document storage facility. Because radio waves are unable to penetrate so far underground, an international computer company has found the mine an ideal place in which to test electronic equipment. In the area, in addition to farmed grassland and a network of busy roadways, lie the villages of Moulton and Davenham and the northern part of the town of Winsford, which has by far the largest population density in my constituency, numbering nearly 30,000 out of a constituency population of approximately 90,000 people.

The applicant is Minosus Ltd., a joint venture between Namsco (UK) Ltd. and SARP Industries SA. Namsco is the parent of Salt Union Ltd., the mine operator, and is itself part of the United States-based IMC Global Inc. SARP is a European waste management company and a subsidiary of France-based Vivendi, which was formerly known as Compagnie Generale Des Eaux. I have maintained an open dialogue with the applicants and met them again yesterday evening. They have sought to discharge their consultation obligations in a professional manner, which has also characterised the approach that they have taken to the presentation of their application.

The application was submitted on 1 April 1999—I do not draw any jovial conclusions from that date, Mr. Deputy Speaker, especially as it is also my birthday—and seeks consent for the disposal of industrial waste in a specified 75 hectare area of the mine. That waste includes fly ash resulting from flue gas cleaning at municipal incinerators, slag from smelting operations and the output from waste solidification plants. It is submitted that the facility could reach its anticipated 100,000 tonnes-a-year capacity about five years after the start of the operation. That operation would be based at the mine's No. 4 shaft in Jack lane, near Winsford, now a cul-de-sac since the opening of the bypass. All deliveries, offloading, sampling and mine access will be concentrated there. It is a commercial application aimed to take toxic waste from Cheshire and the north-west. However, the issues raised reach far beyond north-west England.

As it has become better known and understood, the application has engaged widespread interest and has caused monumental anxiety and a vast range of fears and concerns among local people. My predecessor, Sir Alastair Goodlad, registered his objection to the proposals, and I became aware of the issue on my first day as a candidate in the Eddisbury by-election campaign last year. Having met with RAMP, and having studied the wide-ranging and complex issues, I called for a full, public, independent inquiry in the early days of my campaign. That call was subsequently made by the Labour and Liberal candidates in that campaign.

Since being elected on 22 July last year—almost a year ago to the day—by far the greatest number of the thousands of letters, faxes and e-mails that I have received have been from local people objecting to the Minosus application. Not one—apart from my correspondence with the applicant, naturally—was in favour. I have brought my files to this Chamber, and they include exchanges with the Minister. A host of public meetings have taken place, and the issue raised most frequently by constituents in my weekly surgeries has been the application and their objections to it.

One of the two local newspapers, the *Winsford Chronicle*, has mounted a stop the dump campaign, which has been backed by the Vale Royal environment network, whose president is the hon. Member for Tatton. I was recently presented with a petition of 1,400 signatures, which was gathered in response to a tear-off slip in that newspaper. I shall refrain from handing it to the Minister now, as I have requested a meeting with the

Secretary of State so that I may lead a delegation of my constituents to press him to call the application in and establish a full public inquiry. I have yet to receive confirmation of his willingness to meet me and an offer of a date, but I live in great hope that the Secretary of State will accede soon to such a crucial component of our democratic process.

Before I set out the reasons for the concern and what it is that my constituents so fear and distrust, I shall quickly outline the progress of the application so far. Following Minosus' submission of a planning application, and the accompanying environmental statement to Cheshire county council in April last year, Minosus submitted a site licence application to the Environment Agency in October 1999. After requesting a more detailed list of the types of waste that were proposed to be brought to Minosus for disposal, the Environment Agency reported. In May 2000 the Cheshire county council environmental planning and operations sub-committee decided, on a majority of Labour and Liberal Democrat county councillors—who are politically indistinguishable on Cheshire county council as they operate a formal pact—that it was minded to grant planning permission. Conservative councillors voted against granting permission. The documents were sent to officials in the Government office for the north west on the grounds that the proposals were considered to be a departure from the adopted Vale Royal borough plan, because the area is one of significant local environmental value and because the proposed surface development is contrary to the employment policies in the adopted and emerging local plans, and to the new natural environment policy in the emerging local plan.

Sadly, that was the first time that the all-party approach had been breached. Primarily, it had been on the pusillanimous grounds that the county council would have faced substantial costs. One might well ask those councillors, "What price representation in our democracy?" All of that was admitted by the Liberal Democrat deputy leader of the council in a letter to the *Winsford Chronicle* on 21 June. In fairness to the applicant, Minosus never publicly stated that it would have pursued any such action against the council. The council apparently did not ask Minosus. In my meeting with Minosus yesterday I was assured that it had never indicated or manifested any such intention privately, let alone publicly. We are therefore bound to ask why the Labour and Liberal Democrat county councillors were so craven when their primary duty is to represent the people who elected them. I find it impossible to believe that their postbags have contained a series of representations from local people supporting the application. It was my contention, and still is, that the county council should have deferred the decision until a full and conclusive debate had taken place on the Government's national waste strategy. The application could therefore have been put in a proper context.

Furthermore, the ruling Labour and Liberal Democrat group had the cheek to spin, as reported in the press—I beg the Minister's forgiveness, but those in the Labour party are the spinning tops of politics—that, being mindful of local residents' concerns, they had called for a public inquiry. They did no such thing, more is the pity. It was a cop-out by the ruling Labour-Liberal Democrat coalition on the county council.

In June, the Government office for the north west indicated that it had a number of questions—not surprisingly, given the scale and complexity of short and long-term implications of the application—and required more time than the standard initial three weeks before reporting to the Secretary of State, and, to quote the letter of 11 July from the Minister for Housing and Planning,

> to provide the Secretary of State with an opportunity to consider whether it should be called in for his own determination.

Although the application is a county matter, the planning committee on the local borough council, Vale Royal, discussed the application on 11 April. To its credit, it resolved that Cheshire county council be told

> That in view of the significant public concern...the application be referred to the Department of the Environment, Transport and the Regions for a public inquiry so that the following issues can receive full and open consideration: Access to the site...The impact of the proposed new surface buildings on the character and appearance of the open countryside...The long term implications of the underground storage of the proposed waste material.

Mrs. Ann Winterton (Congleton): I congratulate my hon. Friend on his initiative in securing the debate on a matter which is important not only to his constituents, but to mine, especially those living in Middlewich, where the major part of the proposed subterranean waste disposal facility would lie. Is he aware that my constituents and I support him in his call for a full independent inquiry for the reasons that he has given? Also, does he know of the concerns of residents from the surrounding area? He has access and egress to the site at Davenham in his constituency, but rural roads already have tremendous local traffic problems. That issue ought to be considered thoroughly.

Mr. Deputy Speaker (Mr. Nicholas Winterton): That was a very long intervention. I do not like such things.

Mr. O'Brien: I shall pass over that and thank my hon. Friend for her intervention. My constituents and I are most grateful for her support and that of her constituents. We share the grave concern about the traffic congestion issues that arise as a result of this application and many other such waste disposal facilities, a subject on which I might touch later.

As I was talking about the current climate of political objection, I should add that the relevant parish councils and Winsford town council have expressed objections and concerns. The application is now with the Secretary of State and the debate is timely.

I have looked in vain for guidance on the application in the Government's waste strategy. In essence, the strategy rightly asserts that we are all responsible for waste. It encourages a change in culture and practice to recycle and compost more, and to encourage industries to design out hazardous waste over time. It acknowledges the continuing need for landfill, but nowhere does it consider or tackle the subject of a deep mine waste management facility. That application is unique in this country. The only parallel, which is prayed in aid by the applicants, is German experience of the disposal of industrial waste in a salt mine in Heilbronn. However, all mines, by definition and geology, are unique. I advocate great caution to those who, without the exposure, rigour, independence and

[Mr. O'Brien]

depth of examination of a public inquiry, say that something will be all right in Winsford if it is happening in Germany.

There is reasonable doubt about the application and reach of the landfill legislation in this country to a deep mine. It has not been tested because there is no precedent. Many of the protections regarding waste disposal, especially of special wastes, derive from that landfill legislation. Is special legislation required to cover waste disposal in a deep mine as opposed to surface landfill?

With the cessation by 2004 of co-disposal of domestic and hazardous waste required under the European Community landfill directive, the Winsford application is predicated on the need for sites exclusively for the disposal of special wastes. By that, I mean hazardous and difficult wastes such as fly ash, metal slag and dross, contaminated soils and resin wastes. Disposal of such material is a continuing need, as it cannot be recycled, treated or incinerated using today's technologies.

The list of Minosus that names permitted wastes is voluminous, coming to 10 pages in length. I am no expert, and cannot judge it, but I am informed that it includes poisons, carcinogenic neurotoxins, skin irritants, items that contain mercury in a toxic form and products that may emit vapours and hydrocarbon gases at standard temperatures and pressures. The proper forum for those wastes to be assessed and understood is a public inquiry, in which extensive evidence and a full range of qualified experts could assist all those involved, including, above all, the Secretary of State, with whom the buck ultimately stops.

The application is restricted to solid, non-flammable, non-explosive, non-volatile, non-reactive, suitably packaged wastes, and it is proposed to exclude waste that is radioactive, liquid, explosive, flammable, vaporising, fuming, biodegradable or odorous. That may be fine, but the control is a self-regulatory, sampling-only regime by Minosus of the lorry samples at the surface head of the mine shaft, with the test lab to be only initially independent of Minosus. That means that samples are no guarantee that a non-permitted waste could not slip through the net, which would mean that rejected wastes would have to be stored, albeit temporarily, at the surface before being transported back through the local area whence they came. Is that a fair safety hazard to impose on local residents? Does it amount to an "acceptable risk", to use the infamous words of the county engineer?

Although the industrial and commercial special wastes involved are intended to come from a local and wider north-western catchment area, is there not a risk that a Winsford deep mine waste dump could grow to become the national dumping ground? How can we be sure that we bind future generations, in a commercial operation that is close to deep water ports, international airports and the motorway network and, under future laws that we cannot predict, not to accept toxic wastes from other countries whose controls and integrity may not conform to our standards and procedures? The cost of transportation is no deterrent over time, as the value-to-weight ratio and fuel costs of the future cannot be predicted against the changing economics of the value of sites for dumping special wastes.

Why are my constituents so desperately worried? Why do they fear and distrust this application so palpably? I make no apology for listing their anxieties. Anxieties about matters above ground include the increase to 25 lorry deliveries, which will mean 50 lorry movements a day. That will increase noise levels, especially from exiting empty lorries with load-weight, high-pressure tyres moving along a narrow, unlit lane and on to the bypass via a junction with fast traffic. Residual dusts may be open to the atmosphere as a result of uncovered hoppers or flatbeds. Paragraph 9.23 of the draft regional planning guidance for the north-west, which was issued only on Monday, states:

> The traffic generated by waste management facilities have a significant effect on the highway network—

as my hon. Friend the Member for Congleton mentioned—

> in the vicinity of the site and for some distance away and it will be important to include an assessment of this likely impact when considering the facilities.

Other anxieties relating to above ground matters include the erection of buildings in a designated open space near residential areas; the health and environmental risk arising from accidents; the storage of non-permitted wastes prior to return to sender, and the impact on house prices. There is already anecdotal evidence that blight has taken root as a result of the application.

Anxieties about below ground matters include the health and safety of mine workers; the risk of fire; the consequential environmental risk of land heave, water penetration and mine flooding, leading to contamination; accidents from transportation underground, and the cumulative build-up of particulate emissions.

Alternative uses are available in addition to those already identified, such as those that appeared in *The Sunday Times* last weekend for the treatment of asthma sufferers in the allergen-free atmosphere of such a mine, known as speleotherapy, which is being used in Romania and Austria today.

Especially when quality of life and genuine fears are involved, and given our responsibility as a generation for the generations that follow us, we have a duty to ensure that we subject risk to the utmost possible scrutiny. That is integral to our democratic system. I submit with all the force at my command that the only full, fair, transparent, open and democratically legitimate way to scrutinise an application for the unique use of a unique asset is an independent public inquiry with terms of reference to consider the application in the context of both local and national interests.

We are in uncharted territory. This is a pioneering proposal. It is a unique application for a unique site with unique characteristics that raises unique issues and anxieties. It would be an extremely courageous Secretary of State who approved such an application without the scrutiny of a public inquiry and bore the responsibility for the fact that, contrary to the Government's laudable aims in updating and demanding an overarching national waste strategy, approval at this stage would smack of a piecemeal, unintegrated approach. I take the Secretary of State at his word when he says that he wants an integrated

approach to waste management. Only a public inquiry will provide the opportunity, information and judgment to enable the Secretary of State to assess the application in an integrated manner.

The planning process in this case has to date not proved up to the task of demonstrably satisfying the democratic principles demanded by the residents of Moulton, Davenham and north Winsford. The burden of proof must lie with the applicant.

It is not my task today to prejudge a public inquiry. I believe in the democratic process. However, in the absence of such an inquiry, I confirm my objection on behalf of my constituents to the application on the grounds of lack of due process in the absence of a public and independent inquiry, and on the basis of the anxieties that I share with my constituents about the nature of the application itself. As their elected Westminster representative, I urge the Government to prove to my constituents that the Government have their democratic rights and interests both at heart and as an over-riding priority by the Secretary of State calling in the application and establishing a full, public and independent inquiry.

1.19 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Chris Mullin): We meet again, Mr. Deputy Speaker, but for the last time today, I am sorry to say.

The hon. Member for Eddisbury (Mr. O'Brien) raises an issue that is obviously a matter of great anxiety to his constituents. The application to which he refers also raises wider issues. Almost all plans for waste disposal are controversial. Everyone wants waste to be disposed of in someone else's back yard. It is a simple fact of life, which local and national politicians should try to deal with in a mature and responsible manner.

The general principle followed by all Governments is that it is desirable, as far as possible, for decisions to be taken locally by people who are accountable locally. A Conservative Government would face the same difficult decisions, on this and many other applications, as we do.

As the hon. Gentleman explained, the planning application submitted by Minosus Ltd. relates to proposals for the disposal of industrial waste at Winsford rock salt mine. The specific waste title is a matter for the Environment Agency when determining an application for the waste management licence, which is required in addition to planning permission. I understand that the applicant has entered into a legal agreement under the Town and Country Planning Act 1990 to provide that, should planning permission be granted, the facility will not be used for the deposit of radioactive waste.

In support of the planning application, the company also submitted an environmental statement. The main aim of the procedure is to ensure that the public and the local planning authority properly understand the predicted effects and the scope for reducing them. The hon. Gentleman mentioned that Cheshire county council has responsibility for the development and control of waste sites in the area, has examined the proposal closely and is minded to grant planning permission. The council believes, however, that the development is a departure from the provisions of the Vale Royal local plan and, in line with established procedures, it referred the matter to my right hon. Friend the Secretary of State, who has to decide whether it would be appropriate to use his reserve powers to call in the application for his own determination. He is currently in the process of doing so.

The hon. Gentleman said that he hoped to take a delegation to my right hon. Friend to discuss the issue. The Secretary of State will take into account the representations that he and others have made in writing, and the powerful points that have been made in the debate today. It is unusual, however, for Secretaries of State to receive delegations at this stage in this sort of inquiry.

I appreciate the fact that the hon. Gentleman has several concerns about the proposal, particularly about the number of lorry movements, the geology of the area, the effects on residential amenities, the unique nature of the proposals and the catchment area on which the facility would draw. That broadly summarises the points in his speech. He will appreciate that I cannot comment on the merits of the proposals or on those specific issues, because the matter is currently before my Department. I can, however, make some comments that might be helpful.

The general approach of the Secretary of State on the use of his call-in power is not to interfere with the jurisdiction of local planning authorities unless it is necessary to do so. Parliament has entrusted those authorities with the responsibility for day-to-day planning control in their areas, so it is right that they should generally be free to carry out their duties with the minimum of interference from the centre.

The Secretary of State's policy is to be selective about calling in planning applications. He will, in general, take that step only if planning issues of more than local importance are relevant. Each case will continue to be considered on its individual merits and I can assure the hon. Gentleman that my right hon. Friend will give his most careful consideration to all the issues raised by this application before deciding whether to exercise his call-in power and to hold a public inquiry. He will also have heard the points made today.

It may also be helpful if I explain some of the key principles of national planning policy on waste, against which planning applications for waste disposal facilities need to be considered. Guidance to planners taking waste management decisions is provided in planning policy guidance note 10. The strategy, which was published in May, highlights three important principles that must be taken into consideration with regard to waste planning applications.

The overarching principle is that of the "best practicable environmental option" which weighs the benefits and disbenefits of each individual case. All options have benefits and disbenefits. There are no perfect solutions in this tricky territory. The procedure establishes the most beneficial, or least damaging, environmental option, taking into account costs and long and short-term time scales. Secondly, the regional self-sufficiency principle advises that most waste should be treated or disposed of within the region in which it is produced. Thirdly, the proximity principle suggests that waste should generally be disposed of as near to its place of origin as possible. It serves as a means of raising

[Mr. Chris Mullin]

awareness in local communities that the waste that they produce is a problem with which they must deal. That also helps to control the environmental impacts of transporting waste.

As I have already mentioned, in addition to the requirement for the applicant to obtain planning permission, there is an entirely separate requirement to obtain a waste management licence. The planning function and the waste management licensing function complement each other, rather than duplicating controls. There are, of course, stringent controls in place to ensure that waste is dealt with properly. Under the Environmental Protection Act 1990, it is unlawful to deposit, recover or dispose of waste without a waste management licence, contrary to the conditions of a licence exemption, or in a way that causes pollution of the environment or harm to human health. The Environment Agency is responsible for administering and enforcing the waste management system and has the power to take action against anyone who contravenes the controls, and the penalties are potentially severe.

I understand that an application for a licence was submitted to the agency last October and that it is currently under consideration. I am advised that the agency intends to carry out an extensive consultation process before reaching its decision. The agency is aware of the use of mines for this purpose in Germany and France, and will use that in its determination of the licence application. A waste management licence is granted with conditions that the agency considers necessary to prevent pollution of the environment and harm to human health, including provisions for safety monitoring, aftercare and restoration of the site. Conditions must also cover the types and quantities of waste to be disposed of at the site.

The licensing process enables the agency to give full consideration to safety issues and any potential pollution risks, to ensure that there is no pollution of the environment or harm to human health. In addition, under the Environmental Protection Act 1990, the agency must be satisfied that an applicant for a waste management licence is a "fit and proper person" before granting the licence. The hon. Gentleman will appreciate that I cannot comment on these matters in detail, because of the Secretary of State's quasi-judicial role in relation to waste management licensing appeals.

Under the 1990 Act, the applicant or holder of a waste management licence has a right of appeal to the Secretary of State under certain circumstances. The details of that licence application are subject to proper consideration by the agency. With regard to concerns about whether waste would be imported from abroad, I should add that the current UK exports/imports plan allows imports for disposal by landfill only in exceptional circumstances.

I should also explain that the Government consider this form of disposal of waste to be, alongside landfill, at the bottom of the waste hierarchy, and such operations will be required to obtain a permit under the landfill directive, once it comes into force in 2001.

Mr. O'Brien: Will the Minister give way?

Mr. Mullin: I can do so only at the expense of not concluding.

Mr. O'Brien: The most important point is to persuade the Secretary of State that this has more than local importance. The Minister was just touching on that and I wanted to reinforce the point.

Mr. Mullin: The landfill directive introduces additional requirements over and above existing waste management licensing controls. Those include ceasing to dispose of hazardous waste mixed with non-hazardous waste; a requirement to treat waste prior to disposal; and a ban on certain waste in landfill.

I appreciate that I could not deal with the matter in the detail that the hon. Gentleman and his constituents would like, but he in turn will appreciate the constraints on my Department, which has to act in a quasi-judicial role. I assure him, however, that his representations and those of other hon. Members will be taken seriously.

Kidney Dialysis UK

1.30 pm

Mr. George Stevenson (Stoke-on-Trent, South): I am extremely grateful for the opportunity to raise the issue of dialysis services required by United Kingdom citizens on holiday in this country.

I requested the debate because my constituent Mr. Robert Huson, who was infected with hepatitis C through no fault of his own a few years ago, came to see me about it. Like many other sufferers, he wants to live as full and as normal a life as possible, which includes taking holidays. He has taken holidays abroad in Majorca, Malta and other sunny climes. Because of his condition, prior to booking a holiday, he has to ensure that dialysis facilities are available at his chosen destination.

My constituent tells me that he had little difficulty in securing dialysis services in Majorca and other places in Europe and no doubt his holidays do him the world of good. However, he cannot take such holidays unless he is sure that he can use a dialysis machine two or three times a week when he is away.

Mr. Huson wanted to book a holiday in the United Kingdom and he tried the Isle of Wight, south Wales, north Wales and the west country, but he was unable to secure the necessary dialysis services. That raises serious issues, to which I hope for a positive response from the Minister. First, why cannot the national health service provide those vital services to people who want to lead as normal a life as possible? Secondly, why can my constituent make arrangements for dialysis abroad, but not in this country? Mr. Huson was awarded a British Empire Medal for services to the community, but when he needs help it is not available.

Why can places such as Majorca provide the service? Is it because those places depend heavily on tourism and therefore recognise that dialysis must be provided for tourists who might need it? It appears that in areas of the United Kingdom that also depend heavily on tourism the NHS closes the door to people who need dialysis facilities.

During my representations on this issue, I met my noble Friend Lord Hunt, the Under-Secretary of State for Health. He understood the issues entirely and was very sympathetic and patient. However, the responses that I have received from him leave me dissatisfied. They revolve around two fundamental issues. In his letter to me dated 25 October 1999, my noble Friend openly took the view that although my constituent might feel that he was subject to discrimination because he had hepatitis C, which is a nasty blood-borne infection, he should not be. The letter stated that Mr. Huson

> should not be refused simply because of this and units do dialyse patients with hepatitis C.

Mr. Huson is determined to fend for himself and to live as full a life as possible despite his infection. He takes care of himself and is determined to take on his full responsibilities. He wanted to take a holiday on the Isle of Wight, so he made inquiries at St. Mary's hospital in Newport, which was a responsible thing to do. The patient applied personally to the unit in early 1999 and was accepted—so far, so good. However, only a little later, when the unit found out that he had hepatitis C, it was decided that it could not treat him. My noble Friend Lord Hunt's assertion that Mr. Huson should not be refused dialysis because of hepatitis C does not appear to be backed up by experience.

The second reason given to me by my noble Friend for the unavailability of the services in question is a potentially significant cost element. In a letter of 9 May he said:

> The dialysis of patients infected with a blood-borne virus such as hepatitis C requires significant extra resources, not only in terms of equipment but also of staff. Unfortunately there is a serious shortage of renal nurses in many areas.

I am prepared to accept that there are shortages of experienced staff, but the notion that the procedure requires significant additional resources and staff does not seem to be borne out by the experiences of my constituent when he is dialysed at the North Staffordshire hospital.

I know the North Staffordshire hospital well, and you, Mr. Winterton, may know it too. Its staff are highly professional and efficient and I have nothing but praise for them. What do the professionals say about the issue of significant additional staffing, additional costs and other procedures to prevent infection of other people as a result of dialysis? A letter from the clinical nurse specialist in the hospital's renal directorate states:

> The only precaution other than the universal precautions that are applied to all dialysis patients, is that his machine goes through a full clean after his treatment session. He has dialysed in this manner for more than 2 years without any spread of infection.

It seems that the point made by my noble Friend Lord Hunt about significant extra resources, staff and equipment is not borne out by the professionals who treat Mr. Huson two or three times a week at North Staffordshire hospital. Are we to ponder the notion that the treatment offered at North Staffordshire hospital, a highly professional first-class unit, is of a lower standard than that which is acceptable to the Department of Health? I doubt that very much indeed. The record shows that the staff at that hospital are highly professional and would not take any risks, yet they say that they can carry out the treatment without any additional, unnecessary or unacceptable burdens being placed on their resources and staff. If that is the case at North Staffordshire hospital, which has the highest possible standards, why is it not the case elsewhere?

This week, I read an interesting report that suggested that hepatitis C is on the increase, so the issue is not just one of current concern but will grow in significance and importance. Why is it, therefore, that the flexibility that is necessary to deal with the issue, not only in relation to my constituent but potentially in relation to hundreds or thousands of other hepatitis C sufferers, is not being shown elsewhere? Why is it that the highly professional staff at North Staffordshire hospital can provide that service, yet we are told by my noble Friend Lord Hunt that it cannot be provided elsewhere because that would require significant extra resources?

There was a ray of hope following my meetings with my noble Friend, which is evident in his correspondence to me. I refer again to his letter dated 25 October 1999 in which he says:

> We are addressing the need to increase the provision of dialysis services. Centrally used guidance on specialised commissioning and the National Priorities Guidance have both emphasised the need for Health Authorities and NHS Trusts to review the existing provision of renal services and to plan for increased provision.

[Mr. George Stevenson]

Therefore, my question to my hon. Friend the Minister is when is that increased provision likely to see the light of day. When will people such as my constituent, Mr. Huson, have the opportunity at least to take a holiday in the United Kingdom without being effectively debarred because of an illness?

My noble Friend Lord Hunt went on to say:

Further guidance to be issued shortly—

the letter is dated 25 October 1999—

will provide specific information to assist with this process. In addition, the pressures on renal services are identified and taken into account during the Comprehensive Spending Review process.

So there is every sign that my noble Friend realises that the situation is unacceptable and realises that people such as my constituent, Mr. Huson, find it incomprehensible. Although people have no problem receiving such services when they go abroad, they are effectively debarred from going on holiday in the United Kingdom.

I hope that I have demonstrated the significant issues that need to be addressed without undue delay. I and many other hon. Members enthusiastically welcome the Government's determination to resource and modernise the national health service to make it fit for the 21st century. The Government are taking a realistic approach. They have repeatedly said that much has been achieved, but that a great deal more remains to be done. Unless the issues that affect people directly in their daily lives are effectively and urgently addressed by the Government, I fear that we shall have a long journey in convincing my constituents and the general public that the NHS is there for them. I hope that I will be able to reassure my constituent on this important matter.

1.46 pm

The Minister of State, Department of Health (Mr. John Denham): I congratulate my hon. Friend the Member for Stoke-on-Trent, South (Mr. Stevenson) on raising the issue of kidney dialysis treatment for patients who want to travel to other areas of the United Kingdom. As he said, he took his constituent's case to my noble Friend Lord Hunt. The problem affects the quality of life of perhaps 10,000 patients and their families in England. They are in end-stage renal failure and need constant high-quality treatment with haemodialysis.

There are three modes of treatment for end-stage renal failure. The first is haemodialysis, the second is peritoneal dialysis, and the optimum treatment is transplantation. Unfortunately, for familiar reasons, transplants are not available on request, so the majority of patients continue to be treated by dialysis to remove the waste products from their blood. Dialysis allows waste products to diffuse across a membrane into dialysis fluid, which is then disposed of. Haemodialysis means that the patient is connected to a dialysis machine for four to five hours three times a week. That process usually takes place in a hospital unit although some patients have an appropriate machine at home.

The alternative to haemodialysis is peritoneal dialysis. A fluid is introduced into the peritoneal cavity, or abdomen, where dialysis occurs. That takes 30 to 40 minutes, three or four times a day, every day. The patient is not connected to a machine. Patients on peritoneal dialysis have more flexibility about where they carry out their treatment and therefore find it easier to organise holidays. Once a holiday destination has been decided, patients can ask their renal unit to arrange for their supplies of dialysis fluids to be delivered to their holiday address. They can continue their treatment in the same way as they do at home.

My hon. Friend referred to patients who wish to travel to other areas of the UK. As in the case of his constituent, the most common reason is to take a holiday, but there are other reasons, not least to deal with family and business matters. I am grateful for this chance to contribute to a practical debate on issues that affect everyone who requires haemodialysis. It is a life-saving treatment. Patients are completely dependent on it and cannot take a holiday from it, much as they may wish to do so. We are very conscious of that. They have a right to a quality of life that includes everyday pleasures that most of us take for granted and expect. Patients with end-stage renal failure are no different from the rest of us in that they expect to be able to participate in such activities with the minimum of fuss.

Holidays for patients on haemodialysis are complex to organise. Once a patient has decided on a UK holiday destination, his or her hospital trust will usually arrange holiday dialysis. The arrangements are made through hospital trusts because they can provide the clinical information required by the host trust for the patient's visit. There is no obligation on health authorities or trusts to provide holiday dialysis for their patients. People who care for patients with kidney failure are sympathetic to their need for a holiday and will do their best to make the necessary arrangements, but treatment of their own local patients must come first when facilities are limited.

Mr. Stevenson: Will my hon. Friend comment on the fact that my constituent was accepted when his arrangements for the Isle of Wight were made through the North Staffordshire hospital? It was only later, when it was discovered that he had hepatitis C, that the door was closed.

Mr. Denham: I shall deal with that point in a moment.

In April 1999, we introduced the system of out-of-area treatments to replace extra-contractual referrals. In that system, a patient's usual NHS trust will make arrangements for holiday dialysis with the chosen holiday trust and will also agree the funding. Service agreements between patients' health authorities and their home trusts will reflect those other agreements. There is a cost to the home trust in that patients pay for the holiday dialysis, but the saving is only minimal as patients' usual dialysis slots cannot be used during the holiday period.

In the past, some renal units have run an exchange system for patients so that they swap dialysis slots for the period of the holiday. That practice has been diminishing because renal patients are more susceptible to illness and may have to cancel their holiday at short notice. If that happens, one unit will find that it has an extra patient to accommodate and, with the growing pressure on services, it will not always be able to provide that care.

Hospital trusts may find it more difficult to arrange holiday dialysis for patients who have blood-borne infections such as hepatitis. Such patients create extra demands on nursing care and special equipment. For example, patients with hepatitis B should be cared for on dedicated machines by different staff from those who care for non-infected patients. Furthermore, dialysis machines that are used by patients with hepatitis C should not be used by patients who do not have that infection. Those standards have been accepted as those towards which the NHS should be working. They were drawn up by the Renal Association and the Royal College of Physicians and were set out in a document entitled "Treatment of Adult Patients with Renal Failure".

As I said, it is recommended that machines used for patients with hepatitis C should not be used for uninfected patients. Some people believe that each patient should have a dedicated machine, but that is not usually possible. It is recommended that carriers of hepatitis C should be dialysed where possible in separate or single shifts and that, whenever possible, staff should care only for infected or uninfected patients during one shift. If that is not practicable, the more experienced staff should be assigned the task of caring for a mixed group of patients.

My hon. Friend asked about North Staffordshire hospital. I cannot respond to the matters to which he referred in this debate, but I shall look into them. The procedures in place in English units to control the transmission of such viruses make them among the safest in the world. Renal units that do not have their own patients with blood-borne infections will be unlikely to be able to accept infected patients, as that can restrict the service that they can offer to their own patients. Likewise, if their facilities for infected patients are under pressure they may not be able to accommodate holiday dialysis at a particular time. That goes to the heart of the issue raised by my hon. Friend. Bearing in mind the guidance on best practice, I believe that it is practical constraints that have caused particular problems with constituents, such as the one to whom my hon. Friend referred, who are infected with hepatitis C.

I was asked to comment on the provision of facilities overseas, but I do not feel able to do so now, certainly in respect to any particular country. I have set out the standards that are being sought and which we are trying to achieve in this country. As I understand it, in most holiday destinations, dialysis is purchased under private medical arrangements. Understandably, my hon. Friend's constituent seeks a service under the national health service as a citizen of this country.

Mr. Stevenson: Is my hon. Friend saying that the Department will consider private provision if the NHS is not prepared to provide such treatment in such cases?

Mr. Denham: I was referring to the arrangement between the patient and the service provider, which is a private one. The Government have recently made it clear that we do not wish to be dogmatic about provision, but I should not like to be drawn further on the specific point raised by my hon. Friend.

I come now to wider issues affecting holiday travel. Some NHS trusts have dedicated hospital facilities for patients able to arrange for dialysis unassisted by medical staff. That is obviously not suitable for all patients. Apart from NHS trusts there are private hospitals that provide general renal services, and there are some private facilities for dialysis, many in holiday destinations in the UK. We know that some NHS patients have already been able to utilise such services, such as the dialysis service offered by a private hospital in St. Ives. The Dialysis Travel Company Ltd. provides dialysis at the Butlins resorts of Bognor Regis, Skegness and Minehead. The resorts can dialyse six patients a day, and another such unit has recently opened at Warner's Lakeside centre, near Portsmouth.

I commend the National Kidney Federation, the major voluntary organisation for kidney patients, which is currently constructing a website on holiday dialysis in the UK and abroad. Unfortunately, private facilities do not usually accept patients with blood-borne viruses such as hepatitis. As with the arrangements between NHS trusts, there is no obligation for the home renal unit to pay for patients to attend private holiday facilities.

I acknowledge that the existing renal services are under immense pressure to accommodate the growing number of patients with end-stage renal failure. Holiday dialysis can really be made more available only by expanding dialysis provision generally. We have taken several steps to ensure that patients will have access to high-quality services. I have spoken about the recommended standards for the treatment of patients with renal failure. We identified renal services as a priority in the new arrangements for regional commissioning of specialised services, which came into force last year. The arrangements will facilitate planning on a wider and more long-term basis. The first reports of the regional commissioners will be available in August and we will have the opportunity to reflect on what has been achieved so far and to identify the areas to be addressed in the next year.

Later this year we will also have the results of the updated national renal survey and the renal chapter of the health care needs assessment. Both documents will be important in helping us to model renal services. They will enable us to see how far we have progressed, how steep the growth rate is and how far there is to go. All evaluations will be based on best available knowledge and will be fed into the work of the regional commissioners.

Renal services have benefited from the Government's overall increase in NHS funding. In the Budget we announced significant increases in NHS funding for the next four years, which were confirmed yesterday. In addition, we have made £10 million available this year from the capital resources allocations specifically for haemodialysis services. That will provide facilities for at least 500 more patients to be treated. Each region will be able to demonstrate an increase of at least 15 dialysis units or capacity for at least 60 additional patients. We announced approval of the regions' plans on 12 July and renal services and provision will expand in the next 12 months. Regions have added to the centrally

[Mr. Denham]

allocated capital so that £18 million capital investment in total will be spent, supported locally by the revenue consequences. That money will be spent on 53 schemes in 42 trusts.

My honourable Friend has asked about holiday facilities in Portsmouth, the Isle of Wight and Plymouth. All three of those health authorities have benefited from the allocation of new money, and a total of 20 new dialysis stations will be provided in their units, which in turn will improve the possibility of holiday dialysis. However, I am afraid that I cannot make a firm commitment with regard to Mr. Huson, my hon. Friend's constituent, on the information that I have.

There is a real issue concerning the shortage of nurses, which constrains several aspects of the development of the NHS, and renal services are no exception. I am sure that my hon. Friend is aware of the strenuous efforts that the Government have made to increase the number of nurse training places, to encourage former nurses to return to the national health service and to encourage wider take-up of nurse training courses. It is good news that applications for nursing and midwifery diploma courses rose by 73 per cent. last year. Several thousand nurses have already rejoined the NHS, and that will help us to meet needs in renal care and in other parts of the health service.

In conclusion, the issues raised by my hon. Friend on behalf of his constituent are important. At root, they do not reflect a discrimination against hepatitis C sufferers; they reflect the fact that we need to expand our renal services so that we can offer the best possible care to patients, whether they seek it at home or on holiday. The Government have embarked on that programme of work, although I accept that there is still a considerable way to go.

Question put and agreed to.

Adjourned accordingly at Two o'clock.

Westminster Hall

Thursday 20 July 2000

[MR. MICHAEL J. MARTIN *in the Chair*]

Environmental Regulation and Farming

[*Relevant documents: Fourth report from the Agriculture Committee, Session 1999-2000, HC 212.*]

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Kevin Hughes.*]

2.30 pm

Mr. David Curry (Skipton and Ripon): The debate that we have requested today is important both in its own right and because of its wider implications. It relates to a regulation that could result in significant costs for the intensive livestock sector of the agriculture industry. The wider implications relate to the Government's response to, and the costs that flow from, regulation. I shall speak briefly about the specifics of the regulation before dealing with its broader implications.

The proposal is a European Union regulation that is, quite properly, designed to control the pollution that flows from intensive livestock—pig and poultry—production over a certain size. For the purposes of this debate, it is not necessary to detail the particularities of the units that will be affected.

Each member state will apply the regulation in its own way. The regulation is facultative, in the sense that it does not prescribe rates of levy for the agriculture community but clearly prescribes the objects intended. That is another important factor.

The proposal envisages a system of regulation and control to be introduced over the next six or seven years. Our anxiety is that the matter involves a series of unknowns. I recognise from the Government's reply that some aspects are genuinely difficult to nail down—such as how many units are involved in poultry production, for example—simply because records are not available.

We were equally worried that the proposed costs seemed disproportionate and unevenly spread. We spoke to the Environment Agency about the proposed costs, which ranged from about £12,000 to £18,000. Subsequently, we spoke to the Scottish Environment Protection Agency about the costs to be levied in Scotland, and found that it proposed about half as much. That led to the suggestion that the Scottish Environment Protection Agency might, in the spirit of tendering, win the contract for England and Wales, too.

The regulations allow each member state to decide the level of cost recovery to apply. Therefore, if on the continent it is decided that no costs should be recovered, no one will be breaking the law. That would be perfectly within the spirit of the regulations. However, it would have an impact on the sector's competitiveness.

At no stage did the Committee argue that it was wrong to apply pollution controls. We never started from the thesis that we want nothing to do with the proposal. We recognise that at Kyoto the Government made commitments, to which we all subscribe, for environmental and pollution control, and that it is sensible for those mechanisms to be common throughout the European Union in order to maintain that most beloved phenomenon of farmers, the level playing field.

We were anxious for the playing field to be level and reasonable and for the administrative burden to be as minimal as possible, consistent with delivering the objectives. We believed that the Government supported us in that view, because the Ministry of Agriculture, Fisheries and Food set up the red tape review group, a rather picturesque expression, which sounds as though it had a veterinary origin—the chief veterinary officer applying himself to an especially difficult form of tapeworm.

That review has now reported, and has argued about the need to tackle the regulatory burden, especially in the context of the crisis in agriculture. However, one must be careful not to plead simply because of the particular circumstances in agriculture. The question of the regulatory burden is important, whether agriculture is flourishing or in recession. I do not want anyone to conclude that a little bit of deferment here and now until things look better is acceptable.

We examined the two measures: the integrated pollution prevention and control directive and the climate change levy addressed by Kyoto. That has been the subject of recent debates in our discussion of the final stages of the Budget and I do not intend to go over those arguments. In our recommendations, we were critical of the Government's lack of knowledge of how our competitors were implementing the measures. We were anxious that the importance of assessing the impact of new and pending legislation on industry should be recognised and that the measures should be applied as effectively as possible.

We suggested, therefore, that the Government should delay implementation until it was clear that others were implementing. We intended to implement rather earlier than other member states—we have a history of complaints about gold-plating of legislation and quite a substantial history of gold-plating, too. We felt that on this occasion being laggardly would be rather virtuous. I take the rather idiosyncratic view that, in a sense, disqualification of expenditure by the European Union is normally a symbol that the Government are trying to help their industry. I do not subscribe to the view that we must reduce it to an absolute zero. That usually suggests serious oppression of the industry that is suffering from the phenomenon. I am glad to say that the Government accepted that suggestion. They accepted that implementation should be at the back end of the bracket during which it can take place.

The remaining serious question is about the competitiveness of industry and full economic cost recovery. Let me admit immediately that the provisions for full economic cost recovery were enacted by the previous Government in 1995. It seems reasonable that if a service is applied to a business, the business should support the funding of that service, but how are those costs calculated? I recall the milk inspection charges

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in England, which, interestingly, were never applied in Scotland. I was always querulous about the way in which they were levied. Every journey to each farm seemed to be calculated from the bases of the headquarters.

Our first series of questions related to the calculations, and the second series was more fundamental. There may be a conflict between full economic cost recovery, which is a perfectly proper economic objective in the absence of an external factor, and full economic cost recovery seen in the context of competition with other member states, whose farmers are in competition with our producers. This is not specific to agriculture. If burdens are applied to UK producers, of whatever commodity, and quite correctly or legally are not applied elsewhere, there is a genuine dilemma for the Government. The Government say that a concept of financial or fiscal rectitude determines that we should seek to recover the costs, yet no Minister would say that it is not our job to sustain the competitiveness of our industry. They cannot have it both ways. A choice must be made between the two.

We saw the Government seeking to find a way through that choice in the action plan for farming that was announced at the end of March or the beginning of April. According to the smoke and mirrors that accompanied it, the Prime Minister wrestled with the Chancellor of the Exchequer across the roofs of Downing street to get a better deal for farmers. Certain costs such as those applied to the abattoir industry were mitigated. The milk inspection charges in England would disappear so that English farmers were on the same footing as Scottish farmers. Some other charges were deferred and the cattle passport charges were cancelled. A real gesture was made to deal with the situation. Were they what the French would call "les mesures ponctuelles"? Were those measures taken solely to deal with those circumstances, or has there been a change of heart? I have not yet received a satisfactory response about the Government's view on the conflict between improving the competitiveness of the industry while recognising that other people do not follow the same procedures as us and may be misguided, and pursuing the full recovery of costs, which is a proper principle.

Mr. Lembit Öpik (Montgomeryshire): Does the right hon. Gentleman agree that that is an important question to resolve? We are discussing pretty big sums that will impact on farmers' long-term economic plans. At the moment, they must make guesses, and that could lead to economic hardship if the Government change direction or make the wrong call.

Mr. Curry: I agree. I acknowledge that the Government have tried to help farmers. They say that they envisage that charges will be much lower than originally contemplated. They are considering establishing a general rule of inspection, so businesses affected might expect charges to be significantly lower than those under a regime of individual inspections. That makes a great deal of sense.

The Committee has not discussed its reaction to the Government's response, so I shall try to extrapolate what I think are the Committee's views. The response is two months late and is not specific on some issues. It does not say whether marginal costing will be used when recovering such costs and expenses as are incurred by the Environment Agency, for example. The Government's response contains the phrase

> to ensure that unnecessary negative effects of policies...are avoided.

Communiqués from the Chinese Communist party contained similar phrases during some of the more bitter debates with Chairman Mao. They were circumlocutory and said that people were pursuing the not altogether correct line. I do not know whether the Minister is a right deviationist or a capitalist roader. New Labour politicians and capitalist roaders are fairly similar, but perhaps I should not make that remark. However, some of the Government's words have a curious lack of resonance, despite being in the language of Shakespeare.

How is MAFF actively seeking

> to ensure that unnecessary negative effects of policies on agriculture and food are avoided?

During the inquiry into the current crisis in the livestock sector, the Minister of Agriculture, Fisheries and Food told the Committee:

> I believe that I am the sponsoring Minister for the industry, for the whole of the food industry, and that includes producers.

The Minister for the Environment appeared before the Committee and said unequivocally that one of his tasks was delivering competitiveness for the industry. We hope to find out where the balance is drawn. The Government have tried to help by applying the regulations later than anticipated, as we wanted them to be, and by making efforts to reduce the estimated costs to a more tolerable level. That is welcome. However, there remains a question mark over the philosophy that underpins—I choose my words carefully and I get them right first time, but I fear that some hon. Members are in a post-prandial mood of lack of perception of that joke.

Mr. Mark Todd (South Derbyshire): I did not think that it was obligatory to laugh.

Mr. Curry: The hon. Member for South Derbyshire (Mr. Todd) is new. If he had been here longer, he would know that when a Committee Chairman signals that he has made a mildly humorous remark, it is indeed obligatory to laugh. I will endeavour to flag up my jokes later, but not by holding up a notice.

Will the Minister tell us the Government's plans? I acknowledge that they have deferred or cancelled charges in a significant number of policies, the majority of which are not the responsibility of the Minister for the Environment. I shall therefore not press him on the action plan for farming; the Government have tried to alleviate the difficulties involved.

We are anxious to know whether agriculture will recover. There are flickering lights at the end of a tunnel: will the policy be reinstated when the Treasury feels that agriculture is better able to bear it, or will competitiveness be re-established as a dominant policy if it becomes apparent that continental Governments will not impose the charge? That would be most significant to our industry.

Those are the essential matters that we want to debate. Other members of the Agriculture Committee are present and I look forward to their contributions.

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I am grateful to the Minister for coming to the debate, although he probably did not have much choice in the matter. However, it is nice to see him—we have seen each other a lot this week—and I look forward to his response.

2.46 pm

Mr. Mark Todd (South Derbyshire): We commend the Government's response to the Agriculture Committee's report. It was a much more concrete response than we expected, especially on the deferral of the impact of the integrated pollution, prevention and control regime on agriculture and the introduction of a 50 per cent. rebate on the climate change levy. Several other welcome steps were trailed in the action plan for farming.

My concern, which is reflected in the report by the Agriculture Committee, of which I have been a member for the past three years, is that the methodology for tackling regulations is consistently inadequate. I should be surprised if every Select Committee with responsibility for examining the regulatory burden did not make similar remarks.

We need constantly to remind ourselves that the methodology used is driven by the convenience of the regulator of a particular sector, not by what that sector will bear, or by a comparative analysis of what was done elsewhere when the same regulatory regime was imposed.

Anyone examining the evidence given to the Agriculture Committee in this case would either laugh or cry. Representatives of the Environment Agency were asked why its suggested charges differed so dramatically from those of its Scottish counterpart. It had not occurred to them to compare notes with those north of the border. They were also completely ignorant about the approach adopted by our European partners and competitors—we recognise that they are both. We garnered some information from within the farming community but that was news to Ministers and to the Environment Agency. That was alarming because it was not the only such instance; the same occurred on virtually every occasion when we raised an issue relating to the regulatory burden facing the industry.

I take as an example the charges relating to the livestock sector in abattoirs. We asked repeatedly for an analysis of the burden on that sector compared with the charges in Europe. The initial answer—I tabled the first parliamentary questions on the subject—was that it was none of our business: it was entirely a matter for individual member states to implement as they saw fit. Gradually, the Government were persuaded to adopt the approach of gathering information first. Unsurprisingly, some alarming information was discovered—for example, that many member states had far more generous charging regimes and far looser regulatory frameworks than this country. By appointing working parties to examine the regulatory burden on the farming sector, the Government steadily showed a willingness at least to listen to others on the subject and to look elsewhere for comparisons.

Once again, however, we find the same old approach in this report, which is worrying. There is no comparative analysis, not even within our own country, and I still regard Scotland as part of our country. There is no comparative analysis within a European context; no analysis of the sector's ability to pay the charges; no attempt to work with the grain of the sector to establish a proper basis for the charging structure; no analysis of how competition might affect the sector or of how the charging regime might affect the framework of competition within it; and no concept of proportionality in relation to appropriate charges for the expected social gain.

Coming into Parliament three years ago from the private sector, it was not too much of a surprise for me, but there seems to be a disease running through the public sector in this country and an unwillingness to look outside to view matters comparatively or to understand the framework within which business works. Instead, it seems to be driven entirely by a civil service mentality based on the narrow experience of people who are imposing a regulatory burden. The Committee Chairman did not refer to some of our future reports, but we are going to examine comparative regulatory burdens across Europe in the integrated control and admission system, for example. I would be surprised if we did not find examples of cuter regimes in other member states. It alarms me that that message comes through constantly, yet we never seem to absorb it or try to remedy the problem.

The thrust of my remarks is that we should examine the issue once more across government and understand that the imposition of regulatory burdens—we all accept that they are driven by laudable objectives; as the Committee Chairman said in his opening remarks, no one questions the introduction of stronger controls on potentially polluting agriculture sectors—can be harmful. There is a large-scale poultry operator and pig producer in my constituency. They must accept a proper regulatory framework and I would be happy to explain it to them. However, they want an appropriate framework in which they, as business people, can operate—not something drafted in from the planet Mars.

It saddens me to have to quote some remarks. It seems from responses to questions that the proper instinct has not yet moved our Ministers, still less the civil service that serves them. Questioned by me on whether the Environment Agency could be expected to recover its regulatory costs and on what happened in other member states, the Minister said that it may not apply in other states—in other words, he did not know. He was asked whether costs were borne by individual producers in other member states, but we have already said that we did not ask the Environment Agency to take account of charging systems in other member states when they pick up these costs. To be fair, that was a blunt admission by my right hon. Friend, who has given evidence to us many times and has always been honest and forthright. His straightforward answer was that the Environment Agency was not asked to give any thought to the competitive framework within which the charges might be imposed. That is the blunt message from the report. We might now amend our ways; one hopes so.

The introduction of an automatic rebate of 50 per cent. for horticulture was a positive move, but the evidence is that it was very much an afterthought. It revealed a surprising degree of ignorance among the relevant Ministers about the possible impact of the climate change levy. The thrust of the evidence, and the

[Mr. Mark Todd]

firm view of the Committee, was that the horticulture sector in other member states, where burdens to deal with the impact of energy consumption on our climate were being imposed, was either being exempted entirely or treated completely differently, partly in recognition, of course, of the industry that it is. When plants grow they consume CO_2, so we make a positive gain to our environment by growing them. Therefore, penalising horticulture in the same way as a sector that simply consumes energy is scientifically crude. I appreciate that the 50 per cent. rebate goes some way towards recognising the special status of the horticulture sector, but I admit to being disappointed. I feel that more should have been done. I would have welcomed either a better rebate or—my constituency contains horticulture producers as well as those who grow agricultural produce—longer-term special recognition of our sector. I should like to hear the Minister's thoughts on the longer-term future of some of these approaches, such as whether the climate change levy would be set at the same level for the horticulture sector in the longer term, and whether the IPPC—we have not, of course, been told yet of the rates to be placed on these sectors—will address the longer-term concerns expressed in evidence to the Committee, and by it, in its report.

2.58 pm

Mr. Lembit Öpik (Montgomeryshire): I will address one issue—strategic clarity. My right hon. and hon. Friends from the Select Committee have highlighted many of the more detailed points. I want to underline the importance that farmers attach to ensuring a level playing field. Many of the responses in the document are worthy, and clearly go in the direction that many members of that Committee would like.

Our concern is that some of the responses are tactical rather than strategic. The worry for farmers is that they are not entirely clear about the support that they can expect. The common agricultural policy is an example of what happens when a policy evolves from a clear strategy into something that, over time, takes on board issues that develop subsequently. That is why the CAP has had unintended consequences in terms of its influence on the dynamic of the market and the industry.

There is a danger that the support mechanisms now being introduced for animal welfare could lead in the same direction. Reference has already been made to the variety of solutions that have been implemented across Europe. In my judgment, the UK is not unique in failing to address these issues in an overtly strategic fashion, but British farmers probably have more reason to say that the direction in which we are going is somewhat less predictable. In terms of cost, many European countries regard the matter as the responsibility of Government rather than producers. Pig farmers have made that point many times, and it has also been highlighted by the National Farmers Union and the Farmers Union of Wales.

I hope that the Minister can assure us—I realise that he may be unable to do so today—that the Government will look at the individual measures that have been implemented and perhaps provide a strategic direction, through which Britain's producers can plan investment and economic targets. I have no doubt that the professionals and organisations with which farmers are associated would be eager to participate in that dialogue. Even if they did not get exactly what they wanted, such clarity would prove a tremendous asset as we move towards a new regulatory framework.

3.1 pm

Mr. Alan Hurst (Braintree): I am grateful for the opportunity to participate in this debate, and I think that there will be broad agreement on the consequences of the integrated pollution prevention and control regulation. I disagree slightly with the distinguished Chairman of the Agriculture Committee, the right hon. Member for Skipton and Ripon (Mr. Curry), when he said that it does not matter whether agriculture is doing well or badly, because the principle remains the same. That may be so in philosophical terms, but in practical terms it is not. Industries such as agriculture—particularly unsupported sectors such as poultry and pigs—have entered a down-cycle that is connected not with regulation, but with worldwide events over which many of us have no control. An extra regulatory burden may well prove the final blow, like the punch that finishes off the boxer who has taken too many blows.

At one stage, that might have seemed the case in respect of this regulation. The point has been well made that we seem to be racing ahead of other European countries in our keenness to apply the regulation two, three or four years ahead of our competitors. In addition, we appear to be bent on imposing heavy charges on the industry. In other countries, charging levels vary from half ours to nothing at all. Given that the market for poultry and pigmeat products in particular allows the importing of foreign products, such factors can prove very important. Indeed, the situation appeared very bleak when our inquiry began.

I shall not veer into sycophancy and suggest that this was the most wonderful ministerial response that I have ever heard. However, when a response is positive, we should sometimes say so without adding the word "but". The word "almost" is probably the most damning qualification of all, but "but" is almost the most damning.

Now that the praise is out of the way, I turn to the real meat of the argument. The matter should be expressed the other way round, in that the Minister responded positively to the question of when the regulation will be put into practice. In fact, he gave rather more than we expected: we asked for 2006 and he said 2007. We asked whether the general binding rule is the way forward, and we were told that, where appropriate, it is. I accept that the phrase "where appropriate" provides a get-out, but the principle has been accepted that the rule should apply, and it is anticipated that the costs in this country would be at least one half of the rather horrific figures that were originally bandied around. Great progress has been made in those areas.

On the question whether the Environment Agency or another body should carry out the inspections and administer the scheme, I accept the Minister's statement that the preference would be for the Environment Agency to do so. However, my reading of the response does not lead me to believe that the alternatives have been ruled out.

Just for once, I think that the Committee can be self-congratulatory about the points that it has raised. We also welcome the response that we have received. One point is often overlooked. Like my hon. Friend the Member for South Derbyshire (Mr. Todd), I had to earn a living before I came here. That was in a world in which one could not simply ask for something and it would automatically be there. I was amazed recently when, on one of those rare hot days, I thought that it might be a good idea to have a fan. My assistant made a telephone call, and a fan was on my sideboard within moments. I thought, "By golly." In the world of private enterprise, things do not happen quite like that. One might be told that there were not enough hot days in the year.

Madam Deputy Speaker (Mrs. Gwyneth Dunwoody): Order. The hon. Gentleman need not worry. I am sure that the fan will soon be removed.

Mr. Hurst: My soul feels better for that, Madam Deputy Speaker.

Another burden that will fall on agriculture, with regard to this regulation and others, is the cost of implementing the alterations to the business in order to qualify for the permit that allows it to trade. We have no evidence relating to those costs, because no one yet knows exactly what will be required. However, the cost charged by the Environment Agency, or another body, will almost certainly be only the tip of the iceberg compared with the changes that will have to take place in those businesses in order for them to comply. I hope that the Minister will monitor that matter carefully and—if I may use a word from the report—prudently as time goes by.

The other matter, which again relates to whether the Environment Agency or another body carries out the administration, is the number of inspections that a business can be expected to suffer. Those of us familiar with the teaching profession know of the spectre of the Ofsted report. It is about the most horrific event in a schoolteacher's career, and their lives become overwhelmed by that spectre as it approaches. I am not saying that the kindly Environment Agency going round to a pig farm or a poultry farm will be quite in that category, but there is no doubt that carrying out inspection after inspection will have certain results.

Every time an inspector comes, it will cost a business money. Those who have been in business—or mixed with those who have—will be familiar with fire inspections. One year, one might be told by the fire inspector to blank out a certain internal window, only to be told by another, three years later, that one must open it up again. I always took the view that if I came out of such an inspection having to spend less than £200, I was doing jolly well.

Anyone in business knows that inspections, by their nature, will not only find things that need to be remedied, but do so inconsistently. Agriculture bears a greater brunt than many other industries because of the nature of its work, and we should be sympathetic and mindful of that while seeking to achieve our objective with regard to the regulation.

Having said all that, I congratulate the Minister on the response to the IPPC, and I trust that he will heed the words spoken by right hon. and hon. Members this afternoon as the matter progresses further.

3.9 pm

Mr. David Heath (Somerton and Frome): It is a pleasure to speak in this debate. I share that pleasure with the right hon. Member for Skipton and Ripon (Mr. Curry), who was looking forward to the opportunity of setting out the case on behalf of his Committee, which he did with great aplomb. The Committee did an extremely good job responding to the errors that are associated with environmental regulation and farming. The Minister has also done a good job responding to the relevant concerns and the issues raised. I share the view of the right hon. Member for Skipton and Ripon and other hon. Members that this touches on a wider, almost philosophical, issue, which involves the process of regulation rather than specific details.

Three themes are raised time and again by this regulation and previous ones. The first involves the notion of gold-plating—the fact that this country appears to over-emphasise the regulatory functions that are associated with agreements that we enter into freely in the European Union and elsewhere. I dispute whether that is true in every case, but the evidence suggests that we often apply a high level of regulation. The hon. Member for South Derbyshire (Mr. Todd) was absolutely right in his analysis of the way in which that comes about. It involves the virtues but also the vice of our civil service. A virtue is involved in that there appears to be a view that if there is a task to be done, one should start with a blank piece of paper, approach the task with commendable diligence and thoroughness, and produce a model of regulation to realise one's objectives. The contrary view is that that is done in a state of ignorance of, complacency about or with disdain for the effects on those who are regulated—the approach is adopted to achieve the objectives of the regulation and the regulators, and does not involve an holistic look at the health of the relevant industry or activity or at the wider societal objectives.

The second issue involves joined-up government and establishing whether there is a genuine relationship between Departments that involves them interrelating, communicating and appreciating the cumulative effects of what each organisation or Government agency is doing. In that regard, we also need to establish whether there is sufficient co-ordination of effort.

The third issue involves the charging regime. Although the notion of the full recovery of costs is relevant, it is important to identify what are and what are not genuine marginal costs of inspection—the Agriculture Committee rightly drew attention to that. The evidence that the Committee heard contains the industry's response. A wide range of respondees were involved, including a near-constituent of mine, Mr. Finn Christensen of Steanbow farms. His farms are a couple of hundred yards away from my constituency boundary—he is, as near as dammit, a constituent of mine. The evidence points to a unanimity of response—to a certain extent, one expects that from any industry that is facing new regulations and a new impost because the industry responds to protect itself. The respondees reiterate the same points with a degree of consistency that obliges us to examine the matter more deeply.

The integrated pollution prevention and control regulations were not designed ab initio for agriculture. They were designed to have an industrial application,

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although they will apply to agriculture, and rightly so. There is no reason why pollution control should not apply to agriculture, although the regulations were not originally designed to do so.

What is the proper response to such a requirement? My answer picks up on points that have already been made in this debate. What are the regulations intended to achieve? Is the effect intended to be benign or otherwise? If it is meant to be benign, are regulations needed to achieve that objective, or will they duplicate existing inspection regimes and mechanisms? Even if a new regulatory instrument is necessary, is a new process of inspection and regulation required? Is it proportionate to the needs of the industry? Is it timeous in terms of the state of the industry? That is a crucial point, given the crisis in agriculture and the difficult position in which many people in the pig and poultry sectors find themselves.

What will be the effect on the industry's competitive position with regard to interests elsewhere in continental Europe—which are, theoretically, working broadly within the same regulatory regime—and beyond? We have heard the argument about the importation of poultrymeat from Thailand, which is completely outside our regulatory regime. Is that fair competition? Should there be better monitoring of the conditions under which those poultry are reared and better regulation on their importation?

The inevitable conclusion is that the original IPPC proposals were neither timeous nor proportionate. Furthermore, they are over-prescriptive and over-expensive, and it is debatable whether they achieve an objective that could not be achieved by other means. To give the Government credit, that is the view that they have reached. I doubt whether such a measure will promote lower impact farming: other means, such as reform of the common agricultural policy, could be far more effective. Fiscal means of control—this is, in a way, a fiscal method—are unlikely to be effective. I also strongly believe—irrespective of whether it is the right or the wrong thing to do—that transitional periods are essential in any industry. One should not simply move from day one—on—to day two—off, but follow a transition that allows producers to effect the necessary changes.

Two aspects of the IPPC regulations remain to be addressed. First, the Government have said that before 2007 they will apply only to enterprises that are new or substantially changed. That may affect poultry farmers in terms of the laying hens directive, which comes into effect in 2003. Will the necessary changes introduced by the directive represent a substantial change to the nature of the business in question, so that such farmers are unwittingly brought into the regime? Will the Minister clear up that ambiguity? Secondly, on full cost recovery, is work being done to identify those costs that are overheads of the agency—irrespective of the inspection regime—and do the costs that have been quoted genuinely reflect the marginal costs of applying the provision?

As the right hon. Member for Skipton and Ripon said, we recently debated the climate change levy in the Chamber, so it is pointless to rehearse those arguments—other than to say that it was clear from the start that in no sector of agriculture or horticulture will the measure be revenue neutral. Obviously, horticulture, in particular, is a special case. In the light of the points that have been raised on CO_2 emission and reduction, it is clear that the Government should proactively have sought the advice of the industry from the first day on which the measure was promulgated as part of our answer to the Kyoto protocols. We have not yet got the answer right.

Horticulture will not, in the long run, be competitively placed. We have not dealt properly with the issues relating to combined heat and power in horticulture. I do not accept the Government's view that a larger rebate would comprise European Union state aid. In civil service speak, a handy defence against doing anything that the Government do not want to do is that it might constitute an illegal state aid. That is not true in the present case. After all, the impost is a British one. It is not being applied throughout the EU so it is hard to see how that argument can apply.

The action plan for farming, which was announced on 30 March, was a beneficial process, but it was effectively a list of industry complaints, to which the Government are responding. To pick up on a point made by the right hon. Member for Skipton and Ripon, it is not necessarily a change of Government process that will ensure that the complaints will not need to be made again in future. It is not a means of preventing over-regulation and duplication and the prospect of agriculture drowning in a sea of red tape, which would be catastrophic for agriculture in the long term. It would perpetuate a lack of the competitiveness that will be vital if British agriculture is to prosper.

3.21 pm

Mr. David Drew (Stroud): I am delighted to take part in the debate, but apologise for missing the remarks of the Select Committee Chairman, the right hon. Member for Skipton and Ripon (Mr. Curry). When I left him in deepest Gloucestershire in the middle of yesterday afternoon I was not sure who was more likely to be here, given the lack of a guaranteed way of getting back to London. As it was, he made it and I did not. I shall ask him later how he managed to do it.

The issue that we are debating is important. I am grateful that yet again the Agriculture Select Committee has the opportunity to be involved in a Thursday afternoon Westminster Hall debate. The debate on bovine tuberculosis about six months ago was useful. I do not want to repeat points that other hon. Members have already covered, but want to adopt some different perspectives on the important changes that we are considering.

First, I want to take the perspective of the rightness of, or rationale for, the introduction of IPPC and the climate change levy. Secondly, I want to examine the way in which the Government have responded; like other hon. Members I think that it was a good response, even if some of us think that it would be possible to take matters further. Thirdly, I want to consider the impact on competitiveness, which was an underlying theme of all our debates and discussions and our report. Finally, I should like to deal with some odds and ends.

The important changes that we are considering are both right and necessary. I was on the Standing Committee that considered the introduction of IPPC

and learned much during that time. The solidarity across the political divide—in contrast, perhaps, to what happened over the climate change levy—was good to see. The benefits of introducing the measure, as well as the reasons for moving towards best available technology from best available technology not incurring excessive cost, were understood. When I was a councillor dealing with environmental health I learned what that terminology meant, and I made repeated use of it.

We need to understand not just the philosophical advantages of what is being done, but the implications at the coal face. I do not agree that the pollution and climate change that give rise to the need for action are primarily the result of urban problems and that the countryside is relatively unproblematic. All hon. Members know that there is much pollution in the countryside, whether caused by agriculture or the impact of other changes such as the level of ozone, which seems to come about as a result of pollution from motor vehicles plonking itself down in country areas. We have a problem and it is important that we understand why the polluter pays principle is necessary and must be followed through. We did not just talk about it during the general election—we must see it coming into practical detail.

We have an environmental obligation, which it is right to pursue, but not at any cost or in any manner, as members of the Committee learned. That is why it is so important that we consider the implications of the way in which the Government have responded and the way in which—I hope—they have learnt from both what has happened and, more particularly, what we see occurring now. We must be aware of the term gold-plating and be aware of what we are doing in this country and what is happening across the rest of Europe and in the rest of the world.

As has already been alluded to, we tend to do the thing properly. We adhere to rules when we pass them, whereas other countries are slower to introduce them or do not adhere to their full letter when they do. I find that response disappointing because we all share environmental degradation, which is on a genuinely international perspective and not local.

With regard to the impact of the IPPC and the climate change levy, we learned early on that there was confusion concerning the charging regime. That has already been mentioned. The situation was certainly not helped by our session with the Environment Agency, about which I will say more later. We all felt that the agency was operating by the seat of its pants to some extent and had not thought through in detail the way in which it would operate the charging regime. We might need to consider the matter in the future but I hope that the agency can learn from the experience of appearing before the Committee.

The Government have come out strongest with regard to the timetable. They have listened to views on the IPPC and have delayed the introduction. I hope that they have also considered the difficulties of introducing the climate change levy. The horticulture experience might have been one key factor in persuading them to tread carefully.

The overall issue is the need for clarification of the way in which the different changes will be introduced. Again, I will say more about the subject when I conclude, but the way in which Departments approached the subject from different perspectives was instrumental. We dealt with three Departments. This is not a criticism of a specific Department, but we felt that we were perhaps more used to dealing with MAFF Ministers than with Ministers from the Department of the Environment, Transport and the Regions, let alone from the Treasury. That is, in a sense, the value of a Select Committee inquiry—it forces Departments to work together because they must perform in front of us. We learned from the experience.

We were faced with an underlying criticism regarding competitiveness from those who would have to deal with the impact of the changes. Their strongest argument was that there would be a disproportionate effect on them if they introduced the measures because competitors in other countries were either well behind us or would not introduce them. We clearly cannot repatriate in this area. Some of us argue in strong terms that a case could be made for ensuring that some, if not a great deal, of agriculture support is run nationally. We can take the common agricultural policy as an example and consider the problems there. However, a national consideration is difficult in terms of the environment. There is no point any one country that has a regime, structure or system to support or penalise pretending that that can be done in isolation. Although we cannot be indifferent to what is happening in other countries, we must face up to our environmental obligations.

I was particularly affected by the NFU's response. It is openly happy about several aspects of the Government's policy, but it is worried about the problem of competitiveness. We need to monitor that. The dearth of data means that it is unclear what other countries are doing. We must trawl around to discover what is happening in a general and industry-specific way when the changes are implemented. We already monitor and check what is going on and those of us with positions of responsibility criticise when necessary—for example, when the system is being over-laboured. Agriculture is a special case, partly because of the nature of the crisis in the industry, but its peculiarities need to be recognised and to be made clear to Ministers in other Departments and colleagues who know a little less about agriculture.

There is an inquiry into organic farming. We should also consider what impact the changes will have on other types of farming. It could be argued that organic farming will not be affected, but other types of agriculture might have environmentally sound principles and philosophies. We must be careful that we do not make it more difficult for them. The changes might carry through to other sectors, such as the poultry and pig sectors, from which we took evidence. The poultry sector could say that it has made great strides to use its energy more efficiently but that it will not get much back if the changes are implemented. We should bear that in mind.

People who are tasked with implementing the changes need to get their act together so that they are better than the Environment Agency appeared to be. The right hon. Member for Skipton and Ripon might have underlined that point in his speech. The Environment Agency misunderstood the special features of agriculture. In particular, the charging regime was unclear. The agency's response to my questions revealed that it was

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unsure about how it would implement the changes on individual farms, who would go on the farm, what their powers would be and so on. Farmers need to know that. It is not enough to rely on being in the right place at the right time. Thankfully, there is a great deal more time to ensure that the system is right. Our proceedings were not very good because we tried to ascertain information that the agency did not have. There were also problems with its vocabulary. I still do not understand the difference between a holding and an installation. Perhaps those definitional differences will become clear in years to come. However, we must bear in mind the fact that the agency will have to interface with farmers.

I touched on how we tend to consider the way in which one Ministry and one sector of the economy relate to general changes. I want to make a plea on behalf of all of us who are interested in agriculture, strange as that may seem. I realise that, to some extent, the problems of the agricultural industry are over-elaborated. At the same time, where fundamental changes are afoot, and certainly where changes will impact disproportionately on the industry, there is a need to recognise its special features.

Questions were asked about how MAFF will stand in relation to IPPC when the DETR is the lead Department and how it will stand in relation to the climate change levy, on which the Treasury is the lead Department. We believe that MAFF should not be squeezed out completely because it is the voice of agriculture, through which farmers like to express their influence. That needed to be clarified, but the Government have listened and responded to that.

In conclusion, the report was good and the Government have listened. They can go further and carefully monitor the true impact of the changes when they are introduced. Success will be measured in terms of not only environmental benefits, but the fact that those benefits are not achieved at the cost of British farming. The worst thing would be if we made environmental changes and were faced with ever more imports from nations that have failed to live up to their environmental obligations.

3.36 pm

Mr. James Paice (South-East Cambridgeshire): It is a shame that this sort of debate must take place in Westminster Hall, partly because it lacks atmosphere, as so many hon. Members would agree, but also because it seems to defuse criticism: As anyone who has read the report knows, it is a damning criticism of the Government. Although I accept that things have moved on since its publication, the report is extremely critical, but that fact is virtually lost to the public by being debated in this Chamber. The old story is if you want to keep a secret, tell it to the House of Commons; but tell it in Westminster Hall and it becomes a negative secret.

I want to congratulate my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) and the Select Committee on the report, not only because it is critical of the Government—although from my perspective that is helpful—but because it goes into the issues in great detail. From the evidence sessions, especially those with the Minister and with the Financial Secretary to the Treasury, it is obvious that some extremely probing and articulate questioning took place. However, as I said, things have moved on. I welcome the changes announced by the Government on 30 March in the action plan for farming, as well as one or two other changes that have been put forward in response to the report. Unlike some right hon. and hon. Members, I want to consider one or two aspects in detail, although I assure the Chamber that I shall not take up too much time.

The decision to put off implementation of the IPPC charges until 2007 is welcome, but we must ask—the question was implicit in some of the speeches made by other hon. Members—why it was ever considered necessary to implement them earlier. We know from experience that if other European countries do anything at all, they will leave it until the last minute to comply with whatever rules and regulations are made.

The hon. Member for South Derbyshire (Mr. Todd) rightly questioned the Whitehall culture regarding regulations. In the Government's response to the Committee, they quoted figures for the units affected, which seem generally to be agreed by the industry, the Government and the Environment Agency, but that is only part of the issue. The point at stake is that the proportion of the pig and poultry industries that will be hit by the regulations is larger in Britain than in competitor countries, purely because our industries are generally larger in their unit size. That is worrying because it means that our industry would pay heavier penalties even if everything else were the same. As has already been made clear, however, many other aspects are not the same. For example, it is clear that the proportion of the pig herd included within the large grouping that is caught by the regulation is significantly greater in Britain than in other European countries.

Obviously, I welcome the proposed reductions in the charges, but as the Agriculture Committee Chairman said, the payment is still high and we must ask why that is the case. A number of hon. Members have mentioned comparable charges elsewhere, which should also be considered. I was fascinated to read a paragraph that appears on page 5 of the Government's response and which deals with the Committee's recommendation that research should be conducted into how other member states are implementing the directive. It states:

> The Agency is undertaking a study of how IPPC is being implemented in other Member States. The results of a short preliminary investigation suggested that there is currently some uncertainty in a number of other Member States as to exactly how IPPC will be implemented.

That is a masterly piece of Whitehall understatement and it is absolute gobbledegook, as is shown by the NFU, which can provide some facts. The facts are that in Denmark the full cost recovery of the implementation of the regulations is £1,000, and in Holland there is no charge at all. Those countries are probably the two biggest European pig producers that are competitors with the British pig industry. In France, there is a charge for the implementation of the regulations, but the money is used to fund pollution prevention measures on farms. In other words, the money is taken, but given back in net terms so that farming does not suffer.

That is the problem that this country is up against, and I am not pretending that it has arisen in only the past three years. I would not be so stupid as to suggest that. It is clearly a cultural problem and it has been getting worse while our pig and poultry industries have been in immense difficulty, like so many other sectors of agriculture. Of course, many of them are still experiencing huge difficulties and the impact even of just £1,000 or £2,000 a year can make the difference between survival and the end.

I want to mention the costs that have been recovered. The problem is that there is no external challenge to the Environment Agency on how it formulates the charges that are necessary for full cost recovery. Even if one accepts that full cost recovery should include all the overheads and so on—there is a debate to be had on that issue—one can see that there is nothing to bear down on how the organisation manages its costs so as to minimise the impact of the charges that it then applies. If we want to see an example of how that can go wildly wrong, we should consider the Meat Hygiene Service because there have been many concerns about its charging methods. I think that the hon. Member for South Derbyshire referred to those charges and mentioned that it was researched at his behest. The overall amount that had to be recovered by charging was completely uncontrolled.

Will the Minister explain what the Government can do to ensure that the Environment Agency tries to bear down on the costs that it seeks to recover? My right hon. Friend the Member for Skipton and Ripon referred to the lesson from Scotland, which is obviously important in that respect. If Scotland can do it for that price, why cannot the Environment Agency do so in England? What do the Government intend to do when they receive the result of the study on implementation in other states, to which they refer on page 5 of their response? How do they plan to ensure that whatever information they obtain is built in and used so that our charging mechanism is not out of balance with the rest of Europe?

I turn now to the matter of climate change. Recommendation (o) is about negotiated agreements and whether the National Farmers Union and others should be responsible on behalf of the industry for negotiating an agreement with Customs and Excise. I can put it no better than the NFU, which said that the Government's response did not address the fundamental issue of why it, or any other trade body, should do the Government's work for no payment.

Competitiveness has been a common theme this afternoon. Of course I welcome the concessions for horticulture, as does every other hon. Member who has spoken, but they seem to have been squeezed out of the Government. Reading the evidence given to the Select Committee by the Financial Secretary to the Treasury, it seems that he did not fully understand the issues involved. I remember that during an earlier inquiry he said that the industry had no problems with his proposals; but he was proved to be categorically mistaken.

Agriculture and horticulture are currently excluded from the rebate scheme, for the reasons set out in the Government's response to the report, yet the energy costs for horticulture are huge. As the NFU said, they can be as much as 50 per cent. or even 65 per cent. of gross turnover. By any assessment, the industry depends heavily on energy, and I wonder why it was excluded. To say, as the Government do, that no other criteria could be used that would not cause more problems is an excuse.

On climate change, the unique aspect of agriculture and horticulture is the carbon fixation element. A large proportion of the carbon dioxide emissions that result from the energy used in growing horticultural crops is absorbed by the plants as they grow. Yes, it is recycled, but much of that consumption and digestion recycles the same carbon dioxide; it is not a net emission. The Committee raised that point only tangentially, but the Government did not consider it properly. That is why agriculture and horticulture are unique; no other industry takes carbon dioxide out of the atmosphere and fixes it, temporarily or permanently. They should have dealt with that more coherently.

The Government want to stick with the horticulture concessions at the suggested level, but for only five years at 50 per cent. We do not yet understand why. I wonder whether the Government think that the fuss will have died down by then and they can get rid of the concessions, or that things will have changed—or even that they may not be in office. Why did they choose five years rather than making the concession permanent? The net effect will be to drive production abroad

The hon. Member for Stroud (Mr. Drew) referred to imports being produced to less exacting standards than ours. That is our worry. Imposing regulations to restrict carbon dioxide emissions is of no use if we drive our business overseas and the tomatoes or whatever are produced in another country without those controls. Carbon dioxide does not remain over one country; it is part of the global environment. We need to understand that.

The Committee raises, rightly, the issue of increased imports of horticultural produce under recommendation (q), which says:

> We recommend that a full assessment be made of the implications for carbon emissions of decreased horticultural production within the UK and increased transportation of fruit, vegetables, plants and flowers.

All the Government say in response is:

> As section (p) above indicates, Budget 2000 contained a special package of support for the horticulture industry, in recognition of its unique position, which has been designed to address the suggested problems.

That is another example of Whitehall-speak: it says absolutely nothing and does nothing whatever to deal with the fundamental issue of carbon fixation.

Some hon. Members have referred to MAFF's role. I am slightly surprised by its relatively small involvement in developing the IPPC charging system and the climate control levy, because MAFF is supposed to be the Department that understands the horticultural and agricultural industries. I can draw one of two conclusions, either MAFF was not consulted or it was consulted, but failed to convince the Department of the Environment, Transport and the Regions of the importance of those two sectors. That is worrying.

The action plan for farming refers to waste management on page 7. It talks about ensuring that the new regulations are not burdensome and about the waste framework directive. I hope that the Government will consider carefully what is defined as waste. Over the

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past few years, I have come across many absurd definitions of waste by local waste control authorities. The action plan states that the Government will

> start from the position that the Directive does not apply to manure and other natural, non-dangerous substances used on farms for agricultural benefit.

I am sure that we all agree that that is sensible and wise.

However, that is not actually happening. A large amount of manure comes from the racing stables in my constituency around Newmarket. The council classifies it as waste, instead of accepting it as manure. Large quantities of vegetable waste are classified as waste, because they come from a vegetable pack house. Another example is sawdust classified as waste. That does not happen in my constituency, because of the obvious shortage of trees in Cambridgeshire, but I have had discussions with people from sawmills in other parts of the country. Sawdust and shavings are classified as waste, even though paper mills use them as raw material for paper. That is not sensible, and I hope that the Government will, in the spirit of their action plan, address the problem.

I welcome the deferral in implementing the IPPC regulations until 2007, but Britain's pig and poultry sectors will then face charges that their competitors overseas do not. A larger proportion of our industry in the large units is covered by IPPC than that of our competition. I have already described the charges being introduced in Denmark, Holland and France. In introducing the climate change levy, the Government have not understood how the industry works. The 50 per cent. reduction is clearly designed to defuse the row, and to some extent it has, but underneath it is a refusal, an unwillingness or an inability to understand the unique nature of agriculture and horticulture to which I refer.

Mention was made earlier of the fact that we had a debate on the climate change levy during proceedings on the Finance Bill two days ago. Some of the issues involved have therefore been discussed in the House this week. In that debate, the Financial Secretary reaffirmed his belief that the rest of Europe will introduce a similar tax. However, there is little evidence of its doing so, and even if there were evidence that it might, to return to a point that other hon. Members have made, there is a great difference between Government intent and the reality on the ground.

Long ago, when the Conservatives were in office, and before I joined the Government as a Minister, I pressed the then Minister of Agriculture, Fisheries and Food to find out what our competitors abroad were doing on the ground. It is all very well for our civil servants to ring up civil servants in Paris to ask what they are doing about the directive and to be given wonderful explanations of how France is implementing it to the letter, but what really matters is what is happening on the ground.

All Departments, not only the Ministry of Agriculture, Fisheries and Food, need to make a much greater effort to find out what is happening on the ground in other member states. That does not necessarily mean merely going there and wandering around. I am sure that it is not beyond the wit of Ministers and civil servants to devise a way of finding out the reality. I regret to say that, despite all the fine words in the report and the Government's response to it, I do not yet see real evidence that the Government are set to remove the competitive disadvantage that the measures will place on the industry. I hope that the Minister will now prove me wrong, but so far we have seen a lot of words and not much action.

3.57 pm

The Minister for the Environment (Mr. Michael Meacher): I, too, congratulate the right hon. Member for Skipton and Ripon (Mr. Curry), Chairman of the Agriculture Committee, on an excellent report that probed extremely hard, made a series of fair points and has, as almost all hon. Members who participated in the debate recognised, achieved a considerable shift in the Government's position and a recognition that the Committee was right and that, in some respects, we were wrong.

I am sorry that the hon. Member for South-East Cambridgeshire (Mr. Paice) is disappointed that there seems to be a general feeling in the Committee that the Government's response was fair and thoughtful, and feels that the setting of the debate in Westminster Hall is disadvantageous because it undermines the combativeness that he associates with the Chamber of the House of Commons. Before he said that, while listening to the debate as we all were, I was about to say that I had exactly the opposite response. This is my second debate in this Chamber, and I believe that a great deal is to be said for debates in this Chamber, precisely because, as in Select and Standing Committees, there is a much greater readiness for thoughtful discussion and less easy point scoring. That was extremely apparent here today. I thought that it was a rather good debate.

The right hon. Member for Skipton and Ripon recognises that there is a need for environmental regulation in agriculture, as, indeed, no one disputes. Considerable discussion has taken place on the manner in which it is done, as I shall discuss in a moment, and, once again, much of it is probably fair.

It is not controversial to say that the pig and poultry sectors are potentially large point sources of air pollution from ammonia, which also increases nitrogen deposition, and that poorly managed or excessive waste spreading increases the risk of diffuse pollution of both surface and ground waters. The previous Government tried to prevent the inclusion of agriculture in IPPC. There was little support for that in Europe and they decided the burden should be minimised by, for example, raising thresholds, replacing some emission limit values with technical control measures and taking account of costs and benefits. Those are measures that I acknowledge and support. What we have been left with is not the result of any Government not trying to minimise those burdens.

It can be said, although it was not said by any hon. Member today, that agriculture is already adequately covered by environmental legislation; however, the sum of the different environmental regulations for agriculture is not the same as IPPC. The Environment Protection Act 1990 goes much wider than IPPC, but it does not cover the impacts addressed by IPPC.

The only other point that I want to make relates to pesticides, which are an issue at present. We are committed to minimise the environmental impact of pesticides. The British Agrochemicals Association, which has changed its name to the Crop Protection Association, has brought forward proposals that we are now evaluating. We made it clear that we would not introduce a pesticides tax in the Budget. Again, the Government have tried to listen to industry's concerns.

The right hon. Member for Skipton and Ripon also referred to the extent or the scope of the regulations. I do not think that that is in dispute. They apply to installations with more than 40,000 places for poultry, 2,000 places for production of pigs of over 30 kg and 750 places for sows. Some of those are increases on the earlier thresholds as a result of UK negotiations.

The question of charging is critical. I am sorry that my opposite number, the hon. Member for South-East Cambridgeshire, is not satisfied by the much lower charges that the Committee said that it expected in its report. We have achieved those and more. Where general binding rules are in place the application fees will now be less than a quarter of those originally proposed, and subsistence fees less than half; fees for site-specific permits have also been reduced to less than half.

I shall come to the list of the questions that the right hon. Member for Skipton and Ripon raised with me. We have lots of experience of sparring in Committee on the Countryside and Rights of Way Bill and I can see that it will continue here. It is a perfectly fair to ask why the original charges were fixed at such a high level. They were fixed at £12,000 to £18,000 for the initial application and £7,000 a year in subsistence charges. I made it clear in Committee that we were asking the Environment Agency to look again at its proposals and that we would not approve any charging scheme unless we were content that it fairly reflected the regulatory effort involved. The Environment Agency has taken account of that and the fees are now at the lowest level possible to maintain a level of regulation proportionate with the risk that intensive farming installations present.

Mr. Paice: I thought that I said that I welcomed what the Government have done on this matter, as announced in the action plan. The point that I want to make is this. In some ways he has just summed it up by saying that the fees are at their lowest possible level, but a quarter of those original figures is still £3,000, even if one takes the bottom of the £12,000 to £18,000 bracket. That is £3,000 compared with £1,000 in Denmark and nothing in Holland. How can our industry compete when it is being penalised like that and its competitors are not?

Mr. Meacher: The hon. Gentleman is too eager. I am coming on to the question of other member states, which his right hon. Friend the Member for Skipton and Ripon raised. In any case, the £12,000 to £18,000 figures have now been reduced to £6,000.

Some member states, such as the Netherlands, fully subsidise permitting for these sectors. Others, such as Sweden, Finland, Austria and Ireland, subsidise only partially. However, France, Sweden, Ireland and the Netherlands already permit intensive farming installations, the latter under IPPC. Ireland, Finland, Italy and Denmark plan to implement IPPC for the sector before 2007. While it is true that farmers in those member states may not face the same implementation costs, they will face compliance costs sooner, and in some cases before the BREF note—best available techniques reference note—has been finalised.

That may still not be a satisfactory answer because we are talking about an initial transition of the first few years as compared to the medium and longer term. I regard as important, and intend to press, the fact that we are now launching a financial and management policy review of the agency which may well indicate efficiency savings that can be passed on to operators through the longer-term scheme, because such things as interim charges and the longer-term scheme charges come into effect in 2002. It is important to have secured on the review team or advisory body representatives of industry, including those from the NFU and agriculture and from the whole range of industry who are concerned about the operation of the Environment Agency. They will be able to bear down on the costs charged by the agency and have the opportunity in this important review to make their case extremely clearly and in detail, and we shall require answers from the Environment Agency. We are listening, but I know that we must take it further still.

Mr. Curry: Before the Minister leaves the subject of charges, can he tell us whether a parallel exercise of containing charges has taken place in Scotland and the level of the charges that he expects to be applied there?

Mr. Meacher: I am grateful to the right hon. Gentleman for drawing my attention to that point, which the Committee examined closely. I am no expert on the Scottish Environment Protection Agency, but I understand that there are significant differences in the way in which costs are approached in Scotland. For example, the Environment Agency makes annual subsistence charges for deemed authorisations, while SEPA does not; the Environment Agency south of the border can charge subsistence fees at the outset, whereas SEPA cannot, but SEPA has a higher application fee. It is a perfectly fair question that must be looked at in the round. However, it is not as simple as it looks.

When I come to respond to my hon. Friend the Member for South Derbyshire (Mr. Todd) I shall acknowledge the force of what he said about these types of comparisons having to be made more fully and thoroughly before the charges—even interim charges—are set initially. I have to say that the EA consulted on its interim charges; they were not, as some hon. Members suggested, somehow plucked out of the air, nor did the civil service just pick on a figure. It was done more thoroughly than that. Consultation was the basis on which interim charges were initially fixed.

Mr. Curry: When the review of the Environment Agency takes place—I recognise that bodies are reviewed regularly—will it be based on some internally generated criteria or will it be regarded as a legitimate exercise to do a peer group review by stacking up the criteria retained by the Environment Agency next to those of their Scottish equivalent? Under devolution,

[Mr. Curry]

people are more sensitive to differences north and south of the border, so there may be an argument in favour of developing some common criteria.

Mr. Meacher: That is perfectly fair. We are finding our way in the post-devolution environment. The devolved Administration are keen to do their own thing, and the environment is a wholly devolved matter, with the exception of international obligations for which the UK Government retain an override. I hope that we do not have to use it and that there will be agreement on what Scotland and Wales have to do for the UK as a whole to meet its obligations. We should learn from each other, and I am the first to say that we may learn from them as much as they may learn from us. I agree with the right hon. Gentleman that that sort of exercise should have been done more thoroughly.

Mr. Todd: The Committee specifically suggested that, should SEPA continue to produce charges lower than those of our own body, it should be invited to tender for this particular service. The Government did not rule out that option definitively, but viewed it as not entirely appropriate. Will the Minister give further thought to the point?

Mr. Meacher: I will give further thought to it, but that is as far as I will go. It is a radical suggestion, but if the Government were in a competitive mood, they would take it seriously. No public agency should regard itself as automatically the guardian of a particular function or role; it has to justify the retention of its roles and we certainly gave that matter consideration in connection with the Environment Agency. I repeat that FMPR—financial management and policy review—is now being launched and it is the first since the Environment Agency was established four years ago. It will provide an opportunity for industry and agriculture to hold the Environment Agency thoroughly to account.

I move on to implementation. As my hon. Friend the Member for Braintree (Mr. Hurst) rightly said, we have gone even further than the Committee's recommendation and deferred implementation of IPPC until 2007—just about the last possible date consistent with issuing all permits before the directive deadline, which is 30 October 2007. The industry is now understandably expressing concern—as have the Committee and the agency—about the short time available in 2007 to issue permits for the 1,500 or so installations in the sector. That is how the matter now stands.

Under the pressure of questions from other hon. Members, I have already dealt with the general issue raised by the right hon. Member for Skipton and Ripon about competitiveness and full recovery. I see the right hon. Gentleman nodding, so I may not need to pursue the matter further, but, under the Environment Protection Act 1990, the Environment Agency is required to obtain full recovery of costs. We must do so in a manner that, so far as possible, maintains the overall competitiveness of the industrial or agricultural sector. Our case is that the charges and their timing go as far as possible to meet the requirements of the directive while keeping any threats to our competitiveness to a minimum.

Mr. Paice: The Minister is entirely right. The obligation to recover costs is enshrined in that legislation. However, it also applies to the Scottish agency, which was set up on the same basis and, to the best of my knowledge, the Scottish Parliament has not changed that. So we must return to the question why, under the same legislation, Scotland can operate a system that is apparently far cheaper.

Mr. Meacher: Again, that is an interesting point. One reason why SEPA charges are lower is that they get more grant in aid. I leave hon. Members to ponder the interesting notion that Scottish taxpayers should subsidise the regulation of English pollution.

Mr. Curry: The Minister has been extremely helpful. He said that he had got the charges as low as possible, consistent with full economic cost recovery. During the review, he will, no doubt, consider how those costs are calculated, as there is a permanent argument about what constitutes a full recovery of costs. We could do with a general rule on that point so that we know what we are talking about.

Mr. Meacher: I am sure that that suggestion will be pressed in the course of the agency review. I understand that the agency can recover costs in the form of gross salaries, common services such as finance, personal and information technology, staff development and training, technical guidance and service provided, administrative and management costs of inspection, policy work in regard to authorisations and the cost of environmental assessment. That is in accordance with the Treasury guidelines; each of those items can be costed and the basis on which they are calculated can be sought.

Mr. David Heath *rose—*

Mr. Meacher: I have such respect for the hon. Gentleman after the Countryside and Rights of Way Bill that I will always give way to him, although I should probably begin to move on now.

Mr. Heath: The Minister is kind. I am puzzled by what he said about the Scottish cost recovery, because the items that he included could not possibly be affected by grant in aid, however generously it was applied by the Barnett formula. None of those items changes the management costs involved, therefore they should not be different on either side of the border.

Mr. Meacher: I did not say that the items that I read out as constituting a basis of cost recovery were specifically grant aided, but that the level of grant aid in general to SEPA is different from that for the Environment Agency. It will be an interesting issue to pursue in the financial management and policy review.

My hon. Friend the Member for South Derbyshire made a thoughtful speech, and I am grateful for his initial comment about the Government's response; I have much sympathy with what he said. He asked a

philosophical question about the nature of the regulation in this country; other hon. Members wanted to know how it was constructed, whether a competitive analysis of its effects had been undertaken, what impact on the sector had been calculated and what other countries are doing. Those are perfectly fair questions and, although I cannot go into detail now, I believe that the Environment Agency has a rationale of a kind. It carried out a consultation on interim charging, which gave all partners, stakeholders or those likely to be affected—victims, if you like—an opportunity to express their views. It was entirely transparent; the interim charges were set and proposals were made for long-term charging in the light of a proper public debate.

We must also consider the question of subsidiarity; we in this country are entitled—we are very demanding about it—to set our own charges and have our own taxes and fees. However, my hon. Friend the Member for South Derbyshire is entirely right to say that we should consider very carefully what happens in other countries, and ask whether their practices are better and more equitable. My hon. Friend also talked about the Environment Agency, which will shortly publish a comparison of the costs of implementing IPPC in eight member states. That report will include information on charging practices. I agree that that should have been done earlier. As a result of the Committee's work, I suspect that such practices will be followed in the future. My hon. Friend also talked about horticulture, which several hon. Members mentioned. We recognise the unique position of the horticulture industry, which does not meet the criteria for a negotiated agreement under the IPPC, for understandable reasons. We recognise that the industry will be penalised because it uses a significant amount of energy.

However, the 2000 Budget contained a special package of measures to improve the industry's position. Although I will not spend too much time on history, it is only fair to mention that the Budget included targeted support for agriculture allocated from the energy efficiency fund, and an extension to the list of investments qualifying for enhanced capital allowances to include thermal screens. There are targeted fiscal incentives for horticulture firms to invest in energy-saving technologies, and there is a temporary 50 per cent. discount on the levy for up to five years. The hon. Member for South-East Cambridgeshire criticised the time limit as too short, but that is the time within which we initially expect the energy measures to take effect. We have tried to do what we can, in a sense by breaking our own rules about access to the negotiated agreements, because we recognise that the horticulture industry has a good case.

The hon. Member for Montgomeryshire (Mr. Öpik) made a wide-ranging point about a strategic environment in which farmers could plan. That goes beyond the issues under discussion, and hon. Members will be delighted to know that I shall not respond at length to that. The causes of the crisis go deep. They include the collapse of world prices, overcapacity, overproduction, the level of the exchange rate—although that has begun to decrease—and several other deep-rooted and perhaps endemic factors. Those problems cannot be resolved immediately. The action plan for farming responds only to particular grievances, and I honestly believe that no Government could do much more, given that the causes of the crisis are global and do not relate only to the state of United Kingdom agriculture.

Mr. Öpik: As I said, I understand that the Minister cannot give the strategic reply that I want. I simply hope that the Government will consider taking the opportunity to protect the British farming industry from dramatic policy shifts. That is probably within their control.

Mr. Meacher: There is no doubt about that. My right hon. Friend the Prime Minister took the lead in presenting the action plan for farming and he is determined that it should be implemented properly. All the edicts from on high about the speed with which we are implementing every detail of the action plan show that the issue is a high priority at No. 10. The measures are being implemented accordingly speedily.

I thank my hon. Friend the Member for Braintree for his comments about the charges and the Government's responsiveness. He also asked about inspections. We are keen to develop a system of general and binding rules as requirements that the Secretary of State can set out instead of permit conditions. That should reduce the Environment Agency's frequency and depth of inspection, and therefore lower costs. Following advice from the Committee and the Government, the agency will keep the number of inspections to the minimum commensurate with essential regulation. It has received that message clearly. This is a new field of regulation, and to some extent the agency will want to learn from experience in determining inspection cycles for the sector, but I repeat, the agency has certainly got the message.

The hon. Member for Somerton and Frome (Mr. Heath) referred to gold-plating, which I have heard about before. I did wonder whether he was arguing that we should aim for a deliberately sloppy response to directives, but decided that he was arguing instead for something that is merely a little less thorough, rigorous and British. I shall not mention any southern European states, but we all know what the hon. Gentleman is saying. If we agree to a measure and we pass it, it should be implemented—I note that you are looking a little uneasy, Madam Deputy Speaker—but I take the point that it should not be over-implemented.

On the question of joined-up government and insufficient co-ordination, relations between the DETR and MAFF have improved. I was not involved in such matters during the previous Government, but I am led to believe that co-ordination has improved significantly. I have some sympathy with the point about charging, because IPPC is concerned primarily with industry. Perhaps the hon. Member for Somerton and Frome is saying that there should be a specific regulatory framework for agriculture, but there is no obvious reason why—there are considerable differences between industrial sectors, but no one would suggest that the paper industry should be treated differently from iron and steel. However, I agree that the provision should be proportionate and timely, and take note of the impact on the UK's competitiveness.

[Mr. Meacher]

I appear to have misplaced my notes, but as I recall, the laying hens directive requires cages to be built on a larger scale. Should that require that an installation be extended, emissions are not likely to increase per se, so we do not believe that the directive will have a substantial effect.

Mr. Paice: I do not want to allow the Minister time to think of too many answers, but I should point out that, as a result of the directive, farmers will have to consider more than the number of birds that they keep in a cage. The Government's response makes it clear that farmers will not necessarily keep fewer hens, but I should remind the Minister that the same directive phases out battery cages altogether. No one is going to provide extra cages to re-house hens, when those cages will themselves be illegal in about 10 years' time. Increasingly, farmers will have to spend money on entirely different ways of keeping laying hens, or, as the Agriculture Committee suggested, cut down on numbers.

Mr. Meacher: If, as a result of the laying hens directive, they decide to reduce the size of the flock, they might fall outside the scope of the IPPC. I am not recommending that they do so, but that may be the effect of such a decision.

The hon. Member for Somerton and Frome and others wondered whether a unique feature of horticulture is its contribution to net carbon dioxide emissions. Of course, there is no doubt that plants sequestrate carbon dioxide. Lord Marshall, the former president of the Confederation of British Industry, chaired the report that lay behind the climate change levy. The report made it clear that there must be an incentive for all businesses to save energy at the margin, which I am sure is right. He also noted that there was scope for energy efficiency savings right across business, including the agricultural sector. The levy will result in improved energy efficiency and even lower carbon emissions for the horticulture sector. It is, therefore, wrong to exclude the sector, but the contribution that it makes should be taken into account. Bearing in mind that the requirement under the climate change levy relates to all cost-effective reductions in greenhouse gas emissions, the fact that it saves carbon dioxide is already encapsulated in that definition.

My hon. Friend the Member for Stroud (Mr. Drew) made a series of points, most of which I have already covered, about gold-plating and costs in relation to the rest of Europe. He also made the point, with which I agree, that we must not make things more difficult for sectors of farming such as the organic sector, which are very environmentally sensitive. Indeed, during the debate on genetic modification—I always say that I will make a speech without mentioning that, but here I go again—we concluded that we need a model of sustainability in agriculture. It is not a question of whether one is pro or anti-GM, but rather of what one means by sustainability in agriculture. We need to give a lead on that issue.

The hon. Member for South-East Cambridgeshire asked why the charges for 2003-04 changed at the last minute. The proposals for the phasing-in of IPPC were made by the Environment Agency and a very wide tranche of industry had to be brought within it, so not everything could be left to the last moment. I agree that the proposal, which I neither defend nor resist, to begin in 2003-04 might not have taken account of the state of the farming industry and, under pressure, it was pushed back to 2007. However, the idea that everyone can begin in 2007 is patently wrong. The only way in which the pig and poultry sectors can begin in 2007 is to bring forward other industrial sectors. On balance, I think that we agree that that is the correct approach.

The hon. Gentleman said that the charges remain high, and we have discussed that matter. He also asked how we should bear down on costs, and I have already said that the proper way to do that is via the review to which I have referred.

Mr. Curry: Or more competition.

Mr. Meacher: Indeed.

The hon. Member for South-East Cambridgeshire also asked what action we should take regarding the costs of other member states, in relation to the review of those costs that is being undertaken. We shall, of course, look at them extremely closely. If it is true that our proposed costs constitute the lowest level that could be maintained consistent with proper regulation of intensive farming—as the Environment Agency suggests—it would be difficult to reduce them further. However, if the analysis showed that they could be taken lower, we should want an explanation of why that could not be carried through.

With regard to the NFU having to carry through the costs of arranging the negotiated agreements or reliefs, the Government want to keep the system for such agreements as straightforward as possible, to provide administrative simplicity for business. That can most efficiently be achieved by collective negotiation with trade associations. If anyone found a better, cheaper, more efficient way of doing it, we should be quite prepared to look at it.

With regard to horticulture and the 50 per cent. discount, our view is that if the right balance can be struck between protecting the competitiveness of UK horticulture and maintaining an added incentive to save energy, the firms that are subject to the negotiated agreements will have to implement all cost-effective energy saving measures to qualify for the discount, but for the horticulture sector the discount is unconditional. That is an important and unique concession on the part of the Government.

The points that the hon. Member for South-East Cambridgeshire raised about the definition of waste are best dealt with by correspondence. Under the 1991 waste framework directive that was introduced under his party's Government, the UK has outstanding obligations to transpose the directive's requirements on agricultural waste. I am told that it excludes animal carcasses, faecal matter and other natural non-dangerous substances. We can discuss in correspondence whether the examples that he gave, such as sawdust and the contents of certain barns, should be classified as waste or as a resource.

The hon. Gentleman asked about other countries introducing climate change-related taxes. The evidence is that they are doing so. Eight European countries have

a form of energy or carbon tax, and France and Belgium are working on proposals. It is difficult to compare such taxes between countries, because they work in different ways, but the headline rates for the UK's climate change levy place us towards the middle of the range of rates that operate in the eight EU countries that have carbon or energy taxes.

The picture is changing all the time. My latest information is that the German Parliament has agreed stages 2 and 3 of its eco-tax reform, which will significantly increase the rates that operate there before the climate change levy comes into effect in 2001. Industry is not unduly penalised in this country—we are probably around the middle of the pack in that respect. However, I entirely support the view that we should not impose any higher costs than are strictly necessary for environmental purposes and for environmental regulation under IPPC.

I hope that I have not tested your patience too much, Madam Deputy Speaker, in seeking to respond to all the points that hon. Members raised. One or two items require further correspondence, and I shall be happy to deal with that. We await the report on practices in other countries, and I am sure that we shall return to the matter in the autumn.

Question put and agreed to.

Adjourned accordingly at twenty-three minutes to Five o'clock.

Westminster Hall

Tuesday 25 July 2000

[MR. MICHAEL J. MARTIN *in the Chair*]

Hospital Services (Worcestershire)

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. McNulty.*]

10 am

Mr. Peter Luff (Mid-Worcestershire): I am grateful to Madam Speaker for allowing us to debate a matter of exceptional importance to the people of Worcestershire. It is an unfortunate accident of history that Worcestershire has three acute hospitals. Modern medicine probably requires just one large hospital in a convenient location, probably near junction 5 of the M5, with a supporting network of well-resourced community hospitals. However, in reviewing that structure Worcestershire health authority was constrained by the political reality of where we are, and by money and clinical need.

For most of my constituents and me, our general hospital is the Worcester royal infirmary; for a small proportion of people in the north of my constituency, it is the Kidderminster hospital. Many people in the south of my constituency rely heavily on Evesham community hospital, and some people in the constituency of my hon. Friend the Member for West Worcestershire (Sir M. Spicer) use Pershore community hospital, so my concerns range from north to south. When the Alexandra hospital in Redditch provides us with specialist orthopaedic and urological services, my concerns will also spread from east to west—across the entire county.

Worcestershire health authority has faced difficult decisions on clinical and financial grounds, and I agree with its conclusion that a county the size of Worcestershire, located on the edge of Birmingham, cannot justify maintaining three acute hospitals with a full range of services. To do so would be clinically inappropriate and financially reckless, and it is genuinely in the best interests of all my constituents to move from three separate hospitals in three separate trusts to one acute hospital on two sites—Worcester and Redditch—and one redefined non-acute hospital in Kidderminster.

In this debate, I have no intention of pointing the finger of blame. The chairman of the Worcestershire health authority and the chairman of the Worcestershire Acute Hospitals NHS trust are doing a good job in difficult circumstances. I want simply to give the Government an opportunity to address the concerns that many people in Worcestershire feel are being brushed aside by some of their representatives. Sadly, there have been few convincing answers to many of the difficult questions that have been posed. As a result, my doubts have also increased.

Those questions have often, but not always, originated from the Kidderminster campaigners, whose anger is so deeply felt that they have even taken control of the district council. Their concern led to the publication of a new report, "Deficits before patients", which was produced by Professor Allyson Pollock and her colleagues at the health policy unit of University College London. I am one of those who believe the report to be flawed. Professor Pollock has her own clear—and perfectly honourable—agenda: to prevent increasing use of private finance in the health service. In other words, she is interested less in the future of Kidderminster hospital than undermining the private finance initiative that is building the new Worcester hospital. The health authority has published a damning critique, with which I have considerable sympathy, of "Deficits before patients". However, Professor Pollock has raised some very important questions, and the authority has been unable to reply to them to the complete satisfaction of anyone other than itself.

We must also recognise that, although mounting concern among GPs, local commentators and the general public outside Kidderminster increased after publication of Professor Pollock's report, it did not begin with it. Friends of mine who are GPs have told me for years that I was wrong to be so optimistic about bed numbers at Worcester. I did not dismiss their concerns, but I took the pragmatic view that it was better to try to improve what was on offer, rather than reject the new hospital because it was less than perfect. Moreover, I was assured by the old Worcester hospital trust that plans to increase bed numbers were flexible. Indeed, I want to thank both the new hospitals trust and the authority for building in flexibility through the establishment of a "winter pressures" facility of 56 beds at the existing Newtown branch. I shall return to the issue of bed numbers in due course.

As the strategy has been implemented, concern has focused on the implications for Kidderminster general hospital. However, concern is growing in the rest of the county that we are asking too much of the Worcester royal infirmary and the Alexandra hospital in Redditch in the transition period and the long term. I freely acknowledge that there are particularly harsh implications for many of the constituents of my hon. Friend the Member for Ludlow (Mr. Gill), who hopes to be able to voice his concerns later in the debate.

In these circumstances, it is a Member of Parliament's duty to obtain clear answers from the Government on the key questions. I had reached that conclusion and applied for the debate before a local newspaper, the *Worcester Evening News*, wrote in a brief front page editorial last Wednesday:

> How many more experts voicing such grave concerns will it take to halt this runaway health juggernaut? It is time for our MPs to take action.

I have my criticisms of the campaign that has been waged in the county against the health authority's strategy. Focusing on the wrong question—how to keep Kidderminster as a full general hospital—has diverted us from the debate that we should have had on whether the new pattern of services will be adequate. I hope that today's debate will be about the future, not the past—about how to make the authority's strategy work, not about seeking to undermine it. I hope that the Minister will reassure my constituents that all will be well, but I am not confident that she will be able to do so.

Local people are witnessing a declining health service in Worcestershire. Yes, there is good news. There is a desperate need for a new hospital in Worcester. The

[Mr. Peter Luff]

current facilities are woefully inadequate and verging on the dangerous. The Castle street site, where the British Medical Association was founded, is a Georgian building, and Ronkswood is a series of prefabs, which are increasingly expensive to clean, heat and maintain.

People have been lobbying for a new hospital for 30 years, and at last it is being built by the Government—even if it is under Conservative policies that new Labour once reviled as the privatisation of the NHS—*[Interruption.]* There is no point in the hon. Member for Redditch (Jacqui Smith) laughing—that is a matter of fact and record. No party can gain great mileage in claiming the credit for the new hospital. The policy foundation was laid and the preparatory business casework was done by the previous Government—especially by the distinguished Worcester resident and former Secretary of State for Health, my right hon. Friend the Member for Charnwood (Mr. Dorrell). The Government rightly ate the words they used when in opposition and built—almost literally—on those secure foundations. The new hospital will be occupied late next year and will be fully operational by the late spring of 2002. It will be a joint achievement for which both parties can fairly take some credit.

However, there are several big buts. First, Worcestershire is right at the bottom of the funding tables for both health and social services—a crucial factor in the mounting deficit that has faced the health authority. That deficit undoubtedly brought forward the authority's strategic review, "Investing in Excellence". A healthier funding situation would have delayed that review for a few years, but that is all. I believe that the deficit is now cleared, but that does not make Worcestershire a cash-rich authority. The relative shortage of cash, especially for intermediate care, is a major factor in the problems facing the new hospital structure. Affordability was one of the main doubts raised by Professor Pollock's report. The health authority has put forward a pretty convincing argument that all is well, but doubts remain.

The new money that has come to the county seems to have been used to clear the historic deficit. Our funding situation remains less than robust—less robust than that of neighbouring Warwickshire, despite what must be a similar demographic and health profile. Will the Minister tell me whether the Government are still satisfied that Worcestershire can afford its new hospital? Is the authority's revenue stream sufficiently robust? Will there be money for new services and for an intermediate care strategy that works, or will all the cash go towards paying for the hospital?

Secondly, current resources at the Worcester royal infirmary—WRI—are seriously overstretched. In the county, the acute hospital beds are fully used. The local medical committee tells me that under the authority's plans bed numbers will be cut by 28 per cent. The authority and the trust produce a rather different figure, and I admit to being confused. The authority claims that the number of acute beds in the county stands at 1,035, and will decline to 988—but if the winter pressures facility stays in place, the number will be 1,044.

It is clear that Worcestershire hospitals are full to bursting now, at the height of what passes for an English summer. The WRI was closed to admissions on 17 July, and again on 19 July. On 17 July, Herefordshire and the Alexandra were closed too. Such closures happen regularly, yet there are no winter pressures in July. Last week, I received an e-mail from a Worcestershire resident, which read:

> I thought you should know that at 3.am on the morning of Wednesday the 5th July there were five medical patients for beds in the A&E at Ronkswood. (I know this for a fact for I was one of the patients). Eventually three beds were found in the day ward children's section, others I do not know. That this should happen during summer does not speak well of the future, and this without any patients from Kidderminster. I wish that my name be kept out of this, but I felt that you should know the facts.

A Worcestershire general practitioner told me at the weekend that there were effectively no elective medical beds at the Worcester royal infirmary. GPs can no longer refer patients in for a few days of tests; they must claim that their patients need emergency admission to obtain a medical bed. The local medical committee told me that only three years ago 1,200 bed days on the surgical unit were filled with medical cases. In 1998, that figure was 1,750, but in 1999 it was 3,750. If that is not indicative of a serious bed shortage, I do not know what is.

A constituent wrote to me about out-patient appointments and stated:

> My eye appointment was made for 30th July, but this has now been put forward to 11th September, a whole month later.
>
> I have severe arthritis in my ankle too. An appointment was made for me on 30th July, but this has been changed to 20th October at the old hospital at Castle Street, a whole three months further away.
>
> We all know the deplorable state of the NHS, but these dreadful delays cause me considerable discomfort and pain, and to be further down the waiting list is hard to bear.
>
> Is there anything you can do to alleviate this situation please; the NHS was never intended to be as bad as this and steadily getting worse.

At the end of last year, a prominent local consultant wrote to me stating:

> I watch the NHS lurch further into crisis. To massage the statistics we are asked to remove wisdom teeth, insert grommets and remove lumps and bumps. Money is poured into the waiting list initiatives whilst individuals wait even longer for coronary artery bypass, cancer treatment and joint replacements.

That leads me to my third point. It is often said that the structure of Worcestershire's hospitals will always be affected by its proximity to Birmingham, but the waiting periods for treatment there, especially for coronary surgery, are also growing with potentially tragic consequences. I have at least one constituent who was forced to spend his life's savings to avoid waiting months for coronary surgery and risk dying while he waited. Two others are in the same position—waiting, worrying and not knowing what to do. Meanwhile, one of them has seen a family friend rushed into hospital to deal with his snoring problem.

To score hospital beds outside Worcestershire against our total is hardly encouraging. Other beds seem to be under pretty intense pressure also. To be fair, the Government have at least been reasonably frank that there is a problem. Recently published figures on waiting lists are given on the Government's annual report website "In Your Area" facility, which states:

> There are 9,788 people waiting for in-patients operations in your area, compared with 9,625 at the same time in 1997. There are 986 people on out-patient waiting lists locally, compared with 581 people in March 1988 (the first year the figures were collected).

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So we see a local health service under huge pressure with mounting waiting lists, full hospitals and collapsing morale. Those of us who live in the county have friends and neighbours who work in the county's hospitals. The demoralising effect of the current conditions cannot be overstated. Many now fear that they will lose their jobs under the restructuring and are actively looking to leave the area. Kidderminster staff have been hit particularly, but I know that staff at the WRI are similarly gloomy.

I have already made it clear that I remain a supporter of the basic Worcestershire health authority strategy. However, a general may have a perfect strategy to win a battle, but it will work only if the logistic support is also spot on. Logistic support for the health authority strategy seems flawed in two crucial respects: the transitional phase was not properly planned and the resources to support new hospitals are likely to prove inadequate.

I shall deal with the transitional phase first. Clinical services have collapsed or are on the verge of collapsing at Kidderminster. That is what the health authority means in the leaflet, "Changes to Your Hospital Services", which it sends to all Worcestershire residents and which states:

> The timing of the changes has become more crucial because of Kidderminster Consultants' concerns that some services cannot be safely sustained throughout another Winter. In short this is because there may not be the appropriate number of doctors or nurses to provide adequate clinical cover for acute in-patients.

That has resulted in a rushed programme of change to the old buildings with hundreds of thousands of pounds being spent on interim arrangements at Worcester. Whoever is to blame for that, it is not the current trust management. In the regrettable circumstances they face, their plans have an inevitability about them. That does not make the position more sensible, but it is part of a well-established pattern in the NHS.

Writing in *The Spectator* in the early 1990s, hospital and prison doctor Theodore Dalrymple stated that his hospital was

> so deeply engaged in its Expenditure Maximization Programme that it hardly has time any more for patients. For example, two of our ward blocks, less than architecturally distinguished, I admit, but serviceable nonetheless, were recently redecorated and refurbished. This unaccustomed expenditure on hitherto neglected buildings could only presage demolition, as anyone who has worked in the National Health Service will acknowledge: and so it transpired. No sooner, give or take a month—had the painters and plumbers departed than the bulldozers moved in. This is a phenomenon I have seen several times in the course of my career: refurbishment as a prelude to extinction. Once it happened to an entire hospital in which I worked. It is of course a great comfort to know that all the activity of the decorators and demolishers alike, counts toward the gross domestic product

and, Dalrymple might have added, to the Government's figures for investment in the national health service.

In Worcester, Dalrymple's law is at work: refurbishment, improvement and significant investment in a hospital that will close within a year or so of the work's completion. Refurbishment is a prelude to extinction for both the Castle street and Ronkswood sites. Despite the investment, my constituents will still face problems with overcrowding this winter. Patients from Kidderminster who go to Castle street will be treated in some of the country's oldest hospital buildings, rather than in a relatively modern hospital in their home town. Specific safety concerns have also been raised.

The die is cast: I accept the clinical arguments for moving services to Worcester, but my support for that strategy was always conditional on the understanding that my constituents, from villages such as Hartlebury, would be forced to go to Worcester for hospital treatment only when the new hospital was finished and was offering better services. I feel betrayed, because they will now be forced to seek treatment in decayed, overcrowded and—some doctors believe—unsafe conditions at the old Worcester facilities.

At least the proper transport arrangements are likely to be in place, to convey friends and relations who do not have cars to the three sites. In that respect, the authority and the trust have listened to local concerns, which is good. The interim arrangements are still unsatisfactory, but I cannot change them now. I can try to ensure that the new hospital structure at Worcester and Redditch will be as good as possible, but I have my doubts. The new hospital is, if anything, ahead of schedule. Occupation is likely to begin in little over a year and will be complete by summer 2002. There is not much time to get it right.

I want to look at four specifics about the new structure: safety, staffing, beds and intermediate care. Many of my constituents will continue to use Kidderminster. Indeed, most of those who use Kidderminster now will continue to do so, and only two categories will not—acute in-patients and real emergencies, many of which will be treated at the proposed ambulatory care and diagnostic centre. My hon. Friend the Member for Bromsgrove (Miss Kirkbride) will discuss the implications of that, if she catches your eye later, Mr. Deputy Speaker. We should be aware that there is much local speculation that, despite the miracles of telemedicine, the protocols and arrangements for the new unit will be rejected on safety grounds. If that happens, there will be no emergency service of any substance at Kidderminster, which will be further downgraded, and there will be more pressure on Worcester.

My second specific concern relates to staffing levels. My hon. Friend the Member for West Worcestershire wanted to raise this issue in our debate, but, sadly, he has been detained by his work on the Treasury Committee, scrutinising the Chancellor's expenditure statement from last week. He sends his apologies. My hon. Friend wants to be associated with our concerns on this issue. The Pollock report revealed that the detailed business plan for the new hospital at Worcester envisages a 17 per cent. reduction in the number of nurses. If more patients are being treated—albeit in fewer beds—can that be right? I am happy that there will be more intensive therapy unit and high dependency beds at the new hospital, with more operating theatres and support services—it promises to be a fine hospital, in many respects—but is it right that there should be fewer nurses? If so, why?

There is the critical issue of bed numbers. How many beds will there be in Worcestershire, after the opening of the new Worcester hospital? That is a key question for local doctors, but they cannot get a straight answer. I also failed to get a straight answer from the Government, and that was one of the factors in my decision to apply for this debate, although my experience of getting replies from the Department of Health on almost anything is, to say the least,

[Mr. Peter Luff]

discouraging. I asked a priority written question, which was due for answer on 12 June. Last week—more than a month later—I was still waiting. I asked:

how many acute hospital beds there are per 1,000 of local populations in each health authority area of England and Wales; and how many such beds there will be in the Worcestershire health authority area per 1,000 of population after the complete implementation of the authority's Investing in Excellence strategy.

The Minister for Public Health replied on 20 July:

The important issue for the health service in Worcestershire is the number of patients who need to be treated and the appropriateness of their care. In line with this, the current estimate is that following hospital reorganisation there will be approximately 1,400 acute and community based beds available across Worcestershire.

The Minister goes on to talk about the national beds inquiry, set up to review assumptions about the demand for in-patient care:

The consultation, which was completed on 15 May, focused on how health services, and specifically hospital beds, should be developed over the next 10-20 years. The aim of the consultation is to enable us to get the right number of the right sort of beds in the right places. Our response to the consultation will be published in the summer.—[*Official Report*, 20 July 2000; Vol. 354, c. 275W.]

There were detailed figures on the status quo, as I requested, but none for the future. That made it impossible for me to make the comparisons that I and the people of the county want to make. If the Government are committed to ensuring that there are more beds in the whole care system, why are they, apparently, planning to cut bed numbers in my county? Why did the Minister lump together all kinds of acute and community beds in her reply, when I asked about acute beds? Why could she provide only a current estimate for a hospital that is already being built, under the private finance initiative? I suppose that I should be reassured to know that the consultation's aim is to get the right number of the right sort of beds in the right places. I would hardly expect it to be to get the wrong number of the wrong sort of beds in the wrong places. However, if that is the aim, why are the Government pressing ahead with a commitment to reduce bed numbers in my county, when their own consultation may show that to be woefully inadequate?

There is growing evidence that historic trends in bed usage may be changing. Years of decline may be coming to an end, as day-case surgery and less intrusive methods reduce the demand for overnight stays. Indeed, as the elderly make increased demands on health care, we may need more beds in our hospitals rather than fewer. The old line that no hospital has ever been built with too few beds may no longer be true.

I therefore expect, either in the Minister's reply or in a subsequent letter, a clear indication of how many acute beds there are in the county now, and how many there will be after the full implementation of the strategy. I want those figures on a strictly comparable basis. The Government may want to give the figures for all beds, from intensive care to community, but I want them separated out in detail according to official Department of Health criteria on a comparable basis between what we have now and what we shall have in future.

I accept the argument that a proper intermediate care strategy is crucial for the new structure, and that the availability of community step-up and step-down beds is a key component of that. However, I do not want all those beds lumped together. We must know how many hospital beds and how many community beds there are now and how many there will be. These concerns are widely shared in Worcestershire. That is why the chamber of commerce has written to the chief executive of the health authority to say:

Members are concerned that the number of beds within the new County structure may not reflect the provision that may be recommended at the conclusion of the national beds inquiry and it will not then be easy or perhaps possible to meet those recommendations.

The questions that flow from this are far from theoretical. A Worcestershire general practitioner wrote to me last week to say:

Even as I write this letter, I have been told of a 92-year-old lady who was discharged from Ronkswood hospital at 5.00 am this morning, back to her nursing home having spent all night in casualty, and died just as the ambulance arrived back at the home. The Coroner of course, has been informed.

Earlier in the same letter, he said:

I would appreciate your clarifying with someone at the Department of Health, that in the case of a patient dying whilst waiting for treatment at Worcester Royal Infirmary, who would be held responsible?

I hope that the Minister will be able to reply to that point at the end of this debate.

Finally, I shall turn to the question of intermediate care, which is, perhaps, the most important of all. The health authority says that up to 38 per cent. of individuals in acute hospital beds in the county could be cared for elsewhere. Other estimates are a good deal lower—as low as 8 per cent. with more accurate criteria. There is bed blocking in Worcestershire, but there is considerable dispute between the health authority and the county social services department about its true extent.

Frankly, I do not understand where the buck stops on intermediate care, and I hope that the Minister can tell me. The primary care groups, the health authority, the acute trust, the community trust, the social services department and the private care home sector all have a role to play. I believe that the health authority is in the lead. However, it is cash strapped, the social services department has seriously overspent on children's services and is seeking to save money on care for the elderly, and the care homes are in crisis as a result of Government policies and are closing fast. The seriousness of the financial situation in the county social services department cannot be overstated. Always the poor relation compared with similar authorities—never mind with Birmingham—the county now faces a deepening crisis following a serious overspend on children's care.

Councillor Carol Warren, the Labour leader of the council, stated in a recent letter to the Minister of State, Department of Health:

Worcestershire County Council is asking that the government make extra funds available in 2001/2002 for [investment in family support and preventative services for vulnerable children and children in need] through Quality Protects and that further funds be made available in future years. In 2000/2001 there is a projected overspend of £2.1 million on Children Looked After.

This overspend has sent shock waves through the local health care community.

Local doctors are receiving letters from the county council saying:

> You are likely also to see a change in our recommended care plans with more children returning more quickly to the care of their families. We will need your help and support to achieve this.

In other words, there will be more work for the hard-pressed GPs of Worcestershire, and probably cuts in the care budget for the elderly too. Intermediate care is not even working smoothly now. The Worcestershire association of carers has recently written to the chief executive of the Worcestershire Community and Mental Health NHS trust to say:

> As an Association we are very concerned by the number of carers who have been contacting our offices with major worries about the apparent lack of proper assessment and care planning prior to discharge from hospital and transfer to nursing homes, intermediate care or home. The discharge procedures for patients who have mental health problems, Alzheimer's and general frailty have to be properly thought through in conjunction with the needs of their carers. We are aware that the new hospital development and relocation of various services may well necessitate large numbers of discharges at the same time. This could prove catastrophic to patients and carers if sufficient time and resources are not made available for proper assessments and care plans to be carried out.

At least the community hospitals look secure. I should like to put on record my deep appreciation for the sympathy and understanding shown by the health authority to the community hospital sector and, above all, to Evesham in my constituency. Those hospitals, together with Kidderminster, will play a crucial role in supporting the new hospital structure of the county. They too will have to accept change as they adapt, but their future is rightly secure.

On the broader picture, the intermediate care strategy for the county seems to be emerging almost by accident. There will be no such beds for the major and growing town of Droitwich Spa. What are family and friends from that town supposed to do when their loved ones are discharged from Worcester or Redditch? Will Worcester doctors happily jump in their cars to visit patients miles away in intermediate care beds, recently and rather arbitrarily situated at, I believe, Callow End, when they have overflowing surgeries and home visits to make in Worcester?

Richard Adams, the Conservative prospective parliamentary candidate for Worcester, put it very well in a letter to me at the weekend. He said that he joined me in supporting the aims of Investing in Excellence, but added

> I am receiving ever increasing numbers of enquiries about the transitional period and ultimate bed numbers. Some assurances are needed to quell fears, but in Worcester at present we only hear claim and counterclaim from opposing factions. Many people are very worried, and that should not be the case.

The people of Worcestershire need the Minister to answer some specific questions. First, is the new PFI hospital at Worcester genuinely affordable for cash-strapped Worcestershire health authority? Secondly, will there be fewer nurses in Worcestershire's acute hospitals after these changes? Thirdly, on a strictly comparable basis using Department of Health classifications, how many acute beds are there now and how many will there be in the county after these changes? Fourthly, is the Minister satisfied with the safety of the Castle street site in the interim period? Fifthly, is the Minister satisfied with the safety of the proposed ambulatory care and diagnostic centre at Kidderminster? Finally, is the Minister satisfied that a sufficiently robust intermediate care strategy will be put in place to support the new arrangements?

I make one final request to the Minister. Please can we have no further structural changes in Worcestershire's health care system before 2003, after the new Worcester hospital is up and running? Please do not transfer the primary care groups to primary care trusts; just leave things alone while all the arrangements for the new hospital settle down. Health care in Worcestershire is going through almost traumatic change as it is. Please do not make matters worse by changing the bureaucratic goalposts, too.

I remain an optimist. The new hospital structure can work. Confidence in the new structure can be rebuilt, but the Minister must seize this opportunity to start that process and to give some specific assurances. If there is one issue that I would emphasise, it is intermediate care. If the new hospital structure is to work, that is the key. I hope that the Minister will use it to unlock the door to a new and robust confidence in Worcestershire on the future structure of hospital services in the county.

10.27 am

Mr. Michael J. Foster (Worcester): The structure of hospital services has been the subject of much debate in Worcestershire. Since May 1997, questions have been raised in the House and there have been Adjournment debates about changes in the county. I am pleased that the hon. Member for Mid-Worcestershire (Mr. Luff) has secured another opportunity not only to debate these changes but to highlight the Government's success in delivering improved health care in the county and once again to show that Labour is delivering its pre-election promise to build a new hospital in Worcester.

The debate should be about reassuring people in Worcestershire, not fuelling fears about the changes that are planned. However, causing unnecessary fear is a consequence of playing out the debate in the media. Headlines such as "I fear for our health" in the *Worcester Evening News* last Thursday and the demand of the hon. Member for Mid-Worcestershire that Ministers should be put on the spot show clearly how the debate can become party political. Comments to the newspaper claiming that lives will be at risk hardly show a mature response to a debate that has increased in temperature of late.

I am always mindful of the words of a non-practising GP, who said:

> I think that there is a role for politicians in regulating the National Health Service, and deciding what we should get out of the service, but they should then allow managers and doctors to do what they are trained to do, which is to manage the service and treat patients.

I hope that all hon. Members support that view. I see the hon. Member for Bromsgrove (Miss Kirkbride) shaking her head. Did that indicate dissent?

Mr. Luff: No. Something different.

Mr. Foster: Without doubt, changes to the current structure of the hospital services were always likely when, back in 1996, the annual health report stated:

> Now is a good time to undertake a strategic review of health services in Worcestershire.

Before 1996, nobody had looked holistically at Worcestershire's health services. The report went on to say that such a review

> will require collaboration between units and sectors.

Interestingly, it went further:

> This requires a degree of co-operation, which may be undermined by competition created by the Internal Market.

Worcestershire health authority then produced a strategy for public consultation called "Investing in Excellence". It acknowledged that changes would need to be made at Kidderminster hospital to provide safe, high-quality health care in the most appropriate location and—importantly—to address any areas where population size, number of operations performed or medical staffing problems could pose a risk to patients. The county's Members of Parliament responded to the consultation document, which outlined a range of options, with the health authorities' preference being known. The responses are interesting, given the comments made recently to the press and in today's debate.

I have a copy of a letter dated 8 May 1998 from the hon. Member for Mid-Worcestershire to the chief executive of the health authority. It said:

> I hope to write to you again before the close of the consultation after a meeting I am attending in Evesham with the local GPs. I can confirm that within my constituency there is overwhelming support for the Health Authority's strategy and I, therefore, write to endorse it.

[Interruption.] I am not disputing that.

Mr. Luff: The hon. Gentleman may need to rewrite his speech, because he clearly thought that I would make a different speech from the one that I actually made. I repeat my strong support for the health authority's strategy; it is the detail that worries me.

Mr. Foster: I hope that the hon. Gentleman will let me pursue my point a little further before intervening in an ill-tempered manner. He went on to say:

> This letter is to record my strong support for the elements of the review outlined in the document—

we agree on this—

> I specifically note that the County Council commissioned its own independent analysis of the document which has also supported the review strategy.

That is a strong endorsement of the strategy. On 11 May 1998, the hon. Gentleman wrote to the chief executive again

> to reaffirm my strong support.

Mr. Luff: May I ask where the hon. Gentleman got those letters? They are matters of public record, but no one has ever shared any of the hon. Gentleman's letters with me. I do not exactly regard this as a breach of confidence, but I am slightly surprised that someone has given him the letters.

Mr. Foster: The letters were part of the public consultation relating to the "Investing in Excellence" document, and the hon. Gentleman should know that. In his speech this morning, he said that his approval was always "conditional". However, in his letter of 11 May 1998, he said:

> Please therefore accept this letter as an unqualified approval for the plans put forward by the Health Authority.

Why is the hon. Gentleman suddenly so concerned that lives will be at risk? Is it because of the interim changes that will be made in September? Those changes will be made on the back of medical advice received by the acute trust board. Clinical working groups were set up to consider all the aspects of the changes planned under "Investing in Excellence" to ensure that the highest possible quality of patient care is available throughout and that particular attention is paid to specialties and clinical areas demonstrating clinical fragility. Many hon. Members in this Chamber have already heard that explanation. Indeed, the hon. Member for Mid-Worcestershire met the acute trust chairman for a briefing on the changes.

Mr. Christopher Gill (Ludlow): On the question of putting lives at risk, the hon. Gentleman may be interested in a letter from the Worcestershire division of the British Medical Association, which says:

> Unless plans are revised we fear there will be unnecessary deaths in the western half of the County and immense problems over acute admissions throughout the area from 2001.

That letter is dated 23 June this year.

Mr. Foster: I am under no illusions; I know that the medical profession has concerns and I shall deal with those later.

The clinical working groups reached some chilling conclusions. They suggested that the changes in Worcestershire be made sooner rather than later. The medical director at Kidderminster said:

> my own view is that the moves should take place this year rather than waiting for next year or beyond, since uncertainty is the most destructive element in the running of any service or organisation and we are likely to lose a large number of key staff if this continues for any longer. It is also my view that general medicine and surgery should move shortly after Orthopaedics.

A letter to the acute trust board following a meeting of Kidderminster consultants says:

> The consensus of clinical opinion was that retaining acute inpatient services at Kidderminster over the winter period of 2000 presented significant clinical risks and the ability to maintain a quality service would be difficult.

As the hon. Member for Mid-Worcestershire knows and as I appreciate, the reasons for the transitional changes are medical, medical, medical. I accept that change and uncertainty require careful explanation to allay the build-up of unnecessary fears. Without doubt, the so-called Pollock report has added to those fears. The briefing of the report's conclusions to the press before the health authority saw them was a deliberate act.

The Pollock report casts doubts on the capacity of Worcestershire's acute trusts to cope with the reconfigured health service. The focus is on bed numbers, but they are not the sole determinant of good health care. The report claims that when the new hospital is open, bed numbers will fall to a level that poses risks to patients. Reassurances have been given about bed numbers. I shall deal with the statistics mentioned by the hon. Member for Mid-Worcestershire as I understand them.

There are 1,035 utilised acute hospital beds in Worcestershire at present. During the transitional period—from September 2000 until the opening of the new hospital—there will be an increase to 1,041. When the new hospital opens there will be 988 acute beds but, significantly, there will be 56 extra beds available at the Newtown site in Worcester to cope with winter pressures and high demand. That provides a total of 1,044 beds. The chairman of the acute trust made it clear that he has no intention of giving up the extra 56 beds until he is convinced that the lower number is sufficient to cope. If extra beds were needed, there is room available at Newtown and at the Alexandra hospital in Redditch for potential expansion. I received a letter from the acute trust, which makes it clear that, after the hon. Member for Mid-Worcestershire met its chairman, he was largely reassured about bed numbers.

As a result of the Pollock report, the BMA and the local medical committee actively questioned the strategy set out in "Investing in Excellence". Some doctors publicly questioned the changes, as the hon. Member for Ludlow (Mr. Gill) pointed out, and some have demanded an independent review. They argued that the initial public consultation was "suspect". The fact that it was subject to judicial review not once, but three times, seems to have escaped them. The health authority was vindicated three times. Just what is the local medical committee thinking—

Mr. Luff *rose—*

Mr. Foster: I should like to make further progress.

Further delay in implementing "Investing in Excellence" will heighten the uncertainty for patients and staff and increase the risk associated with clinical fragility. Can the LMC justify further delays when faced with the hard medical facts presented by clinical— [*Interruption.*]

Mr. Deputy Speaker (Mr. Frank Cook): Order. Hon. Members in this Chamber have a reputation for listening carefully to debate. The conduct of argument across the Chamber should be put to one side. Can we please continue with the debate in a proper parliamentary fashion?

Mr. Foster: Thank you, Mr. Deputy Speaker.

Can the local medical committee justify further delays when faced with the hard medical facts presented by the trust's clinical working group? Its action demonstrates the forces of conservatism that hold back our public services.

I was pleased to see all six primary care groups sign up to and support changes to health services in Worcestershire. They signed a joint letter to all general practitioners to tell them so. It says:

> We ask you not to give credence to this biased and cynical attack on plans but instead to continue to work with the majority of us who want to see a new modern health service providing the highest standards of care for our patients.

The debate is not about genuine concerns over health issues alone because some people use health as a political football. I regret that, but it is no surprise in view of the debate surrounding the history of Worcester's new hospital. The people of Worcester have been promised a new hospital for more than 40 years. The hon. Member for Mid-Worcestershire knows all about the false dawns and empty promises that were made. For example, in what I assume to have been a planted parliamentary question on 23 March 1993, he was told by the then Secretary of State:

> I know that he will be pleased, as I was, to learn that the West Midlands regional health authority has agreed a capital scheme for his district general hospital in Worcester, that it will not be affected by the capital moratorium and that work on it will start soon. [*Official Report, 23 March 1993;* Vol. 221, c. 753.]

Nothing happened. Prior to the general election, the Tories claimed that Labour would scrap plans to build a new hospital. The then Chief Secretary to the Treasury said:

> If Labour came to power they would bring the whole PFI scheme to an end. You could say goodbye to a new hospital.

Events have shown how wrong the Tories were. The new hospital is well under construction, perhaps even ahead of schedule—concrete evidence of Labour delivering in Worcester.

I have doubts about the motives for calling this debate. However, I believe that Labour can be seen to be delivering when a new hospital is being built. The hon. Gentleman previously supported the health authority, at a time when it was planning fewer beds than now. He and I know that genuine care is being taken over the number of beds, to allay fears expressed in the press. Similarly, my hon. Friend the Member for Wyre Forest (Mr. Lock) has called resolutely for clarification of the number of beds that will be made available: I believe that clarification has been given.

The true measure of what is happening in Worcestershire needs to be aired publicly. The so-called killer facts are as follows. Since 31 March 1998, waiting lists have fallen by more than 2,200, or 19 per cent. That is a creditable performance, but the critics will say that it has happened at the expense of other areas.

Let us consider other areas of health care. Elective activity for the same period has increased by more than 6,100, or 13 per cent., emergency activity by more than 600, or 1 per cent. and out-patient activity by more than 29,200, or 8 per cent. Since September 1997, the number of nurses has increased by 144, or 5 per cent. and there are now 10 more doctors and four more consultants.

What is behind such improvements? Without doubt, the extra cash that the Government have made available is fundamental to them. Each year of this Government has brought the health authority true increases in cash, including an extra £26.3 million this year. This investment has enabled all three accident and emergency units in the county to be modernised. In addition, special assistance funding of £4.5 million has been made available for the reconfiguration and restructuring of services. For example, some of it has enabled extra paramedics to be trained, ready to begin in September this year, in time for the transitional arrangements.

The doctors, nurses and support staff who have delivered those improvements deserve our thanks and praise in debates such as this. I am pleased to go on record as offering them both. Indeed, those same staff may now be asking what would happen if the Tory spending cuts guarantee were to bite in the county.

[Mr. Foster]

Reductions of £144 million in Worcestershire are bound to have an adverse impact on health care there, as well as on our schools and the police.

Is it not strange that we did not hear about those cuts from the hon. Member for Mid-Worcestershire, or hear him congratulate the Government on securing extra funding, which will result in his constituents as well as mine being treated more quickly—something that I imagined he would wish to welcome publicly?

Mr. Luff: Will the hon. Gentleman give way?

Mr. Foster: No. I have said that I will not give way.

In my view, those in the county who are fuelling fears about the health service are playing a dangerous game. It is a political trap that I know the Conservatives are all too willing to spring on people. They wish to deflect attention from the good news in Worcestershire—the new hospital, modernised facilities in all hospitals, shorter waiting lists, more people being treated, more nurses and doctors. It is no wonder that they are so desperate to help fuel scare stories. I will go further and state that were the Tories to succeed in convincing people that the NHS was failing, their privatisation agenda would achieve even greater credibility.

The simple message for the people of Worcestershire who listen to this debate is that the Tories believe in a privatised NHS, while the Labour Government want to modernise it. That is the dividing line on which people will make up their minds whenever called upon to do so.

10.44 am

Mr. Christopher Gill (Ludlow): I congratulate my hon. Friend the Member for Mid-Worcestershire (Mr. Luff) on obtaining the debate and on comprehensively and fluently describing the problems affecting Worcestershire health authority and its area. My hon. Friend's experiences mirror my own, so I sympathise with his difficulties in obtaining an accurate forecast of the bed numbers either before or after the plans have been implemented. Dalrymple's law is certainly operating. The previous Government spent £25 million on Kidderminster general hospital. Brand new wards and other facilities were erected as a consequence of that massive expenditure, yet to this day those facilities have not been used and now may never be used.

My interest in the debate arises from the downgrading of Kidderminster hospital and the concern of about 20,000 of my constituents about the loss of a full accident and emergency unit at Kidderminster. The chairman of the acute trust has tried to convince me that as the numbers from my constituency using the Kidderminster facilities are relatively small, I should not worry. However, I have taken pains to tell him that that is all very well until someone desperately needs accident and emergency attention and must travel an additional 17 miles to the new hospital at Worcester. That journey involves travelling through and exiting from the other side of Kidderminster.

Since the health authority announced the downgrading plans, traffic calming measures have reduced the A449—the main road between Kidderminster and Worcester—from a full dual carriageway to a dual carriageway with only a single lane operating in each direction in parts. That has made the journey longer and more difficult. The future situation will not be as satisfactory as the present arrangements. Last Friday, I was at junction 6 on the M5. It will be necessary for ambulances taking patients from south Shropshire to circumnavigate the island there to reach the new hospital. The interchange was gridlocked last Friday, and that gives my constituents grave fears, because those travel problems are in addition to their current difficulties in reaching accident and emergency departments.

The Prime Minister and other Ministers continually boast about the upgrading of accident and emergency hospitals throughout the country. However, the situation is different for my constituents. In place of a fully fledged accident and emergency unit at Kidderminster, we are promised an untried and untested concept known as ambulatory care and diagnostics. There are mounting fears about the adequacy of the health care provision after the downgrading in September. The *Kidderminster Shuttle* reports concerns expressed by the ambulance service

> as the D-Day for the downgrading of Kidderminster Hospital looms.
>
> Frontline ambulance staff have revealed the perilous state of affairs at Ronkswood Hospital, Worcester, where Kidderminster paramedics have been queueing to offload patients.

Once the downgrading takes place in September, even more patients will have to be taken to Worcester.

My hon. Friend the Member for Mid-Worcestershire mentioned the demoralisation of staff. That is certainly happening in the ambulance service. Experienced staff are leaving as morale hits an all-time low. A spokesman for the ambulance service described the situation as a "nightmare scenario", stating, for example, that paramedics have not yet been trained to use clot-busting drugs on heart-attack patients. In future, my constituents face the prospect of being brought from their homes to the minor injuries unit at Kidderminster where nurses will give the drug to patients who need it before they are returned to the ambulance to continue their journey to Worcester. Hon. Members will appreciate my constituents' anxiety about such a situation.

It is not only the ambulance service that is worried; everyone involved expresses fears about the provision of medical services in the area. The Worcestershire local medical committee is a democratically elected, statutory body representing 300 or more family doctors in the county of Worcestershire—the secretary of the group, Dr. Simon Parkinson, is based in Redditch, and is therefore not partisan in his attitude to Kidderminster. At a meeting held on 13 July the Worcestershire local medical committee, in conjunction with the Worcestershire division of the British Medical Association, debated a report produced by Professor Pollock entitled "Deficits before patients". They listened to the chief executive and the director of public health of Worcestershire health authority, and at the end of the meeting stated that they were bemused and most unhappy; too many questions had been left unanswered and there was a distinct lack of clarity in the replies that they had received from the health authority. The Worcestershire local medical committee issued a statement saying that the serious questions posed by

Professor Pollock simply had not been answered. It stated—the point was made by the hon. Member for Worcester (Mr. Foster)—that the

consultation procedure which took place at an early stage was suspect and the LMC demands an independent and expert analysis as soon as possible to review the situation.

The overwhelming feeling of clinicians is that the situation in the national health service in Worcestershire is bad and will get worse. They have placed on record their great unhappiness about the matter; they are concerned that there are too many unanswered questions, and about the future provision and location of acute medical beds in the county. They believe that there is a real risk that the service provisions for the population of Worcestershire will be inadequate. To the population of Worcestershire, I would add the population of south Shropshire.

The LMC has urged the board of Worcestershire health authority to agree that an independent expert investigation committee should be formed and fully briefed to discover whether the proposed bed configuration will be adequate to meet the need of the county's population when the PFI is fully operational. The LMC thinks that that is important as the original consultation exercise was suspect and inadequate, and the full facts were not given. Evidence has come to light for the first time, and much needs to be clarified.

In summary, the LMC wants five matters to be considered: first, the financial implication of the PFI scheme on the health economy of Worcestershire; secondly, the interim arrangements when in-patient services are closed in Kidderminster; thirdly, whether credible intermediate care will be in place before there are bed reductions; fourthly, a review of projected bed numbers in the various categories across the county when the new hospital is open; and, fifthly, the safety of the new stand-alone ambulatory care and diagnostic centre in Kidderminster, which the committee questions.

The Worcestershire health authority has few friends and no allies; opposition to its plans is unanimous and universal. Wyre Forest district council, where 19 out of 42 councillors were elected on a "save Kidderminster hospital" ticket, is opposed to the health authority plans. The community health council tried to get a judicial review but it was not granted, which controverts what the hon. Member for Worcester said, and of course it remains opposed to the plans. The local medical committee, the Worcestershire British Medical Association, the population of Kidderminster and the surrounding areas are opposed, as needless to say, are my constituents in Alveley, Cleobury Mortimer, Highley and surrounding areas.

Apparently, when the decision was made to proceed with the new hospital at Worcester, there was no thought of altering the status of other Worcestershire hospitals. The downgrading of Kidderminster hospital followed later, as a financial imperative, when it was realised that cash resources would not stretch to existing hospitals plus the new Worcester hospital. By the admission of the hon. Member for Worcester, the hospital was established to redeem an election pledge, but my constituents were also given election pledges. They were told that they would have adequate and satisfactory health care provision and they are extremely disappointed. They are the innocent victims of a Government who have failed to get their act together to ensure an overall strategic plan that will deliver adequate and satisfactory health care provision for all patients, regardless of where they happen to live. I endorse the Worcestershire BMA's unanimous decision that the Secretary of State should undertake to establish an independent inquiry that will enable us to see exactly what has happened; and, more to the point, gain assurance that future provisions will be satisfactory.

10.56 am

Miss Julie Kirkbride (Bromsgrove): I am grateful for the opportunity to speak in the limited time that remains. I associate myself with the excellent exposition given by my hon. Friends the Members for Mid-Worcestershire (Mr. Luff) and for Ludlow (Mr. Gill) of the circumstances in which we find ourselves in Worcestershire. Although I shall not go into too much detail, I should like to respond to the remarks made by the hon. Member for Worcester (Mr. Foster), who claimed throughout his disappointing speech that he did not want to make the health service a political football, but then proceeded to do that in every comment that he made.

The Labour party stood at the last election on the assertion that there were 24 hours to save the NHS, and all three Labour Members present in the Chamber made specific pledges about their local health services during the campaign. The hon. Member for Wyre Forest (Mr. Lock) promised that he would keep the local Kidderminster hospital, but he changed his mind. Now, much to the disgust of his constituents, he believes that it should be closed. I know that he is aware of his constituents' anger, as I recently witnessed a little altercation in Central Lobby in which some of them made clear their concern about his change of heart. [*Interruption.*]

The hon. Member for Redditch (Jacqui Smith), who has just made a sedentary intervention, campaigned heavily on keeping open the accident and emergency department at the Alexandra hospital. She knows only too well that the A and E department at the Alex will be scaled down as part of the new configuration of hospital services in Worcestershire. It may or may not be called a local emergency centre—although the name is merely political, they are still worrying about it in the Department of Health—but the fact is that the A and E service at the hospital will not be the same as that which is currently provided and will rely on part-time consultant cover. The pledges of the hon. Member for Redditch to ensure that the A and E department at the Alex was maintained as a proper, functioning department have proved to be hollow. She has been silent on the matter, which is hardly surprising in the circumstances.

Of course, the main A and E centre for Worcestershire will be situated at the Worcester hospital. Although that may be a reasonable decision in terms of clinical care, it is not what the people of Worcestershire expected when the Labour party was elected. I remind Labour Members that they have failed the people of Worcestershire. The hon. Member for Worcester failed them when he did not recognise in his speech the legitimate concerns expressed by local doctors. Opposition Members are present because we have been

[Miss Julie Kirkbride]

contacted not by party political apparatchiks, but by local doctors. They are the front-line service in Worcestershire and they are deeply concerned about the effect on their clinical services of the new configuration of hospitals in our county. If Labour Members had any respect for their constituents, I should have thought that the hon. Member for Worcester would at least have asked the Minister the important questions that the Government have so far failed to answer.

I support the view expressed by my hon. Friend the Member for Ludlow, who said that an independent inquiry should be conducted. Such an inquiry would not concern judicial process, which has been the subject of previous inquiries, but real bed numbers, staffing numbers and service provision. We want answers about those things, not about judicial inquiries processes. We want answers about real services provided to real people in Worcestershire.

I should be grateful if the Minister would let us know whether she was prepared to instruct Worcestershire health authority to have the inquiry. If she was not prepared to do that, would she please answer the specific questions raised by my hon. Friends? We want to know the real number of beds to be available to the people of Worcestershire after the new Worcester hospital comes on stream under the Worcestershire acute trust. We want the beds to be classified according to the Department of Health's classification. We want to know how many seven-day acute beds we will have after the new health service configuration. We want to know how many intermediate care beds there will be. We do not want the figures lumped together as an answer of 1,400—an answer that the Minister gave in May and continues to give in July when the situation is clearly changing. We want to know the precise numbers of those beds so that we can ask the relevant services about the situation. According to the Worcestershire acute trust plan, there is to be a 17 per cent. cut in nursing staff. Is that true? It would be wonderful if it was not true and we would like reassurance. Will she kindly clarify the matter?

11 am

Mr. Nick Harvey (North Devon): I will not detain hon. Members for more than a few minutes because Worcestershire Members have asked questions to which it is important that they receive answers. The hon. Member for Mid-Worcestershire (Mr. Luff) opened his debate sensibly: I congratulate him on securing it. However, it seems strange that calling such a debate is still necessary at this late stage—almost the end of July—just two months before changes start to be implemented. The hon. Gentleman must still press for fairly basic figures that ought to have been transparent to all before any of the processes were ever commenced.

Answers have been too long in coming. The hon. Member for Ludlow (Mr. Gill) tabled questions on 10 February that took until 2 May to get an answer. If the Department of Health is in such difficulty coming up with perfectly straightforward answers to perfectly straightforward questions, the whole thing has not been thought through as well in advance as it should have been.

In moving the debate, the hon. Member for Mid-Worcestershire said that the Kidderminster campaigners had focused on the wrong issue, making their goal keeping an acute hospital going in the town rather than addressing the question of whether the proposed alternatives were satisfactory. I know what he means but, if one considers the issue from the campaigners' point of view, it is understandable that the key issue is keeping the full range of facilities in their community.

I do not believe that the campaigners have been reassured or dissuaded from that aim by anything that has happened or by the way in which the matter has been handled locally. In one sense, that shows the shortcomings of democratic accountability in the NHS at a community or regional level. Campaigners have gone to umpteen meetings, asked questions and sought to put their view. However, at the end of it all, they have not been given answers that offer them reassurance.

I was grateful to the chairman of the trust for taking time out of a busy day to brief me on what was happening and on what the new facilities would look like. He certainly seemed determined to press ahead and to do so with all haste. I can understand why, if campaigners have had audiences with him, they have not emerged reassured that he had listened to anything that they had to say or that he had endeavoured to meet the points raised. If they ended up thinking that he was hell bent on ploughing ahead, I could see why.

The hon. Member for Ludlow rightly focused on the worries in the Kidderminster area and over the county border in his area about the emergency arrangements to be available to people living in those parts when there is no longer an effective accident and emergency department at Kidderminster. Those points have not been addressed or answered at all. With his local knowledge, he is able to offer examples of traffic congestion on crucial junctions in even the past week or two. I was completely astounded that, when I spoke to the chairman of the trust, he seemed to consider that his responsibilities lay in the county of Worcestershire because that was what the trust covered but had barely taken into account the problems that would be faced over the county boundary in Shropshire. I can well understand why people in the Kidderminster area and in Shropshire are far from reassured. It seems to me that the whole thing, or at least the speed with which the changes are being introduced, is largely driven by finance. I am well aware that the Pollock report has been knocked: its motivation has been queried and some of its findings have been challenged. There might be some problems with the report, but even if the number of beds remains more or less the same as it was before the restructuring, bed provision in the area will remain far lower than the national average, so it does not put things right.

I hope that we will hear answers to those questions today, in particular, to the questions asked by the hon. Member for Mid-Worcestershire. I regret that the Government are not able to answer questions on the PFI rather more quickly. In the House of Lords, my noble Friend Lord Clement-Jones asked questions about some basic figures relating to the PFI, to which it took the Government six months to reply. The Liberal Democrats have no problem in principle with the PFI, but we believe that the public should be able to see that

it offers better value for money than alternative methods. As yet, that information is not forthcoming. Even the House of Commons Library says that it is completely impossible to cost PFI compared with other methods.

11.6 am

Mrs. Caroline Spelman (Meriden): I shall be brief because this debate is of great concern principally to hon. Members who represent Worcestershire constituencies. They have made their points well and we would all like to hear the answers.

I want to say for the record that this is one of the most disappointing debates that I have heard in this Chamber because it was spoilt by the party-political intervention of the hon. Member for Worcester (Mr. Foster). I have always enjoyed the fact that there is a different tenor to debates in Westminster Hall. My hon. Friend the Member for Mid-Worcestershire (Mr. Luff) tried hard to keep away from party politics, and I congratulate him on securing this debate. There is some urgency in the air because, as the hon. Member for North Devon (Mr. Harvey) pointed out, we are on the eve of major changes. My hon. Friend the Member for Mid-Worcestershire recognised his responsibility in calling for the Adjournment debate, which enables us to articulate publicly our real concerns about the overall change and the transitional arrangements. It is entirely justified to have such a debate before the changes are introduced because, who knows, we could be successful today in encouraging the Minister to do something to improve the transitional arrangements. Our questions have been designed constructively for that purpose.

We are not trying to reopen an old debate and we are not being politically opportunist—none of the opposition parties has been politically opportunist in today's debate. We accept that the change will take place and our purpose is to articulate the real concerns of Worcestershire's residents about what will greet them in the brave new world of restructured Worcestershire hospitals. The hon. Member for Worcester resorted to swiping at the Conservative party's desire to privatise the NHS, but that has never been our intention, as we have made clear on many occasions. In case the hon. Gentleman has not heard what we have said, I shall repeat that we would match the Government's spending on health.

The key issues are financial viability, bed availability, staff shortages and the range and standard of services. The viability of the new hospital is an important issue. I speak from my experience of seeing a new hospital get up and running in Solihull. That hospital ran into serious financial difficulties almost immediately and, ultimately, a merger had to take place because the hospital proved unviable. Once bitten, twice shy. My concern is that the special allocations that the Government have given in the past two years have simply been used to mop up deficits, which, as I read the figures, are a structural problem at the hospital. I know for a fact from the managers of the trust that there is a problem with the roof on the Alexandra hospital, which will cost £1.7 million to repair. The financial weakness of the situation must be taken into account when we ask the Minister about the financial viability of the project. The preliminary cost of the PFI proposal has escalated by 118 per cent.—a significant increase. What are the primary causes of that? I understand that one of them is the 22 per cent. increase in the original projection of bed availability, but I should be interested in the Minister's comments on the ultimate price tag on the new hospital.

That leads me to the question of bed availability, which, on the setting up of the new hospital is, apparently, already tight. The framework for that state of affairs is that NHS bed numbers have declined by 7,000 every year since 1964, whichever party has been in power, to the point at which we all accept that they can decline no further. The shortage of beds is reflected in the waiting lists, and on the Government's annual report website the harsh fact was revealed that in the area for which my hon. Friend the Member for Mid-Worcestershire is responsible, the number of people waiting for in-patient operations has risen, and in the out-patients category the number waiting has doubled. That is despite a pledge to reduce waiting lists—which may have happened elsewhere, but is not happening where the new structure is about to come into operation. That is the reason for the concern about whether there will be enough beds.

I endorse my hon. Friend's remarks about categories of beds. Care should be taken about counting intermediate care beds. The winter pressures last year were due in no small part to a shortage of medical beds. The relevant patients were largely elderly people, often with serious chest infections requiring an emergency medical admission. It is not possible to decant elderly men and women in that predicament to a residential nursing home without the full range of clinical support that they need. A bed in a nursing home cannot be classified as the kind of bed that an emergency medical case would need. Even when an emergency has passed, it is not suitable to give that classification to an intermediate care bed. The categories will become very important.

On staffing, I should like to hear about the projected reduction in the number of nurses. When I visited Kidderminster hospital I heard from staff about loss of morale and concern about having to commute to the new hospital to keep their jobs. Seventeen miles is a considerable distance; it is a lot for a working mother who might have been able to walk to the hospital previously but will now have to incorporate commuting time into her day. I know that a bus service will be laid on, but I hope that the Minister will accept that that is not the same. Such disincentives affect non-clinical staff strongly, particularly catering staff, who will not commute in search of jobs in the new hospital.

Will the Minister confirm how many paramedic ambulances will be stationed at Kidderminster hospital? My hon. Friend the Member for Ludlow (Mr. Gill) explained the importance of that. I was deeply affected by the death of the late Sir Denis Howell, who died in my constituency while waiting 19 minutes for an ambulance from our acute hospital. Given the distance, and with the equipment on board, perhaps it might have been possible to save his life. It is important for the public to be clearly aware of the number of paramedic ambulances, where they are to be stationed, and the type of equipment on board.

The main purpose of the debate is not political but a matter of responsibility to ensure that hon. Members' worries are dealt with, if possible in the nick of time, before the changes are made. We have tried hard to

[Mrs. Caroline Spelman]

avoid party political contributions, and I am sorry that that has not applied to all interventions. Good, clear answers to our questions would go a long way towards helping us to answer the questions that we receive from people affected by the changes.

11.14 am

The Minister for Public Health (Yvette Cooper): I congratulate the hon. Member for Mid-Worcestershire (Mr. Luff) on securing a debate on a subject that is important to his constituents and the residents of Worcestershire. My ministerial colleagues and I are fully aware of the concerns that have been raised in Worcestershire and Shropshire about those matters, which have been debated in the House on several occasions. I and my hon. Friends in the Department of Health have also had meetings with my hon. Friends the Members for Wyre Forest (Mr. Lock) and for Redditch (Jacqui Smith) who are here this morning; they have both been assiduous in representing their constituents' interests.

Hon. Members have raised a series of questions—I shall try to answer them in as much detail as time allows. First, I shall deal with the proposals based on "Investing in Excellence" and the new Worcestershire hospital and, secondly, I shall deal with the transitional arrangements. We take seriously the concerns that have been raised by hon. Members and constituents.

The Government's priority is the modernisation of the NHS and the provision of high-quality care to everyone. We want to ensure that patients receive clinically appropriate service when and where they need it. That means making appropriate use of existing facilities and, if necessary, developing new services. The health service needs to respond to demands from doctors and other health professionals for the skills and experience that result from greater specialisation. That approach, based on "Centres of Excellence", is aimed at providing patients with the very best that medical science can offer.

The backdrop for Worcestershire's strategic review was the need to secure appropriate and high-quality clinical services. The local health authority, the local trust, local clinicians and the Government would be failing in their duty to provide top-quality care for everyone if changes were not made in Worcestershire. Without appropriate specialisation, patients will simply not receive the best-quality care. That is the driving force behind the changes that are taking place in Worcestershire.

The decision to make changes in Worcestershire was based on a thorough and detailed process of strategy development, option evaluation and consultation over a considerable time. It is wrong to say that the changes are being made at the last minute, without proper consultation or investigation of the options. The extended consultation exercises were carefully evaluated by the health authority and, following the formal objection of Kidderminster community health council, they were fully and properly reviewed by Ministers.

In arriving at their decision, Ministers took the advice of clinical professionals, both nationally and locally. We were satisfied that it was not possible to sustain three centres for emergency medicine and surgery in Worcestershire. However, concerns were expressed, particularly by my hon. Friend the Member for Wyre Forest. As a result, we instructed the health authority to modify its proposals in order to strengthen the new county-wide accident and emergency service and to increase investment at Kidderminster hospital to ensure that the new emergency centre could deal with as many patients as possible.

We responded also to the concerns raised by my hon. Friend the Member for Redditch about the Alexandra hospital, which has led to hundreds of thousands of pounds of additional investment in the accident and emergency services. As hon. Members are aware, "Investing in Excellence" has already been subject to external evaluation, including independent scrutiny by the King's Fund. The health authority's approach was upheld in three judicial reviews.

Mr. Gill: Does the Minister not recall the recommendation of the King's Fund that the changes should be made on a

> two-year pilot project basis and formally reviewed by a reputable external source...before any irrevocable decisions are made on the future of services currently provided at Kidderminster General Hospital?

That recommendation seems to have been totally ignored.

Yvette Cooper: The strong view of local clinicians is that the changes need to be made as quickly as possible. We have spent a long time circling round the issue of new hospitals in Worcestershire and the configuration of services around the county. Proposals for a new hospital have been discussed for 30 years. It is time to get on with making the changes that are essential to improve the quality of care for people who live in the area.

Mr. Luff: Will the Minister give way?

Yvette Cooper: The hon. Gentleman asked a lot of questions, and I should like to make progress.

Mr. Luff: Can the Minister confirm whether the National Audit Office is inquiring into the process, as Wyre Forest district council claims?

Yvette Cooper: There have been many investigations and discussions. I shall write to the hon. Gentleman about his question.

I want to deal first with the concerns that were raised about Kidderminster hospital. The hon. Member for Bromsgrove (Miss Kirkbride) suggested that it will close. That is definitely not so. It has never been proposed, and it is simply not true. Kidderminster hospital will be developed with a state of the art ambulatory care centre delivering out-patient and day case procedures, using the latest technological facilities for telemedicine to speed up access to diagnostic tests and consultant opinion. That will be done according to protocols that have been properly agreed by clinicians across the country and by the royal colleges. We expect Kidderminster hospital to be a leading light nationally in the development of telemedicine, and we believe that it can be a pioneer for modern health services.

Miss Kirkbride: I stand by what I said. Doctors in the county believe that it is unlikely that matters will

proceed in the way that the Minister describes, simply because it would prove to be clinically unsafe. It may not be possible to put young children and elderly people under general anaesthetic at the hospital, because the nearest emergency hospital is 18 miles away. Will the Minister confirm that there is uncertainty in that respect?

Yvette Cooper: I can confirm that we will proceed with a state of the art ambulatory care centre. The hon. Member for Bromsgrove is trying to make party political points and to spread scare stories by suggesting that Kidderminster hospital will close. For the record, I can state that that is absolutely untrue.

It is estimated that over 40 per cent. of patients who currently use Kidderminster's accident and emergency department will continue to use the hospital's minor injuries unit. That figure does not take into account further changes and increases that could take place as a result of telemedicine development. In addition, rehabilitation facilities will be used by patients returning from major surgery in Worcester.

In recent weeks, my hon. Friend the Member for Wyre Forest has raised with Ministers further concerns about Kidderminster hospital. As a result, meetings have taken place between local GPs and the Secretary of State, who has made it clear that he expects detailed co-operation between the health authority and local GPs about the development of services in Kidderminster to continue.

My hon. Friend raised specific concerns about heart attack patients who arrive at Kidderminster and need to receive life-saving thrombolytic drugs as fast as possible. I can tell hon. Members that as a result—

Mr. Luff: On a point of order, Mr. Deputy Speaker. Surely the idea of a Minister's speech is to respond to the debate, not to correspondence that he or she has received.

Mr. Deputy Speaker: That is not a point of order for the Chair. The hon. Gentleman has been here long enough to understand that.

Mr. Gill: Further to that point of order, Mr. Deputy Speaker. I may be able to help. I think that the Minister is probably referring to me, because the question that she is answering was posed by me, not by the hon. Member for Wyre Forest, who has not spoken in the debate.

Mr. Deputy Speaker: I am obliged to the hon. Gentleman for his observations, but the original point of order was not a matter for the Chair.

Yvette Cooper: Thank you, Mr. Deputy Speaker.

I clarify for the record that I am discussing points that were raised about Kidderminster by my hon. Friend the Member for Wyre Forest, and which are relevant to the debate. It is important to make clear the changes that have taken place as a result of representations by my hon. Friend. Life-saving treatments for heart attacks—thrombolytic drugs—will now be available in Kidderminster emergency centre to ensure that people get the timely care that they need for urgent conditions such as heart attacks.

Several hon. Members asked about bed numbers. Following hospital reorganisation, approximately 1,400 acute and community-based beds will be available in Worcestershire, compared to 1,387 in 1998-99. As the trust has pointed out, there are 1,035 acute beds. From September 2000 until the new hospital opens, there will be 1,041 such beds. After the new hospital opens, there will be 988 such beds, plus the 56 winter pressure beds that are currently under consideration, which equals 1,044 beds. In addition, we expect the number of intermediate care beds in the area to increase, because it is clear that the type of bed in question is an extremely important issue. I should point out that, in line with the announcement on the expansion of critical care services, the new Worcestershire hospital has capacity for as many as 15 intensive therapy unit beds. As a result, it will have more critical care beds than the current capacity in the county as a whole.

Mrs. Spelman: Does the figure for ITU beds include high-dependency beds, as well as the "all bells and whistles" ITU beds? If so, how many?

Yvette Cooper: Final decisions on the exact number of critical care beds will depend on further decisions that are taking place at a national level on their expansion throughout the country. That expansion is the result of my right hon. Friend the Secretary of State's announcement on the number of intensive care and critical care beds. If the hon. Lady wants to raise that issue again, I hope to be able to give more detail at the appropriate point.

Capacity for 2002, when the new hospital in Worcester will open, has been designed to accommodate the anticipated number of emergency and elective patients. At the same time, we expect continuing development in intermediate care. The national beds inquiry found evidence of significant inappropriate or avoidable use of acute beds, and a recent audit in Worcestershire showed that 42 per cent. of patients in acute beds would have been better cared for in another, lower dependency setting.

Hon. Members asked whether intermediate care is expanding sufficiently quickly. It is clear that this is an important issue, and a great deal of work has already been undertaken. An increasing number of schemes are in place to prevent hospital admissions, such as rapid response teams and intensive home care. Worcestershire's investment in intermediate care has increased from approximately £1 million in 1999-2000 to £1.7 million in 2000-01. Local primary care groups have developed a wide range of schemes to prevent admission and support early discharge. Many GP practices in Worcestershire have indicated a desire to develop a wider range of services for patients by bidding for personal medical services.

Improved bed management and discharge planning in acute hospitals is already paying dividends, and the extra £2 million that was invested in continuing care this year is reducing bed blocking. We expect that work to continue. The multi-agency local winter planning group has refined its winter plans for next year, and will submit them to the regional office at the end of July. Last year, Worcestershire managed the winter pressures period well, and expects to do the same this year. In addition, over the past two years we have awarded Worcestershire

[Yvette Cooper]

health authority a special allocation—amounting to £8 million—to help re-configure its services. A significant proportion of that sum has been used to pump-prime development of intermediate care in advance of any bed closures.

The exact timing of the move of services is a matter for local clinicians and service managers in Worcestershire, rather than this Chamber. However, the decision to implement the acute in-patient moves was the result of clinical advice given by medical staff at Kidderminster in particular, where an early move was felt to be important.

Miss Kirkbride: What about nurses?

Yvette Cooper: The hon. Member for Bromsgrove made a series of allegations, including some relating to nurses and to bed numbers. I have responded in detail to her point about bed numbers. On the question of nurses, her allegation is utterly untrue. A media statement put out by the local hospital trust states:

> An active recruitment initiative is under way.

It is estimated that

> up to an additional 30 nurses will begin work at the trust.

A reduction in the number of nurses is nonsense. The statement goes on to say:

> Miss Kirkbride should stop using hospital services as a political football.

I hope that hon. Members will take note of that, and of the importance of this issue.

Teachers (Administration)

11.30 am

Mr. David Prior (North Norfolk): No one is more important in any society than teachers, and no issue more important to any Government than education. Society and its values are shaped to a large extent by the kind of education that we give to our children.

I was struck by a comment made by Lord Hailsham after the passing of the Education Act 1944. He said that the Act

> placed the general framework of our education beyond the range of party politics.

That was reflected by the philosophy of both the Labour party and the Conservative party in their 1945 election manifestos, which I looked at recently. The Conservative party manifesto stated:

> Our object is to provide education which will not produce a standardised or utility child, useful only as a cog in a bureaucratic machine, but will enable a child to develop his or her responsible place first in the world of school and then as a citizen.

That was reflected in the Labour party manifesto, which stated:

> Above all, let us remember the great purpose of education is to give us individual citizens capable of thinking for themselves.

Both those ideas were summed up well by Mary Warnock, writing in the 1970s. She described the three guiding principles that should underlie the school curriculum:

> The first is that the schoolchild should be prepared for work. The second, and not conflicting, consideration is that his imagination should be educated in such a way that he will learn to feel the infinite complexities of the world that he inhabits. Both these guides are in fact guides to freedom. The third ingredient is that life should be a morally justifiable life: the life of a virtuous person is better than that of a vicious person. Virtue which can be taught, or at least learned, should be learned at school among other places.

Hon. Members of all parties can sign up to those views. There is more to education than utility, children are creative individuals, and moral responsibility is important. However, I have chosen to debate this subject today because the Government have, almost inadvertently, decided to go down a different path. We risk losing the freedom to teach that should underpin our schools and the curriculum, because education and the curriculum are becoming so prescriptive and reduced to target setting and centralised control.

In Britain, unlike in many other countries—especially in Europe—we do not have a Napoleonic system in which central Government run our schools and universities. Thank goodness for that. Intellectual humility is the most important of all the qualities that a politician involved in education should possess. This issue requires trust. It requires politicians to trust teachers. No one doubts that this Government are—or that the previous Government were—committed to providing decent education. However, the level of trust is in doubt. There is a growing feeling among teachers that that lack of trust is reflected in the avalanche of red tape and paperwork that is flowing from central Government into schools and thence into the classroom. As Mathew Pickhaver, a student teacher from Bacton in my constituency, put it:

> Don't hammer the enthusiasm out of this generation of teachers. All we ask is the freedom to exercise our professional judgment. Do not try to turn us into mere technicians.

Most teachers regard teaching as a vocation, not a job. They do it because they know that it is important. The headmaster of Fakenham high school and college in my constituency has hanging on the wall of his study a quotation that sums up that spirit well. It says:

> A hundred years from now, it will not matter what my bank account was, the sort of house I have lived in or the kind of car that I drive ... but the world may be different because I was important in the life of a child.

Teachers make a difference to the lives of many and I am sure that we all remember the teachers who made a difference to us when we were at school. The Minister will know from the schools that she has visited and the teachers to whom she has spoken that there is genuine and heartfelt concern that the degree of central control is becoming too strong and Government involvement is becoming too prescriptive. The Government should ask themselves whether they honestly believe that the national curriculum has become too prescriptive, whether it is accompanied by too much paperwork and bureaucracy, and whether matters have reached the point at which the Government's actions have become counter-productive, undermining the vocation and morale of teachers and the very reasons why they entered the profession in the first place.

The headmaster of Mundesley junior school in my constituency wrote to me and stated:

> We now have a culture in which educational success is reduced to statistics ... I care too much about our children's future to have it hijacked in this cynical way.

It is easy for Ministers to dismiss those concerns as being merely anecdotal, so I carried out a survey in my constituency in which more than 40 schools participated. I shall tell the Minister today the findings of that survey.

First, every school—infant, primary, junior, middle and high schools—believes that there has been marked increase in paperwork since 1997. That is not anecdotal and cannot be dismissed. It comes from the Department for Employment and Education, the local education authority and third parties. A number of heads said that the boundaries between the local education authority and the Department for Education and Employment were becoming blurred and that clarification was needed.

The second finding was that the vast majority of teachers believe that the national curriculum is too prescriptive and that it adversely affects the performance of classroom teachers. To be fair, almost all the teachers to whom I spoke believe that a national curriculum is necessary and those in primary schools believe that the numeracy and literacy hours are, on balance, worth while. However, as the head of Tunstead primary school said,

> The literacy hour provides a sensible structure for teaching English. However it puts good teachers in
>
> a straitjacket
>
> and inhibits children's ability to do creative writing. It is too prescriptive and can level down.

That sends a clear message. It is necessary to have a framework, but it must not become so mechanistic and prescriptive that it holds back bright children and good teachers.

The third finding concerns Ofsted. The feedback, as one would expect, was mixed. The only general criticism was that Ofsted inspections can be variable and depend very much on individual inspectors. From my observations, schools give inspections so much prominence that they put a disproportionate amount of work into getting ready for them and I sometimes wonder whether the inspections give a true picture. One reason is the massive publicity given to Ofsted reports, which can make or break schools, because pupil numbers determine funding levels. I am not convinced that naming and shaming, except in extremis, is the right approach and it can be counterproductive in practice.

Finally, most schools have found that the increasing paperwork makes it more difficult to find governors. One chair of governors wrote to me stating that

> Governors are volunteers who give up their time willingly but most are at work or have other commitments during the day. They also feel, as essentially amateurs they are being asked to carry out tasks that would be better performed by professional people.

That plea in particular stemmed from

> their dismay at the onus being placed upon them with regard to the latest performance management arrangements.

Most schools are lucky to have supportive governors, but there is a risk that, in time, they will fall away.

The survey shows that the complaints that politicians receive from teachers cannot be dismissed as anecdotal. They are real. The head teacher of Suffield Park infants school in Cromer has been working with Norfolk local education authority on a project to identify areas of stress in the education system. He wrote to me and said:

> I have never known the work so demanding. It sometimes feels that you are on a pinball machine, hurtling from one thing to another. I have come across so many people within the education system who are on the verge of not being able to cope much longer. I feel that we are really on the verge of a crisis. Many staff, including myself, still love the job. However, the job dominates to such a degree that personal and family life has to take a very low priority. Stress and ill health are increasing. It is little wonder that many job vacancies remain unfilled.

Teachers' morale is at low ebb, and they are drowning in a sea of paperwork, Whitehall plans and meaningless targets. That was picked up by the Government's better regulation task force, which reported on the teaching profession in April. The task force stated:

> There is a widespread and deeply held view that increased red tape is acting as a distraction from the drive to raise standards...over-elaborate processes are being used to achieve straightforward objectives, leading to unnecessary duplication and confusing lines of accountability.

The tentacles of central Government are stretching out to control, regulate and interfere with our education system. There is a danger that that will destroy schools' freedom to show initiative and flexibility. There is a risk that head teachers will become mere functionaries of the state and teachers mere technicians, as Mathew Pickhaver put it. Teachers raise standards by teaching in the classroom, not by filling in forms. Head teachers raise standards by leading their schools, not by following the latest Whitehall plan.

I have no doubt that much of the administrative burden on teachers and heads would fall away if we showed a little more trust and gave them a little more room for manoeuvre. We must accept that, in our society, schools should enjoy independence from the state and that head teachers should not be regarded as state functionaries. The Government should learn some intellectual humility and accept that they do not always know best. The Government should back off and allow teachers to do what they do best: teach.

11.42 am

The Minister for Lifelong Learning (Jacqui Smith): I congratulate the hon. Member for North Norfolk (Mr. Prior) on securing the debate. I would associate myself strongly with the remarks that he made at the beginning of his speech about the importance of teachers. Before entering the House, I spent 11 years working as a teacher and I agree with him—not only for reasons of self-interest—about the importance of the teacher's role in providing opportunity and freedom, as the hon. Gentleman put it, for young people, through high standards of teaching in the classroom.

I also agree that we must build on what the Government have already done to free up more time for teachers and head teachers to spend on raising standards in the classroom. We are committed to that. In June, my right hon. Friend the Secretary of State gave a powerful speech to the conference of the National Association of Head Teachers, in which he set out our commitment and our view of the way forward. I would like to outline today the actions that have already been taken and those that we propose to take, in order to achieve some of what the hon. Gentleman argued for, in terms of freeing teachers and head teachers from unnecessary administrative burdens.

All of us must distinguish honestly between those tasks that have always been part of teaching—keeping records, writing reports and maintaining schemes of work for departments—and those that have not and distract from the basic task of teaching, when they could be done by someone else. We must take care to do that. I am pleased that the hon. Gentleman's constituents recognise the importance of the literacy and numeracy strategies. I agree with the hon. Gentleman that they have created more work for teachers, but the Government's priority was to raise standards, and there was much to be done. Inevitably, that had an impact on teachers' work loads. I am encouraged to see the results showing through, with improvements in both literacy and numeracy. I take this opportunity to congratulate the teachers in the hon. Gentleman's authority on this year's improvements both in key stage 2 and GCSE results. It is evidence of the partnership between Government and teachers to raise standards for our children. To that extent, I make no apologies for the pace of change, because children have the right to the best possible education and we needed to make improvements as soon as possible.

I have no doubt, from my experience and from talking to teachers, that there is pressure when changes are expected without the necessary resources, but I would argue that the Government have resourced the changes that we expected in the education system. Total funding per pupil has already increased by more than £300 per pupil in real terms since 1997. The 2000 comprehensive spending review announced last week means a real-terms increase of £370 over the three years, bringing the total to almost £700 per pupil between 1997-98 and 2003-04. That gives teachers the resources, both within the classroom and within schools, in general to teach and raise standards.

The hon. Gentleman also commented on the national curriculum and reflected in his thoughtful contribution on some of the tensions in the principle of a national curriculum. It is difficult to strike a balance between prescription in the national curriculum, so that children are taught those things that society believes are important, and the flexibility to allow teachers to deliver that curriculum in a way that suits the circumstances and the children. I am sure that the hon. Gentleman is aware of the substantial review of the national curriculum undertaken last year, which involved wide consultation. The new national curriculum will be introduced in schools from this September. One of the Government's objectives, which is delivered in the new curriculum, was to allow more flexibility in all subjects precisely to enable the type of creativity that the hon. Gentleman mentioned in his speech.

The Government are already taking action to streamline administration. The hon. Gentleman, as is often the case, characterised administration in terms of paperwork. Teachers and heads have told us of that pressure, which is why my right hon. Friend the Secretary of State pledged at the National Association of Head Teachers conference that, from September, we would cut the number of documents by a third, and the number of pages that we send automatically to schools by a half. We have already set up a group of heads and deputies to advise us on our communications with schools over the next year.

When I visit schools, teachers and heads often say that, although they recognise the significant increases in money that the Government are putting through the standards fund, it has led to a more complicated system. That is why we have announced plans for a drastically simplified standards fund with less bidding, less form filling and streamlined monitoring. That will provide significant time savings for every school. For example, we shall reduce the number of ring-fenced grants and allow schools—trust them, to use the hon. Gentleman's phraseology—to transfer money between six broad headings, giving them the freedom to decide the detailed pattern of expenditure.

We shall make virtually all allocations by formula, removing the need for the bidding process that currently affects nine of the categories. We shall also ensure that schools know their standards fund allocation at the same time as they receive information about their delegated budget to help them to plan ahead. We shall allow schools to carry over their unused standards fund to the end of the school year from the end of the financial year, rather than having to spend it by 31 March or lose it. Those important flexibilities will ensure that the money continues to arrive in schools, but we are allowing heads and teachers more flexibility as to how to use it, and cutting administration.

We shall also further upgrade our national curriculum website to make it easier for classroom teachers to find and customise information and resources needed to support teaching. I take slight issue with the hon. Gentleman about the comment that all paperwork, guidance and documents issued by the Government are unhelpful. Many teachers welcome much of the good work done in recent years, especially in providing additional support and guidance around work schemes for the national curriculum—for example, work that enables teachers to consider best practice and to use it as a basis for adapting classroom work. That has been widely recognised and welcomed by teachers.

Action that we have taken already is now having an effect in schools. We have given considerable support and training for literacy and numeracy strategies, especially through training and through expert teachers employed by LEAs, to ensure that schools have LEA support in delivering those strategies which, as the hon. Gentleman said, schools in his constituency have welcomed. Without wishing to spoil the consensual approach developed during the debate, I remind hon. Members that that support would be removed by the Conservatives, judging by the ill-thought-out policy statements from the Leader of the Opposition about removing the role of LEAs. That point is worth remembering.

We have also provided easily accessible information for teachers about best practice through the standard site, which now receives more than 1 million hits a week. That is therefore recognised as support for teachers. We have committed funding to employing and training 20,000 additional teaching assistants by 2002. We have also recognised the administrative challenges for small schools, which is why we have set up the small schools support fund and the administrative support fund for such schools. The funds, which have a combined value of £80 million this year, will enable small schools to take on more administrative support and to fund developments such as shared bursar services.

I am fully aware that administrative pressures fall more heavily on head teachers in small schools than on those in larger schools. We have provided new heads and small primary school heads with portable computers. We have produced guidance offering advice and examples for schools to streamline administration: this is available on the web or in CD-ROM format. We have co-ordinated Department for Education and Employment communications in monthly batches, presenting each document in a clear format to show at a glance what they relate to and what action is to be taken. On the internet, we have set up an A to Z of school management and leadership to provide key information for heads and senior staff on school management issues, as well as access to more detailed information. By September, that will contain authoritative guidance on 400 topics and will, I hope, provide head teachers and governors with a quicker easier way of accessing necessary information. We are also developing the uses of IT through our EASEA database, a personalised information management service for schools and LEAs, so that those who register can receive an e-mail alert when new material that matches their interests is on line. There are more than 4,000 users for the pilot service, which will go national in September. We have set up a high-level group with head teacher representation to review all existing and new DfEE data collection. So far, this has cut out more than 10,000 hours of non-essential form filling in schools and education authorities.

Frustration often occurs in schools when it becomes necessary to provide the same information for several different uses. We have begun implementing a framework that will establish an information management strategy for schools and education authorities, to improve the manner in which information about schools, teachers and their pupils is defined, collected, analysed, shared and used. That should bring about real benefits to schools that face increasing demands for information.

The administration surrounding Ofsted inspections was mentioned. External inspection is important, but we recognise that many schools and teachers were unduly pressurised by the long run-in time of Ofsted inspections. We have shortened the period of notice before inspections and introduced light touch inspections for schools that perform well.

The hon.Gentleman mentioned the better regulation task force report, which welcomed the Government's push on standards. We take the report seriously: we have already accepted most of its recommendations in full and we are in the process of implementation. We have gone even further with our targets for reducing the volume of paperwork sent to schools and have embarked on simplification of the standards fund.

I agree that governors—the largest volunteer force in this country—play an important part in the governance of our schools. That is why the Department seeks to ensure better support and training for governors. We recently consulted on the matter and we shall soon issue terms of reference, regulations and guidance to support governors in the task of identifying their strategic role and establishing what should properly be delegated from governing bodies. The relationship between governors and head teachers also needs to be clarified. I recognise that that is a cause for concern in a small minority of schools. We want to help governors to understand more clearly their role and their contribution to raising standards in schools.

I recognise the concern to ensure that our teaching profession is skilled and enthusiastic, and provides the best opportunities for young people. The teaching profession has had much to do in a short time while managing significant change. I congratulate the profession on the results that are already being achieved. Morale will be further strengthened as teachers see the results of improved standards and increased attainments, and reap the benefit of our considerable efforts to cut and streamline administrative tasks. Over time, the teachers Green Paper reforms will transform prospects for recruitment by ensuring that teaching offers higher rewards, better career progression, support and training, and higher professional status.

Hon. Members are here today because of the hard work done by teachers in our personal histories. The Government are committed to recognising their key role in raising standards for our children and are supporting them in so doing on a day-to-day basis.

Access to Justice

11.58 am

Mr. Harry Cohen (Leyton and Wanstead): First, may I thank Madam Speaker for granting me this debate on access to justice and civil procedure? My focus is on the first section of Law Commission Report 257 on "Damages for Personal Injury, Non-Pecuniary Loss". I am particularly interested in the level of damages awarded and in the impact of the Lord Chancellor's civil procedure reforms.

I shall cite my wife Ellen's case as an example. I have cleared it with the Parliamentary Commissioner, Mrs. Filkin, who advised that it is acceptable providing that the case is completed; that it is about restitution of damages, not personal benefit; and that I declare in my speech that my wife has gone through the experience as I describe.

Ellen sought surgery for two implants to her lower jaw. She was referred to Mr. James Evans, a consultant maxillo-surgeon who practises extensively in the private sector and in the NHS, including Whipps Cross hospital in my constituency, University College hospital and other London hospitals. My wife asked whether there were any contraindications to the proposed procedures. Mr. Evans said that there were none, but at the pre-planning stage, he failed to perform a bone scan, which would have shown that her upper and lower jawbones were extremely thin. Consequently, he broke my wife's jaw during the operation. He failed to notify her of that. To try to strengthen her lower jaw, he performed a bone graft without her consent. However, that did not work. He inserted the two implants too deeply, at angles that made them impossible to use as a base for teeth. He gave Ellen none of that information. She suffered post-operative shock, without understanding what was happening to her, and she received no remedial treatment. At the post-operative check-up a week later, she passed out twice in front of Mr. Evans and was placed in a bed for a couple of hours, before being left to drive herself home.

After seven months, Mr. Evans attempted to reveal the implants and my wife underwent a series of barbaric mediaeval procedures at his hands and those of his orthodontist, Mr. Barnett of Loughton. During those procedures, my wife's facial nerve was repeatedly split and dissected until it resembled the tributaries of a major river. Infections were introduced repeatedly, causing her massive pain and facial disfigurement. Her fractured jawbone began to grow abnormally, and had to be corrected with later surgery. She developed a fistula, which fed poison into the rest of her body. That was ignored and led to repeated illness–in time, it would have resulted in toxaemia. The case against Mr. Evans was convincing.

One year after the original operation, Ellen reluctantly sought legal help. Evans phoned her four times threatening to unleash his insurers on her. His solicitors refused to engage for a couple of years, until my wife had gone to the expense and worry of preparing a case. Shortly before the case reached court, Mr. Evans admitted liability on all counts. His solicitors took another year to agree damages, after again going up to the wire of a court hearing. The process lasted four years, during which my wife could not afford reconstructive surgery. Thankfully, Professor Pederson of the Eastman dental hospital and institute saved her from more suffering two years ago, by removing the implants, re-routing the facial nerve and dealing with the bone abnormalities and the fistula. Since then, Ellen has suffered no infections. Her case presents a good example for the two issues that I will raise.

In the meantime, Ellen retired, so her damages did not include loss of earnings. They concerned only the pain and suffering, and the loss of amenity elements. It is important to distinguish between those two aspects. The former—special damages—can result in very large settlements; the latter—general damages—is small potatoes in comparison. However, it was the latter on which the Heil *v.* Rankin judgment of 23 March 2000 clamped down. That was one of eight test cases on which five top judges adjudicated, including the Lord Chief Justice. First, those judges ignored the Law Commission's recommendations in Report 257, which called for an increase by a factor of at least 1.5—that is, 50 per cent.—but not more than a factor of 2—100 per cent. However, the judgment provided no increase whatever in awards below £10,000, and only a tapered increase up to one third for the most catastrophic cases. In that respect, the Law Commission's recommendations were thrown in the bin.

The damages award to Mavis Schofield, the widow of Keith Schofield, who died from asbestos-related causes, were raised from £40,000 to £44,000; had the Law Commission's recommendations been implemented, she could reasonably have expected a minimum of £60,000.

Secondly, the judgment discriminates against the medical negligence victims who are less able to bring cases and to get a fair settlement by clamping down on the pain and suffering aspect of damages. It discriminates against those pursuing small claims and against the elderly, the disabled, women, children and those on low incomes. The class discrimination aspect of the judgment is appalling. In their defence, the judges said that it was for Parliament to intervene if it wanted to, and that is what I am attempting to do.

Thirdly, the judgment was based not on fairness and justified redress for the victim, but on the interests of parties not directly involved in civil actions—the medical insurance companies and the national health service. The judgment says that the court took into account

> the impact of the level of damages on the level of insurance premiums and on NHS resources.

That is bizarre; I thought that a civil case was between the two parties to it, yet the judgment takes account of other factors and other parties. That makes the victims pay; it subsidises consultants' medical insurance premiums and, more seriously, it subsidises bad consultants. The NHS already pays out for bad consultants and their medical insurance companies, and that should change. I am told that it cost my local NHS trust more than £250,000 to suspend a consultant suspected of wrongdoing. Reform is much needed.

Insurance premiums should include no-claims bonuses for good consultants and extra fees for bad ones. The public want the medical profession to be more accountable, but unless bad consultants incur the full cost, at least in insurance terms, of their negligence and malpractice, they are unlikely to be identified and dealt with. They should certainly not be subsidised, which the judgment allows.

The judgment protects the consultants and their powerful insurance companies. It is no wonder that Tom Jones of the solicitors Thompsons, who represented one of the clients in the eight test cases, said after the judgment:

> It beggars belief. What world are these judges living in to make these kinds of awards? Accident victims throughout England and Wales have been short-changed by a short-sighted Court of Appeal. The Court of Appeal has sided with the insurance industry that in 1998 made a trading profit of £1.2 billion. It has put the interests of profit before justice. The judgment is a slap in the face for victims.

Damages in Scotland are significantly higher than in England and Wales, so an asbestos victim in Newcastle is likely to receive tens of thousands of pounds less than a similar person just across the border. Germany and Ireland, whose systems are comparable to ours, have significantly higher damages awards.

It is nonsense to say that the courts would be clogged up if damages had been increased to the level suggested by the Law Commission. Spurious claims would still be unsuccessful. The civil procedure reforms introduced by the Lord Chancellor would kick in and ensure that such claims were dealt with more quickly. A claimant would still have to prove his or her case, and a defendant would still have to refute it or otherwise.

The judgment talked about basing future increases in damages on the retail prices index, but made no provision for annual uprating. The judgment was poor, which is why I draw it to the House's attention. The Justices suggested that Parliament could intervene, and I ask that it rectify the judgment in the ways that I have mentioned.

I give credit to the Lord Chancellor and my hon. Friend the Parliamentary Secretary for their efforts on the civil procedure reforms. The Parliamentary Secretary said that the aim of the reforms, which came into effect in April 1999, was to produce a civil justice system that was quicker, simpler, less costly, more certain and fairer. That aim is laudable, and I strongly support it. However, because of the delays, some claimants could die before they obtain a just settlement. I suspect that some insurance companies play for that. Such delays need to be cleared up.

A couple of reviews have been published since the introduction of reforms. One review, published earlier this year, said that more than 80 per cent. of respondents thought that the courts did not have the resources to process claims sufficiently quickly. Ellen's solicitor said that the court took an inordinate time to pay out her claim because it was understaffed. That needs to be addressed. The review also said that the courts are not appointing joint experts, which was true in Ellen's case. In fact, she did not even know that joint experts existed. It said that the courts do not penalise parties who fail to comply with the new rules. They were not penalised in Ellen's case.

Another review published this month referred to the need for more co-operation between parties, particularly as the court case approaches. That did not happen in my wife's case: the insurance company's solicitors were content to delay until the last minute and were not punished for doing so. The review also mentioned greater case management by judges. Again, that was not evident in my wife's case. I think that a newspaper article said that only about 7 per cent. of judges become involved in case management.

The Parliamentary Secretary of State, Lord Chancellor's Department (Mr. David Lock) *indicated dissent.*

Mr. Cohen: I see my hon. Friend the Minister shaking his head. If it is up to the judges, they will not become involved. They need to be chivvied to ensure that the reforms work, because they have an important role in that. The reviews suggested a host of measures to encourage parties to settle their disputes at the earliest possible stage. Again, that did not happen in my wife's case.

The Lord Chancellor has said:

> Of course the Rules are only part of the story of the reforms—a change in culture will occur, with greater emphasis on the settlement of cases, and less ponderous proceedings.

I must retort in the words of my wife's solicitor, who told her that after the reforms were introduced everyone behaved themselves for a couple of months, but now they are back to their old ways.

I support the reforms and their aims. They are terrific, but they need to be implemented. Much more needs to be done to achieve those aims.

12.15 pm

The Parliamentary Secretary, Lord Chancellor's Department (Mr. David Lock): I congratulate my hon. Friend the Member for Leyton and Wanstead (Mr. Cohen) on securing this debate. He has raised some important issues in relation to damages for personal injury. His wife's case is clearly very distressing, and I would like to express my sincere sympathy to his wife and him. Although he will understand that I cannot comment on individual cases, the graphic tale that he has told shows the problem. The victims of accidents or personal injury should not become victims for a second time as a result of the court process. I am grateful that he has raised the issue.

My hon. Friend eloquently and forcefully raised several important matters that lie within the jurisdiction of my ministerial colleagues in the Department of Health. I undertake to ensure that his speech is drawn to their attention, and I shall ask them to write to him on the points that are within their competence.

The level of damages for personal injuries has traditionally been seen as a matter of common law for the courts to decide, in their independent sphere. The Government have no plans to introduce legislation on levels of damages either for particular classes of case or generally, but I am sure that my hon. Friend's views will be heard here and considered as part of the overall debate outside the House.

The Law Commission Report 257, entitled "Damages for Personal Injury: Non-Pecuniary Loss", invited the courts, in the first instance, to express their views on the assessment of damages to be awarded for personal injury and loss of amenity in particular cases. My hon. Friend referred to the Court of Appeal decision in the Heil *v.* Rankin case in March. The decision increased damages for the top end of the scale by one third, tapering down to awards of £10,000, below which there

[Mr. David Lock]

would be no increase. I accept that that is less than the Law Commission recommended, but it is more than previously awarded. The court did not ignore the views expressed in the report. Rather, the five Court of Appeal judges, after detailed consideration of the report and its reasoning, and the other submissions made to them, determined the level of increase necessary for general damages to be fair, reasonable and just.

On the impact of the civil procedure rules, I am grateful that my hon. Friend acknowledges that the Government have tackled long-standing problems with a radical approach. I am grateful for his support for the main aims of the reforms. The civil procedure rules include an overriding objective to enable the courts to deal with cases justly. To further that objective, the courts are required actively to manage cases and to ensure that they are dealt with in a way that is proportionate to the complexity and the issues at stake, and with proportionate costs.

Many of the reforms' features are aimed at improving the way in which cases are handled. For example, pre-action protocols for personal injury or clinical disputes claims are intended to encourage the early exchange of information between parties, to bring about settlement of claims without the need for litigation, where possible, and to ensure that parties are better prepared, should litigation be the only way to settle a dispute. Claimants' offers to settle are another innovation aimed at encouraging early settlement. The number of issued cases since the protocols came into force has fallen by about 23 per cent. Anecdotal evidence suggests that the operation of the protocols is causing many more cases to settle at an earlier stage. That is a good outcome, because claimants are being left uncompensated for a much shorter time. I hope that it means also that a smaller proportion of insurance premium moneys are being paid in damages, and less is being spent in getting to the point when damages can be assessed.

Other features of the reforms include the use of single joint experts and the application of sanctions for parties who disobey the rules. I do not know when the case of my hon. Friend's wife started, but it may have been before the civil justice reforms were introduced. If so, the new rules covering the use of joint experts might not have applied. Even if the case had been started after introduction of the reforms, no hard and fast rule says that joint experts must be instructed. In particularly complex cases, it may not be appropriate to do so, but it is a matter for the procedural judges to decide what is appropriate in the light of the circumstances of each case.

The same is true of the application of sanctions for non-compliance with the rules. Sanctions were never intended to be purely punitive, and it was never intended that they should be applied automatically for every minor default. They exist to assist the court, when appropriate, and to act as a deterrent. For example, a delay may be unavoidable or may occur for good reason, or the court and the parties to a case may not be inconvenienced by a short delay; a sanction applied automatically in such circumstances would clearly not constitute justice.

The difference of principle under the new rules is that, in the absence of compelling reasons, the court expects the rules to be followed, and it is expected to manage cases proactively to ensure that that happens—including using sanctions if it is necessary to ensure that the rules are followed. Before the Woolf reforms, many of the rules were observed in the breach: Since the reforms, we expect the rules to be followed; we also expect cases to be managed by the courts with a view to the rules being followed.

Although it is too early to draw definitive conclusions about how the reforms are working, early indications have been positive. Some bodies have already conducted research within their own legal boundaries. For example, the Birmingham solicitors Wragge and Co. commissioned a study seeking the views of the legal heads of the FTSE top 1,000 companies. Nearly 90 per cent. of respondents were in favour of the reforms. It may be helpful to my hon. Friend if I quote from that report. It stated:

> The main advantage of the Woolf reforms is potentially faster resolution of disputes with less posturing between lawyers. We are now able to focus on the issues at stake, rather than procedures.

The Wragge report said also that 65 per cent. of respondents thought that faster resolution of claims was the main advantage of the reforms. Other procedures were thought to be beneficial. In 89 per cent. of cases, it was felt that offers to settle by the claimant at any point were beneficial; 74 per cent. of respondents thought that pre-action protocols had assisted their case; 64 per cent. were positive about the interventions and the case management function of judges; and 53 per cent. of those surveyed viewed the appointment of joint experts as an improvement. The MORI poll conducted on behalf of the Centre for Dispute Resolution found that about three quarters of those surveyed thought that the new procedures had a positive effect in improving the culture for settlement.

I must reiterate that it is early days, because the Lord Chancellor's Department has only just commenced its own fundamental evaluation of the programme. Even in the relatively short time since April 1999, when the reforms were introduced, there has been considerable improvement, but a lot remains to be done. I am particularly grateful to the Civil Justice Council, the Law Society and the Bar Council, who are advising on our plans and providing major contributions as our partners in the evaluation process.

My hon. Friend referred to a lack of resources in the courts. The nature of the reforms was expected to increase the administrative work of court staff. For that reason, an extra 60 staff were redeployed to meet that initial need. Some £1 million was allocated to allow for the possibility of overtime or the appointment of temporary staff. More recently, a further £1 million has been allocated to handle the residue of old cases that started under the old rules, but which must be concluded under the new regime. All courts were provided with IT support to meet the April 1999 implementation date. There has been a continuous programme of work to introduce further improvements and enhancements since that time. Plans are also in hand to introduce a new system called Caseman-plus in the summer of next year. That will combine the current case management system with other stand-alone systems that deal with case monitoring and listing, and will eliminate some of the duplication of effort that currently exists.

As part of the service delivery, the Court Service programme, Modernising the Civil Courts, will additionally focus on the needs of the customer and provide better value for money. The programme is one of the key building blocks for implementing strategic change in the Court Service. My hon. Friend suggested that lawyers are perhaps going back to their old ways after a few months. That is not the general view of the Department, the Court Service, or, as far as I am aware, the judges. I pay tribute to the commitment shown especially by district judges, who handle the vast amount of procedural work that is necessary actively to case manage business in the courts. They are committed to the reforms, the success of which is a tribute to their commitment.

I assure my hon. Friend that we will be assiduous in ensuring that the new culture sticks and is not replaced by a sloppy, late or lackadaisical attitude redolent of a pre-Woolf era. The judges have new powers of case management and I am confident that they are exercising them. There are tough sanctions against those who break the rules, and I encourage judges to use them to ensure that cases proceed as they should. The research evidence to date is encouraging, but we are anxious to ensure that there is no slipping back to the good old bad old days. I am confident that the civil justice reforms are proving their worth. As I said, most of the evidence to date is qualitative and anecdotal, but it shows a high level of satisfaction overall. However, I assure my hon. Friend that we shall remain vigilant to ensure that the principles set out in the reforms and rules are carried through as cases are managed actively in the courts.

Rural Roads

12.28 pm

Mr. David Rendel (Newbury): I seem to have found my way in around the back this morning, Mr. Deputy Speaker, but I apologise for not being here earlier.

I am delighted to have this opportunity to raise a subject that is enormously important to my constituency. I have been applying for an Adjournment debate on this subject for about the past eight weeks and it has taken this long to come up in the ballot. It is therefore more than a little ironic that the debate takes place in the week following the announcement of the comprehensive spending review, which included a lot of new investment in transport over the next 10 years. I am especially pleased to bring the subject to the attention of the House of Commons today because the maintenance of local and rural roads affects every motorist, cyclist, bus passenger and pedestrian in the country. The condition of many such roads is a disgrace and has been so for many years. The discretionary nature of road maintenance spending by local authorities has meant that rural roads have been the victim of cuts, cuts and more cuts in the past two decades. Local authorities should not have to neglect rural roads in order to maintain spending on education or social services.

At the end of what my right hon. Friend the Member for Ross, Skye and Inverness, West (Mr. Kennedy) rightly called

21 years of Conservative spending—[*Official Report*, 19 July 2000; Vol. 354, c. 369.]

rural roads are pitted with potholes. There has been too much emphasis on efficiency savings and not enough on the delivery of a vital public service.

In May, we carried out a survey of local residents in the areas around the villages of Inkpen and Kintbury in my constituency. The survey uncovered telling remarks on the state of an all too typical rural road to the west of Newbury. The following three quotations are taken from the responses to that survey. They say:

> The whole stretch is far worse than it has ever been.
>
> I travel in Asia extensively and these roads are far worse than third world countries.
>
> My eldest daughter left for New Zealand in 1974 and twenty years later returned to find this road even worse than when she left. She is returning again in May 2000 and should feel right at home, as nothing has changed in nearly thirty years.

That is merely an illustrative selection from a survey of one small council ward. Sadly, the situation is mirrored across the country. Frankly, people are fed up.

One of the most ludicrous results of the under-funding of the past 20 years is the system of rationing repairs that local authorities have been forced to use. Immediate action will be taken only if a pothole is at least 20 mm deep and 300 mm in diameter. For insurers to meet claims by motorists against local authorities, the pothole must be 40 mm deep. It is simply not good enough that potholes should be left unattended because they are classified as "normal"—less deep than the statutory level.

In my constituency and across the country, rural roads play a crucial role in the everyday life of the community. Commuters use them increasingly to get to and from work as traffic increases on the major arterial

[Mr. David Rendel]

roads. They are vital lifelines for young mothers and the elderly, and they are enjoyed by visitors and cyclists at weekends.

The Government's 10-year transport plan lays down proposals to improve public transport and to encourage people to use local bus services. However, with many rural roads in disrepair, both the safety and comfort of buses travelling along them is at risk. I and my party welcome the promised extra investment in public transport. Nevertheless, the Government must ensure that necessary improvements to the infrastructure are made before they try to develop a series of new bus routes, the usefulness of which will be hugely diminished by a quickly deteriorating rural road network. Likewise, if the Government are to insist on raising fuel prices still higher, is it not reasonable for the people of Britain to expect them in return to fix the many potholes that riddle our local roads?

Although I welcome the extra money that the Secretary of State has allocated to deal with the appalling state of rural roads, I am not sure that it will be sufficient or that it has come soon enough. It is a start, but why could the start not have been made three years ago? When the Government came to power in May 1997, we were all led to believe that things would change. As far as rural roads are concerned, we might have been told that things could only get better but, sadly, things have only got worse.

For 18 years, the Tories forced local authorities to abandon the proper upkeep of their rural roads. However, the rural road network is as important to its users as is the motorway network to those who use motorways. The extra funding that the Government now promise will, on their own admission, take years to make a real difference.

Of course, I welcome the Government's £30 billion programme to eliminate the backlog in local road and bridge maintenance. However, I am concerned that the money is due to be spread over 10 years, and that even the deterioration in local road conditions will not be halted until 2004. Can the Minister tell me how much of the £30 billion will be spent on bridge strengthening and lighting improvements, and how much will be left for the repair of rural roads?

In the section on local transport in the 10-year transport plan, the Department of the Environment, Transport and the Regions acknowledges the fact that under-investment has led to a situation whereby rural roads are still disintegrating at an alarming rate. It states:

> The condition of our roads is a matter of concern . . . Due to past under investment, local roads are now in their worst condition for thirty years, with a backlog of maintenance estimated at several billion pounds and their condition is still declining. This means that substantial sums are being wasted as roads are allowed to deteriorate to the point where more extensive, costly and disruptive repairs are required.

If only the same funding had been made available in 1997 or 1998, we could have halted any further deterioration by the end of this year or 2001. That in turn would have meant that the backlog could have been addressed much earlier.

I am sure that a brief survey of local authorities, or of even the average person in the street, would have told the Government in 1997 that the rural road network desperately needed money, at least to halt the deterioration. I understand the Chancellor's arguments that the country's finances needed to be balanced in order to provide for future investment. However, it is a false economy to save money to begin with, only to be faced with a larger bill over the next decade. That is the economics of the madhouse.

The Government are very proud of their "spend to save" special grant programme for local authorities. It is desperately sad that they did not see the need to "spend to save" on rural road maintenance in their first three years in office.

In my constituency, West Berkshire council appears to have in place plans to deal with rural road maintenance. However, funding has repeatedly been lacking for them to tackle the problems of all roads within the rural network. In a letter to a concerned constituent in May this year, the chief executive of West Berkshire council attempted to explain the problems that it faces in maintaining its many rural roads. She wrote:

> The maintenance of rural unclassified roads is actually a national issue and not just one particular to West Berkshire. We are very keen to improve the condition of our rural roads, but of course this has to be done within a limited budget. The need to establish a works programme and consequently a treatment regime which will bring about such an improvement is fundamental in delivering a best value service. Once potholes have been reported, temporary repairs are first carried out to make the roads safe and these sites are then added to an ongoing permanent patching programme.
>
> By adopting new treatment methods and materials I am hopeful that this will bring about an improvement to the road network, but with almost 500km of rural unclassified roads in Berkshire it will be a slow process.

The chief executive's letter was in response to an infuriated local resident whose car had been damaged in an accident caused by a pothole. Like many such car drivers, she was furious to find that she could get no recompense from the council or its insurers for the damage that was done. The justification for that was explained in a letter from the insurers, which stated:

> The Council, as Highways Authority, has a duty to maintain the highway under Section 41 of the Highways Act 1980. This duty does not, however, place upon the Highways Authority a strict legal liability to anyone who may have an accident whilst using the highway.
>
> For a claim to succeed, a claimant must first prove that the defect which was the cause of the incident was of such a dimension to make it "dangerous and actionable". Many highways claims have come before the Courts in the past and the Courts have stated that the highway cannot be expected to be maintained to the levels of a bowling green and that some unevenness must be expected. In respect of pavements, claims involving tripping edges of up to 1 inch have been found to be within the "normal expectation" limit and the claims have failed. In the case of Mills *v.* Barnsley MBC (1992) the Court of Appeal held in favour of the Council in respect of a defect which was a hole in the pavement 2 inches across and 1.25 inches deep. Where incidents have occurred within the roadway, the level of normal expectation has been generally higher with cases involving deep defects up to 1.5 inches to 2 inches failing.
>
> In respect of your constituent's claim, after the incident the defect was specifically measured at 700 mm x 35 mm x 32 mm (just over 1.25 inches deep). I therefore consider that this size of defect is within what would be deemed "normal expectations" and the claim would therefore fail.
>
> In addition, under Section 58 of the Highways Act 1980, the Highways Authority is provided with a statutory defence to claims if it has in place a reasonable system of inspection and

maintenance. I can confirm that the road in question is subject to a 3 monthly inspection system. The area was last inspected on 7 January 2000. At that time, the defect was observed and recorded. It was not marked out for remedial action because of its depth, which is below the Council's threshold for repair of 40 mm. The recording, however, would have meant that it would have been re-checked at the time of the next inspection. I also feel, therefore, that the statutory defence would also apply to this claim.

To back up their position, the insurers included with their letter a sheaf of papers that the council had sent them to demonstrate how effectively it was monitoring the state of the road concerned. I have the file here. It contains maps, work sheets, plans of where all the potholes are, their depths, when they are due to be repaired, and numerous other details. One cannot help feeling that, if the council were not forced to spend quite so much time defending itself against damages claims, it could provide more funds for repairing roads. Once again, this is a vicious circle. The worse the roads become, the more claims are made. The more resources are used to defend the council against the claims, the less money is left to repair the roads, and the worse the roads become.

The issue of rural roads is important for many people. I am glad, therefore, that the Government have now recognised that and are at last attempting to address what is fast becoming an impossible situation. I remain convinced, however, that it was unnecessary to wait three years until the increase in funding was announced. A great deal of time has been lost, and the lives of rural road users have been made increasingly difficult.

Moreover, far more funding will now be required to repair the damage that has been done than would have been needed if rural roads had been properly maintained in the first place. However, let me be fair to the Government. The main cause of the problem has been the gross underfunding of the rural road network by the previous Conservative Governments during the 18 years in which they were in power. The underfunding by this Government over the past three years has simply exacerbated an already appalling problem. The rise in funding that has now been announced is very welcome. I only hope that it has not come too late to rectify the rapidly deteriorating network left by 18 years of Tory under-investment.

12.43 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): First, I congratulate the hon. Member for Newbury (Mr. Rendel) on his success in securing this debate. Secondly, I express my gratitude to him for his courtesy in providing my office with advance notice of the key issues that he wished to raise. He has crowned his success in securing the debate by choosing a most important subject at what is an appropriate time for several reasons.

I listened carefully to the points that the hon. Gentleman raised, and I agree with many of them. Rural roads are in a poor condition; there are too many potholes and much more investment is needed for their proper maintenance. However, there is very good news. We have assessed the problem carefully, with the valuable assistance of the Local Government Association and the Highways Agency, and we are now going to stop the deterioration, clear the backlogs and restore rural roads—and all other local roads—to optimum condition over the next 10 years.

Through the spending review and the 10-year transport plan, we shall provide the considerable resources—more than £31 billion—that are necessary. In addition, we are providing managerial and technical guidance to help local authorities use those resources in the most efficient and economic way.

When we took office, we inherited a transport system that was fragmented and suffering from years of under-investment. We are determined to turn that situation completely around. Last week, we announced plans for massive new investment in transport, which will implement the vision in our White Paper and help the country's future prosperity. "Transport 2010: The 10 Year Plan" addresses the current problems of congestion, pollution and inadequate public transport, and shows how we intend to create an integrated transport system that is fit for the new century.

Roads will play a vital part in that 10-year plan. There are 284,000 km of roads in this country, of which half—142,000 km, or nearly 90,000 miles—are in rural areas. Rural roads are vital to the areas that they serve, because they provide the major—and, often, the only—infrastructure for private and commercial travel, and public transport. More so than urban roads, they knit together communities and give access to health, education, shopping, entertainment and social facilities, as well as linking people with employment and business opportunities. This Government recognise the importance of roads, but they need to be maintained well if they are to provide a good service for pedestrians, cyclists and bus users, as well as motorists. In rural areas, they must also provide a service for agriculture and equestrians.

In terms of traffic importance, strategic national roads are at the top of the road hierarchy. The Highways Agency has confirmed that there is no maintenance backlog on trunk roads and motorways, and its current funding allows the right treatment to be carried out at the right time, consistent with minimum whole-life costs. Unfortunately, the picture is not so rosy on local roads. Despite our having reversed the local maintenance expenditure cuts that the previous Government made in the mid 1990s, the 1999 national roads maintenance conditions survey showed that local roads are in their worst condition since the survey began in 1977. Although the NRMCS showed some welcome improvements in the condition of rural principal and classified roads, the condition of rural unclassified roads has declined since the previous year's survey.

In rural and urban areas, there are far too many potholes, particularly on unclassified roads. Potholes not only show that roads are breaking up; they are also dangerous and damaging to pedestrians, cyclists and motorists. Unfortunately, they are not the only problem. The bridge-strengthening programme to accommodate 40-tonne lorries needs to be completed, and there is a considerable backlog of other bridge structural maintenance work. If that is not tackled, even more expensive repairs will become necessary. In hillier parts of the country, many retaining walls need strengthening and treatment. Lastly, but by no means least, there is a considerable backlog of life-expired

[Mr. Keith Hill]

street lighting columns that need replacement. More than a quarter of some 5 million columns in England are more than 30 years old.

Drastic action is needed, and we are taking drastic action. We are implementing a step change in resources to stop deterioration and eliminate backlogs. In the 10-year period, we are increasing funding for local road maintenance by 40 per cent. in cash—£9 billion—to £31 billion. Compared to current spending levels, there will be an extra £1 billion in cash in the first three years. This is truly "spend to save".

As has been pointed out, the under-funding of road maintenance wastes money, because more expensive repairs become necessary in the long run. Hon. Members will appreciate that the legacy of years of under-funding cannot be put right overnight. In the spending review, we have worked closely with the Local Government Association to calculate the resources and time necessary to carry out the work. We have had to bear in mind the need for local authorities and the maintenance industry to make proper staffing and resource plans to accommodate the increased funding.

The hon. Gentleman asked whether we know how much of the funding will be used in the maintenance of rural roads. We do not, but I expect that local authorities will use an appropriate proportion on rural roads. The £31 billion programme will, first, halt the deterioration in the condition of local roads by 2004; that is an important commitment. Secondly, it will eliminate the backlog in carriageway and footway maintenance within 10 years. Thirdly, it will complete the programme of bridge strengthening to accommodate 40-tonne lorries within six to seven years. Fourthly, it will tackle the backlog in essential structural maintenance to bridges in nine years. Finally, it will clear the street lighting backlog in 10 years.

Mr. Rendel: If the Minister knows so accurately how long it will take to carry out the parts of the programme, he must have some idea of the amount of money that will be spent on each part.

Mr. Hill: As I said earlier, we are still working on that. We hope to make more precise announcements in due course.

We intend to see that the money is spent well. The performance of local highway authorities will be monitored using best value indicators. The current indicators measure the condition of principal and other classified road carriageways, the cost of principal road maintenance against vehicle mileage, the time taken to repair street lights and the time taken to rectify serious road defects. We shall refine and extend those indicators, and future developments may include regular compulsory visual surveys of the condition of all local roads and consistent reporting on the conditions of bridges. We shall also monitor closely the reports that local authorities are required to make on the delivery of their local transport plans. Future funding allocations for local transport plans will depend, in part, on the progress that they make.

We were impressed by the effort that local authorities put into their draft local transport plans last year. The discipline of having to plan five years ahead and merge maintenance planning with other transport objectives produced, in most cases, a coherent and considered assessment of needs and priorities. We could not fund the bids in full last year, but the increased resources that are now available will allow us to satisfy needs more closely in the coming round. Local transport plans represent a useful way in which authorities can bring to our attention maintenance needs that are not being addressed. It was through last year's plans that we were made aware of the problem with retaining walls and the extent of the backlog on street lighting. Retaining walls have been taken into consideration in the current transport plan round, and we are still considering the best way to feed extra money for street lighting into local authority funding mechanisms.

To help local authorities to improve the management of highway maintenance, we are working with the Local Government Association and others to produce a new code of good practice. It will be available next spring and will give the latest guidance on managing the maintenance of carriageways and footways. The code will concentrate on the service to the road user, rather than specifying the input, as the present code does.

We have also provided the major part of the funding for the UK pavement management system. It is a computerised system, which allows for the collection of highway condition data and the creation of a database, analysis of the data to identify priorities for treatment and assessments of the treatments needed. It helps highway authorities to plan maintenance in the most efficient and cost-effective way. Future development of the system will allow for analysis of condition trends and the projection of condition deterioration over five years, so that the most economic treatments can be calculated and the financial consequences of not carrying out the treatments quantified.

We have incorporated the UKPMS visual condition surveys into the best value indicators for maintenance, and we are encouraging local authorities to adopt the system. Using UKPMS data for the national road maintenance condition survey could also be a good way to avoid the duplication of surveys and obtain more comprehensive data, to give us a better idea of national road condition trends and maintenance needs. Looking further ahead, machine surveys of local roads may provide quicker and more accurate data collection within a few years. The Highways Agency has done much work in that area and is starting to use machine surveys routinely.

I must not leave local road maintenance without saying a few words about procurement. The abolition of compulsory competitive tendering and the introduction of best value will encourage local authorities to challenge their preconceptions about maintenance procurement and to seek more innovative and better ways of getting the work done. We are already seeing the beneficial effects of that with several local authorities achieving more flexible and better arrangements with the private sector. The partnerships that are coming about are particularly interesting.

Additionally, the opportunities presented by the private finance initiative in giving local authorities a good deal on maintenance are becoming more apparent. We have already approved three street lighting projects in Brent, Staffordshire and Walsall, and we are

considering three more business cases. Street lighting PFI projects involve a private sector contractor taking over the provision of highway lighting for a period of 25 years, receiving an agreed unitary payment depending on performance. The contractor normally undertakes to replace life-expired columns within five years and that capital work will be supported by central Government in the form of PFI credits. We approve those projects only if the PFI route can be shown to provide better value for money. That has usually been the case with the projects that we have examined so far, mainly due to the private sector's greater scope to innovate and gain efficiencies in procurement and the use of personnel.

We are also considering an application for PFI credit support from Portsmouth for an innovative project in which the private sector will carry out all maintenance on the city's principal roads for 25 years and provide certain services, including street lighting, over the whole road network.

I hope that I have been able to reassure the hon. Member for Newbury that our actions and funding will restore local rural roads to a condition in which they can be maintained at minimum whole-life cost and contribute fully to the better transport system that rural areas need and deserve.

Question put and agreed to.

Adjourned accordingly at three minutes to One o'clock.

Westminster Hall

Wednesday 26 July 2000

[SIR ALAN HASELHURST *in the Chair*]

Yorkshire and Humberside

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Kevin Hughes.*]

9.30 am

Mr. Eric Illsley (Barnsley, Central): I welcome you, Mr. Deputy Speaker, to our debate on transport strategy and economic development in the Yorkshire and Humberside region—a wide-ranging subject for what I hope will be a wide-ranging debate. I kept the subject of our debate deliberately wide to enable hon. Members to raise various aspects of transport strategy as it relates to their constituencies. I congratulate everyone who is in the Chamber on being wide awake and willing to take part in the debate this morning, bearing in mind that the House did not adjourn until 3.50 am.

The area stretches from north Yorkshire, with its rural communities and resulting transport problems, to south Yorkshire, with its industrial heritage and regeneration problems, to west Yorkshire and its commercial and financial centre of Leeds, to Humberside and the port regions. It is a wide area which suffers diverse transport and economic problems. My colleagues from the region are here today to speak about their areas. I am no exception to that and I shall speak about Barnsley and south Yorkshire, but first it is appropriate to give an overview of the region and to explain some of the transport and economic aspects that are crucial to the area.

At present, Yorkshire and Humberside regional development agency operates under the title of Yorkshire Forward. The initial page of its website states:

> Yorkshire and Humber is one of the fastest growing economic areas in the UK. A vibrant business centre, generating industries, jobs and expertise that attract some of the best brains and skills from all over the world.

It refers to

> the rapid growth of Leeds to become the UK's largest financial and legal centre outside London...Industries range from engineering to information technology, biotechnology to chemicals, healthcare to tourism.

At the beginning of this year, however, south Yorkshire qualified for objective 1 status. An area does not achieve such a status with relish. It is not a badge of honour, but a sign of how poorly an area is performing compared with the rest of the European Union. One of the criteria for European Union objective 1 status is that the gross domestic product of a certain area has fallen to below 75 per cent. of the European Union average, and that has clearly happened in south Yorkshire. In fact, the GDP in my constituency has fallen to 66 per cent. Doncaster, Rotherham and Barnsley, in particular, have dragged the area to below the 75 per cent. level. Some people may say that 66 per cent. GDP does not mean a lot, but when one realises that it is less than the figure for Poland and for southern Portugal, one soon begins to realise just how poor south Yorkshire is. I hope that the objective 1 money will help drag us back above those figures and bring back some of the prosperity that has been drained away.

The full utilisation of the objective 1 money is therefore one of the key issues for our area. We must ensure that there are adequate sources of match funding, as I will discuss in regard to transport, so that we draw down every penny that is available. We must also ensure that the programme is on time. We are already six months into the first year of the six-year programme of objective 1 status and we are still waiting for projects to be approved and for approval of the single programming document from the European Union. Some projects must be committed before the end of the year so that we keep to the timetables; we can wait for the money to follow.

Mr. John Healey (Wentworth): On match funding and the speed with which projects can be brought into being, does my hon. Friend agree that the Chancellor's confirmation in the spending review last week that match funding is guaranteed for not just objective 1 but objective 2 and 3 programmes was helpful, but that we need to simplify the system so that areas such as south Yorkshire can draw down match funding from national Departments? The second stage of the work is to make sure that match funding is accessible and that projects can come on stream quickly in the way that my hon. Friend has described.

Mr. Illsley: I agree with my hon. Friend. The Chancellor's statements are welcome and it is reassuring that the Government have promised match funding. We look forward to that filtering through. My hon. Friend is right that we have to move to stage two and keep to our timetables so that our projects are ready.

I shall make one further point on objective 1. I said that Barnsley's GDP European average was 66 per cent. and Sheffield's was around 75 per cent. so it was Barnsley, and to some extent Rotherham, that brought the whole of the region below the magic figure. Sheffield must not take a huge share of that objective 1 money, compared with Rotherham, Doncaster and Barnsley. It is pleasing that one of the Sheffield Members, the hon. Member for Sheffield, Hallam (Mr. Allan), is present.

Mr. Healey: And he is nodding.

Mr. Illsley: Yes. We have to ensure that Sheffield does not ride on the back of the rest of south Yorkshire. It was brought into an objective 1 area not because of its own economic performance but because of that of other areas, and it must not then walk away with the lion's share of the money. I hope that that does not arise, but I wish to flag up the possibility.

Mr. Healey: Uncharacteristically, I would like to speak up for Sheffield. What my hon. Friend says is right, but does he recognise that the future success of south Yorkshire depends critically on the future success of Sheffield at the heart of that economic restructuring?

Mr. Illsley: I am not sure how to answer that. It has caught me a little off guard. Perhaps it does, but I do not

[Mr. Illsley]

agree fully with my hon. Friend that the rest of south Yorkshire has relied on Sheffield, although it is the major city in the grouping. Barnsley is, of course, the capital of south Yorkshire and has been since 1974, which might have some bearing on my thinking. My hon. Friend makes the point well that the area needs to progress in a united way, without rifts and arguments, to make sure that we take advantage of objective 1 money.

I shall deal later with the climate change levy, which is one of the problems of economic development in my area, but I turn now to transport. The Yorkshire and Humberside region has a diverse transport sector, much of which needs greater development and improvement in order to increase economic development. Accompanying the 10-year plan for transport funding that resulted from the comprehensive spending review was a Government statement that gives some idea of the diversity of our transport:

> The Yorkshire and Humber region is at the centre of key north-south and east-west road and rail corridors including the M1, A1 and M62, the East Coast Main Line and the Trans-Pennine rail lines. These routes are of vital importance to the competitiveness of the region and growing congestion problems need to be tackled to facilitate economic development. The Humber ports represent an important regional asset and improved road and rail links are a priority. Increasing congestion in the main towns and cities must be addressed to foster regeneration, improve the environment and encourage urban renaissance. In rural areas, improved public transport is needed to tackle problems of car dependency and social exclusion.

That sets the scene of transport problems in our area.

As that brief introduction stated, some of our motorways are congested, especially the M1 near Sheffield—junctions 30 to 34—and the M62.

Mr. Harold Best (Leeds, North-West): Does my hon. Friend agree that long-established rail links will be vital to the future of the entire county of West Yorkshire and the wider region? I have in mind the rail link that passes within half a mile of the airport at Leeds-Bradford. If it were linked to the airport, an integrated air, rail and road system could be introduced. Does my hon. Friend agree that it is important to do that?

Mr. Illsley: Absolutely. It is an essential part of our economic development and transport strategy that we integrate all aspects of transport, including our rail transport and our airports. I shall discuss in a moment the need for better access to our airports and railways from different parts of the area. My constituency of Barnsley is not even linked to the east coast main line by rail, so we cannot access that line from Barnsley. My hon. Friend makes a good point, and I entirely agree.

As I said, the east coast main line is developing bottlenecks. We still do not have direct services to the channel tunnel, and they are a long way off. When Members representing the region were involved in debates on the channel tunnel rail link, we pressed hard for direct rail services through our area to the channel tunnel, but we still await them.

Our rural services need improvement. Historically, south Yorkshire has high levels of bus usage; indeed, in the 1970s, south Yorkshire, Sheffield and Barnsley were the highest users of bus transport in western Europe. Also, until 1986, we had a cheap fares policy.

As my hon. Friend the Member for Leeds, North-West (Mr. Best) said, we have airports—Leeds-Bradford and Humberside. The debate continues on Finningley, but the development is a concrete proposal. I do not want to take up time debating the case of one airport against another. That would be wrong, because we want more air services and airports in the region as a whole. However, I point to it as a matter for the future, and I am sure that it will feature in today's debate.

Whatever the arguments about Finningley and Leeds-Bradford or about Manchester airport taking passengers from Yorkshire, for example, the essential point is that Yorkshire and Humberside need better air services. Our air transport facilities need improvement, and we need more airlines and services.

I turn now to some of the relevant issues for my constituency and south Yorkshire. Part of the research into objective 1 status identified some of the key transport constraints on economic development in south Yorkshire. I read only yesterday an article in the 18 July edition of the local newspaper for Barnsley, *The Star*. Its headline was "£215m needed to bring 20,000 jobs—Massive investment in transport vital, says study". The study, commissioned for south Yorkshire, states that £215 million of investment is needed to bring jobs to Sheffield in south Yorkshire. The report, which is from the Babtie group of consultants, has been published recently, and again emphasises the fact that we need to deal with our transport limitations.

I shall quickly skim through the key problems. They include the Midland Mainline capacity restrictions between Sheffield and Doncaster. There are long journey times south of our region, which simply are not competitive when compared to journey times on the M1. It is simpler to drive to the south of the country than to take the Midland Mainline train. The east coast main line also has capacity restrictions, which are now being tackled. I understand that a new means of access close to the M18 is proposed for it, but there is no direct rail link between Barnsley and that railway. We do not have direct trans-Pennine rail services to Manchester international airport from Barnsley. We hope that proposals to reopen the Woodhead line will be supported.

South Yorkshire's rail network is characterised by low-speed services, poor reliability due to limitations of track and signalling infrastructure, poor service integration, old rolling stock and low-frequency timetables. The poor rail services between Sheffield, Barnsley and Leeds mean that is easier simply to drive on the M1. The availability of parking at the Meadowhall shopping centre does not help. As a consequence, commuters and others opt to travel by car, which adds to congestion. The direct links from south Yorkshire into the Humber ports are somewhat poorly developed.

The M1 corridor between junctions 31 and 37 is a problem, and there is severe congestion at junction 34 because of the Meadowhall interchange outside Sheffield. The M18 corridor has capacity limitations between junctions 2 and 3. The east-west corridors from Barnsley and south Yorkshire over the Pennines to Manchester are restricted. The A628 is limited by its tortuous nature and the fact that it passes through a national park, so it is difficult to improve the road. There are many journeys from Barnsley to Manchester

international airport, but the transport links are not good enough. The development of Finningley airport at Doncaster could give us an alternative to Manchester international airport.

There are three priorities in what is known as the single programming document for objective 1 that relate directly to transport. Priority 4 focuses on the role of community transport services in supporting the development of economic opportunities in targeted communities. That sounds a bit waffley, but I shall give an example. Grimethorpe colliery was one of the most profitable collieries in the country until it was closed. Now that it is no longer there, the village has no visible employment. Anyone who lives there who wants to travel to the other side of Barnsley for employment does not have a bus service. There is no public transport available to get someone from the village to his or her job for a shift starting at 6 o'clock in the morning.

Priority 5 is to support business investment through strategic spatial development in the three strategic economic zones located near to the motorway. We must improve transport for those strategic sites so that we can move goods and people. Priority 6 is to remove transport constraints on economic growth. We are required to select the three key transport bottlenecks that adversely affect the delivery of world-class rail passenger and rail freight links, the efficient operation of the strategic road network and strategic airlines.

I turn to the south Yorkshire transport plan, which is a five-year bid for transport capital resources within south Yorkshire. The first bid is for £20 million a year in each of the next five years for integrated transport measures. The second is for £13.8 million for structural maintenance funds, and the third is for seven new transportation schemes, three of which are within my constituency.

Given the announcement of the 10-year plan of extra funding from Government, I am sure that my hon. Friend the Under-Secretary of State for the Environment, Transport and the Regions will respond by saying that the money will be readily available in the amounts required and that all those projects will go ahead. Some important local projects also depend on the south Yorkshire transport plan, including the Great North road quality bus corridor in Doncaster, the Cudworth bypass in Barnsley and the Barnsley busway, the Sheffield inner ring road and the West Bawtry road.

My final point relates to economic development and the climate change levy, although that is somewhat outside the terms of the debate. However, it is the responsibility of the Department of the Environment, Transport and the Regions to set up the rebate schemes that compensate for the effect of the tax on jobs. I have objected to the levy since its inception because I do not believe that it is necessary. It is a tax on manufacturing jobs and is costing jobs in my constituency, particularly in the glass industry. There is a company called Potters Ballotini, which manufactures glass, that is not within the integrated poliution prevention and control directive so cannot qualify for the 80 per cent., just as Pilkington Glass or Automotive Windscreens cannot, although they are major users of energy in producing glass products. They will fall outside the rebate and the costs that will come to them will be extensive.

I would also like to know whether those proposed 80 per cent. rebates have been found to be uncompetitive within the European Union, or whether they will go ahead. Will we be taxed on delivered energy or primary energy? Will the 90:10 rule, which applies to processes outside the IPPC on single-site factories, be extended or left as it is? How much leeway will there be for other processes on same-site factories? How sure is the Minister that all the proposals will be covered, given that they are due to be published in January 2001, for a tax that will affect my constituents in the April that year?

In conclusion, there are diverse issues in relation to transport and economic development in Yorkshire and Humberside, covering rural and industrial areas. We need to improve transport industries to allow south Yorkshire—Yorkshire and Humberside—to develop to their full potential. I referred specifically to south Yorkshire, because transport needs to develop more quickly in that area, so that we may catch up with the more affluent areas. My key message is that we need that transport development to enable our area to develop to its full potential.

9.54 am

Mr. Lawrie Quinn (Scarborough and Whitby): It is with great personal pleasure that I contribute to the debate. I congratulate my hon. Friend the Member for Barnsley, Central (Mr. Illsley) on his success in securing this timely debate, and for the excellent way in which he linked wider regional matters to the publication last week of the 10-year transport plan.

With your permission, Mr. Deputy Speaker, I shall focus on my part of the region—north Yorkshire, and especially the north Yorkshire coast. I shall speak about the challenges and opportunities that face the communities of Whitby and Scarborough, and my belief that the economic regeneration of that part of Yorkshire rests totally on the continuing success of the policies that have been introduced by the Labour Government, with specific emphasis on the transport policies—an excellent route map—laid before Parliament last week by my right hon. Friend the Deputy Prime Minister.

Before I continue, it would be remiss of me not to place on record my entry in the Register of Members' Interests. I hope that my past professional interest in transport management and construction will be regarded as a strong basis for the arguments that I shall attempt to deploy this morning. Working as a civil engineer, particularly in the region's railway industry, managing, developing and improving the country's civil engineering infrastructure over 18 sometimes very long years gave me the opportunity to view transportation from the coal face. Transport policy over those 18 years resulted in a legacy of failure. I estimate that two thirds of my design work for the much-needed renewal, enhancement and maintenance of railway structures now lies in a dusty drawer in the planning room among Railtrack's regional archives.

That personal overview spurred me into action, my personal agenda being to gain election to Parliament. Fundamentally, I am an engineer. I try to solve problems; I do not want to be part of the problem. From that basic philosophy, I regard the work of my right hon. Friend the Deputy Prime Minister over the past three years as being at the heart of transport and economic regeneration, not only for my region but for the communities there.

[Mr. Lawrie Quinn]

Scarborough and Whitby have seen the start of the delivery of much-needed assistance. European objective 2 status has been granted for 95 per cent. of the community, and last week the match funding for that initiative was announced. We have also seen the Government's acceptance of Scarborough's £17 million integrated transport scheme. I thank my hon. Friend the Minister for his personal interest in bringing forward that initiative. I commend him for his personal expertise; the many years that he spent working in transportation have undoubtedly added to his reputation as a Minister who solves problems rather than makes them.

I was a member of the Committee that considered the Transport Bill, and I and my hon. Friends amended the Bill to include a much-needed national transport concessionary scheme for pensioners. My constituency, which did not have such a scheme, benefits from that initiative. Again, I commend my hon. Friend the Minister and his team for listening to and acting upon the representations made by the people who live on the north Yorkshire coast.

I turn to the reason why I wanted to make a contribution to this debate. For far too long, and under Governments of both parties, the transport lifeline into Scarborough and Whitby, the A64 trunk road corridor, has been the first road investment scheme to be chopped whenever the nation's finances looked bleak. That was certainly the case in 1995, when the long-awaited proposals were again kicked into the long grass. I should be staggered if any of the hon. Members here who have made the journey along the A64 did not appreciate how strange it was to cut that scheme, as they, too, will have sat in traffic jams for many hours when heading to the coast. Scarborough and Whitby offer visitors a warm welcome, but those trying to get there sometimes need a lot of patience.

The previous Governments' short-term transport policies, which were linked to their failed economic policies of boom and bust, were wrong in 1995. The failure to redress the mistake in the light of the forward-looking agenda of the new Government's transport policies for a new century would condemn my community to economic starvation and a bleak future. We could become the south Yorkshire at the northern end of our region unless action is taken. We are here to help prepare for success and not for the isolation and failure that would be induced by more than a million traffic jams and a million frustrated vehicle journeys into the constituency.

Last week's foresighted statement concerning the nation's trunk roads as part of the 10-year plan gives the people of Whitby and Scarborough hope such as they have not experienced for more than a generation. The prospect of a multi-modal study of the A64 corridor was also the focus of representations to my right hon. Friend the Minister of Agriculture, Fisheries and Food, who was able to visit my constituency last week. He had discussions with the senior management of McCains Foods, a world-class food manufacturer based in Eastfield in my constituency. Hon. Members will be familiar with the firm's products if they choose French fries in the restaurants of the House. The company is considering future investment plans. The Minister of Agriculture was given a clear message in no uncertain terms, from that important manufacturer with which to return to Government. Future investment for McCains will depend totally on the logistics and the future of the A64 corridor. The firm speaks up for the industrial businesses in Scarborough and Whitby. I expect next week, when the Minister for Tourism, Film and Broadcasting, my hon. Friend the Member for Rossendale and Darwen (Janet Anderson), visits my constituency, that the hard-pressed tourism sector will strongly reinforce that message.

The multi-modal studies will allow a real investigation into the most serious problems on the region's trunk road network, including the lifeline into my constituency. We will be able to focus on the issues that were not addressed in the targeted programme of improvements laid out in the 10-year plan. The studies will allow an examination of the role of every type of transport. As my hon. Friend the Member for Barnsley, Central suggested, we need a total integrated solution in my community and our region generally. We need to make the best use of the resources and the facilities that we have now and to place investment where it will have most impact.

I commend the work done for many years by North Yorkshire county council and by Scarborough borough council, which have dusted off previous arguments deployed to earlier Transport Ministers regarding the future of the A64 corridor and which have allowed me to present some perspective on what is happening at the moment.

The A64 is the only trunk road to serve the Scarborough and Whitby area. As such, its strategic importance cannot be over-emphasised. That has been recognised by the Department, with proposals for a dual carriageway between Malton and Staxton on the outskirts of my constituency. The A64 links the important regional centre of Leeds with the A1, Tadcaster, York, Malton and Seamer. It is especially important because it provides an access route to the North Yorkshire Moors national park, about 60 per cent. of which is in my constituency, the Yorkshire wolds and all the east coast resorts. The road is an important lifeline and its national status has been recognised by its being retained as a core trunk route.

Economic regeneration for my community and the nearby coastal areas has been confirmed at European level following designation as a rural priority area and an objective 2 area for European Union structural funds. Nationally, the Government have given support to the town and urban areas of Scarborough with two single regeneration budget programmes. In May 2000, the employment rate for my constituency was more than double that of the rest of the county of North Yorkshire. Everyone recognises that Scarborough and Whitby are wonderful places to go on holiday. They are prime tourist destinations, the birthplace of the British seaside industry, and of national importance, especially when one considers the beauty and historical context of Whitby. There were almost 11 million visitor days in 1999, but the area's potential is not fully met. We can offer the sort of quality experience that people are seeking in their recreation time.

The challenges to tourism in the area hang on the fact that people have moved away from the long-stay holiday to the short break. Weekend breaks and

additional holidays, which sometimes involve shorter journey times, are influenced by the quality of communication links. Therefore, the poor quality of the links to my constituency is fundamental to the future of tourism in Scarborough and Whitby. Virtually every other major seaside resort and conference centre already has a high-quality dualled connection to motorway networks, and that has an impact on the potential economic development of any area around our coastline.

Linked to the partnership that we have forged in our region for economic development, in particular with Yorkshire Forward, I ask the Minister to consider other aspects of the review for which I am calling. The county council, in partnership with Scarborough borough council, the Highways Agency, Railtrack and English, Welsh, Scottish Railway are investigating ways of encouraging the use of the passenger-only lines from York to Scarborough for the movement of freight. The railway part of the A64 corridor is not currently being used for freight, but its potential is tremendous, especially because of the major industrial companies that are located in Scarborough, such as Pinder Printers. That company is well known to the Minister and is a world leader in transport and travel information systems. In addition, Plaxtons, the bus manufacturers, provide about 45 per cent. of buses for the national and international market. Those companies, which are major players in the local economy, are totally reliant on good logistical links into Scarborough.

The partnership that has been forged with Yorkshire Forward, the possibility of an inter-modal study and investment in the corridor are fundamental to the future of my community. Following the Government's welcome strategy for coastal shipping, there is tremendous potential for Whitby, a coastal port, to fulfil its part in the maritime economics of the country. However, Whitby is restricted by the fact that there are inadequate transportation links into the port. I remind the Minister of the much-heralded proposal to reconnect the railway line from the trans-Pennine corridor—from Malton, up through Pickering—to the current line of the North Yorkshire Moors railway. An estimated cost of £19 million has been forwarded for the consideration of the Strategic Rail Authority. It is essential for Whitby's future that that sum should be provided for a link, not only for recreation but to revitalise the area.

I want to comment briefly on the region's airport strategy. Most people who leave Scarborough and Whitby for international flights would tend to take the trans-Pennine railway route directly to Manchester airport. We desperately need an important integrated link into Leeds-Bradford as soon as possible. That is fundamental to the prosperity of the region and essential to the future of my community. Our area of north Yorkshire is looking to the world. We want to play our part, and transport links are fundamental to that.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Nicholas Winterton): Order. Before I call the hon. Member for Don Valley (Caroline Flint), I should point out that at least three other Yorkshire Members have shown interest in participating in the debate. I hope that subsequent speakers will take that into account.

10.11 am

Caroline Flint (Don Valley): I thank my hon. Friend the Member for Barnsley, Central (Mr. Illsley) for securing the debate. I know that he shares my desire to ensure that south Yorkshire is part of the renaissance of the Yorkshire and Humber region.

There are many aspects of transport on which I could focus. I am pleased to have played a small part in helping to convene a transport conference in the Don valley with my hon. Friends the Members for Wentworth (Mr. Healey) and for Barnsley, East and Mexborough (Mr. Ennis). I dealt with the links between transport and child care development. The two factors most often cited by people who are asked what prevents them from getting into work are transport and child care. Work is needed to bring about an imaginative connection between providers of the two.

I give notice to my hon. Friend the Minister and to Ministers at the Department for Education and Employment that I intend to seek a debate on school transport after the summer recess. We need safer routes to school for children, and, although there is much talk of the road congestion caused by the school run, no extension of school bus services seems to be taking place. However, today I want to talk about airports in the region.

The Yorkshire and Humber region is punching below its weight in the aviation industry, among others. Perhaps, with the Finningley site in my constituency, I could be accused of parochialism, but I have always said that if there is no business case for that site, and if there are airports in the region that can provide the services that I believe that Finningley alone can provide, those who think so should stand up and speak. However, they cannot do that. We are one of the poorest regions in the country with respect to the aviation industry, which has a contribution to make to the regional economy and jobs. Social benefits would also be derived from such infrastructure.

Finningley should be considered in context. The proposed Doncaster Finningley airport would not be a 60-million-passenger Heathrow or a 20-million-passenger Manchester. In 15 years it would cater for 2.3 million passengers. It would be half the size of Newcastle airport in 2015 and smaller than Leeds-Bradford airport. However, according to the Transport Research Laboratory, the airport and associated business parks would result in gross regional employment creation of between 7,130 and 7,700 jobs. The displacement of aviation business at other regional airports in Yorkshire and Humber would be modest. One reason for that is that air passenger numbers are set to double over the next 15 years. Another is that, as Ed Anderson, the director of Leeds-Bradford airport, said to the Bradford *Telegraph and Argus* in March,

> Hardly any of our customers come from South Yorkshire and that's why we don't see Finningley as a major threat. In fact 80 per cent. of our customers were from the Leeds Bradford area last year...People from South Yorkshire tend to use Manchester or East Midlands.

He is right. Sixty per cent. of south Yorkshire passengers use Manchester, 15 per cent. use London airports and nearly 15 per cent. use East Midlands. That means jobs and spending leaking from the region, wasteful journeys to distant airports and lost opportunities in the Yorkshire and Humber region.

[Caroline Flint]

I agree with Mr. Anderson that Leeds-Bradford and Humberside are crucial to their local populations and play an important role for local business by providing links to Europe. They will continue to do so. However, the limitation on the region's economic development is not that those airports cannot take more planes on their runways and passengers through terminals—"capacity" as those in the industry call it—but that they cannot develop long-haul services. Runway length is a crucial limitation. We are all aware of the tragedy that happened yesterday. Hon. Members may say that Concorde can fly from Leeds and can fly transatlantic. Yes, it can. However, that is not the same as true long-haul potential.

That is not a partisan view that is taken only by me. In the inquiry into Liverpool airport in 1995, the evidence from Manchester Airport plc stated that Liverpool's runway

> is too short to provide for a full range of long haul routes.

I agree, as would Liverpool airport. The irony is that Liverpool has a longer runway than Leeds-Bradford, Humberside or Sheffield airports. The real test of a runway is whether an aircraft can take off fully laden at maximum take-off weight. If it cannot, airlines can never gain the full competitive advantage.

A recent study of eight commonly used long-haul aircraft showed that only three could land at Leeds or Humberside. Seven of the eight could land at Finningley, including the Airbus A300 and the Boeing 757. That explains why Bill McGrorty, aviation director of Airtours, stated in *Travel Weekly* that, if Finningley does not proceed, Airtours would have to locate services abroad. The company operates from more than 20 airports. He remarked:

> Finningley is a wonderful airport and it has a fantastic runway. It also has good long-haul opportunities. We only operate long haul from Gatwick and Manchester which is a bit limiting.

Airtours is not the only airline that wants to run long-haul services from Finningley—services that will not be located anywhere else in the region.

Airtours is Britain's fifth largest air freight operator. Nowadays, 95 per cent. of air cargo goes in the belly of passenger aircraft. That is not a large-scale business at Leeds or Humberside, but imagine the potential of a plane a day landing from Miami, Orlando or New York. Cargo could make a huge contribution to our economic competitiveness. It is an entire aviation sector in which Yorkshire and Humber fail to compete, while Manchester, East Midlands and London take all the prizes. Long-haul and air freight services represent a gap in our air transport services that inhibits our economic competitiveness. It is incumbent on all Yorkshire and Humber Members of Parliament to face our regional shortcomings and to do something about them.

Finningley would be small in terms of any national or international comparisons—but God bless the Ministry of Defence for bequeathing such a fantastic brownfield site to our region. The business park and the airport wouldadd between £100 million and £130 million per year to Yorkshire's domestic product by 2015. That represents investment, spending power, passenger power and business opportunities that have so far bypassed the region.

I urge all Members of Parliament who represent Yorkshire and Humber to celebrate and promote our ports, our rail port, which serves Humberside, our motorway network, which bisects the country, and our east coast main line, with its long-term potential. With a new airport in south Yorkshire, we could boast a full house in air services—the business link to Europe from Sheffield, to major European cities from Humberside, and to the Caribbean, Chicago or San Francisco from Finningley.

Before I finish, I urge my colleagues to disregard the misleading and alarmist spin that they often receive from the Finningley airport network. As some hon. Members will know, Mr. Kevin McDonald has financed the campaign against Finningley. I should like to know whether Mr. McDonald, as he is an owner of Gamston airport, ever bid to use Finningley for aviation use. It is time that the public were told, and I have written to him about it. Did he ever employ Mr. Bell, his surveyor, who currently organises his campaign against Finningley, to appraise the site, check its condition and estimate its value? Now that Mr. McDonald is not the owner of Finningley, he may be gamekeeper turned poacher—desperately trying to convince anyone who will listen that this extraordinary site, in a low population area with the second longest runway in the north, would be better as something other than an airport.

Tonight, I shall present a petition on behalf of my constituents in Don Valley, the constituents of my hon. Friends the Members for Doncaster, North (Mr. Hughes), for Doncaster, Central (Ms Winterton) and for Barnsley, East and Mexborough, and people in the surrounding areas. More than 21,000 of them have said, "We want this airport. We don't need a public inquiry." It makes the business case for itself, and, in the light of objective 1, gives real hope for the regeneration of south Yorkshire.

10.20 am

Mr. John Grogan (Selby): My constituency is currently enjoying the prospect of a double whammy of investment in its transport infrastructure. It is a matter of some local pride that, when the roads review was undertaken in the first year of this Government, well over 5,000 of the 5,500 representations received from the entire Yorkshire region originated from my Selby constituency, and related to the Selby bypass. After a 60-year wait, construction of the Selby bypass will begin next July, and the contract will be advertised throughout Europe this summer. The bypass will improve traffic flow in the town and the local environment and much industrial land will be freed, which could provide investment and jobs as the mines decline during the coming decades.

However, there is more than just the bypass. The rail link to London, which was terminated when the coalfield was established 20 years ago and the east coast main line was diverted, has been restored. One train a day from Hull—colloquially known as the Prescott express—stops at Selby on its way to London. Seeing the name of one's town displayed at King's Cross station as a direct destination is a bit like seeing one's football team get promoted to the second or third division. There is more to come. In a few weeks' time, a new company, Hull Trains, will run three direct trains a day each way that stop at Selby.

However, I want to concentrate my remarks on the nuts and bolts of public transport in our region, which includes buses as well as trains. In Selby, Scarborough—I enjoyed the contribution of my hon. Friend the Member for Scarborough and Whitby (Mr. Quinn)—and the whole of north Yorkshire, it is boom time for rural buses. Spending on public transport has increased from about £1.3 million in 1997 to nearly £3 million today. In some villages in my constituency, those who were born in the war years could grow up, get a job, have children and grandchildren, and still be waiting for a bus. Now that my hon. Friend the Minister is responsible for such matters, there are buses in abundance in north Yorkshire. For example, the connexions route, which passes through the villages of Oxton, Bolton Percy and Appleton Roebuck, connects Tadcaster with the Askham Bar park-and-ride link to York. In a good week, 500 people now use that service.

However, for local people such developments sometimes constitute something of a cultural shift. When asked whether they objected to the erection of a bus stop for a new service, the representatives of one parish council said, "We don't have those sorts of things here—it's not that sort of village." In fact, they are now very proud of their bus stop, but a little persuasion was necessary. When travelling on another enhanced bus service, I noticed that there were no bus stops in any of the villages. I asked the driver whether that caused a problem, and he replied, "No, because our regulars know where we go." Perhaps that is not the marketing that we want, but such services are making a difference.

One issue that calls for regional planning—and, ultimately, perhaps regional government—is public transport in Yorkshire and Humberside. Three bodies are involved: South Yorkshire passenger transport authority, West Yorkshire passenger transport authority and North Yorkshire county council. I have referred to the county council's £3 million budget, but in west Yorkshire the passenger transport authority spent £91 million, including a direct grant for rail services of £37 million. No such grant is available for north Yorkshire. Clearly, that has an impact on the fare structure and level of services in north Yorkshire, and I shall consider briefly how pensioners and commuters are affected.

My dad is lucky to be a pensioner in west Yorkshire. He leads a full and active life. He goes to the races, the theatre and the cinema, and watches Bradford City. He can travel anywhere off-peak for 20p, but in south Yorkshire, the off-peak fares for buses and trains are, I believe, 33p and 35p respectively. In the constituency of my hon. Friend the Member for Scarborough and Whitby, there are no concessions at all. In Selby, one receives £8 worth of bus tokens a year. That affects people's retirement decisions. For example, Tadcaster and Wetherby are two very similar market towns within a few miles of each other, and a similar distance from Leeds. A day return from Tadcaster to Leeds costs £3.50, for a pensioner or anyone else. The journey from Wetherby is 20p each way.

We welcome the half-fare bus passes that are to be introduced next year, to which my hon. Friend the Member for Scarborough and Whitby referred. Nevertheless, it is important to have reciprocal arrangements between the different transport authorities. South Yorkshire and west Yorkshire have just done a deal whereby a pensioner can travel off-peak from one county to the other for 34p. West Yorkshire also recognises the bus passes of pensioners from Lancashire and Greater Manchester, so if my dad goes to Manchester, he can get exactly the same concessions as a Manchester pensioner, but no such reciprocal rights exist with north Yorkshire.

West Yorkshire is, at the moment, recognising Lancastrians but not certain fellow Yorkshire men and women. It is essential that, next year, reciprocal rights should be established across the whole of the county of Yorkshire. That should be our aim, so that west Yorkshire pensioners, for example, can get on a bus and buy a half-fare ticket all the way to Scarborough and the coast. That would be a boon to tourism.

A ridiculous situation can be found within my constituency. In York, half-fare bus passes are already available, but if a pensioner travels by bus across the border from the York council area to the Selby council area, a half fare would be available for only half the journey. Two constituents of mine, Mr. and Mrs. Eggleston, from Fulford in the York unitary authority area, regularly travel to Thorganby, a little village in the Selby area, to see their grandson. They are entitled to a half fare part of the way, to Wheldrake, but they have to pay the full fare for the rest of the journey. That is clearly crazy, and we need reciprocal arrangements. I urge the Government to bang a few heads together, if necessary, to encourage that process on its way.

I shall move on to commuters. Thousands of people commute from my area every day, especially into Leeds and other places in west Yorkshire. Although there are seven train stations in my constituency, many of those people get into their cars, go over the border into west Yorkshire and get on exactly the same trains that pass through my constituency, in order to save money. For example, a return ticket from Church Fenton—a village in my constituency—to Leeds costs £5.10 a day, but if one travels a few miles by car to catch the train at Micklefield, the fare goes down to £3.50. A couple commuting into Leeds every working day could save about £60 a month by taking that short car journey, which is obviously environmentally daft.

The matter needs attention, and is likely to become an even bigger issue in relation to the new rail franchise map. As I understand it, the trans-Pennine link is to be a separate franchise, and all the suburban services are to be franchised as a whole across the northern region, but with an insistence that they be managed in line with the boundaries of the passenger transport authority. We would not want to lose out in north Yorkshire because, although we have all those stations, there is no passenger transport authority.

There is a strong feeling in my constituency of Selby that we should benefit from greater links with the West Yorkshire passenger transport authority, which is allowed by law, incidentally, to organise services 25 miles from its boundary. I hope that we can reach the stage where we have one passenger transport authority planning services across the whole Yorkshire region.

I support another comment made by my hon. Friend the Member for Scarborough and Whitby: it is extremely important—for my constituents, as well—that we incorporate the rail link with the Leeds-

[Mr. John Grogan]

Bradford airport. That scheme shows how progressive and innovative the West Yorkshire passenger transport authority is. Not only is it applying for the rail link, but it was the first authority in the country to organise late night buses to get people home from Leeds, which boasts that it is a 24-hour city. Buses run at weekends until 2.30 in the morning. It is, therefore, a very progressive transport authority and we should like to see some of its influence in north Yorkshire.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. I want to call the hon. Members for Leeds, North-East (Mr. Hamilton) and for Leeds, North-West (Mr. Best). If they will make very brief contributions, I shall be happy to call them both.

10.29 am

Mr. Fabian Hamilton (Leeds, North-East): Last Friday, the headline "Supertrams are go" in the *Yorkshire Evening Post* was an echo of the old "Thunderbirds" programme. I hope that the supertrams will be better than the old puppet television series.

From 1985 to 1995, 11,000 new jobs were created in Leeds and 11,000 new commuters came into the city during that period. I congratulate my hon. Friend the Member for Barnsley, Central (Mr. Illsley) on introducing the debate. He said that Leeds is one of the economic engines of the region and there is no doubt that it is the main employment area and the economic generator of west Yorkshire. However, Leeds is grinding to a halt and I am delighted that, after 10 years of trying to obtain a tram system, we have the go-ahead at last.

It is not just the trams that we must concentrate on. As my hon. Friend the Member for Selby (Mr. Grogan) and other hon. Members said, buses are crucial. In the 1970s and 1980s, Sheffield had a wonderful bus system and I remember travelling across the city for 2p in those good old days. Buses are the key to transporting people, but they are not the only method of transport. The guided bus service in my constituency is one method of making buses more efficient and avoiding some of the traffic jams, but we also need a more efficient road system.

I was pleased to hear that the east Leeds radial road will be built under the 10-year transport plan, but I hope that the Minister will support phase 8 of Leeds inner ring road because that will complete the ring. [*Interruption.*] I thank him for offering me the money already. Phase 8 is the final piece of the jigsaw to complete the ring road.

I was delighted to hear that Delhi is building its own underground and light rail system, but I want Leeds to be ahead of Delhi. Why can we not consider a light rail network, which would serve not only people in Leeds, but those who come to Leeds to work from surrounding districts—Bradford, Harrogate, Scarborough, Whitby, Selby, York and places further south such as Wakefield and Doncaster? Why can we not be adventurous and visionary and have a system that not only echoes what Delhi is doing, but is considerably better and serves the whole population of the area?

I am a recent convert to cycling and I take my life in my hands whenever I cycle through central London to get here more quickly than the traffic and even the tube. I would like more cycle routes. One of my constituents, Mrs. Hazel Maxwell, is interested in cycling, especially for children, and sent me an e-mail yesterday stating that more safe cycling routes were missing from the 10-year plan, or least the publicity about it. Will the Minister respond to that?

I support the points that have been made about the pressure for a rail link to Leeds-Bradford airport, including many of those made by my hon. Friend the Member for Don Valley (Caroline Flint) about Finningley, but I do not want to enter that debate now. I want Leeds-Bradford airport to have better access by rail and other public transport from Leeds and Bradford. I should like the Minister to tell us exactly what is happening about that. A rail link from central Leeds would link up with the rail network to south Yorkshire, so it would also improve the links there.

Mr. Deputy Speaker: We now have two minutes left for the hon. Member for Leeds, North-West.

10.34 am

Mr. Harold Best (Leeds, North-West): Most of the points that I wanted to make have been made by my hon. Friend the Member for Leeds, North-East (Mr. Hamilton) and I shall not repeat them. I want to emphasise the need to make use of existing wide-gauge rail systems. The engineering skills of our Victorian forefathers survive today. We should take advantage of that amazing infrastructure. Along with other hon. Members, I have referred to one such link: Leeds-Bradford airport, which is just half a mile away from a major rail link. That railway line goes on into east and north-east Yorkshire, passing through stations that were closed by a certain person some 30 or 40 years ago. We want to see one of those stations reopened, providing ease of access to the airport for people who are currently using their cars and clogging up small country lanes. Such a rail link would make a contribution to green transport.

I see from the clock that I have had my two minutes. I am grateful for the opportunity to speak.

10.36 am

Mr. Richard Allan (Sheffield, Hallam): I shall try to speak at a rapid south Yorkshire pace, in order to get through the points that I want to make. I am pleased that the hon. Member for Barnsley, Central (Mr. Illsley) secured this debate. We have a chance to show how united we are in south Yorkshire on the issues and, perhaps, to highlight those areas in which we are still groping for agreement.

The hon. Member for Barnsley, Central was right to raise the issue of match funding for objective 1 programmes in the context of transport. We need to raise that matter on every available occasion. The Government have said that they are willing to find the match funding, but they need to be able to remove the obstacles in the way of that, of which we are all aware. The hon. Member for Don Valley (Caroline Flint) did not disappoint: she put the case for Finningley, as I suspected she would. I shall not disappoint either: I want

to raise local concerns about Sheffield airport. It may be a different beast from the proposed airport at Finningley, but it does create employment in Sheffield. No one disputes that the volume of air traffic is growing, and I do not intend to start a detailed debate about that. None the less, a public inquiry is necessary, because of the wider regional issues involved. That is the only way to get the necessary assurances and bring everyone on board; otherwise, there will be a continuing grumbling dispute in the region. Finningley will develop in that context, but it is important that we start from the right point. The hon. Member for Don Valley explained how long term the proposals for development of the airport are, so we should not be concerned about delays at this stage because of a wider inquiry. I hope that we can have that inquiry now.

Caroline Flint: Is the hon. Gentleman giving the official position of the Liberal Democrats on the issue of a public inquiry?

Mr. Allan: I speak as a Member of Parliament for Sheffield. Since I am the only Liberal Democrat Member in the area—south Yorkshire—my position is as official as we need.

The hon. Member for Leeds, North-East (Mr. Hamilton) showed his youthfulness, by saying that he travelled for 2p. I did too; that was the child fare. I had not realised that the hon. Gentleman was eligible for that fare at that time. Bus transport is a key issue. There is disappointment, especially in Sheffield, that it is still so difficult to get to grips with the bus operators and that there are no major powers to do so. Routes in my constituency have been changed and the PTA has been unable to do anything. Fares are still a major issue. Price is the key determinant for an individual in deciding whether to stand at the bus stop or take the car on a rainy day. If there were a cheap fare, as there used to be, people would choose to take the bus; with the fares that they have to pay now, they will not. I hope that there will be some prospect of passenger transport authorities having more direct control over routes and fares. They used to have such control, but it was removed by deregulation, and no adequate new system has yet been devised by the Government.

The hon. Member for Leeds, North-East said that "Supertrams are go" was a headline in his local paper. Is he going to steal our supertram? We have a functioning supertram, but it does not go to the right places in some areas, and that has been a problem. There will be proposals for extensions. I hope that the Minister will say whether the Government will be favourable towards those who wish to extend existing schemes as well as to those who wish to bid for new schemes. Extensions of the tram network on which so much Government money has been invested could be helpful, especially in the university and hospital areas.

I favour moving quarry traffic on to the railway system. Sheffield has no ring road and quarry vehicles, from Derbyshire in particular, drive through it. Indeed, they go past my office, so I am very conscious of the traffic. I hope that the Government agree that more quarry traffic should use the rail system and that they are willing to invest in EWS infrastructure to enable that to take place. Motor cycles are a good replacement for car traffic, especially for commuters. At present, in order for them to use bus lanes, a special request must be submitted to the regional office for dispensation because there are no approved signs for such traffic movement. Such a system seems very bureaucratic and I hope that the Minister can explain his thoughts about using motor cycles as a way in which to combat congestion in the region. Can anything be done to make it easier for local authorities to enable that to happen if they so choose? I could raise plenty of other issues, Mr. Deputy Speaker, but I am conscious of the time.

Mr. Deputy Speaker: I am grateful to the hon. Gentleman.

10.41 am

Mr. Tim Loughton (East Worthing and Shoreham): This morning's debate has been fascinating and I congratulate the hon. Member for Barnsley, Central (Mr. Illsley) on introducing it. We have been on a Cook's tour of villages, A roads, trunk roads, railways, those villages that do not want bus stops in the Yorkshire region and ended up in Delhi. That shows the diversity of the Yorkshire and Humberside region. I know it well from my time as a candidate in Sheffield in the early 1990s and as someone whose family comes from the Beverley area.

I agree with many of points made by the hon. Member for Barnsley, Central about the general economy. He referred to the energy tax. Now is not the time to go into such matters in detail, but I underline the impact that that is having on large manufacturing industries, especially the glass and chemical industries in south Yorkshire. Having stood as a parliamentary candidate for the constituency of Sheffield, Brightside, I agree with the hon. Gentleman's comments about the congestion at junction 34 of the M1, an area that I know particularly well. I also have experience of the traffic jams on the A64 on the way to Scarborough. I represent a seaside town, and the hon. Gentleman should visit the A27 and experience the difficulties of travelling to seaside resorts in my part of the country.

The hon. Member for Don Valley (Caroline Flint) expressed a detailed knowledge of aircraft movement and I shall touch on the matter of Finningley later. I congratulate the hon. Member for Selby (Mr. Grogan) on his contribution to the debate or, more particularly, his father who seems to be one of the more mobile senior citizens in the Yorkshire region. The hon. Gentleman highlighted the absurdity of what he described as environmentally daft anomalies in transport policy. As for the hon. Members for Leeds, North-East (Mr. Hamilton) and for Leeds, North-West (Mr. Best), what can I say?

The Yorkshire and Humberside region is a diverse area. It has 5 million people. It is the same size as Scotland or Denmark. Its work force comprises 2.3 million people with an economy of £52 billion. It has nine universities and 40 colleges, and 118 plcs have their headquarters in the region. Outside south-east England, it has one of the highest proportions of small and medium companies.

As we have heard, the region has many problems. It is on the wrong side of the north-south divide and, as the recent Cardiff university study showed, the Government's policy is widening regional economic

[Mr. Tim Loughton]

disparities in England and Wales rather than narrowing them. Moves to assist business developments are improving the performance of the most competitive regions, not the poorest ones such as Yorkshire and Humberside. The region is near the bottom of the rankings in the United Kingdom for competitiveness. It is on a par with the economies of Hungary, Chile and Israel. The welcome success of securing objective 1 status from the European Union underlines the fact that south Yorkshire is one of the poorest regions of the European Union. The hon. Member for Barnsley, Central confirmed that the figure for the region was 74 per cent. below the European Union average.

As we have heard, there are also big disparities in Yorkshire, which has its own north-south divide. The northern end of Yorkshire and parts of west Yorkshire are far ahead of south Yorkshire in the commercial exploitation of IT-based technology. GDP per head in south Yorkshire has fallen substantially over the past 20 years. Conversely, we have problems of overheating in Leeds, one of the most prosperous parts of the north of England. I understand that several bosses of electronics companies in Yorkshire recently approached Yorkshire Forward and said, in effect, "For goodness sake, stop attracting South Korean electronic companies to the region because we simply do not have the skilled work force for our own companies, let alone for employers coming in." There are real problems in that regard.

Transport will undoubtedly aid the resolution of such economic disparities. It is an anomaly that no transport role was given to regional development agencies in the Regional Development Agencies Act 1998. It is not part of their remit. RDAs constantly complain that they do not have a direct input into the transport infrastructure, which is such an essential part of the economic regeneration of regions such as Yorkshire and Humberside. I know from my conversations with the people who run the Sheffield development corporation that one of the key elements of the success of the urban development corporations in the 1980s and 1990s was the provision of a good transport infrastructure, such as links to the M1 in the case of Sheffield, that went way beyond some of the accompanying tax advantages. A SWOT—strengths, weaknesses, opportunities, threats—analysis by Yorkshire Forward of the transport problems in the region, which several hon. Members touched on, highlighted the poor rail links between London and Sheffield, London and Hull, Sheffield and Leeds, Leeds and Manchester, and traffic congestion on the M1 and M62 and in key cities.

Will the Minister give us some detail on what last week's 10-year transport splurge will mean for Yorkshire and Humberside? His wallet is certainly under great pressure, with all the schemes that hon. Members assume have been paid for. Perhaps he can allay their fears and give them the good news that they anticipate. The website of the Department of the Environment, Transport and the Regions identifies the need to upgrade the A1 to motorway standard, particularly the key bottlenecks in the south of the region. My hon. Friend the Member for Vale of York (Miss McIntosh), who would have liked to attend our debate but is sitting on the Transport Select Committee, has particular problems with the section of road between Bramham and Barton. She is also concerned about the high level of traffic accidents and road fatalities in the region, which the hon. Member for Don Valley mentioned.

There is also the issue of improvement of roads to the Humber ports, particularly Hull. Would the Minister, in the absence of his boss, comment on that? Would he also comment on the potential effect of VAT on river crossings and the bridges across the Humber? What about the Government's commitment to the dualling of the A66? Will any of the 100 promised bypasses be in the Yorkshire and Humberside region? Will my hon. Friend the Member for East Yorkshire (Mr. Townend) get a bypass for Middleton-on-the-Wolds, to take the pressure of the lorries from Bridlington and Driffield?

The Secretary of State wants to shift movements between car and rail by 5 per cent. and contain car traffic at 1999 levels. That has a serious impact for north Yorkshire, in particular, a large rural area that has already been hit heavily and disproportionately by petrol prices. Can the Minister assure us that improvements will be made to bus services in the rural area of north Yorkshire rather than just concentrating on the towns? The submission of North Yorkshire county council to the Environment Committee report on the urban White Paper made interesting reading in terms of the consultation on rural bus services from market towns and the surrounding communities. Will the Minister allow county councils proper time for consultation with their parishes rather than bringing forward the cut-off date, as previously happened with North Yorkshire?

There is also the question of road repair. The Government have not made money available on necessary funding for local authorities to maintain their road networks. Sheffield, for example, currently has a backlog of repairs well in excess of £20 million. It seems absurd to give money to councils for bus lanes and cycle lanes if the roads are falling apart.

I do not have time to mention in detail the re-franchising of the east coast main line fiasco—no doubt the Minister would like to update us on it—the empty promise of the channel tunnel rail link to Leeds, and the incentives for the improvement of the trans-Pennine rail link. I shall not talk about the Finningley airport at Doncaster either, although the Minister might like to reply to the hon. Member for Don Valley.

The hon. Member for Barnsley, Central mentioned that the Government 10-year plan, and the extra money from it, would bring great hope to his region. It is up to the Minister today to give proper hope to people that some of the schemes will actually happen. Undoubtedly, the region is in great need of transport infrastructure improvements. I hope that the Minister will deliver for Yorkshire and Humberside, and start to do so by giving details now.

10.50 am

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): This has been a lively debate. There have been eight speakers in the brief period of an hour and 20 minutes. We have learned a great deal about the region and the transport needs of some of its constituencies, about which my hon. Friends and other hon. Members

have shown commendable impartiality. I was also touched by the passion demonstrated for the region by the hon. Member for East Worthing and Shoreham (Mr. Loughton), whose constituency is on somewhat distant shores from it.

I have been asked a huge number of questions, and I shall try to answer as many as possible. I congratulate my hon. Friend the Member for Barnsley, Central (Mr. Illsley) on securing the debate. This is a significant and exciting time for transport in this country. Last week, my right hon. Friend the Deputy Prime Minister unveiled the Government's 10-year transport plan, which is known as Transport 2010. Our goal is to transform our transport system over the next 10 years, tackling congestion and pollution, increasing choice and raising standards to make travel safer, more attractive and accessible to all.

Transport 2010 provides an investment of £180 billion, delivered through partnership between the private and public sectors. Before the plan, congestion on our roads was set to grow by 15 per cent. over the next 10 years. Our target set out in the 10-year plan is to reverse that trend by removing traffic bottlenecks and improving public transport, so that people have a real choice to leave their cars at home. The environment is important to us all, and our proposals will produce savings in greenhouse gas emissions, helping to achieve our Kyoto targets and more.

My hon. Friend the Member for Barnsley, Central was right to point to the importance that the Government attach to the region in our recently published 10-year transport plan. We recognise that the Yorkshire and Humber region is at the centre of key north-south and east-west road and rail corridors. The Humber ports represent an important regional asset and I am aware that improved road and rail links are a regional priority. We recognise the fact that areas in the region also suffer from a disproportionately high number of worn-out roads, and Transport 2010 will rectify that. The main towns and cities in the region suffer from increasing congestion, which must be tackled to foster regeneration, improve the environment and encourage urban renaissance. There are also many rural areas in the region, and improved public transport is needed to reduce car dependency and tackle social exclusion.

Transport 2010 provides the funding to transform the transport system in the Yorkshire and Humber region. Individual projects will be determined through the funding programmes of the Highways Agency, the Strategic Rail Authority, and as part of the local transport plan settlement later in the year.

My hon. Friend the Member for Barnsley, Central mentioned the objective 1 issue and the question of matched funding for European structural funds. The responsibility for the acquisition of match funding falls to the project applicants, and it is for the local partners preparing the single programming documents to assess the likely availability of match funding when establishing their financial plans. We envisage that local transport capital funds could be used as a source of match funding. The spending review statement by my right hon. Friend the Chancellor of the Exchequer means that there is now more funding available to which local partners can look for match funding. That is obviously good news for areas with EU structural funds in the Yorkshire and Humber region.

My hon. Friend the Member for Barnsley, Central also referred to the need for improvement in the region's rail networks. Railways are an important part of the transport infrastructure in the Yorkshire and Humber region. Transport 2010 will allow exciting public-private partnerships to implement much needed investment in this area. For example, the east coast main line upgrade will provide increased rail capacity to the region and the potential for half-hourly services to Leeds and York from London. That will build on the £165 million Leeds station scheme currently under way. As my hon. Friend also said, the trans-Pennine rail routes are important to the region, and improvements can be expected to be agreed as part of the new trans-Pennine express franchise. There are proposals to improve the rail capacity and environment of Sheffield station, creating a more integrated transport facility for the city. Once again it is pleasing to see the public-private partnership at work in promoting these schemes.

My hon. Friend the Member for Scarborough and Whitby (Mr. Quinn) drew attention to the problems of the A64. I note his call for a multi-modal study of that road but, in the meantime, further consultation is proposed this year to help consider options for improvements to Barton Hill junction, Whitwell on the Hill junction, the Whitwell dual to Malton bypass and Rillington bypass, which are all on the A64. He will be aware that there is already excellent news for Scarborough, in the Scarborough integrated transport scheme, on which local officials and my officials have been working together. Enormous progress has been made on that project in the past six months.

My hon. Friend the Member for Don Valley (Caroline Flint) made a well-informed and powerful statement in favour of the development of Finningley airport. The proposed new commercial airport at Finningley, near Doncaster, is of considerable interest to people throughout the Yorkshire and Humber region, as is inevitable with such a significant proposal. We expect the local planning authority to refer the application to the Secretary of State in the autumn, who must then decide whether to call in the application for his own determination. It would be quite wrong for me to make any comment that could be perceived as either supporting or opposing the scheme. I can confirm that the current regional air services co-ordination study—RASCO—will not delay the process. I am sure that my hon. Friend will understand, therefore, if I say no more about it at this stage.

My hon. Friend the Member for Don Valley made a general case for all the airports in Yorkshire. For the sake of a similar balance, I should say that I am powerfully aware of the strong campaign for improved surface access to Leeds-Bradford airport. I have received delegations on the subject and know that consideration is being given to how the airport could be accessed from the Leeds-Harrogate line mentioned by my hon. Friend the Member for Leeds, North-West (Mr. Best). However, any proposals would have to meet the normal requirements of value for money appraisal and planning powers, and satisfactory funding arrangements agreed with the authorities.

[Mr. Keith Hill]

I turn to the good news story about the rural bus boom, mentioned by my hon. Friend the Member for Selby (Mr. Grogan). Our rural bus initiative has been a fantastic success throughout the country in the past three years. In that period, we have generated 1,845 new and enhanced bus services. The 10-year transport plan will increase funding next year for the rural bus initiative from £60 million to £95 million, from which I am sure that my hon. Friend's constituency will benefit. That represents a commitment to the countryside by this Government, which was never contemplated by the Conservative party, although it so often proclaims itself the defender of rural areas.

I am grateful to my hon. Friend the Member for Selby for his positive remarks about the national minimum concessionary fare scheme. The provisions in the Transport Bill will benefit 7 million senior citizens, not least the many deprived of any form of discounted fare by the Tory Scrooge local authorities throughout the country. I take his point about inter-ticketing arrangements, which have been built into the Transport Bill. We have discussed and reached agreement on it with the Office of Fair Trading. It will create a presumption in favour of such inter-ticketing arrangements.

My hon. Friend the Member for Leeds, North-East (Mr. Hamilton) mentioned the Leeds supertram, on which we are making progress. I am pleased to say that Transport 2010 includes billions of pounds for public and private investment for such light rail schemes. As we have said, we envisage up to 25 new light rail schemes in the 10-year period. I am aware of the increasing success—

Mr. Deputy Speaker: Order. Time is up.

Rail Services (London)

11 am

Mr. Paul Burstow (Sutton and Cheam): Every day last year, more than 460,000 people commuted by rail to central London during the morning peak—3 per cent. more than the previous year's figure. Rail commuting has increased each year since 1993, and Railtrack predicts that it will grow by more than a third over the next 10 years.

How has the rail industry responded to that growth in demand? The answer is, badly. Public performance measures record a decline in the services provided over the past year by nine of the 10 train operating companies that serve London. Vying for pole position for poorest service are Connex and Thameslink. I have a particular interest in those companies. They both provide services to my constituents, as does South West Trains.

Why is the service so bad? Quite simply, the first round of rail franchising had just one aim—to complete the privatisation before the 1997 general election. There was no wider vision or strategy for the development of services or infrastructure. As a result, it is hardly surprising that no plans were made to meet the huge increase in demand for services on all London lines over the past three years.

To top it all, performance standards for the new train operating companies were set at the lowest possible level. Why? Quite simply, so as not to frighten off potential bidders. What the previous Government called "a passengers charter" was a licence for train operating companies to print money and rip off passengers. Although the train operating companies will probably prove the whipping boys in today's debate, the Conservative party should take responsibility for devising a system in which passengers' interests took, at best, second place.

Mr. Tom Brake (Carshalton and Wallington): Does my hon. Friend agree that in the first round of franchises the train companies were appointed to manage a winding down of the industry?

Mr. Burstow: My hon. Friend is absolutely right. Indeed, the London regional passenger committee's final annual report almost says as much. It was assumed that the rail industry was in long-term, established and irreversible decline. The previous Government lacked ambition for our railway network. This debate relates to that lack of ambition and its consequences.

As a consequence of the previous Government's lack of ambition for our railway system both in London and more generally, the mailbags of many—indeed, probably all—hon. Members, of the rail user consultative committees and of the London regional passenger committee will bear testament to the outrage and anger that many of our constituents feel about their rail services.

It is worth placing on record that the national passenger survey conducted in March of this year revealed that passenger dissatisfaction levels were highest in and around London and the south-east. That is hardly surprising. By any measure, London has some of the worst-performing train operators in the country.

Examining the 10 London and south-east franchises, a pattern emerges. For example, in the case of punctuality—trains arriving within five minutes of the published time—in ninth and 10th places are Connex South Central and Connex South Eastern, respectively, closely followed by Thameslink. In the case of overcrowding, all 10 companies are operating beyond capacity, and Thameslink, Connex South Central, South West Trains and Chiltern Railways break the shadow Strategic Rail Authority's threshold of 3 per cent. Indeed, until quite recently, my constituency had the dubious distinction of having the most overcrowded service on the entire network—the 7.51 am Thameslink service from Sutton.

In the case of customer satisfaction, in joint ninth place are the two Connex franchises. Finally, in the case of customer complaints, last year, for the first time since privatisation, complaints from passengers in southern England fell. However, one company bucked the trend—Connex, which had a staggering 31 per cent. increase in complaints. In the league table of poor services in London, Connex stands out.

In its final annual report before handing over to the new body established as part of the Greater London Authority, the London regional passenger committee said:

> Without any doubt, the most serious problems have been faced by the users on Connex Rail, who have suffered from what must seem to passengers an unending stream of allegedly unrelated problems. These have included overcrowding that resulted from the introduction of a temporary timetable on Connex South Central because of its continuing industrial relations problems and the rolling stock shortages caused by the problem with the Networker trains.

The report goes on to state:

> For some Connex passengers in the LRPC area, the introduction of the summer 2000 timetable has been the last straw.

Too right, Mr. Deputy Speaker; it is nothing short of a disgrace.

The shadow Strategic Rail Authority should never have acquiesced in the introduction of the summer timetable. Connex South Central is now running 120 fewer trains a day. Although most of the trains deleted from the timetable are off-peak services—that is little comfort to off-peak users—some key rush-hour services to Victoria have been lost, including the 7.16 am and the 7.45 am trains. Services to London Bridge now stop at even more stations, which is exacerbating the overcrowding. Where there were four trains an hour, there are now often only two.

That reduction in services has been caused by a long-running dispute between Connex and ASLEF about overtime working. At one point, one in eight Connex drivers who should have been resting were driving trains. In the wake of the Ladbroke Grove disaster and the attention that is rightly paid to signals passed at danger, it is cause for concern that such dependence on overtime working could have been allowed to develop. I understand that Connex is struggling to make good a shortage of 60 drivers, and that it has 200 drivers in training. However, for my constituents that adds up to yet more overcrowding, more cancellations and more misery. Again, it is the poor passenger who pays for the failures of management and unions to reach any form of understanding.

My hon. Friend the Member for Carshalton and Wallington (Mr. Brake) and I yesterday met the Strategic Rail Authority to discuss refranchising the South Central franchise. We learned that the authority does not plan to impose a new requirement for the franchise to safeguard services if industrial relations are poor. Intractable disputes such as that at Connex should be put to binding arbitration in the public interest. Will the Minister ask the Strategic Rail Authority to examine that proposal? The London regional passenger committee has made a similar suggestion.

I turn finally to the refranchising of the South Central services. My hon. Friend the Member for Carshalton and Wallington secured a debate in this Chamber on 11 April. During that debate, I asked the Minister how the transition from the old franchise to the new one would be handled. Unfortunately, the clock was against us and the Minister did not have the time to answer my question. I am sure, however, that he will recall telling the House that, were the refranchising to be aborted, the prospect of Connex continuing to run the South Central franchise until it expired in 2003 would be a second-best solution. I agree. Indeed, many of my constituents believe that Connex offers them a third-rate service.

The Minister will know that speculation in the industry is that if Connex loses the franchise, it will carry on until 2003 regardless. That led to me table written questions to clarify the powers available to Ministers and the shadow Strategic Rail Authority. I asked what powers the SRA has to ensure the smooth and rapid transition to the new franchise. In reply, the Minister wrote:

> This would be a matter for negotiation between the Franchising Director and the existing and potential franchisees. In the event of failure to agree transfer arrangements in advance of expiry of the existing franchise, the existing franchisee would be obliged to continue to honour its contractual commitments.—[*Official Report*, 7 July 2000; Vol. 353, c. 314W.]

I was not entirely satisfied with that reply, so I asked what action could be taken if the commitments were not met. The Minister replied:

> Although Connex have no such contractual requirements, they currently hold more than one franchise and are pre-qualified bidders or potential bidders for other replacement franchises. The Franchising Director is entitled to take into account the past performances of operators when considering the award of franchises. The Franchising Director has set no specific dates for the award of any replacement franchise, as to do so may prejudice his negotiating position.—[*Official Report*, 17 July 2000; Vol. 354, c. 54W.]

In other words, Connex would be crazy to play games with the South Central franchise when so much else is at stake. I hope that the Minister is right about that. Certainly, since the story appeared in *The Observer* a couple of weeks ago, Connex has been at pains to reassure everyone of its good intent and willingness to play ball. Nevertheless, will the Minister assure my constituents and all Connex South Central passengers that should Connex decide to sit on the franchise, for whatever reason, all possible steps will be taken to protect the hard-pressed commuter from any further deterioration in services during the unexpired period of the contract? For example, will the Minister examine ways of imposing the new penalty regime on the company before 2003?

[Mr. Burstow]

Before I conclude, I wish to raise three other points that range a little wider than concerns about Connex, although that company provides a substantial chunk of the rail services into London. My first concern is about late night services, or rather the lack of them. The results of an investigation into late-night services by the London regional passenger committee—entitled "Who goes home?"—were published earlier this year. The investigation revealed a wide variation in the times of last trains across the network. In particular, the report reveals that services to my constituency finish early.

I did not need to read the report to learn that because, when I leave the House after a late-night sitting, I know only too well that there is no means of travelling back to my constituency except via Croydon or elsewhere. There is a busy night-time economy in my constituency, where there are many restaurants, pubs and other entertainments, and more people want to go to entertainments in London, so it is unacceptable that the last trains run so early. The report produced by the LRPC contains a useful bar chart; it is a pity that it cannot be incorporated in the *Official Report*.

The chart shows the proportion of stations beyond zone 1 for which a departure from Leicester square after 23.59 hours is possible. The LRPC obviously decided that Leicester square was the Mecca of entertainment in London and the point from which all people would depart. The chart lists places such as Kensington and Chelsea, Redbridge, Westminster, Barnet, Harrow, Bromley and Sutton, but there are some services after 23.59 hours to every one of the destinations except Sutton, which stands out like a sore thumb. The last service to Sutton from Victoria leaves at 23.34, so one would have to leave Leicester square at 23.09 to catch that train, arriving finally in Sutton at 00.15. That is hardly an especially late time to finish a night out, and many people who work late find it equally frustrating that they are unable to get home. Will the Minister ensure that, in the light of the evidence produced by the LRPC and other evidence that I shall put to him today, the Strategic Rail Authority will examine critically the proposals of Connex and GoVia to secure significant improvements in the times of last trains to Sutton?

My second point concerns future infrastructure investment. London has one of the most extensive suburban rail networks of any city in the world. Despite that fact, the overground system fails to match the frequency, flexibility and reliability of the underground north of the river. There is still a need to develop an integrated turn-up-and-go suburban rail service that gets people into and around London. Orbital movement in south London, especially south-west London, needs particular attention.

The road network is choked; the Minister referred to congestion during the previous debate. The only orbital public transport in south-west London is the 726 bus, which battles its way through bottleneck after bottleneck. I am sure that bus priority has a part to play, and there has been substantial investment in bus priority throughout London, but it is limited by the constraints that restricted road space imposes. Targeted infrastructure investment is required to link Bromley and Croydon and, at Wimbledon, to open new rail corridors linking Bromley, west Croydon, Sutton, Wimbledon, Kingston, Twickenham and even Heathrow.

Using radial routes to facilitate orbital movements—going up to Clapham junction, only to travel out again—makes less and less sense given the limits on capacity and the increasing overcrowding. The aim should be to create more direct connections around London as well as improving interchanges between services.

My proposal to the Minister has not been dreamt up for the purposes of the debate. It is the result of a detailed examination by a consortium of local authorities in south-west London, which studied orbital rail proposals. Sadly, the plans developed and published in the early 1990s were stillborn because of the previous Government's lack of ambition for our railways. Will the Minister offer the prospect of a fresh examination of those detailed proposals and their costings to consider whether there is a possibility of capital investment to make them a reality now?

My third point concerns the new penalties and incentives regime that flows from the tighter performance measures. Anyone who uses the railways regularly regards the original passengers charter as a joke. It is deeply flawed. For example, the way in which the capacity and overcrowding statistics are collected leaves a lot to be desired. There is one count a year with an option of a second and it is done on a simple calculation. Its coverage is restricted because it is labour intensive. It gives a limited snapshot of the overcrowding on a fraction of the network.

As part of the refranchising process, all new rolling stock is to be fitted with passenger load-weighting equipment; old stock rolling stock is to be similarly retrofitted. By automating the recording of the information, it will be possible to measure accurately overcrowding across the network. I have no doubt that the introduction of the automated weighing equipment on to trains will lead to jokes about speak-your-weight trains but, jokes aside, it offers the prospect of a much tighter overcrowding monitoring regime.

Will the Minister tell the House when the new regime will come in? Must it await the refranchising process, or is the shadow Strategic Rail Authority considering ways of rolling it out sooner under the existing franchises? Further, will the standards for overcrowding and capacity be tightened still further to ensure that people making journeys of less than 20 minutes duration have a greater chance of getting a seat?

The biggest loophole in the old charter was the discretion given to operators to declare void days, on which no effective service was provided for reasons in the control of the railway industry. When reliability was less than 90 per cent. or punctuality fell below 70 per cent., a company could declare a void day and have the failure excluded from the passenger charter's calculations. That is a bit like a football team losing a match 7–0 and then declaring the game void to avoid relegation.

The new incentives and penalties are broadly double the figures under the current regime. Perhaps that will better concentrate the minds of train operators and will help to drive up performance. However, when will the new regime kick in? On Connex South Central, the latest

date would be 2003. On south-eastern services and on those provided by London Tilbury Southend Rail, the current franchises run until 2011. Will the Minister say how long passengers will have to wait?

In conclusion, rail services in London need to be improved dramatically. The evidence is there for all to see. The first round of franchises has been a bitter disappointment for passengers. I hope that the Minister will respond to three points in particular. How do the Government intend to secure better industrial relations in the rail industry, especially in the Connex case, a serious industrial relations problem which is inflicting great misery on my constituents? How soon will the new incentives and penalties regime be in operation across the whole network? Will it be achieved piecemeal as new franchises are let or will it be rolled out in advance? Will the Government give serious and favourable consideration to investment in the infrastructure needed to facilitate orbital rail services in south-west London?

What my constituents and, I suspect, what all our constituents want above all from their rail service is a safe, reliable and comfortable journey. They want rail operators that always put the customer's interest first and deliver on their promises. I hope that the Minister will be able to reassure my constituents on that point.

11.19 am

Mr. Andrew Love (Edmonton): I congratulate the hon. Member for Sutton and Cheam (Mr. Burstow) on securing the debate and, more importantly, on his comprehensive survey of Connex services and of rail services across London, which has provided me with an opportunity to raise my constituents' concerns about the West Anglia Great Northern service for commuters in north London.

My constituency is very dependent on the railways. It is sandwiched between underground lines—the Piccadilly line to the west and the Victoria line to the east. The bus services travelling in and out of central London do not provide an adequate service because they suffer severely from congestion at peak times, leading to delays for people needing to reach central London in reasonable time. The only practical transport for people travelling to the City and to central London is West Anglia Great Northern.

I travel fairly regularly on the line and am only too well aware of the great frustration and irritation caused to my constituents daily by the delays there. Perhaps I can give hon. Members a flavour of those concerns, by quoting from a letter from Mrs. Margot Wilson. She wrote:

> In short the train service is appalling...I have the impression that I am being treated with contempt. In addition to the lack of reliability and punctuality there is a lack of information.

To deal with some of the complaints, at the end of last year, I invited the managing director of West Anglia Great Northern, Euan Cameron, to travel with me and my Enfield colleagues, my hon. Friends the Members for Enfield, North (Ms Ryan) and for Enfield, Southgate (Mr. Twigg), on the commuter service to central London. While we were travelling, and in our subsequent meeting at Liverpool Street station, Mr. Cameron admitted to some of the problems and difficulties affecting commuters on the line and, perhaps more importantly, promised action to deal with them. Sadly, most of the problems persist, and so do the complaints, as my mailbag well attests. The complaints have increased in recent months.

Another constituent, Mrs. Norma Price, wrote to me about events on Monday 9 June. She told me:

> The 08.50 arrived at Edmonton Green at 08.59. Result: severe overcrowding, late arrival at Seven Sisters—

that is the connection to the underground—

> and missed connections.

Mrs. Price added:

> There are too few trains in peak travel times and these trains are consistently late.

From all the evidence that I have gathered since becoming a Member of Parliament, I have found that three themes constantly emerge in relation to difficulties with services in north London. The first, which is reminiscent of the complaints about Connex South East, is that of repeated delays and train cancellations. Those seem to follow a pattern. Early in the day, during the peak early morning service, slight delays occur, which build up during the day because of the problems of infrastructure and exhausted rolling stock. If they are not checked, they become significant delays by the time of the evening rush hour. Trains are cancelled during the rush hour because of the backlog that has built up.

West Anglia Great Northern's favourite ploy for meeting punctuality targets is for trains not to stop at every station, so that they can reach their destination within the five-minute tolerance margin. That of course causes considerable disruption to people wanting to alight at the station or to catch the train that whizzes through. That matter was raised earlier, and my hon. Friend the Minister was at pains to reassure us that the situation was being monitored. Can he reassure us that the standards of service provision that the train operating companies are supposed to meet are being monitored effectively? Is action being taken when such abuse occurs?

The second area of concern is overcrowding. Substantial overcrowding occurs on trains at peak hours, in both the morning and the early evening. I shall quote from a letter that I received recently, which relates to events that took place on 6 July this year. My constituent states:

> The train was grossly overcrowded and this overcrowding became worse at each stop when more passengers forced their way on board. At Seven Sisters, when passengers emerged from the heat of the train, looking (and feeling) as though they had been in a sauna, an announcement was made stating that due to signal failure at Liverpool Street all passengers were advised to disembark at Seven Sisters.

The source of the problem there appears to be that there is insufficient rolling stock to provide eight carriages on each peak-hour journey. One might say that that should be a fairly simple objective to achieve, but I discovered that this particular type of rolling stock had been out of production for a considerable number of years and cannot, therefore, be replaced. WAGN has to try to keep exhausted rolling stock going, year in, year out, and is unable to provide eight carriages for each train at peak times. That suggests that the only long-term solution to the problem is investment in new rolling stock, to update the railway system to a standard fit for the 21st century.

[Mr. Andrew Love]

The third problem is a growing fear of crime, both on trains and at stations. Many people in my constituency will not travel on trains after dark. Although some stations now have closed-circuit television, and although WAGN has worked with Railtrack to improve the lighting on the stations, many people still have considerable anxiety about travelling on the railways during the evening.

Mr. Brake: The hon. Gentleman may be interested to know that at a rail question time meeting that I organised with my hon. Friend the Member for Sutton and Cheam (Mr. Burstow) the issue most frequently raised was security. It was the key concern, even taking precedence over reliability.

Mr. Love: I would certainly echo that. Most of the discussions that I have had with regular commuters involve mention of the time in the evening beyond which they will not use the service. They constantly express a desire for something to be done to address the problem of security, so that they can continue to use the railway as they do during the day.

That problem has been compounded in recent months by a steep increase in muggings in the area, both at stations and on trains. I recently dealt with the case of a constituent whose son had been accosted and threatened on a train. I contacted the British Transport police, and I am pleased to report that an arrest has been made. I welcome that, but there is still a strong feeling in my constituency that we need more preventive action to increase security at stations and on trains.

The most recent debate on WAGN services took place in Westminster Hall on 16 February and was introduced by my hon. Friend the Member for Enfield, North. The Minister who responded to the debate said that WAGN passengers

> generally enjoy a comparatively punctual and reliable service.—[*Official Report, Westminster Hall*, 16 February 2000; Vol. 344, c. 250WH.]

He went on to say that survey evidence showed that around three quarters of passengers were satisfied with the service that was provided on WAGN. That is not borne out by my experience or that of any hon. Members through whose constituencies WAGN services run. Local rail users' groups have carried out several surveys that show a significant level of dissatisfaction with the service, which is also evidenced by the letters that we receive about commuter services in Greater London. When I speak to regular commuters on the station or on the train, their comments most frequently concern how bad the service has been during that week and the difficulties with the level of service that they face day in, day out.

Because of that—and the apparent mismatch between the official statistics that are produced and the unofficial statistics with which we, as Members of Parliament, are continually confronted—I commissioned my own survey. I admit that it is not scientific, and I would be the last person to make any great claims for it, but it covered more than 3,000 commuters in my constituency. I am starting to receive replies, and I shall evaluate the results over the next week or so. There has been great interest in the survey and a great desire to contribute to it. From anecdotal evidence, that is because people want to express their concern about the service that is provided. I hope that as a result of the survey we shall be able to set up a local rail users' group, because that is one way in which commuters can have an impact on the service that is provided and can tell Railtrack and the train operating companies about the improvements that people believe to be necessary.

The hon. Member for Sutton and Cheam mentioned long-term investment in the railways network. It is fair to say that both the Government and the train operating companies have argued strongly for the need for a longer time frame in which to allow investment decisions to take place. Indeed, when I spoke to Euan Cameron, the managing director of WAGN, he continually returned to the company's need to have a more secure base on which to grow the business and to invest in the infrastructure that will be needed in future.

Last September, the shadow Strategic Rail Authority was given the power to start to renegotiate franchise agreements. I agree with the hon. Member for Sutton and Cheam that there is great dissatisfaction and unhappiness about what has happened since then. I accept that it is probably appropriate to have a 20-year time frame rather than, as in WAGN's case, a seven-year time frame. However, there are difficulties involved in progressing along that route, and the service continues to deteriorate while we await those changes. Urgent action must be taken to ensure, while the process continues, that the service continues to respond to the needs of local commuters.

Several improvements are required. Trains must run on time and to schedule. The network must be expanded to accommodate increased passenger numbers. The buoyant economy that has been created in Greater London because the Government have got rid of boom and bust—I wanted to get that in—means that a significant number of people travel on the commuter lines. The network must have the capacity for that, and we must respond to the concerns of the passengers on the trains. The rolling stock used on my line dates back to the 1960s, and that is not good enough for the service that we need.

I hope that my hon. Friend the Minister will provide some reassurance that the new franchises will begin to deliver the investment that is critical to the service, and that they will improve commuter services in north London and across the city. I am aware that other areas have even more intractable difficulties than north London, but we all seek a service that is fit for our constituents in the 21st century.

11.35 am

Mr. Tom Brake (Carshalton and Wallington): I congratulate my hon. Friend the Member for Sutton and Cheam (Mr. Burstow) on securing the debate. He and I have worked closely on commuting issues in the Sutton area. I should say how much I enjoy my Wednesday morning assignments with the Minister, and, yesterday, I was flattered to learn that the Minister does not allow me to intervene during his statements because he is scared that I might ask a difficult question. I hope that he did not tell me that in confidence.

My hon. Friend was right to highlight the role of the previous Conservative Administration in setting such abysmally low standards for the rail industry, in their

desperation to privatise it. I spoke to a civil servant who was involved in that process, and he told me that he worked until 3 o'clock in the morning, trying to cobble together—he did not use that phrase, but that was my impression of the process—amendments that would be acceptable to hon. Members, so desperate were the Government to get the measure through. My hon. Friend also referred at some length to Connex and the Connex-GoVia franchise negotiations. In addition to those issues, we should consider where responsibility for rail services in London lies and examine the wider franchise negotiation process and the role of the shadow Strategic Rail Authority and the recently announced 10-year transport plan.

Londoners could be forgiven for thinking that the hon. Member for Brent, East (Mr. Livingstone) is Mr. Big for rail services. He has taken on a gargantuan transport job and has responsibility for the tube, the buses, Croydon tramlink, the docklands light railway and the roads; in fact, he has responsibility for everything except the railways. The provision of rail services in London remains the responsibility of the Strategic Rail Authority, and the hon. Gentleman will have to be satisfied with being consulted on related matters. There must be a question over whether the hon. Gentleman will be satisfied with such an arrangement. His response to the Government's 10-year transport plan, which featured prominently on the front page of the *Evening Standard*, does not augur well for his relationship with the Government and the impact that that could have on attempts to sort out London's rail service problems.

I hope that the shadow Strategic Rail Authority will be up to the job of sorting out London's rail services. In recent years, debates about transport in London have tended to focus on the tube; it has a high profile, and many of the proposals for its development are controversial. However, large swathes of London—my constituency and that of my hon. Friend the Member for Sutton and Cheam—do not have tube services and local commuters, including me, are entirely dependent on suburban rail services to get to and from London.

As hon. Members will know, passenger numbers on London's suburban rail network have increased by 26 per cent. in the period to 1998-99. My own experience in the past 12 months confirms that that figure continues to rise. Rail travel in London accounts for a massive 38 per cent. of rail travel in the country as a whole. According to the Government's own figures, demand will grow by a further 15 per cent. by 2010, which presents an enormous challenge for the shadow Strategic Rail Authority. In London, the immediate task must be to bring to a successful conclusion the round of rail franchise negotiations. They must be transparent, and there must be extensive consultation with passenger groups, unions, individual commuters, train operating companies and Members of Parliament. My hon. Friend and I are also included in the category of individual commuters, in that we both rely on Connex to get us to and from Westminster each day.

Through the rail question time meeting to which I referred, my hon. Friend the Member for Sutton and Cheam and I took what steps we could to inject a degree of public input into the franchise negotiation process. The meeting was well attended, and it was particularly pleasing to discover that Connex and GoVia took it seriously. The acting managing director of Connex, Olivier Brousse—he is now the managing director—attended the meeting and gave the presentation. We are doing our bit, and those who attended the meeting felt that it was successful and time well spent.

As my hon. Friend the Member for Sutton and Cheam said, yesterday we met Nick Newton, executive director of the Strategic Rail Authority, and Tony De Burgh. We discussed some issues arising from the rail question time meeting, and those relating to the franchise process. Incidentally, the Conservatives have not challenged our comments on the role of the previous Conservative Government in relation to rail services. During the meeting, the view was expressed that low standards were set and the previous Government made no attempt to ensure that, as part of the franchise process, the performance of the worst lines improved to match that of the best. Instead, franchises were established in such a way that new train operating companies continued to deliver the existing level of service, whether good or bad.

At the meeting, I sought clarification on the way which franchise bids are assessed. Certainly, the travelling public will expect the Strategic Rail Authority to set tough minimum standards when evaluating bids. I was assured that the matter is in hand, and I welcome that. Passengers will also want the franchise renegotiation process to address issues such as security, staffing levels, reliability and frequency of trains. The Strategic Rail Authority will be judged on its ability to deliver improvements in those areas.

As my hon. Friend the Member for Sutton and Cheam pointed out, Connex South Central has an uphill struggle to meet passenger expectations. The new public performance measure of train operating companies shows that it has a rating of 82.6 per cent. According to the Capital Transport Campaign, that is 4 per cent. less than the previous figure, which makes it the third worst performing train operating company in London. Only Connex South Eastern and South West Trains—which runs a limited service in my constituency and that of my hon. Friend—have worse ratings.

The recent national passenger survey, which was commissioned by the Strategic Rail Authority, showed that London's passengers are far less satisfied with the service provided than passengers in most other parts of Britain.

In London, Connex South Central again fared badly with 33 per cent. of passengers being dissatisfied with the upkeep and repair of trains—the third worst figure in London—and 30 per cent. dissatisfied with the number of seats and the standing room available; that is the second worst figure in London. Passengers need a guarantee that the franchise bidding process will ensure that the situation improves according to a clearly defined, public timetable. That key point was made at our meeting yesterday. Matters could get worse in the short term because the necessary infrastructure projects may have a severe knock-on effect on services. However, if passengers can see clearly that targets have been set and that there is light at the end of the tunnel, I hope that most of them will accept that.

Before the shadow Strategic Rail Authority can award rail franchises, it must put its own house in order. The Capital Transport Campaign recently challenged

[Mr. Tom Brake]

the methodology by which the shadow Strategic Rail Authority assesses overcrowding on London's trains. The criteria used are lenient. On peak services, if the journey is 20 minutes or less, standing is considered acceptable. In broad terms, it is acceptable by shadow Strategic Rail Authority standards to have one passenger standing for every three seats before the train is classed as overcrowded. Will the Minister tell me whether consideration is being given to finding a definition of overcrowding that is more likely to be recognised as valid by those of us who must endure daily overcrowding?

Mr. Burstow: My hon. Friend is entirely right to draw attention to the hitherto lenient regime. Does he agree that it is best characterised as an operator-centred standard rather than a passenger-centred standard and that, in future, it should be based on the perceptions of passengers rather than the needs of the operator?

Mr. Brake: I agree entirely. The extent to which train operating companies in the Sutton area and elsewhere are willing to involve passengers in consultative forums and to take on board exactly those concerns will be crucial.

The Capital Transport Campaign stated:

> The sSRA is letting train operating companies off the hook by requiring action only when overcrowding taken over all the route groups operated by a particular Train Operating Company exceeds the overcrowding thresholds. This means that TOCs are allowed to operate route groups with excessive overcrowding condoned by the sSRA

because there is an averaging process. The SSRA's latest annual report lists four train operating companies which run overcrowded routes, but the Capital Transport Campaign believe that, if averaging were not allowed, six companies would be running overcrowded services. I hope that the Minister will say whether he agrees with the view expressed by the Capital Transport Campaign and what efforts he is making to ensure that a better definition of overcrowding is used. As my hon. Friend identified, trains that "speak their weight" are in the pipeline and will be able to weigh their cargo of passengers. The hon. Member for Edmonton (Mr. Love), who is no longer in his place, referred to people travelling in sauna-like conditions and with "speak their weight" trains, the weight in the carriage may reduce significantly during a long journey.

A limited amount of good news came out of our meeting yesterday. "Speak their weight" trains was one aspect, another being the requirement to fit sanders to new rolling stock and to retrofit on to old rolling stock. Given that many parts of London are affected by bad weather or are subject to inclines that trains cannot manage when the weather is wet, such proposals will be welcome.

Yesterday's meeting prompted several interesting questions. My hon. Friend the Member for Sutton and Cheam has referred to what will happen if an existing train operator refuses to relinquish the franchise. What will happen if the existing operator seeks such a high price for being bought out by the successful bidder that the successful bidder walks away from the deal because he is not willing to pay the price?

Given the gross overcrowding on rail services in London, any additional capital or revenue resources available as a result of last week's announcement will be welcome. However, we need significant increases in capacity in the network because of the increased demand that is anticipated. I hope that Crossrail will be built quickly and that Thameslink 2000 can deliver extra capacity. Those schemes must proceed with a degree of care, in that communities might be threatened. I am sure that the Minister will be aware that Southwark is at risk following such proposals and that a public inquiry is taking place at the moment.

Can the Minister guarantee that Crossrail and Thameslink will be delivered and will he outline a timetable for when that will be achieved? The section on transport in London in the 10-year plan suggests that various things might happen given the level of investment that is available and I am sure that hon. Members would want something a little more concrete in respect of what will definitely be delivered. I know that that requires negotiations with the Mayor and the Assembly, but the Minister must know what will be delivered and by what time. The same applies to the upgrade of services into London Victoria, a capacity increase in the Chiltern line and an enhancement of commuter routes from Waterloo.

There are few bigger issues in my mailbag than rail services in London. I am sure that that is the case for all Members of Parliament who represent London consistencies, so I am a little surprised at the attendance at the debate this morning. The 10-year transport plan must generate the extra capacity or it will have failed. The shadow Strategic Rail Authority must ensure that the next generation of franchises delivers consistent improvements in the service or it will have failed, too. It is the Minister's responsibility to reassure us that both the 10-year transport plan and the Strategic Rail Authority will deliver much improved rail services in London.

11.53 am

Mr. Robert Syms (Poole): I congratulate the hon. Member for Sutton and Cheam (Mr. Burstow) on securing the debate. Both he and the hon. Member for Carshalton and Wallington (Mr. Brake) made some interesting points, once they had got over their ideological obsession with the railways and their attacks on my party. However, as a resurgent political party, we are bound to be the focus of attacks.

Rail services are important to the people of London. For the sake of the economy and for people to get around, rail is far more important to the capital than elsewhere in the United Kingdom. It is therefore necessary to get it right. As the hon. Member for Sutton and Cheam said, the Library has produced figures to show that 460,000 people commute to London in the morning peak; that is a lot of people to cope with under the system.

Of the 10 companies providing commuter services to London and operating beyond capacity during peak hours, Thameslink, Connex South Central, South West Trains and Chiltern Railways all exceed the shadow Strategic Rail Authority threshold of 3 per cent. above capacity. There was a total of 610 million journeys on railways in the south-east of England in

1998-99—1.7 million per day. That number has increased substantially, because of privatisation. The railways were built by the private sector and, for most of their history, were run by the private sector. That is the best way to operate railways.

Until the late 1970s, any investment in British Rail beyond £250,000—which represented, for example, the major refurbishment of a station—had to go to the Secretary of State for Transport. That is no way to run a railway, especially when the resources were, in many instances, competing with hospitals, schools and many other areas that I suspect have a higher priority with the British public. What the previous Government did was a step in the right direction; if there is any argument about it, it is about whether they should have done it earlier. Doing it very late in 18 years of office yielded precious little political dividend for my party. Although it will benefit the country, privatisation did not benefit my party in 1997.

Mr. Burstow: I am interested in the hon. Gentleman's thinking about the benefits of the fragmentation of the railway industry. At what point does he believe benefits will arise? Have they started to arise, or will it be some years before they do?

Mr. Syms: I believe that benefits have started to arise, but I think that it will be a slow job. Inevitably, there were some mistakes in the way in which the industry was privatised. One could argue that franchises should have been given for longer. Shorter franchises, certainly in the new round of franchises, give an opportunity to improve the deal that the public are getting and may be a blessing in disguise.

Mr. Brake: The hon. Gentleman has confirmed that the franchises should have been longer. Could he confirm also that the standards set for the train operating companies to deliver should have been tougher?

Mr. Syms: As with all such matters, it is a question of experience. In any move from the state sector to the private sector, one has to include many methods of measurement of performance targets. The benefits have been coming through; more capital has gone into the industry and more people are travelling by train. As a consequence, much of the increase in complaints has come about because people believe that it is now worth complaining—unlike under British Rail.

Mr. Brake: The hon. Gentleman says that more people are complaining. Is he aware that, in the past few days, Connex has withdrawn the facility for people to e-mail complaints, thereby restricting the way in which people can raise concerns about its service?

Mr. Syms: I was not aware of that, but I thank the hon. Gentleman for pointing it out. I would normally telephone if I had a complaint, rather than e-mail; perhaps that is less common in this modern age.

There are 460,000 people who come into central London every day; of those, nearly 200,000 go onto the tube network. As we all know, the tube network suffers greatly from excess capacity and acute overcrowding in many sections, including the Central line between Mile End and Holborn, the Waterloo and City line, the Northern line between London Bridge and Bank, the District line between Fulham Broadway and Earls Court and the Victoria line between Victoria and Green Park. A challenge for the future is to increase investment and capacity within the network.

It is interesting to study what will happen. Railtrack projects that rail travel will increase in the south-east by 36 per cent. The Government's 10-year plan projected an increase in London rail traffic by 15 per cent. over 10 years and, on the underground, by 10 to 20 per cent. There will be significant problems ahead, unless investment in capacity increases. The Government's proposals for congestion charging and workplace car-parking charging will also make matters worse.

I have some questions for the Minister on several points relating, to some extent, to the 10-year plan. The first focuses on his relationship with the hon. Member for Brent, East (Mr. Livingstone), which has been the subject of some comment in the press. The hon. Member for Brent, East wrote an article for the review section of *The Independent* on 18 July, which was about his negotiations with the Government about capital. He stated:

> On this score I am optimistic. Over a series of meetings, Minister for London Keith Hill and I reached broad agreement on the need for a long overdue increase in investment in London's transport system as part of the Comprehensive Spending Review.

We all heard that everything was sweet and wonderful and that there would be a joint press conference and a nice little piccy, but suddenly it all fell apart. As I understand the situation, £3.2 billion has been allocated to London over three years. In the first year, 2001-02, there will be £218 million, of which £104 million has been allocated to paying for the Jubilee line. The Minister is amiable—most of us get on well with him—so what went wrong in his relationship with the hon. Member for Brent, East? It is significant if a substantial political figure such as the Mayor of London is upset with what the Government are doing in terms of overall transport investment. That has a knock-on effect on rail, as the underground will come under the mayoral authority at some point.

Will the Minister update us on the public-private partnership? When is it likely to be announced? Many people come into London, so the tube is vital. The matter has gone on for some time, so we would like to hear the implications that the PPP will have for investment. We are reasonable, and if the Minister cannot give us details this morning, I hope that he will write to us. I am sure that all hon. Members would be interested.

The hon. Member for Carshalton and Wallington made a point about Crossrail. Many points in the 10-year plan use "might" and "possible"—it is somewhat airy-fairy. The cost of Crossrail might be £3.5 billion. On page 71, the document claims that there would be the substantial benefit of a 15 per cent. increase in available seats on rail and underground throughout London. When the Government came into power, they dismantled the team at the then Department of Transport that was considering the matter. They have now earmarked some money for work on it, and we want to know whether they are putting their weight behind it. Is there likely to be a start date? What will happen? These points apply also to Thameslink.

[Mr. Syms]

The document suggests that the investment could cover

the Docklands Light Railway (DLR) City Airport extension and at least two other tram/guided bus schemes.

Will the Minister give us some idea of when those schemes will start? The plan mentions the

elimination of the backlog of maintenance and renewal work on the Underground through a Public-Private Partnership,

which is designed to improve

the quality of the service.

We need more details of what the Government intend to do. The document also mentions the

completion of Thameslink 2000, with additional capacity at London Bridge.

Mr. Brake: Would the hon. Gentleman like to ask the Minister whether he will use the opportunity to guarantee that London's passengers will not have to pick up the difference if the PPP costs are not entirely covered?

Mr. Syms: I am sure that the Minister heard that comment and will be delighted to answer it.

Having had the 10-year plan with its spin and big announcements of billions of pounds, we need details in relation to rail in London and the underground about how the Government intend to undertake their objectives. As page 72 of the 10-year plan states, the Government want

a reduction in overcrowding on London commuter rail services to meet the sSRA's current standards.

Will the Minister tell us when they expect to achieve that? The key factor, Mr. Winterton, is that rail is important for London.—[*Interruption.*] I am sorry, Mr. McWilliam; you must have very quiet feet.

Mr. Deputy Speaker (Mr. John McWilliam): Order. I hope that the hon. Gentleman is not implying that I creep about the place.

Mr. Syms: Certainly not, Mr. McWilliam.

The debate has been useful and it is a pity that more hon. Members have not taken the opportunity to attend because many of them must have mailbags full of complaints on the matter. The hon. Member for Edmonton (Mr. Love) raised an important point about crime and fear. If we want more people to use the public transport network—especially women, children and families—a lot more must be done to give them a feeling of well-being so that they feel comfortable travelling late at night. CCTV is one method by which that can be achieved. However, staffing levels in stations are an important factor. They would be expensive to improve, but we will have to take a view about whether we should invest in more security. In the long term, that investment would pay off.

I am sure that the Minister will be delighted to answer the few questions that I have asked. We need more details from the Government before we can judge whether they will achieve some of their targets.

12.6 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): We have had four interesting speeches in this morning's debate, raising several questions to which I will attempt to respond. However, I must first congratulate the hon. Member for Sutton and Cheam (Mr. Burstow) on securing the debate and providing the House with another opportunity to discuss rail services in London.

The scale and complexity of London's transport system, coupled with the high levels of demand, mean that transport problems in London are of a different magnitude from those in other metropolitan areas and constitute a huge challenge to the people who attempt to solve them. London is provided with commuter services by 10 out of the 25 train operating companies: Chiltern, Connex South Eastern, Connex South Central, South West Trains, Thames Trains, Thameslink, Silverlink Trains, West Anglia Great Northern, c2c—formerly known as the London, Tilbury and Southend railway—and First Great Eastern.

Better to assess the performance of those companies and other train operating companies, the shadow Strategic Rail Authority has introduced an improved public performance measure, known as PPM. That measure, for the first time, combines figures for punctuality and reliability into a single performance measure, which covers all scheduled services, seven days a week, with no exclusions. That will give a clearer picture of how train operators are performing, and remove the loopholes in the previous system, such as the use of void days. I hope that that provides my hon. Friend the Member for Edmonton (Mr. Love) with the assurances that he was seeking about the proper monitoring of train operators' performance in service delivery.

In his usual assiduous fashion, my hon. Friend raised two other issues on behalf of his constituents. He mentioned the problem of trains missing stops to make up time. Let me assure him that the situation is being monitored and train operating services are penalised under the timetable incentives regime. The provision exists, and I recommend that he pursues the question of the performance of his local service and asks whether such penalties have been levied.

My hon. Friend also raised the important issue of security on stations and trains. As one of its commitments at the February 1999 national rail summit, the Association of Train Operating Companies guaranteed to provide closed-circuit television in a significant number of stations and station car parks. That it has done over the past 18 months. It is planning to introduce more this year and it has also recruited additional security staff at stations and provided a more visible staff presence on board trains. Again, I am pleased to be able to assure my hon. Friend about the response from the train operating companies to the issues that he is raising.

The performance figures based on the new public performance measure for the period April-June 2000 were published on 13 July. The House will be aware that the statistics showed that the overall performance of the majority of train operators fell compared with the equivalent period in the previous year. Of the operators providing commuter services to, from and within

London, only the peak services of Chiltern and South West Trains have improved. The Government have made it clear to operators that their performance must improve and, at the rail summit 2000 in May, the industry committed itself to improve performance over the coming year as monitored by the new performance measure, and we expect it to deliver that commitment.

The hon. Member for Carshalton and Wallington (Mr. Brake) referred to overcrowding. As well as punctuality and the reliability of London services, it is clear that overcrowding is regarded by passengers as a key area of concern. The hon. Gentleman asked me a specific question about it and I can say that the latest figures produced by the SSRA show that passengers experience excessive overcrowding on routes operated by four out of the 10 train companies that serve the capital. Thameslink, Connex South Central, South West Trains and Chiltern all exceeded their peak loading thresholds.

However, Thameslink has more than halved its overcrowding levels compared with 1998 by leasing additional rolling stock from other operators to meet peak-hour demand. As for other operators, South West Trains is currently introducing new rolling stock; Chiltern has ordered 19 additional coaches, 10 of which are due to be in service later this summer and Connex South Central has ordered 120 coaches. Further improvements are clearly necessary, however, and the provision of adequate capacity to meet customer demand is a fundamental requirement in the franchise replacement process that is currently under way.

Mr. Brake: Will the Minister give way?

Mr. Hill: Will the hon. Gentleman let me finish what I was about to say? It might satisfy his voracious appetite for information.

Earlier this year, the franchising director stated in his outline guide to franchise replacement that the current upper and lower capacity limit will be replaced by a single demand limit, which will reflect the capabilities of the trains and infrastructure. There will also be regular surveys to show satisfaction ratings for each company with penalties for those companies that fall behind benchmark levels. I hope that I have gone some way towards anticipating the hon. Gentleman's intervention, but if he still wants to intervene, let me say that, notwithstanding his earlier remarks, my door is always open.

Mr. Brake: I thank the Minister. I am pleased to hear that his door is always open and I shall perhaps make use of it in the future. However, he has not said whether he agrees with the Capital Transport Campaign that a further two operators, to all intents and purposes, have exceeded their overcrowding limits.

Mr. Hill: We are studying the campaign's observations, as we look at any reasonable observation about railway performance. However, I must issue a caution to the hon. Gentleman. I have noticed in these and other matters that he has a slight tendency to act as a conveyer belt for pressure group representations. In all candour, I must say that that if he or his party ever have a sniff of power, it will want to look more carefully at what demands are reasonable and deliverable.

Mr. Burstow: One other matter that I raised in my opening remarks related to the introduction of the load weighting equipment on trains as part of the refranchising process. I asked whether that would be introduced ahead of franchising or whether it had to be dealt with as part of the refranchising process.

Mr. Hill: The reason why I have not responded to the hon. Gentleman's point is that I do not know the answer, but I shall pursue the matter and write to him and to other hon. Members.

As the hon. Member for Sutton and Cheam will be aware, following the issuing of instructions and guidance to the franchising director by my right hon. Friend the Deputy Prime Minister last year, the franchising director is currently seeking to deliver a range of additional improvements by negotiating the replacement of the shorter franchises. A continual increase in performance and in customer satisfaction will be key requirements of any replacement.

The franchises that I mentioned earlier for Connex South Central, Chiltern, GNER and South West Trains have been included by the franchising director in the first two batches to be renegotiated. For Connex South Central, the franchising director is currently assessing the detailed bids submitted by Connex Rail and GoVia. For Chiltern, he is similarly assessing bids from M40 Trains and Go-Ahead. There is no fixed time scale within which decisions on those franchises will be reached.

I thought that I detected a distinct lack of enthusiasm for Connex's claim to the new franchise on the part of the hon. Member for Sutton and Cheam. From the serene smile that I see playing about his lips, I gather that that is the case. That is in contrast to the passionate support for Connex's claim from his colleague the hon. Member for Lewes (Mr. Baker), who I thought was the official Liberal Democrat spokesman on rail. It would be helpful to have some clarification of the official policy of the Liberal Democrats on the matter, or are we to deduce that this is another example of the usual Lib-Dem fence sitting?

Mr. Brake: By way of information, the official Liberal Democrat spokesman on transport is an hon. Member who represents a Scottish constituency. I am the official London transport spokesman. Has the Minister not illustrated that the Liberal Democrats are not slaves to the bleeper, as are Labour members?

Mr. Hill: A good attempt, but it did not quite work. I am amused to discover that the hon. Member for Carshalton and Wallington is another Liberal Democrat official spokesman. The hon. Gentleman's party prides itself on its independence of spirit, but it has more Front Benchers and Whips than any other party. However, I must not be seduced into parliamentary jousting.

To get back on-message and to deal with the question raised by the hon. Member for Sutton and Cheam about any possible changeover, as I have already explained to

[Mr. Hill]

him in a written answer, the revised template for franchise agreements produced by the franchising director offers improved provisions for the smooth transfer at the end of the franchise. It goes without saying that the Government and the Strategic Rail Authority will take all possible steps to protect the rail customer in the event of any such changeover.

The hon. Gentleman also asked whether there would be any penalty regime for Connex before 2003. The Transport Bill will provide enhanced enforcement powers to ensure timely and effective action if franchise commitments are not met. I hope that that further reassures the hon. Gentleman.

Mr. Burstow: Will the Minister give way?

Mr. Hill: I will give way, but I have much more to say and little time in which to say it, so let us make the exchange brief.

Mr. Burstow: I am grateful to the Minister. As a champion of my constituents and commuters, rather than as an advocate for GoVia or Connex in the franchise round, does the Minister agree that the important thing is to secure a smooth and speedy transition between the old and new franchises and to go into the new regime of penalties and incentives to get a better performance out of the new company?

Mr. Hill: I certainly agree that any changeover should be as smooth as possible. Clearly, I am not in a position to comment on the issue of speed, but all of us are looking for significant improvements from the franchise replacement renegotiation process in the delivery of rail services, not only in the constituency of the hon. Gentleman but in my constituency of Streatham, both of which are served by Connex South Central.

Four bids for the South West Trains franchise have been received. The franchising director will consider them and provide a shortlist giving detailed proposals, which he hopes to announce shortly. Two counter-parties remain in the on-going bidding process for the Great North Eastern Railway east coast franchise.

The Thameslink franchise will be subject to renegotiation in due course. The negotiations will take into account the proposed plans for a Thameslink 2000 project, currently the subject of a Transport and Works Act 1992 inquiry, and the proposed award of a replacement for the existing Connex South Central franchise. On 26 June, the franchising director announced that he had invited potential operators to submit proposals for a new Thameslink 2000 franchise.

In all cases and in consultation with other bodies such as the British Railways Board, local authorities and regional planning bodies, the franchising director will evaluate the proposals made by the counter-parties and will take into account the various costs and benefits before reaching his decision. I can assure the hon. Member for Sutton and Cheam that the franchising director will decide entirely objectively.

In the time remaining to me, I would like to bring the Chamber and, via the debate, the residents of Sutton and Cheam, up to date on positive developments with regard to stations in that area. The hon. Member for Sutton and Cheam raised the issue in debate only two months ago. There is good news; I am sure that we would all wish to rejoice together where there is good news. I am happy to inform the Chamber that, after lengthy delays, the extensive redevelopment of Sutton station has started and is expected to be complete by the end of the year, when it will be fully accessible for disabled passengers.

The £2.9 million regeneration programme is a joint partnership between Connex and the London Borough of Sutton. It will include new waiting areas in key locations, spacious new toilet facilities with wheelchair access, glass-fronted lifts for improved personal safety, closed circuit television, improved lighting and customer information screens. I understand that Connex customers are being kept informed of progress by way of posters and fliers.

Work has now recommenced at Cheam station as part of Railtrack's regeneration programme, which will include reglazing the station canopies and repainting and refurbishing the station subways. Additional closed circuit television has been installed in the past two months. Connex will be carrying out further works, including reopening the waiting rooms and toilets, opening a small refreshment and newspaper outlet, supplying additional staff in the afternoons and evenings and opening a staffed information point on the London-bound platform. The work is due to be completed by November this year. I have asked the shadow Strategic Rail Authority to monitor progress at both stations. I hope that that offers some reassurance to the hon. Gentleman.

I could respond in some detail to the speech made by the hon. Member for Poole (Mr. Syms), the official Opposition spokesman and my old jousting partner. I know that he is a reasonable man, but he will surely agree that the privatisation of the railways, masterminded by the Conservative party, led to a fragmented mish-mash of 100 or so companies working in a strategic vacuum with a predominant culture of blame. The customer was clearly not being put first.

To reverse that change in the short term, my right hon. Friend the Deputy Prime Minister called the first national rail summit in February 1999, when he put the industry on notice that its various parts would either sink or swim together. It is generally accepted that that message got through. For the longer term, the Strategic Rail Authority, under Sir Alastair Morton, was created in shadow form to give the railways the strategic direction that they lacked, to invest in the railway network and to bring together plans for freight traffic. As the hon. Gentleman knows only too well, the Transport Bill, which has just had its Second Reading in the other place, will create the proper Strategic Rail Authority.

We have achieved much in the railway industry during the three years since the general election. I believe that the policy framework is right and that, with the 10-year plan, we have secured the investment necessary for the future growth of the railways, reversing decades of decline. Among our achievements, I would single out a 17 per cent. increase in rail passenger journeys, with 1,300 more trains running daily to meet demand; more than double the investment in the railway industry; the rescuing of the channel

tunnel rail link; the improvement of nearly 2,000 stations and the building of 17 new stations; the creation of 50 new freight terminals; a 22 per cent. increase in the movement of freight by rail; and the replacement of the old slam-door stock at latest by 2003, with the requirement that all new rolling stock should be accessible to disabled people. We need no lessons from the Opposition on how to run a railway. We are greeting the new millennium with a real rail renaissance.

I shall speak briefly about London and the 10-year plan—[*Interruption.*] I do not have time to give way, and I have been reasonably generous in allowing interventions. I am sure that the hon. Member for Sutton and Cheam will be aware of the extra Government investment heralded by the launch of our 10-year plan. The plan is designed to reduce congestion, improve integration and provide a wider choice of quicker, safer and more reliable travel on our railways, roads and other public transport. It is a significant milestone on the way to realising our transport policy, and it is relevant to today's debate.

During the next 10 years, we expect to see capital investment in the railways of about £49 billion, of which £34 billion is expected to be private investment. That will have a significant impact on rail services in London. As well as helping to deliver rail franchise replacements, which will lead to the upgrading of services out of Victoria station, increases in capacity for the Chiltern line and the enhancement of commuter routes out of Waterloo station, that extra money could deliver also the completion of the Thameslink 2000 project, extra capacity at London Bridge and the construction of the east London line extensions.

That investment could also help to deliver a new east-west rail link, such as Crossrail, delivering an increase of up to 15 per cent. in the total number of rail and underground seats into central London during the morning peak hours, as well as new east Thames road and rail crossings. In addition, the plan provides for preparatory work on longer-term projects, such as a possible Wimbledon-Hackney rail link, and improving the surface access to London's airports.

Allied to infrastructure enhancements, about £7 billion of the £49 billion is expected to be invested in new and replacement rolling stock. That forecast takes into account expected growth in the railways over the next 10 years and known orders placed by train companies. It also assumes that replacement of existing rolling stock will continue during the second half of the 10-year plan period.

Everyone acknowledges that not all the challenges that the rail industry faces can be solved overnight. There are large loans to sustain and long-term investment is required to upgrade infrastructure and rolling stock, to cater for the continued growth that is forecast and to ensure that sufficient additional capacity is not only planned but provided in the longer term. That is true for rail services across the board. I am delighted about the continued success of franchise renegotiation—

Mr. Deputy Speaker: Order. Time is up.

Council Pension Benefits

12.30 pm

Ms Julia Drown (South Swindon): This may seem to many to be a boring subject, but the impact of the Government's policy on council pension deficits has potentially serious consequences for my constituents, who rely on borough council services. In Swindon there is a £14 million deficit in the pension fund, and that has a twofold impact on the council's revenue funds. The council is obliged to restore the £14 million deficit over a number of years and must also make up for the reduced investment income resulting from it. Both those shortfalls must be covered by revenue funds. That will cost Swindon residents £4.3 million next year. That sum will not be available to provide much-needed services.

The council has done everything to balance budgets and to ensure that reliance on one-off moneys is limited and reserves are reasonable. It has embraced the Government's best value regime and rightly wants to provide the best service possible for the residents of Swindon. However, it is in an increasingly difficult position. It is pushed by central Government into passporting the annual financial settlement into specific services, such as education, without regard to the pressures on it. Those pressures are, principally, the deficit in the pension fund and increasing demands for service from an expanding population, but there are also increasing needs, for example in the fire service. Those are not allowed for fully in the council's standard spending assessment.

Dealing with the pressures that I have outlined is particularly frustrating for a borough council such as Swindon, whose own resources contain the potential to improve things. Government approval is needed for that to happen. To emphasise the importance of what I am explaining, I shall briefly outline the state of affairs in Swindon. The annual financial settlement from central Government continues to underestimate—although by less than the Tories did, so there have been some improvements under a Labour Government—the levels of demand for community care packages for the elderly. There are also pressures from the people of Swindon for developments such as new libraries and concert facilities, which would entail associated revenue costs. Although the Labour Government have given more funds to Swindon than any Tory Government did, that has not saved any of the council's departments from the necessity of making difficult decisions.

Of particular concern to my constituents have been decisions to close, for economic reasons, schools that were much valued by their local communities and provided unique facilities and support for students; the closure of elderly people's day centres; the threatened closure of centres for people with disabilities; and possible changes affecting transport tokens for elderly people. From my surgeries I can identify ways in which more council spending would greatly expand services and opportunities for my constituents. I should like, for example, more education opportunities, an expanded home help service and more services for those with disabilities. For the environment, I should like greater opportunities to tackle graffiti, more recycling and a larger budget for road safety maintenance. The Government have undoubtedly done more than previous Governments in all those respects, but some

[Ms Julia Drown]

needs are still unmet. Unless the problem of the pension fund deficit can be solved, the borough council will continue to be frustrated in its aim of achieving the best that it can with its resources.

The council is keen to meet the demand for service improvements and has the resources to tackle at least some of the needs that I have identified, but is restrained from doing so by the Department of the Environment, Transport and the Regions rules. Those rules do not apply to the Government. "Prudent for a purpose" is my right hon. Friend the Chancellor's expression, and that is right. The Government use money to reduce deficits, to release further money for public services. I ask the Department to allow Swindon borough council to be prudent for a purpose, too.

I know that Ministers are used to Members of Parliament placing special emphasis on the needs in their areas and on the need for more Government support for local government finance. I am asking for the council to be allowed to solve the problem using its own resources. It has rightly reviewed its assets and sold those that are surplus to requirements, and those capital receipts could be used to pay off the deficit on the pension fund and release much-needed revenue funds for the services that my constituents desire and deserve.

That would exactly follow the policy adopted by my right hon. Friend the Chancellor in dealing with the deficit left by years of economic mismanagement by the Tories. I know that Ministers are wary about creating a precedent that will threaten their public spending figures, but Ipswich city council has been allowed to tackle its pension deficit in this way, and Swindon's case is equally strong.

The Department of the Environment, Transport and the Regions does not normally allow capital resources to be used to pay off deficits on its pension funds, but in 1997, the Department published on its website guidance notes for requests for capitalisation to allow part of pension deficits to be written off, which stated:

> Directions are not normally issued unless the expenditure
>
> (a) is substantial in relation to the authority's revenue for the financial year concerned and was unforeseeable when the budget was adopted; or
>
> (b) cannot be met out of financial reserves but will result in revenue account savings in future years.

Swindon borough council's pension deficit fits those criteria exactly, so I hope to persuade the Minister to allow the council to capitalise the deficit, following similar economic policies adopted by my right hon. Friend the Chancellor. Swindon borough council wants to use prudence for a purpose, that purpose being to deliver better services to the people of Swindon.

The request for capitalisation undoubtedly meets the criterion of being substantial in relation to the authority's revenue budget. The council's expenditure towards the pension fund deficit is £3.5 million this year, compared with a net revenue budget of £143.5 million. There is an expectation of a further £800,000 increase in contributions as part of next year's budget, making a total of £4.3 million.

If the council had had £3.5 million in 2000-01, those funds could have provided an additional £120 for every primary and secondary school pupil in the town. That would have enabled Swindon to use its own resources to spend at the level of the average unitary authority—although we would still have had one of the 40 worst funded education authorities. Alternatively, the money could have provided 9,000 hours of much-needed home help services and allowed 300 patients to be discharged from the local Princess Margaret hospital and given more appropriate care, at the same time allowing more people to be treated at the hospital. Those are high priorities for the town.

Anyone who has been associated with local government will know that 3 per cent. of the borough's revenue budgets represents a substantial sum. Using those revenue funds for the pension deficit is having a serious impact on other services.

The next question concerns whether the scale of the problem that we have in Swindon was foreseeable. Clearly, it was not. The problem did not arise because of any lack of planning or poor management by the council, but was entirely due to factors beyond the council's control. The deficit was far greater than anticipated when Swindon borough council became a unitary authority. The actual deficit was calculated by outside actuaries over whom the council, quite properly, had no control. In its shadow unitary form, the council based all its assumptions on the 1995 valuation, which was the most recent valuation at the time. That carried the expectation that contribution rates would peak at 1998-99 levels before declining.

However, the figures arising from the subsequent 1998 revaluation, after the council had become a unitary authority, were alarmingly worse, and were not formally notified to the council until January 1999. By that time, the budget planning process for 1999-2000 was largely settled. The borough council had no choice but to make reductions in its plans for service budgets. Those included lower expenditure on schools than the council would have wished. Although more was spent on social services, due to an expanding population and increasing needs, there had to be a tightening of the eligibility criteria for community care packages, a reduction in home care support and the closure of residential beds. It is thus clear that the deficit was not foreseen.

One might ask why the deficit was so large. There were several reasons for the worsening contribution rate. When the borough council came into being as a unitary authority, the split of total liabilities on the fund for the former county services, such as social services and libraries, meant that Swindon's share of Wiltshire's deficit rose from £18 million in 1995 to £40 million in 1998. That would have been impossible for the council to predict before the 1998 actuarial revaluation and those massive numbers show the problem that this is creating for Swindon.

Had Swindon remained a district council, the pension fund would have needed to cover fewer staff, and the deficit would have been smaller and—although still a great problem—easier for the council to manage within its own resources. The council also had to deal with the unforeseen abolition of advance corporation tax credits in the 1997 budget. Although I understand the importance of that for the wider economy, I know that the Government recognise that the abolition has an impact on pension funds. However, it is of particular relevance here that the abolition causes additional pressure for those councils struggling from a deficit

position. The final reason why the deficit was unforeseeable was that the level of early retirements triggered by the local government reorganisation in 1997 was higher than expected.

There were, therefore, many reasons why the level of contributions was not foreseeable: previous actuarial valuations were over-optimistic; new revaluations were not notified until late in the budget cycle; the unforeseen split of liabilities on former county services was way in excess of the council's best estimates at the preparatory stage; advance corporation tax credits were abolished; and the levels of early retirement were higher than expected.

Although the Government might argue that better estimates might have solved one or two of the problems, that cannot be said for them all. Many compelling, compounding factors have produced a convincing case that the contributions were not foreseeable by the borough council. I have made it clear that the deficit cannot be met from revenue budgets or reserves alone, without further revenue account savings in future years. The demands are increasing.

It seems entirely reasonable that the council should be allowed to sort out this problem using its own resources. It seems unreasonable that my constituents will be prevented from having access to home helps, better education and adaptations to their homes—for those with disabilities—because the Government refuse to help Swindon in this way. This situation was unforeseen, and it is about local people tackling local problems using their own resources. I ask the Government to reconsider the issue and to help my constituents in this way.

I believe that there is a clear case for the whole £40 million problem to be solved with a capitalisation direction. However, if that is impossible, let no one say that the borough council and I are not prepared to discuss the situation to see whether we can reach a compromise. If the Government really believe that using £40 million of Swindon borough's own funds in this way will challenge public expenditure targets or create too great a precedent, I am willing to take to the council a proposal to phase the capitalisation direction over two or three years. Indeed, the indications are that the council and the director of finance would positively welcome that sort of approach.

Assistance should be provided to help Swindon to help itself. Short of handing over a few million pounds to Swindon borough council every year, this is the biggest contribution that the Government could make to improving local services in Swindon, and I hope that the Minister will tell us today that she is willing to help my constituents in this way.

12.43 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Beverley Hughes): I am grateful to my hon. Friend the Member for South Swindon (Ms Drown) for raising the subject of local government pension funds. I agree with her that it is an important subject, and well worth discussing. This debate will give me the opportunity to explain some of the important issues involved—some of which she may not have mentioned in her speech—and to set the record straight on some of her other contentions. It may be helpful if I begin by explaining how the local government pension scheme works, and the Government's role. I shall then deal with the specific problem of Swindon and its possible solution.

The local government pension scheme in England and Wales is a single pension scheme providing the same benefit structure for all local government employees, no matter where they work. It is open to anyone employed in local government, and recent changes allow access to the scheme for contractors who win bids to provide outsourced services. That has been a great benefit, and is an important factor in maintaining the stability of a pension scheme. It can help to prevent premature maturing of the scheme, whereby a small number of employees supports a growing number of pensioners. In turn, that can lead to higher employer costs, which is perhaps a significant issue.

The scheme is divided into 89 separate funds that are administered by county councils, London boroughs or, in those parts of the country that were reorganised in the 1980s and 1990s, a lead district council. The funds vary in size from £180 million to £6.5 billion. In total, they are worth about £75 billion and account for about 10 per cent. of all funds held by occupational schemes in the UK, so it is clear that this is a big issue for local government and potential pensioners.

Importantly, administration and management are handled locally, and due regard is given to the requirements in the Local Government Pension Scheme Regulations 1997 and the 1998 regulations on investment and management of funds. The Secretary of State's role respects the right and capacity of local government to manage its finances prudently and securely. The regulations do not prescribe but create a framework whereby, for investment purposes, risk must be spread and properly managed, without reducing the ability to maximise investment returns.

In setting employer contribution rates for councils such as Swindon, there is some flexibility, subject to due regard for long-term reasonableness and the cost implications of decisions. Rates should be set so that wild fluctuations are avoided and what is affordable is contributed. By and large, and despite criticisms from elsewhere, local government has demonstrated proper regard for the cost implications of meeting pension liabilities.

Because it is recognised that the nature of local government is entirely different from private sector companies that run their own occupational pension schemes, the local government pension scheme was, and remains, exempted from the minimum funding requirements in the Pensions Act 1995. The statutory framework, with separate provisions to control management and investment of funds, and a requirement for three-yearly actuarial valuations at which contributions are set, has also been recognised as an important way in which to create the necessary stability. When taken together, and properly managed within the disciplined framework of local government finance regulation, the provisions ensure the on-going solvency of funds. In turn, that covers those areas that gave rise to concerns about impropriety, with which the 1995 Act deals.

In the long term, there has been a high degree of stability in employers' contribution rates, in line with the statutory requirement that, in respect of the

[Ms Beverley Hughes]

desirability of maintaining as constant a rate as possible, employers contribute at a rate that secures solvency. In the long term, local government pension funds have performed as well as or better than the pension industry average. That is a success that local government should rightly be proud of, and for which it should be given due credit. By and large, it has performed very well as a pension fund manager.

The level of contributions is a key issue in explaining the situation in Swindon. The 1997 regulations that govern the scheme contain no requirement that funds should have assets covering 100 per cent. of liabilities. That recognises that liability is a constantly moving target that is affected by, among other things, current and future inflation rates, pay inflation, the age profile of the work force, retirement and so on. Similarly, the value of assets can vary. In the short term, variations can be extreme, but prudent management of pension funds with a view to long-term sustainability smoothes out those peaks and troughs.

However, we recognise that some authorities, as a result of their funding position, are none the less paying high employer contributions. In some instances, as in Swindon and elsewhere, they are paying a rate that is perhaps three times more than what we would regard as the normal, averaged-out rate. I appreciate the concerns of that small number of authorities that face the prospect of having to pay almost a fifth of their pay allocation into the pension fund.

I would like to respond to some of the points made by my hon. Friend about the local government revenue support grant. I do not accept the reasoning that she gave, in explaining the position in Swindon. I can assure her that the Government are fully committed to providing local authorities with the money that they need to fund the vital services that they provide. In the past three years, the Government have increased the grant to local authorities by almost £6.5 billion, an increase of 8.8 per cent. in real terms. In the recent spending review, we announced that, in total, local authorities would benefit from further increases up to 2003-04, the last year covered by the review. Swindon has benefited from those increases, and will continue to do so.

Ms Drown: I do not want to give the impression that we have not benefited hugely from the fact that there is now a Labour Government—much more funding has been given to Swindon than was ever given by the Tories—but there are still unmet needs in the town, and I want my hon. Friend to recognise that. As she says, there is a need, in the context of the comprehensive spending review, for more resources for Swindon. However, we could do more from our own resources, and that is what is so frustrating for the council and the town.

Ms Hughes: I shall get to the second point in a moment. On the first point, I would say that there are pressures on every local authority and on central Government. People in government, at whatever level, have to acknowledge that the job involves making choices between competing priorities, managing resources as efficiently as possible and finding new and better ways to meet the needs of citizens. Other authorities are doing that, and I hope that Swindon will also be able to do that, as it should, in the context of significant increases in its budget.

My hon. Friend spoke about the need for improved services and the council's responsibility to the people of Swindon. The Government have done as much as was possible in three years to improve resources for Swindon and other authorities. It is up to Swindon to apply those resources in the best possible way, to meet the needs of its citizens.

Ms Drown: The borough council is asking to be allowed to do just that and to use its resources as efficiently as possible to deliver the best for the town. That is why it is seeking a capitalisation direction.

Ms Hughes: It is no surprise that Swindon and other authorities in a similar position want to use their capital receipts to reduce their pension fund contributions. To authorities that have made substantial property sales and are in the fortunate position of having sufficient receipts in the bank, that may appear to be the obvious solution. However, authorities may not normally pay capital receipts into pension funds, for good reasons. Receipts from the disposal of capital assets are an important capital resource. They may be used to buy other capital assets, which is the most prudent and beneficial use of such receipts. Receipts may not normally be used to meet any part of an authority's revenue expenditure, including pension fund contributions. There are good macro-economic reasons for that, and other authorities that have managed their budgets well and have paid their contributions from revenue, as they should, may take a dim view if councils such as Swindon are allowed to use the capital resources that they are fortunate enough to have to offset revenue expenditure that they should have met from their revenue budget. Other authorities have done that with careful management. There is an issue concerning not only the wider aspects of public finance and the limitations on public expenditure, which is a legitimate concern of central Government, but equity with other authorities.

Turning to the criteria for allowing capitalisation, we have discretion to permit exceptions to the general rule. We do that by issuing a capitalisation direction to the individual authorities to allow them to use capital for revenue purposes when certain conditions have been met. One is serious financial pressure and, from Swindon's point of view, the size of its deficit is a serious matter. Another criterion is whether the deficit could be said to have been unforeseen. My hon. Friend argued her case carefully and gave a number of reasons why Swindon's deficit was unforeseen, but I do not share her view, because increases in pension fund contributions are generally foreseeable. Authorities may not know exact figures, but they are usually aware of the sort of sums that will be required before they set their budgets. If they act prudently, they should be able to make good estimates of what will be involved, even if they do not have hard information, and act in accordance with those judgments. I am not convinced that Swindon did so.

However, having set the record straight, I have decided that the capitalisation criteria that affect Swindon and some other authorities and were

established some time ago should be reviewed to see whether, on a one-off basis—I emphasise that—we can respond in a systematic and defensible way to the situation faced by those authorities, bearing in mind other issues that I have outlined in terms of equity between authorities. That review is now well under way and we are working on a proposal to allow capitalisation of pension fund contributions in a wider range of circumstances than at present. It is important to establish criteria, because we are dealing with public money, and those must take account of the position in local government as a whole rather than responding to one or two difficult cases. It is important to get it right and to consult on the proposals with local government. That is the stage that we have reached.

I must emphasise that we will not allow unrestricted capitalisation of contributions to pension funds. If I change the criteria, I must have a robust model so that that cannot happen, because it would encourage a few imprudent authorities to use that route as a substitute for proper budgeting. I am not prepared to allow that, because it would put at a disadvantage the more responsible authorities that have already made tough decisions to enable them to maintain their pension contributions and to respond to service development.

The criteria must be robust and we must not allow authorities to forget the true cost of using capital resources to meet revenue expenditure. That cost is a reduction in the potential capital investment in their areas. Residents of Swindon will suffer through a direction because that capital will not be available for such uses.

I am sure that my hon. Friend understands my concern. We accept that there is a case for a modest, one-off relaxation of the rules and I hope to be able to announce that shortly after the consultation. I hope that my hon. Friend accepts my argument that we must have a robust model. I am not prepared to allow local authorities to use capital routinely for revenue purposes, even for pension fund contributions.

Ms Drown: I thank my hon. Friend. That step forward will be much appreciated by Swindon borough council. It shows that a Labour Government listen and give more money to and support local government. I look forward to a positive outcome for the borough council, and I thank my hon. Friend the Minister.

Ms Hughes: Some of my hon. Friend's earlier remarks almost made me change my mind. However, I am too far down the road, and a serious issue is involved. I hope that we shall deal with the matter satisfactorily and robustly.

Education SSAs

12.59 pm

Dr. Vincent Cable (Twickenham): I raise an issue, in one of the last Adjournment debates of the Session, that is of enormous interest to my borough of Richmond and to many others, especially in big cities such as London and Manchester. The problem arises from a combination of factors. A large volume of cross-border flow of pupils in schools, which has been facilitated by the Greenwich judgment, has been combined with the absence of recoupment of costs arising from big differentials in standard spending assessment allocations. My estimate, which no one has contradicted, is that the way in which the formula operates in my own small borough effectively costs it about £2.2 million.

The matter has been raised before. A few years ago, I secured an Adjournment debate on the Greenwich judgment, which was responded to by the Minister of State, who was subsequently promoted to Secretary of State for Trade and Industry. Although he gave no ground on the Greenwich judgment, he understood that the financial implications were difficult, and in subsequent discussions with me and my hon. Friend the Member for Richmond Park (Dr. Tonge) he undertook to ensure that his officials discussed with borough officials how some of the financing aspects might be dealt with. The conversations petered out with his departure, but it was understood that there was a problem.

Similarly, my hon. Friend the Member for Sutton and Cheam (Mr. Burstow), whose borough has a similar problem, suggested that recoupment should be included in the Learning and Skills Bill. Perhaps the Minister present today, who dealt with that matter, accepted that there was an issue, but did not believe that that was the proper way to deal with it. Ministers and officials have been sympathetic, but to date the problem has not been followed through. I shall try to set out the arguments in a little more detail in the hope that we can make some progress on the matter.

The problem is the result of three separate developments in education policy, each of which makes sense on its own, but which create considerable anomalies when they interact. The first is the Greenwich judgment. I do not want to use the debate to repeat arguments about the Greenwich judgment. Many of us have made the case for repeal, but we accept that the Government, like the previous Government, will not move on the matter, and there is no point in banging our heads against a brick wall.

However, it is worth reiterating why the matter causes a problem in a borough such as mine, which genuinely believes in the Government's dictum of education, education, education. It spends more than its SSA and attaches great value to local schools. However, local children were passed over for places in especially favoured—not selective, but none the less especially attractive—schools in favour of pupils from outside the borough. That causes enormous resentment, and much of my case work relates to that matter, including extraordinary cases of parents using long tape measures to calculate exactly how close they are to the school compared with people from outside. The key point is

[Dr. Vincent Cable]

authorities' inability to give their own residents preference even when they have paid over the odds in council tax. That anomaly causes resentment. However, I accept that this is not the context in which to pursue that debate.

The second element of policy, which is more directly relevant to today's debate, is the abandonment of recoupment that took place under the previous Government. I am not entirely clear about why that happened—it may have been for administrative as much as political reasons—but it clearly presents a problem when substantial numbers of pupils cross borders. In my case, 40 per cent. of our secondary and 12 per cent. of our primary population come from outside the borough. As 123 per cent. of resident pupils are in local schools, an enormous net receipt of pupils is involved, but that happens mainly as a result of migration from authorities with substantially lower SSAs. Richmond's SSA is £3,181; Hounslow's is about £500 more than that, at £3,629; and Wandsworth's is about £1,000 more, being an inner-city allocation, at £4,158. That is important, because many of the pupils have substantially greater educational needs than the local population, but they do not bring the money with them to meet those needs.

The evidence is partly anecdotal, but some of it is hard. For example, Wandsworth's primary schools come, I think, 126th out of 150 English authorities in the Government's league table of standard assessment tests at the age of 11. My borough is top, apart from the City of London and the Scilly Isles, which are both small authorities. Primary pupils are coming into our secondary schools far behind in levels of literacy and numeracy. There is nothing wrong with that—pupils as individuals are welcomed into the schools and the teachers accept the challenge of teaching them—but they are not funded appropriately in terms of the SSA formula. The money does not follow the pupils.

In Wandsworth's case, that is compounded by the fact that, for ideological reasons, it has chosen to maximise the use of selection in its system, within the permitted limits. One could argue that authorities such as mine have to pick up some of the problems associated with such a divisive system.

Clearly, migration within boroughs is a common phenomenon. It is a complex, two-way process. My borough exports substantial numbers of Roman Catholic pupils to Catholic schools in the neighbouring borough of Hounslow, and that is welcomed. It does not present a financial problem for Hounslow, as its SSA is higher than ours. The pupils come from primary schools at which they have already achieved, by the age of 11, an exceptional level of attainment. Hounslow has no problem accommodating children from our borough—the problem is entirely a result of migration from low-SSA areas.

There are problems with the Greenwich judgment and the absence of any recoupment. Those two decisions—one legal, one administrative—were made under a previous Government. A third problem arises from decisions made by this Government under what are admirable schemes such as excellence in cities, single regeneration budget schemes and education action zones. I welcome such initiatives but, as the Minister will acknowledge, they are administered according to educational need as defined by borough.

In my borough, we have schools with serious educational problems as a result of taking in a substantial number of pupils from inner-city boroughs nearby, but which are not recognised as eligible for special treatment under the schemes. One school in Richmond Park has 44 per cent. of pupils with free school meals. It has many of the characteristics of an inner-city school, but would not be able to apply for the excellent Government initiatives. In my constituency, Hampton community college is ambitious about raising standards, and has a large number of pupils from Hounslow. Many of them have serious educational needs, but the college struggles with a limited budget to provide remedial education to bring 11 and 12-year-olds up to a good standard. It is not funded appropriately. If schools were judged on their merits, rather than on the basis of borough characteristics, such schools would be in receipt of special funding arrangements.

I shall talk about some of the ways in which the anomalies might be rectified. Like other boroughs in the same position, at present the borough simply has to cope. Essentially, it has to redistribute funds within its school budget, which is about 5 per cent. above SSA, to accommodate the extra problems. The borough is also told that it has to try to find savings from the 15 per cent. of the budget that is not passported to schools. I am sure that the Minister is aware that there are anomalies within the formula.

The 15 per cent. non-passported budget includes such non-bureaucratic items as transport used for special educational needs and the purchase of special educational needs services from the independent sector, as often arises for autistic children. Money that could, at least in theory, be used for special purposes and diverted away from what pejoratively might be called the bureaucracy is used for special educational requirements, and is not divertible in such a way. The scope for redistribution within the existing budget is limited.

What could be done to reform the problem? First, one could reopen the Greenwich judgment, but I do not propose to pursue that line of argument. Secondly, I ask the Minister whether there is any scope for a fresh look at recoupment, although I realise that I am provoking the reply that we do not want yet more paper chasing, in a system that the Government are trying to make more streamlined and less bureaucratic. I understand the administrative reasons why they do not want to reintroduce recoupment. There are anomalies in recoupment because it operates for special needs, not mainstream, pupils. Could we not have a limited system of recoupment where there is an exceptionally high level of cross-border movement of pupils, particularly severe disparities in SSAs, or a combination of the two? Could it not be linked to the Greenwich judgment so that boroughs that wish to take advantage of that judgment to gain access to a neighbouring borough's schools accept the need for recoupment within a geographically limited area? Those are all ways of limiting the scope and the bureaucratic complexity of any arrangement. Will the Minister reflect on whether recoupment can be brought back on the agenda?

The third possibility is whether the Government's new schemes, such as excellence in cities, can be extended to cover specific schools that have problems arising from the arrangements. The criticism is often made of my borough that we are trying to create an enclave of middle-class, professional educational excellence and to keep out underprivileged pupils from other boroughs. That is not the case. The teachers to whom I talk about the issue would welcome a diverse intake and take it as a professional challenge. They are not trying to dodge responsibility for relatively underprivileged pupils but ask only that they should be properly resourced to do that job properly. At present, they are financed entirely on the basis that their intake is indeed a professional, middle-class, largely white population, but that is no longer the case in many schools. It would be enormously helpful if the Government could think of a way of enabling individual schools to access those schemes.

To put that in a wider context, I was shown yesterday the report of a commission that was set up in Islington, which is now ruled by my party. It undertook an imaginative project in collaboration with the Labour opposition, chaired by Professor Tim Brighouse. One of the outcomes of that report is the proposal to adopt a pan-London, rather than just a borough-based, approach to educational under-attainment. I am sure that my own borough would accept that it is truly—not just geographically—part of London and should play a role in raising the standards of London education, providing that it can be integrated within schemes that are rather narrowly focused in financial terms.

My final point—I hope that I will not exceed my 15 minutes—is whether there is any scope for the Minister to look at SSAs. I know that she has been pressed by low-SSA boroughs such as Gloucestershire and Coventry to examine whether there are grounds for lifting the floor of SSAs. That principle could be applied in London, where there are specific problems. That would not be discriminating in favour of authorities, such as mine, that have to cope with cross-border migration. That may need to be considered. There is a disparity of at least £1,000 in the SSA between boroughs in outer London, not just in areas such as Richmond but in Hillingdon, Harrow and inner-London boroughs. At the extreme, the disparity can be as much as £2,000, as between Richmond and Lambeth.

I accept that, on the grounds of social justice, deprived areas must have higher SSAs—that is right in principle and I do not question it—but I question whether it costs £2,000 more to educate a child at secondary level in Lambeth than in Richmond. Those areas are, after all, in the same pool for recruiting teachers, especially head teachers, and it costs the same amount, for instance, to repair a drainage system in either set of schools. Lambeth and other comparable authorities can access other schemes. Will the Minister consider the disparity between SSAs in outer and inner London? Will she consider raising the SSA for outer London boroughs, bearing in mind the cost problems?

Will the Minister consider the problem that I have described, which I have put in the context of Richmond's needs, but which also applies to other outer boroughs, which have identical problems? Will she give a broad indication of how the Government might ease the problem, and pursue the matter in more detail in her Department?

1.15 pm

The Minister for School Standards (Ms Estelle Morris): I acknowledge the sincerity of the comments of the hon. Member for Twickenham (Dr. Cable), who has written to my Department on a number of occasions. The matter under discussion is important to him, in terms of the Greenwich judgment and the financing of the London boroughs. Clearly, I accept that it is an important issue for his constituents. Although the end of term has passed, I want to put on record my appreciation of the work of schools in his constituency during this academic year. I hope that next year is also successful for those schools.

The hon. Gentleman raised some important issues, and I shall sum up my answers with a few noes and one or two maybes. Underlying all that, I acknowledge that he has raised some issues that we need to grapple with in the future. However, I fear that I shall sit down in 10 minutes' time without having mapped out a way forward or having left him a happier man than when he arrived in the Chamber. Perhaps we will be able to work out an agenda on which progress can be made during the next couple of years.

The hon. Gentleman acknowledged that the Greenwich judgment has been discussed before, and he will know our arguments on the matter. My constituency is on the border with Solihull, so in some ways I share his problems. He painted a picture of parents wanting choices for their children and measuring the number of yards from a particular school with a tape measure. My advice bureau on Friday was full of parents who had done exactly that. I suspect that parents simply want a good school, and not necessarily one that is in their borough. If such a school is just outside the borough, they will not choose one in their own borough. Parents choose a school, in their own borough or elsewhere, because they perceive it as a good school.

The argument about the effects on financing for the borough are for politicians and not parents. The Greenwich judgment was introduced because parents want good schools. Of all the criteria in relation to oversubscription, the use of a boundary, which can be elastic, often does not make sense to individuals who live on either side of the road. It is perhaps not the most appropriate option, and I am grateful that the hon. Gentleman did not pursue it too energetically.

On recoupment, the hon. Gentleman was right to say that the previous Government changed it for an administrative reason, not a political one. I do not want to hold out much hope of revisiting it, because of its bureaucratic nature. Clearly, there had to be a number of head counts—of children in the relevant local authority and other local authorities—along with billing and chasing up the money. I have been led to believe, on more than anecdotal evidence, that the amount of paperwork that went from LEA to LEA, in the process of trying to get the money back, was a wonder to behold. Some LEAs had still not received the recoupment five years after they had spent the money. For Richmond, it would be more worrying never to get the money than to get less money on time. Both outcomes are unsatisfactory, but I can understand why the previous Government chose simplicity. I recognise the element of

[Ms Estelle Morris]

rough justice. The previous Government decided to fund special educational needs children on statement because that was an element of rough justice too far.

A number of issues need to be explored, and the problem to which the hon. Gentleman refers may not be as bad as he thinks. Those children who need the most expensive education—that attached to a statement—will receive the costs of the statement; it is not done through the recoupment process. I am not familiar with Richmond and its boundaries, but it is not always true that children in one part of a borough that neighbours another borough share the characteristics of the borough in which they live. One of the reasons why the next borough might be funded more handsomely than Richmond is that, as a whole, it has more children with needs of the type that we are discussing. One can barely tell when one leaves my constituency and enters Solihull, as the housing is alike in both areas. The environment does not change at the boundary as one crosses from borough to borough, but gradually as one moves through the borough. Although the children in the neighbouring borough may get more money, their level of need for education may not be significantly greater than the children in the borough to which they move. The startling figures may not reflect the extra costs according to the need of the child.

The underlying assumption, which the hon. Gentleman is bound to make—and that is not a criticism—is that the SSA reflects a need. I do not believe that it does. That is the area in which there is an element of rough justice. If I thought that the different SSAs in each of the London boroughs represented genuine need, I would be more worried than I am. As he knows, the Green Paper, which will be published at some time during the summer, deals with ways of funding schools and the formula that we use.

I speak with no prior knowledge, because announcements about the formulae have not been made and I do not know sufficiently well the details of the indices of deprivation in the boroughs that the hon. Gentleman has named. However, it may be that, in a new system of funding, the disparity between neighbouring boroughs is not as great as it might be. He suggested levelling up the funding of the worst funded boroughs. I do not know what the Government will decide to do. I suspect that a disparity of funding between neighbouring boroughs, which is hard to justify in terms of deprivation or need, may solve itself to an extent and that Richmond may end up a net gainer. Work that we are doing on SSAs may, coincidentally, help with the problem.

I also have sympathy with the hon. Gentleman on the issue of areas of deprivation within areas of relative affluence. That is caused not only by children who may be imported from other boroughs and bring a change in circumstance with them. Some urban and rural areas are simply like that. I have always had sympathy with hon. Members who raise that point, and I hope that we can deal with the problem. In introducing initiatives such as excellence in cities or education action zones, we focused on boroughs that had high numbers of free school meals. Most boroughs that have been part of excellence in cities, which is a popular and successful initiative, have free school meals for 30 per cent. or more. The hon. Gentleman would argue that Richmond's need was greater, and he mentioned that one school had 44 per cent. free school meals. Clearly, if that school was a borough in itself, it would have qualified for excellence in cities in the first round, and not only in the expansion of the scheme.

The hon. Gentleman may be interested to know that, when we expanded excellence in cities after the Budget, we extended it to part of a borough in the north-west. The borough itself did not qualify for excellence in cities on the basis of free school meals, but part of that borough was hugely disadvantaged. Not only one school, but a collection of six or so secondaries and several primaries—almost a small borough—had a level of need that earned it a place in excellence in cities. In Solihull, which the hon. Gentleman will agree is a fairly affluent borough, there is a pocket in the north called Chelmsley Wood, which has a free school meal rate of more than 30 per cent. in its three secondary schools. Only this week, we were able to work with Solihull to ensure that only that northern part of the borough benefits from some of the initiatives to which the hon. Gentleman referred. The Government were right to focus extra attention on the boroughs that need help most and suffer acute deprivation. We can develop the programme to focus on clusters of schools that need extra support, as we want to direct help where it is most needed, when resources allow.

There will be no return to the Greenwich judgment. I do not think that a return to recoupment would be popular with local authorities. It is not that they are not funded—it is merely the way in which the children are counted. Funding is provided for the children who are educated by an authority, rather than simply for the children who live in the area. I point that out so that nobody who reads the *Hansard* report of this debate will think that children from outside are not funded. The issue in Richmond is that some are underfunded in respect of the relative amount that is provided under the SSA. That does not provide the solution, although help may be at hand as SSAs are reconsidered, which could knock the unfairness out of the system.

I should like also to offer some hope for the future, although I hope that the approach will not be interpreted incorrectly in relation to a specific school getting help next year. I ask the hon. Gentleman to reflect on the way in which the Government have rolled out their policies and strategies to help schools in challenging areas. I hope that we will move in the not-too-distant future from helping whole LEAs to helping clusters of schools that are in need. I think that I have offered some alternative routes that do not directly involve the inequity of funding in connection with the movement of children between boroughs. Other Government policies have been established in order to achieve what the hon. Gentleman wants to achieve—not to fund children in accordance with a notion of an unreal entitlement or by another system that does not reflect reality. We want to fund children, local authorities and schools on the basis of need. As our policies roll out, we may be able to help clusters of more deprived schools in areas of relative affluence.

I hope also that one of the most important aspects of excellence in cities in areas that border Richmond, and from where children are imported, will be to raise standards in schools. I return to my first point: parents

want to secure education outside their own borough simply because they perceive that schools are better there. Part of the challenge is to stop that by changing the reality of schools in some of the underperforming areas, and by changing parents' perception—one has to come after the other. When excellence in cities and education action zones are successful, schools in the home boroughs will become higher achieving schools. It is a stated aim of the programme that parents will choose to educate their own children in their own borough because it offers them the standard of education that they want.

This is a genuine issue. Nothing irks parents and local politicians more than feeling that their children get a raw deal from a rough formula—an issue that it is entirely legitimate to raise. During the next few months or years, as our policies roll out and the Green Paper is launched, the hon. Gentleman may want to pursue the matter, either in writing or through other contact. In response, I shall want to ensure that, as far as possible, any new systems that are introduced get rid of the anomalies. However, I hope that he will accept that this is not about revisiting decisions made in the past and building in even more anomalies. It is about rolling out new policies that can address the real need: funding children for what they need, regardless of where they live.

Pension Reforms

1.29 pm

Ms Sally Keeble (Northampton, North): I am very pleased to have secured this debate on pension reform and especially to have this opportunity to set out some of the views of pensioners in my constituency. We expect further changes in pensions policy during the coming months. When they come forward, I hope that the views of pensioners in Northampton, North, as set out in the survey that I have conducted, can be taken into account.

As every Member of Parliament knows, pensions policy is one of the most difficult and controversial areas with which we must deal, and the pensioners' lobby is one of the most determined and persistent. Like every other hon. Member, I have received many letters from pensioners about their difficulties and needs, and I have listened on the doorstep to what pensioners have to say. Most pensioners have thought long and hard about their personal circumstances and the changes introduced by the Government. They often want to talk at length about their experiences and views and explain the various financial pressures and family circumstances that, in some cases, have made their lives in retirement difficult.

Because of the depth of concern and the complexity of the issues raised, colleagues in Northampton, North and I organised a questionnaire survey, designed partly for pensioners but also for people of working age, who must prepare for their retirement, because we wanted to know what they thought the Government should be doing about pensions. The results give some insights into pensioners' views of the reforms that have been introduced to date, and I hope that they will have some input into the shape of future reforms. Above all, the results give a clear picture of the depth of concern among pensioners in my constituency.

On Monday and Tuesday, we sent out the questionnaires, and on Wednesday they started to come back. On Thursday, we received a deluge of them. I have never experienced such a fast response. People must have sent the completed questionnaires by return of post. In fact, one person was away on holiday and his children faxed him the questionnaire, which was returned within two weeks from Finland. There was obviously considerable interest in ensuring that people had their say. It was also striking that there was a strong consistency of views. People seem to feel strongly on the same issues, and it was difficult to find divisions according to income or gender.

I am sure that it will not surprise my right hon. Friend the Minister when I tell him that the biggest single change that pensioners said that they wanted was a substantial increase in the state pension, although not specifically linked to earnings. Some people did suggest that, but many said that they wanted their pensions to be linked with prices, as they already are, or the cost of living, which is a formulation that Liberal Democrats in Northampton have chosen to use and is, in effect, the same as a link with prices. Some said that they wanted the link to be with European pensions or, in one particularly ambitious case, MPs' salaries and allowances. For the most part, the need was simply for a substantial rise. That does not mean that all the pensioners were completely hard up. A third described themselves as being very or moderately comfortable.

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The anxieties about poverty in retirement were also apparent from the responses from people in work. Bearing it in mind that Northampton has historically high levels of employment and a thriving economy, the biggest single fear that people of working age have about their retirement is of not having enough money. Almost half said that they would have to make major changes in their life style and 17 per cent. said that they worried about being poor.

A link emerged from the survey between financial well-being in retirement and having a second pension. Most of the pensioners who said that they were very or moderately comfortable had some form of second pension. Occupational pensions in particular have provided extremely good value and are a success story of pension provision in the UK. It was also clear that women have more restricted access to second pensions. Many women in my constituency work and always have worked—that is not a new phenomenon in Northampton. The lack of access to second pensions is a measure of their low incomes and a glaring hole in current pension provisions, which have not provided properly for people with interrupted career patterns or who work part-time and therefore have very low incomes.

The figures on financial well-being also demonstrate the importance of the Government's drive to get more people to take out second pensions, either through the new stakeholder pension or the second state pension. Unfortunately, the restructuring of pensions comes too late to help the present generation of pensioners. I hope that the message will get over about the need for further self-provision by future generations of pensioners. It was interesting that, of the small group of people of working age who responded to the survey—most of the replies came from pensioners—the stakeholder pension ranked joint third with winter fuel payments as the most important measure that the Government had introduced. I was, frankly, surprised that people had even heard of the stakeholder pension as it is not yet in operation and there has not been much advertising of it by the financial services industry.

Once the stakeholder and second state pensions are in place, there will be a huge job to be done to ensure that people take advantage of the new measures and get proper provision for themselves. I hope that efforts will be made to ensure that women make proper independent provision for their retirement so that they are not left alone and struggling financially, especially not when they are older and more frail. I would not underestimate the needs of women pensioners. Many come to see me, often on their own, because they are widowed and do not have adequate provision for their future financial needs. Many also come with their husbands and are cross because, although they have worked all their lives, they have no independent pension arrangements. Having been financially independent, they suddenly find themselves completely dependent. Understandably, they do not like it.

Another of the Government's big reforms is the introduction of the minimum income guarantee designed to boost the incomes of the poorest pensioners. I did not ask people if they received the guarantee: it is new and the picture that I got might not have been relevant. In addition, I wanted to keep detailed questions about finances to a minimum because I found that people tended to respond more readily to surveys if they were not asked for a lot of personal details. The public have clearly latched on to the recent national publicity about the minimum income guarantee. I congratulate the Department on that. The concept is hard to convey, but the publicity seems to have worked.

In the survey, 82.9 per cent. of pensioners said that the guarantee was very important; 11 per cent. said that it was important; and only 6 per cent. were indifferent or said that it was unimportant. Interestingly, those attitudes were virtually the same among more comfortably off pensioners as among those who were struggling. Across the income range, pensioners saw that the policy was relevant to their needs as a group. It was also interesting to see that attitudes were virtually the same among people in work. Whatever the Conservative Opposition's criticisms, the scheme has clearly struck a chord with the public, who see it as meeting the pressing need to provide extra money for the poorest pensioners in society.

I hope that the pensioners tax credit will meet with similar approval. Certainly, it should address the biggest need of so many pensioners in my constituency—the need for more money—and people's biggest fear when they think about retirement: being hard up. The credit should help especially the many pensioners in my constituency who have incomes above the minimum income guarantee level, because they have made personal provision during their working lives, but who do not earn enough to pay tax, and who are struggling and falling into the gaps between the Government's reforms.

The survey also asked about how pensioners wanted to receive their pensions and their attitudes on claiming other benefits. Perhaps not surprisingly, the vast majority said that they still wanted to get their pensions through the post office. That applied both to people on higher incomes and to those who were struggling. However, an increasing number were interested in getting their pensions through the bank. They were also interested in some of the newer ways of claiming benefits, including electronic methods, because those allow greater access and flexibility for people who have difficulty in getting out. I hope that, if the new universal bank proposals are developed, they will meet some of pensioners' needs for dealing with benefits and pensions claims.

The survey asked about the pressures on pensioners, which resulted in quite a big surprise. I had assumed that, since what they wanted most was extra money, the biggest pressure point in their lives would be lack of money. That was not the case; the biggest overall concern was health care, which ranked higher than money pressures. The survey posed separate questions about continuing care and home care. I understood the pensioners' concern about health care to relate to the basic NHS primary and acute services.

Two points arise in relation to that part of the survey. First, pensioners who said that they were financially comfortable were more concerned about health care. That perhaps suggests a future increase in demand for health services for pensioners, as the pensioner community becomes more affluent. I am sure that that will happen, in the light of the reforms and new pension

structures that are being established. Secondly, the kind of services that pensioners use could become an issue. One area of health care that is especially important to pensioners is orthopaedics. I understand that there is a national shortage of skilled medical staff in orthopaedics, with consequent problems with waiting lists. My constituents consistently face delays of more than 50 weeks for orthopaedic appointments—even initial consultations. That is far too long, especially with the extra resources that are being ploughed into the NHS. Recent incidents have also raised questions about the quality of care for two particular constituents.

If we are genuinely to provide for the needs of people in retirement, health care is a key priority. That is especially true for the services that are particularly important to older people, such as orthopaedics and podiatry—an area that is quite often raided. I realise that that is not within my right hon. Friend the Minister's sphere of responsibility, but if there is to be joined-up government, pensioners' health care needs will have to be considered while their financial needs are being met.

The Conservative Opposition have repeatedly criticised Government initiatives to help pensioners, especially the winter fuel allowance, which they derided as a gimmick, and which they said they would roll into a basic increase. However, my survey showed strong support for the key initiatives for pensioners, especially the winter fuel allowance. That allowance, the minimum income guarantee, the free television licences for pensioners over 85 and free eye tests were all seen as important, or very important, by upwards of 75 per cent. of pensioners. That applied both to pensioners who were more comfortably off and to those who were struggling.

There were some marked difference in attitudes towards the measures, but they occurred more between retired people and those still in work. People who were still in work paid lower regard to the measures. For example, 63 per cent. of pensioners thought that free television licences, which have been much derided, were important and 30 per cent. thought them very important. In contrast, only 37 per cent. of people of working age thought that they were very important; 32 per cent. thought that they were important; 19 per cent. were indifferent to them; and 12 per cent. thought them unimportant.

In the survey, 98 per cent. of pensioners thought winter fuel allowances very important or important. Only 0.5 per cent. of pensioners said that they were unimportant. In fact, a substantial number of pensioners said that they wanted more help with winter fuel costs, and placed that high on their list of policy priorities. I was surprised by some of the results, because I had thought that pensioners would say that the measures are not nearly as important as having the basic state pension. The revelation that that is not so proved to be one of the advantages of conducting the survey.

Pensioners clearly value the measures. They did not make derogatory remarks in the space for comments. Whoever the Conservatives think that they are speaking for in dismissing them as gimmicks, it is not pensioners. The derision with which the Conservatives treat the extra help provided by the Government does not square with the reality of the difference that the initiatives have made to pensioners' lives.

My right hon. Friend the Minister has a copy of the survey, and I hope that he will take those points on board when he considers plans for future pensions policy and reform. I have not explained the whole methodology of the survey, but it was conducted with a reasonable amount of care and gives an accurate picture of the concerns, needs and priorities of pensioners and non-pensioners in my constituency. Pensions policy is vital for the future well-being of my constituents and is a matter that many people overlook until it is too late. In the past, it has served some groups of pensioners well, but it has left many—especially women—in real financial difficulty.

The Government are addressing many of the shortcomings through their reforms. As they do so, I ask them to take note of the needs and concerns of my constituents. The survey provides a snapshot of one community, but I suspect that, if it were repeated elsewhere, the results would be very similar, and that the voices of pensioners in Northampton, North speak for retired people across the country.

1.46 pm

The Minister of State, Department of Social Security (Mr. Jeff Rooker): I congratulate my hon. Friend the Member for Northampton, North (Ms Keeble)—first, on securing the debate, secondly, on her speech, and thirdly, and most importantly, on the survey that she has produced. I have had a chance to look at my copy, and I will obviously give it serious consideration.

Ministers are on the receiving end of many pieces of correspondence, some of which say thank you and some of which do not. We see no end of petitions. It is the easiest thing in the world to put a heading on a piece of paper, collect names and addresses and go off to put one's views to the Government. I have done it myself. However, in terms of usefulness, what can a Minister do with a statement with a few hundred or even a few thousand names appended? There is a message, in that people have taken the time to do it, but its impact will be infinitesimal in comparison with a document such as that given to me by my non. Friend.

My hon. Friend said that she had not gone into the details of the survey's methodology, but she clearly explained the range of issues that she covered and people's perceptions of them. She did not try to elicit detailed financial information, because people are reluctant to give it—but they do want to explain how they feel about how things are going. On the basis of my brief look at the survey, it is evident that it is excellent in that respect. It addresses not only the policies of the Department of Social Security but other related matters.

We have made many statements and announcements and have put several new policies into operation. Others remain at the planning stage—for example, the pension credit, which was announced in the Budget and on which we will produce proposals before the autumn statement. We will probably not be able to implement it fully before the next Parliament, because it will require substantial legislation. However, early signals of our intended approach will be given this autumn.

My hon. Friend referred to people's perceptions, especially those of people who are just above the minimum income guarantee limit, have saved for a pension—money that they have put aside with their

[Mr. Jeff Rooker]

employer through deferred earnings and tax relief—and can feel quite bitter about being left out of what they see as extra Government assistance. It is important to acknowledge that that perception exists. My hon. Friend said that, on one of the questions, health rated higher than income, because of people's fears about the future.

I cannot pre-empt any Government statement, and I am always reluctant to say that we expect a statement today or tomorrow. I have learnt over the past three years that one has a statement only when one gets it, because its date of issue can sometimes change the night before it is due. However, I am reliably informed that the Government will respond tomorrow to both the royal commission on long-term care and the proposals for NHS reform. Their response should address some of the points raised by my hon. Friend's constituents regarding health care.

My hon. Friend also raised the issue of the minimum income guarantee, which has been welcomed across the board. We have only just started the take-up campaign—it is by no means finished. The Government's target is to write personally to 2.2 million pensioners—the figure has risen slightly since our original plans were drawn up. We have already contacted just over 400,000, and in the next few weeks we shall contact a second tranche of 800,000, of whom 30,000 a day will be contacted by letter. The television advertisement, featuring Thora Hird and Peter Sallis, is planned to coincide with that.

It is too early to give any indication of feedback, but several thousand pensioners have claimed the minimum income guarantee since the take-up campaign started in earnest on 30 May. The average amount of extra money that they are receiving is well over £10 a week—probably nearer £20 than £10. We hope to produce figures as soon as we have some viable results, but it is too early to do so at present. The campaign will continue until October, and we shall obtain an evaluation of it at that time.

My hon. Friend also mentioned that one of the points in her survey was the issue of perceptions and people at work. I was surprised, as I think she was, at the reference to stakeholder pensions, as there are none on the market. No pension company has yet been regulated to sell stakeholder pensions. They will not be able to register to be a regulated stakeholder pension provider until October. Stakeholder pensions will be marketable and available from April 2001. In the meantime, we have a programme to contact companies employing five or more people, because they will have a legal duty to give their employees access to stakeholder pensions, unless they have provisions that exempt them from so doing, such as occupational pension schemes.

It is good that people are already getting the message that they need the comfort of a second pension. Throughout my hon. Friend's survey, the number of people with occupational pensions, with private pensions and in the state earnings-related pension scheme probably represented the generality of the population. Without those extra pensions, those people would be on the means test and would have a poorer quality of life. That is why we want to move more people into funded second pensions.

To assist with that aim, the Government are planning a large-scale pensions education programme over the winter months, into which my hon. Friend's survey will provide an input. I am not sure of the exact start date, but it will probably be January or February, rather than December. It will be a general pension education programme, and stakeholder pensions will form a small part of it. Companies themselves will market their particular products.

We are in the early stages of planning the pension education programme, in terms of advertisements, key phrases, filming and so on. I shall certainly make sure that my hon. Friend's survey is brought to the attention of our officials and the outside experts who are assisting them. It is crucial to get across to working people in their 20s and 30s the idea that it is important to think about a pension. My hon. Friend has highlighted that point. In that respect, her survey is all the more valuable because it did not concentrate exclusively on today's pensioners. She also thought about tomorrow's pensioners—people of working age—which is excellent, because it gives a more rounded survey.

My hon. Friend also mentioned the position of women. I understand her point. The previous debate in which I took part in Westminster Hall related particularly to women. There is no question but that they have been badly served in the past in terms of pensions. They were badly served by the way in which the national insurance scheme was constructed in 1948, when many women did not go out to work, and by the married women's opt-out. We still hear of women who did not know that paying a shilling meant that they would not receive a pension. I dealt with that during the 1950s and 1960s, when I was a junior manager in industry, and now see the difficulties. I was in the House when the previous Labour Government recognised the problem and decided that everyone in work must pay the full stamp so that they will receive a full pension. That was in the late 1970s, when women who had already opted out could remain opted out and many chose to do so.

Women also suffered with the changes in the state earnings-related pension scheme during the 1980s. It was based initially on the best 20 years of working life, but was later changed to an average throughout working life. Women suffered from the change and we have been unable to right that in our modifications. However, I hope that the legislation on the state second pension will complete its progress through both Houses in about three hours so that it can receive Royal Assent before the end of the week. Benefits will start to accrue in 2002, and it will make a major strike for women, because 2 million carers will start to accrue a pension for the first time. It will take some time, but carers, most of whom are women, will be locked into a system whereby they can accrue a pension in their own right.

My hon. Friend referred to television licences. The provision has been greatly welcomed, by and large, and there will be 100 per cent. take-up by the over-75s. Procedures are in place to ensure that it is as flexible as possible so that all over-75s receive the benefit. The BBC is doing a first-class job in reaching the very people to whom we intend to give the benefit.

My hon. Friend referred to the winter fuel payment. It has been described as a gimmick, but this year it will amount to £150 cash per household, which is a

substantial sum compared with what it was when she entered Parliament—it was zero. It cannot be derided, because it is tax free and not means-tested, so there is a massive take-up. It is a useful sum for pensioners, and this year it will be paid to men over 60 as well as to men of pensionable age. It has been attacked as a gimmick, but not too many people have sent it back, and the letters that I have read suggest that it is extremely welcome, as my hon. Friend's survey showed.

My hon. Friend referred to the method of payment. She can reassure her constituents on that. The Prime Minister pledged at the Dispatch Box that people will be able to collect their pension in cash at post offices. That is the Government's policy intention and that is what we shall deliver. The Prime Minister said that we want to give people a choice, and 51 per cent. of those who are becoming pensioners this week have chosen to have their pensions paid through a bank instead of a post office. A lot of planning is required for electronic money transfer, but being able to obtain money in cash through the post office network is taken seriously and we shall deliver on that with programmes for a universal bank and modernisation of post offices. We take second place to no one in wanting to protect the rural post office network.

Perceptions are important, and different figures can be bandied about. The basic pension is not enough to live on and the minimum income guarantee is only a safety net. We must do better than the present level of the minimum income guarantee and we intend to do so as quickly as possible. When we have signalled our proposals for the pension credit later this year, people will see that we are serious about delivering it.

I again congratulate my hon. Friend and I shall ensure that her report is distributed widely throughout the Department of Social Security so that it can be taken fully on board in planning for the issues that we are about to announce. It is a solid contribution to the delivery of a better quality of life for pensioners in this country and I am grateful to her.

Question put and agreed to.

Adjourned accordingly at one minute to Two o'clock.

Westminster Hall

Thursday 27 July 2000

[MR. MICHAEL LORD *in the Chair*]

Crime Reduction Partnerships

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Dowd.*]

2.30 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): People in this country want to feel safe in their homes, safe on the street and safe in their workplace. Reducing crime and disorder is a key element in achieving that aim. That is why one of the first actions of the Government when they came to office in 1997 was to draft the Crime and Disorder Bill, which subsequently became the Crime and Disorder Act 1998. That legislation was a product of widespread consultation which we undertook in opposition and we implemented as soon as we were in government.

We talked to ordinary police officers on the beat who have experience of problems on the street. They told us what was needed in the crime and disorder legislation and we delivered the laws that they wanted. We talked to our constituents, who wanted young thugs dealt with, and the Act was part of the process of tackling the roots of the problems that afflict many of our constituents. When we came into office, there were serious problems in the way in which crime and disorder were being dealt with. Our criminal justice system was not working efficiently or effectively. It took too long to bring a juvenile offender before the courts, have him properly charged, dealt with and punished. Many young offenders, in particular, did not understand the link between the crime that they had committed and the punishment that was pronounced on them. All too often, they were getting away with crimes. We were determined to make clear the link between the offence and the punishment, so that young offenders learnt their lesson early and we could nip in the bud their offending behaviour and stop them committing further offences.

We also wanted to ensure that local communities were involved in tackling crime. We did not want people to believe that such matters should just be passed to police officers in the hope that they could deal with them. We wanted communities to be involved and local authorities to accept their responsibility. Fighting crime is a community objective. The police have the lead role, but local authorities and communities also have a vital part to play. That is why the Crime and Disorder Act was so important. It showed that the Government were listening to the people of this country and were determined that law and order was at the top of their agenda.

The purpose of the Act was to create safer communities by ensuring that the police, local authorities, the voluntary sector and community groups worked together to tackle crime. They would audit the problems in their areas, put in place a strategy to address the problems of crime and ensure that that strategy was implemented properly. The Act recognised that local authorities had a key role to play in planning law, for example, which could do much to help the drive towards safer communities. It also acknowledged that no one organisation, such as the police or local councils, could beat crime alone. It set out a framework for the radical empowerment of local communities to be involved constructively in the fight against crime and disorder.

The 1998 Act established 376 crime and disorder reduction partnerships throughout England and Wales. The partnerships oblige police and local authorities to work together with other local organisations. Their aim is to formulate and implement a local strategy to reduce crime and disorder in local areas, examine the priorities and ensure that what they are doing locally is part of a national strategy of tackling crime and disorder. The first strategy came into force last April and covers the period until March 2002.

The crime audit is a process of examining the evidence and listening to local people about what is happening in their areas. Local people therefore have an input into the development of the crime and disorder strategy, which tackles problems in their areas. The partnerships are an important element in our commitment to tackle crime and its causes. Our crime reduction strategy, published in November, explained how we intended to achieve that.

We must remember how matters were when we came into office. There were serious deficiencies in our criminal justice system and policing, and a lack of effective laws in place to deal with some disorder problems. We wanted to ensure that we did not repeat the mistakes of the previous Government. Under the Tories, crime doubled and the number of people convicted in the courts fell by a third. During 1998, convictions rose by 6 per cent., which was the biggest increase in 20 years. That means that the police are nicking people, the Crown Prosecution Service is convicting them and the courts are dealing with them. We are starting to turn around the legacy that we inherited.

The crimes that affect people most—having their homes and cars broken into—are coming down in number. Recorded crime has fallen by 6 per cent. since the election, with the numbers of domestic burglaries falling by 24 per cent. and vehicle crimes by 17 per cent. Overall numbers of crimes are still falling in 40 per cent. of the country's police forces. Remember again that crime doubled under the Tories, and the number of people convicted fell by a third. We are starting to turn that trend around. We have embarked on the most comprehensive attack on crime for a generation, spending £400 million on a crime reduction programme that includes the biggest ever expansion of closed circuit television in town centres. The massive CCTV expansion has benefited the fight against crime in many constituencies.

A crime-fighting fund has been established to boost police recruitment, expand the DNA database and improve police communications. Our radical reform of the criminal justice system includes new measures to deal with young offenders, halving the time from their arrest to punishment so that they learn their lessons and are diverted away from crime. Tougher punishment for serious and persistent criminals has been provided for in

[Mr. Mike O'Brien]

legislation and is being implemented. Such matters take time, but the process has begun. The laws are in place and change is beginning.

When we introduced our spending plans for crime and disorder, the Conservatives condemned them as "reckless". They have opposed many of our changes, including measures to deal with anti-social behaviour, drug-addicted offenders and youth crime. Under budgets set by Conservative Home Secretaries under the right hon. Member for Huntingdon (Mr. Major), police numbers fell by 1,500 between March 1993 and March 1998, despite the then Government's repeated promises to increase them. Today, the Opposition suggest that they are in favour of increased police numbers, but they delivered reduced police numbers. That is why we have decided to increase the funding available to recruit further police officers.

Mr. Owen Paterson (North Shropshire): Will the Minister give way?

Mr. O'Brien: In a minute.

We have announced additional funding of £91 million to raise police numbers and improve effectiveness, including £15 million to enhance policing in rural areas such as Shropshire. I am sure that the hon. Member for North Shropshire (Mr. Paterson) wants to congratulate the Government on putting resources into fighting crime and increasing police numbers, which the Conservative Government failed to do. When he and the hon. Member for Aylesbury (Mr. Lidington) speak, perhaps they will make a commitment to their constituents that the £900 million of extra funding announced by the Government in the past couple of weeks will be met by any future Conservative Government over the next three years. If they cannot do so, they will let their constituents down.

Mr. Paterson: According to the House of Commons Library, the number of police officers in the West Mercia police authority, which covers my constituency, rose by 405, or 17 per cent., during the years of the previous Conservative Government, but the number decreased by 101 between April 1997 and April 2000 while the Minister and the Home Secretary have been in power.

Mr. O'Brien: Perhaps the hon. Gentleman could explain to his constituents why he came into Parliament to support a Government who set the budgets that caused the reduction in the number of police officers that he complains about. It is not acceptable for Conservative Members to say that they are in favour of increased police numbers when their budgets were the cause of the cuts. I hope that he will explain to his constituents the reality of what Conservatives have done and failed to do, and the way in which they now seek to make what are no more than cheap political opportunist points of the sort that Madam Speaker warned against yesterday. We need a serious debate on tackling crime—that is what the people of this country want and it is what the Government seek. It is why we have put in place the 376 crime and disorder reduction partnerships across England and Wales that are now making a real impact on the problems that we inherited. The new partnerships oblige police and local authorities to work together with other local organisations in formulating local strategies. We want the partnerships to be an important element in our commitment to tackling crime and its causes. Our crime reduction strategy, published last November, shows how we intend to do that.

We have asked all the partnerships to provide a report on the first year of their work and those reports are being analysed by the Home Office. I anticipate that some of those results will be patchy. I also suspect that the crime figures will be patchy because in 40 per cent. of constabularies crime is going down, while in other constabularies it is going up. It is interesting to note from recent figures that the Metropolitan police area accounts for 61 per cent. of the overall increase in crime and the West Midlands area for 26 per cent. There have been changes in the way in which the West Midlands collects its statistics, but the chief constable has accepted that there is a need to address issues. That chief constable, Ted Crew, is a good, effective senior police officer who is establishing the changes necessary to enable the West Midlands police, which has a long history of problems, to tackle crime effectively. I believe that he can turn that police force into one of the best in the country in terms of tackling crime. I hope that that happens quickly because my own constituency borders on the west midlands. I know that Ted Crew is determined to work closely with the Warwickshire constabulary to ensure that that is delivered.

Mr. Vernon Coaker (Gedling): My hon. Friend the Minister makes an important point about crime statistics. Will he confirm that the Government would welcome a rise in the number of recorded domestic violence crimes? That would reflect the Government's determination to get people to report such crime.

Mr. O'Brien: My hon. Friend is right and puts his finger on an important issue. Certain crimes, including domestic violence and racial crimes, are under-reported. People are encouraged to report crimes that they were previously reluctant to report and we have concentrated on establishing strategies that will address the nature of racist crime and domestic violence. That will have an impact on the statistics. However, I do not claim that all the problems on crime are a result of the increased reporting or statistical changes, and we are determined to address the issues. In debating such issues, we must bear in mind the nature of the statistical evidence involved and realise that the statistics are not merely headline figures but are often quite complex and require a detailed understanding of the reasons why the statistics have changed.

One of our key tasks is to ensure reductions in crime in local areas. That will involve raising performance in some of the areas that have problems and working with the police and local authorities to set challenging but realistic targets for reducing crime. Under best value, police authorities have five-year targets to reduce crime by 30 per cent., to reduce domestic burglary by a quarter and, in our principal towns, to reduce robbery by 14 per cent. Local councils must also report on and set targets for those three indicators. We expect to have the target-setting process in place by April 2001 in order to set all local crime and disorder reduction partnership targets.

The target-setting process is not about imposing targets on police and local authorities. It is about identifying national priorities to reduce crime and arranging for the setting and achieving of those targets in a locally determined way. The Government remain committed to the principles of the 1998 Act and the development of local crime and disorder strategies built around local priorities. The process is about striking the right balance between national crime reduction and dealing with local anxieties in a way that involves local people.

Mr. David Drew (Stroud): We have a very successful crime reduction partnership in Stroud. Does my hon. Friend accept that one of the problems of scrutiny is the different ways in which the police, for example, are scrutinised by Her Majesty's inspectorate of constabulary, whereas local authorities are evaluated by district audit? There must be some pulling together so that we achieve communality and know that that constitutes a correct measure of what is happening.

Mr. O'Brien: My hon. Friend is right. We need to ensure general consistency between the ways in which strategies are evaluated for local councils and constabularies, and greater co-operation and link-up between the various ways in which they are inspected.

Consistency between local and national priorities is also important, and I am pleased to report that that consistency is now developing, having already emerged from the development of local crime and disorder strategies. We do not expect every area's priorities to be exactly the same. Such matters are locally determined. As we found from our visits to partnerships last summer and from partnership audit and strategy documents, many of the priorities that emerged from local consultation are consistent with those that we identified as national priorities. In some ways, it would be surprising if they were not.

As the Government's crime reduction strategy suggests, we need to take on the crimes about which the public are most worried. The strategy focuses on burglary and theft from and of cars. Progress in reducing such offences would constitute a significant step towards making this country a safer place for all of us.

Mr. David Lidington (Aylesbury): How will national targets for reducing specific crimes be translated into local targets for individual partnership areas? Some problems will have to be overcome, given that a chief constable might say that he can best achieve his force target by, for example, concentrating on reducing burglary in a particular urban area. How will national priorities be translated into police force and individual partnership targets? That difficult administrative task must be worked out.

Mr. O'Brien: I agree that an element of consistency is important. I do not expect every local strategy to identify those two particular performance indicators—burglary and car crime—as their top priorities. Levels of those categories of crime will vary among areas. However, as those crimes account for a substantial element of recorded crime, they feature highly in the priorities of most of the local strategies with which the local crime and disorder partnerships have provided us. Eighty-four per cent. have set burglary as a priority, and 80 per cent. have set car crime as a priority. Those figures chime in well with our national targets. It is, therefore, right to say that there is a need for a link and for consistency between the two.

By allowing a fair amount of local input, that consistency is emerging. National targets and priorities were set as a result of consultation at local level and have come up to national level, which will be reflected in the way in which the local strategies develop. Thus, partnerships have developed their own clear strategies for addressing the issues and have set clear and challenging targets at local level, which feed into our national strategy. There is no contradiction between addressing locally perceived needs and addressing national priorities. It is not a question of addressing one or the other. As the hon. Gentleman would agree, we need to tackle both.

Local crime and disorder reduction partnerships have asked for a greater national focus to their work. Therefore, we have set up the national crime reduction task force to respond to their requests. That provides an advisory body to the local partnerships, made up of practitioners and key Government policy makers. It is chaired by the Minister of State, Home Office, my hon. Friend the Member for Norwich, South (Mr. Clarke), who deals with policing matters. Its membership includes people with practical experience of reducing crime at local level. It will focus on the role and work of the partnerships, acting as a source of support and guidance to them and helping them to deliver sustained reductions in crime on the ground.

It is important to recognise that we are only part of the way through creating the partnerships and putting the strategies into place. That will take time, but it can be done. Although the task force itself has no executive authority, it will influence the making and implementation of local crime reduction policies—most importantly, in providing advice about the work to develop agreed packages of good practice guidance and tool kits for strategies for tackling crime locally. The task force will be able to steer the key areas that will form part of the good practice programme. Actual preparation of the good practice kits is under way, and we expect delivery of the first batch in August.

We are anxious to strengthen our regional crime reduction capability. We have appointed regional crime directors in each of the nine Government regional offices in England; the tenth will be based in the Welsh Assembly. Their role will be to help reduce crime by improving the effectiveness of local crime and disorder reduction partnerships. They will also be responsible for the management of crime reduction programme expenditure in their region. The directors will be supported by enhanced regional crime reduction teams, which will be expected to monitor the performance of each of the partnerships within the region and to intervene, where necessary, to secure improvements.

Mr. Gareth Thomas (Clwyd, West): Will the Minister tell us the statutory basis of the powers that will reside with the regional crime directors? If it is intended that

[Mr. Gareth Thomas]

they will perform a monitoring or auditing role, does the agree that there is a danger that a structure will be created that is too bureaucratic?

Mr. O'Brien: I have no wish to create too bureaucratic a structure. I want to ensure that the best advice possible is available on a regional basis from people who know the region. For example, we will have advisers on Clwyd—the hon. Gentleman's constituency—who know the problems in that area and can adopt not a national perspective but a regional and local one. Those advisers will have background knowledge of the sort of strategies that are being adopted across the country, so they will be able to bring the regional directives together to ensure that best practice is known about; Otherwise, how will people in Clwyd know about a crime and disorder reduction partnership in Tyneside that has a good set of ideas and a good strategy which could be replicated? We want to ensure that a framework is in place to provide the advice that we feel is necessary.

We will be able to intervene to provide advice but not, at first, direction. We will advise people about how best to develop their own local strategy and what the most effective tools are. That is how we anticipate regional directors will operate. If there were a need for direct intervention—I anticipate that there will not be a great need for it—mechanisms are already provided through the Association of Chief Police Officers, the Home Office and through discussions between Ministers, local authorities and chief police officers. I am not concerned that we are setting up a bureaucratic structure, as the framework is primarily advisory. However, I am concerned to ensure that those who develop local strategies have the best advice available, as well as knowledge and understanding of best practice across the country.

We also intend to work at supporting the police and partnerships, and are conducting an extensive programme of research, training and seminars. We are spending £1 million in 1999-2000, 2000-01 and 2000-02 on providing a programme of seminars and training targeted at the main areas of partnership work and crime reduction. That also includes, on request, support and guidance on an individual partnership level. Clwyd can, therefore, ask for regional or national advice on what is the best approach.

As well as focusing on the structure and support programme, we have invested heavily in crime reduction, and have fed in to local strategies. We have launched a £400 million evidence-based crime reduction programme, which includes a number of initiatives, such as an investment of £153 million in CCTV, for which £50 million has already been committed to 342 schemes. More than £50 million has been committed to projects to reduce burglary in high-crime areas, and up to £12 million has been committed to improving home security for low-income pensioners. We have committed £31 million to the long-term "On Track" programme, which is aimed at children between the ages of four and 12 who are at risk of becoming involved in crime. Another £30 million has been earmarked for problem-orientated or intelligence-led policing projects. Funding of more than £9 million has so far been granted to 19 such projects, and another £17 million has provisionally been allocated to 34 additional projects, pending the submission of detailed plans.

Funding of £13 million has been allocated for the setting up of 70 youth inclusion schemes to prevent youth offending and the associated risk factors. The Government have provided an additional £20 million to force areas with a robbery reduction target, in order to focus on robbery and street crime.

As I indicated, an extra £15 million has been made available to deal with crime in rural areas. That recognises the problem in relation to sparsity factors, which the previous Govt repeatedly failed to address. We have accepted the need to address that problem. People in rural areas who are concerned about the underfunding of their local police forces should remember that the previous Government denied that there was a sparsity factor, while this Government recognise that it is a problem that needs to be addressed.

In addition, £20 million was provided for arrest referral schemes to cut drug crime, and £50 million to support the introduction of modern digital communications in the police service. Is the hon. Member for Aylesbury, who will speak for the Conservative party, prepared to commit to the new airwave digital communications system, which we want to ensure that the police have at their disposal? It is an absolutely vital instrument to assist the police in targeting crime. Can he guarantee that such funding would not be cut, were the Conservatives ever to get into office? Will he guarantee that the Conservative party will deliver the additional £900 million expenditure over three years? If he cannot do so, everything else that he says is hot air.

All of those investments are aimed at reducing crime and the causes of crime, in addition to the crime fighting fund, which will enable the police force to recruit an additional 9,000 officers over and above recruiting plans for the next three years. We are determined to ensure that that funding is delivered. We have also provided the extra funding announced by my right hon. Friend the Chancellor on 18 July, as part of the spending review. A wide programme of activities is under way on all key fronts. It is an ambitious and comprehensive programme, which is aimed at delivering sustained reductions in crime.

We are committed to the partnership process. Local crime and disorder reduction partnerships are the key to our strategy to reduce crime. The recorded crime figures published on 18 July show that a targeted approach to crime can achieve real results. We have shown that we can do something about crime and we can do it in the areas that people feel strongest about, such as burglary and car crime. We have also shown that, from the time we came into office until now, crime has been 6 per cent. lower than it was under the Conservatives.

We readily acknowledge increases in other areas of crime. We must redouble our efforts to ensure that we make inroads into those areas as well as achieving sustainable reductions across the board. Our strategy is sound. It is based on local initiatives, prevention, protection, punishment and ensuring that we get effective performance. We have shown that we can achieve success. Our efforts will continue to focus on working together with and supporting our local crime and disorder reduction partnerships to maintain our commitment to making Britain a safer place to live.

3 pm

Mr. David Lidington (Aylesbury): I do not begrudge the Minister his moments of political partisanship, although it was a pity that, when he talked about turning around the legacy that he inherited from the Conservatives, he did not immediately point out that the single biggest turnaround has been in the trend in recorded crime. The Government inherited a situation in which recorded crime was falling in the most sustained fashion since the second world war. During their period of stewardship they have presided over the halting and then the reversing of that fall. The Minister also skated somewhat lightly over the cut of 2,700 in police officers since the general election.

It is a pity that when the Government talk about the Crime and Disorder Act 1998 they pretend that nothing in the way of partnership to defeat crime had been happening before 1 May 1997. A great deal went on before they were elected. Indeed, the literature that they have published shows that the Thames Valley initiative on restorative justice started in 1994; and in Dyfed Powys the idea of volunteers aiding the police had been going since 1993. In counties such as Northamptonshire, tremendous efforts have been made to get the local and national Government agencies to work in partnership for more than a decade. Wandsworth borough council has had crime prevention on the agenda of all its committees for many years. Brentwood district council appointed a crime prevention officer to its staff in the early 1990s. There have been Home Office funded crime prevention projects in areas such as Rochdale. Neighbourhood watch, Crimestoppers and Crime Concern have been encouraged in South Wales.

We could have a somewhat historically based debate about the relative merits of the different initiatives taken under our respective Governments, but I want to take seriously the topic of crime reduction and crime reduction partnerships. When the Crime and Disorder Act was going through the House, the Government acknowledged that a lot of work had already been done in various parts of the country. There was a case for bringing all that work together and putting it on a statutory basis, as the Government have now done. The test of the effectiveness of this new statute-based partnership arrangement is how well it works in practice.

Whatever our political party, we will see in our constituencies the advantages of the police, the local authorities, the probation service and the voluntary sector getting together to work out a co-ordinated response to reduce and defeat crime in their neighbourhoods. The question we must debate today is how effective the approach embodied in the 1998 Act has been. I was surprised—to put it mildly—that the Minister did not mention the "Calling Time on Crime" report, which was published this week and is the fruit of a detailed inspection and evaluation of the partnership work conducted following the enactment of the 1998 Act. That was a thematic inspection on crime and disorder by Her Majesty's inspectorate of constabulary with the Audit Commission, the Local Government Association, the Office for Standards in Education and the Social Services Inspectorate. When debating Government initiatives and public expenditure, there is no better example than that report of the importance of focusing not merely on totals spent, but on how public money and the powers of Government are deployed to try to achieve the improvements in the lives of our citizens that we all want.

Mr. O'Brien: Although I did not quote directly from the "Calling Time on Crime" report, I quoted from its press release. I assure the hon. Gentleman that I am aware of the report.

Mr. Lidington: I am grateful that the Minister read at least the press release, if not the report. I intend to quote from the report. Its premise is that the arrangements in the 1998 Act are good and provide the basis for effective action to reduce crime, and it acknowledges that there is much good practice, but it makes several trenchant criticisms of the way in which the system has worked. I hope that there will be some agreement in the Chamber about the flaws that the inspection identified and the need for the Home Office to take a lead on action to tackle those flaws.

Mr. Steve McCabe (Birmingham, Hall Green): Does the hon. Gentleman agree that one of the report's key messages, which the Government accept, is that much of the action undertaken was not based on a real analysis and real prioritisation of crime? That is crucial in ensuring that resources are used in the best way.

Mr. Lidington: I agree absolutely about the necessity of basing action—whether taken by the police service, the local authority or all the agencies in the partnership—on an informed assessment of the local situation.

The difficulties that the inspection identified centred on the risk that meetings, audits and strategies would become a substitute for effective action. I shall paraphrase what one local authority chief executive told me this week. I asked him about progress in his area, and he said that doing the audit was fine—it was time-consuming, but straightforward—and that when people co-ordinated their diaries, it was relatively easy to sit down and hammer out a strategy. However, his local authority had not yet made effective progress on the real challenge of translating the strategy's aspirations into practical action to reduce crime and the fear of crime.

One of the difficulties is that the agencies are subject to a surfeit of plans. To show that I am being neutral, I shall refer to page 24 of the report, which contains a list supplied by Blyth Valley borough council—certainly not a Conservative authority—of the strategies and plans to which it is required to provide a local authority response. On law and order, it refers to the youth justice plan, crime and disorder reduction strategy, policing plan, drug strategy and community legal service plan. I shall not read into the record the entire list provided by that council, but it lists a number of plans under headings as diverse as education, regeneration, economy, housing, transportation, health and care, culture, environment and planning.

Madam Deputy Speaker (Mrs. Gwyneth Dunwoody): Order. I am glad to have the hon. Gentleman's assurance that he will not read the entire list, but I advise him that a record is being made and it would be courteous to read one or two headings slowly.

Mr. Lidington: I am always grateful for your guidance, Madam Deputy Speaker.

[Mr. Lidington]

The inspection also found that local education authorities and schools, which are supposed to be key partners in the crime reduction strategy, said that they were required to comply with 17 different statutory plans. To be effective, all those plans require commitment and time from senior officers of the agencies involved: they must not simply be delegated to the newest recruit on the front desk.

The police must contribute to an annual policing plan in accordance with the Police and Magistrates' Courts Act 1994. The Home Office requires each force to provide an efficiency plan, and the Local Government Act 1999 requires a best value plan. The Government, as every superintendent to whom I speak reminds me, ask the police to measure their activities against 57—at the last count—different performance indicators.

All that is happening at the same time as the police service is preparing for the introduction of the Human Rights Act 1998 and the enactment of the Race Relations (Amendment) Bill. Following new legislation, local councils are grappling with major changes to their structures and methods of working. The different bodies that make up the national health service are responding to a major organisational upheaval. In addition, major cuts have been made in police numbers.

Mr. Drew: Does the hon. Gentleman accept that there is a problem with two-tier authorities? A locus in both the county and the district can lead to conflict. That needs to be resolved.

Mr. Lidington: I agree that that problem needs to be resolved. The hon. Gentleman will know that one of the inspection's conclusions is that it is more difficult to reach agreement in two-tier areas than in unitary areas, but that agreement can be reached provided that there is a management culture in the agencies and a commitment by senior executives. I agree that it is important in two-tier areas that counties and districts work closely together in pursuit of the common objective.

My key point is the message that clearly comes out of the inspection report: it is difficult for the partner agencies to decide how to prioritise the various plans with which they are required to comply and which take up much of senior executives' time and energy. A manager in a health authority told the inspection that

> the planning cycles for health-related plans did not coincide with community safety planning cycles.

The inspectors summarised the problem by stating:

> A consistent message was that government departments, such as the Home Office, DETR, DfEE and the Department of Health, could work better together and thereby assist local partnerships by co-ordinating their own work and their liaison with local agencies.

The agenda for action states:

> Inspectors urged Ministers to improve strategic co-ordination of planning processes to ensure that all plans, national and local, support each other and do not require energy to be invested in planning to the detriment of service delivery.

A comparable criticism is made of the funding and bidding process. As the Minister said in his introductory remarks, much of the moneys that the Home Office put into crime reduction strategies is available in the form of challenge funding for which partnerships or their constituent agencies must present bids. The irony is that the Government complained to the inspectors that many of the bids were of poor quality, and local authorities and police forces told the inspectors that they were concerned about the complexity and *inconsistency of the bidding process, which wasted so* much time and effort.

On page 19 of the report, a director of housing in one local authority is quoted as saying:

> The notification period and time to react and respond is woefully short... This is valuable time, which could have been utilised far more productively on existing well proven initiatives.

It is important to get challenge funding right. Both political parties have viewed it as a valuable means of encouraging innovation and experiment and of ensuring that moneys follow genuine fresh thinking, rather than being doled out to support continuing projects year after year without review. We must, however, guard against the risk that flashy new challenge funding initiatives become a substitute for effective work already taking place on the ground that did not previously require extra form filling, extra chasing after funds and so forth.

Dr. George Turner (North-West Norfolk): I sympathise with much of what the hon. Gentleman says. I was able last week to reassure my partnership that funding was available to bid for: the figures are quite easy. The hon. Gentleman's party has promised our constituents some £24 million in cuts. Can he tell us how much funding for tackling crime and disorder will be cut from the amounts announced last week?

Mr. Lidington: If the hon. Gentleman wants a pledge to take back to his constituents, I can tell him that, when the Conservative Government are elected in 2001 or 2002, they will ensure that the resources that the country can afford to pay in tax are spent much more effectively than under the current, or any future, Labour Administration. There will be up to two further Budgets between now and the possible date of the general election, so my right hon. Friends in the shadow Cabinet will have ample time to take account of the state of the economy and understand exactly where our spending and tax priorities should lie. We shall certainly not make promises that look far into the future without regard to what might happen in the economy. It may be easy for the Government to produce a day's headlines, but it is much more difficult to deliver their claims in practice.

Mr. O'Brien: The hon. Gentleman says that we will not be able to deliver our expenditure commitments in practice. None of these resources could possibly be delivered by a Conservative Government. I can assure him that the Labour Government will deliver, but the hon. Gentleman seems to doubt whether a Conservative Government ever could.

Mr. Lidington: I am saying, as the Minister well knows, that the country must pay what it can afford. The Government have been reluctant to release the detailed figures underlying the headlines, which the Chancellor published last week. I have tabled questions to Home Office Ministers to dig out from them how they envisage the money being spent. So far I have been

stonewalled, but I live in hope that I will strike a golden seam and unexpectedly find information from Ministers.

I was speaking about the systems for bidding and financial planning. The point about priorities not being simply about how much money is available but about how effectively it will be spent is made crisply on page 96 of the Home Office report. Inspectors say that few of the partnerships have clear financial plans. The report states:

> Even where there was a partnership budget ... it was rarely aligned to priorities.

The inspectors state that to the best of their knowledge only one local authority, the royal borough of Kensington and Chelsea, is known to have carried out a full costing of its community safety plan. So, whatever the Minister promises for this year, next year or four years' time, and even if, on the most optimistic assumption, the money is given to crime reduction partnerships, if that money is to make a difference to the lives of constituents, it is essential to put in place arrangements for financial planning and for the setting of priorities. According to the inspectors, that is demonstrably lacking.

Another area of concern is the sharing of data between the different agencies involved in partnerships. The inspectors found what they described as too much caution and concern among senior managers, which was primarily due to their lack of confidence that the powers in crime and disorder legislation would be sufficient defence in a court action against personal liability under the Data Protection Act 1998. Given that finding, there is a clear need for the Government to publish a circular that will reassure people that they can exchange data.

Mr. McCabe: Does the hon. Gentleman accept that, although that has been a genuine concern, a solution has come from the police and other agencies establishing proper protocols for sharing information? A current excellent example in the west midlands is the policy for tackling the problem of abandoned vehicles, which is based on the information sharing that has resulted from the protocol established 12 months ago.

Madam Deputy Speaker: Order. Hon. Gentlemen who want to catch my eye might like to bear in mind the fact that I like short, sharp interruptions.

Mr. Lidington: I am glad that that protocol was negotiated in the west midlands. However, what emerged as a result of the difficulty in persuading police and local authorities to use anti-social behaviour orders more widely was that councils, the police and other agencies found it complicated and difficult to negotiate protocols, including those on the exchange of information, which they need to have in place before seeking an anti-social behaviour order from the courts. From my conversations with police officers and local authority chief officers, I know that there have been one or two concerns about data sharing. There has been a great improvement in the mutual trust between local authorities and the police. Senior police officers and chief executives of local authorities have told me that what we call crime reaction partnerships sometimes involve only the local authority and the police, with others playing a somewhat peripheral role.

That experience probably varies greatly from one part of the country to another, so one should not generalise on the basis of individual circumstances. I have been told that the health service is often reluctant to share information about domestic violence or mental health that is relevant to the crime reduction work for which the partnerships are responsible. As the medical profession and the national health service rightly place great importance on medical confidentiality, I can understand that reluctance; nevertheless, if the partnerships are to work effectively, further work needs to be done to overcome those difficulties.

I had the same complaint in respect of education—

3.25 pm

Sitting suspended.

3.40 pm

On resuming—

Mr. Lidington: I was referring to difficulties about the exchange of information between different agencies.

Mr. Michael Clapham (Barnsley, West and Penistone): I was about to intervene when we suspended for a Division. I chair a community safety partnership and, although there have been problems with the protocol, they have been largely overcome. The health authority is now a signatory to the protocol and information is flowing, so some of the difficulties to which the report refers have been overcome.

Mr. Lidington: That is encouraging news. I hope that, through the inspectorates or the Government, the successes that have been won in places such as Barnsley will spread to the rest of the country. It is important in the work on community action against crime to learn from best practice so that what works in one locality can be disseminated to another.

In addition to the problem with the health service, I have received reports that some education authorities and schools have been reluctant to divulge information about exclusions. That information would be helpful in devising effective crime prevention strategies, so the problem must be addressed.

The theme through the report is that the success of the new partnerships is being held back by tension between the priorities set by local people and those of central Government as circulated to various local agencies. The inspectors used firm language in the report, which states:

> The Inspection heard a number of complaints of a lack of consultation by the government in developing approaches to community safety, including the Government's own Crime Reduction Strategy and the decision to create regional crime directors.

The inspectors went on to say that because of the perceived lack of consultation—they made no judgment about the reality behind that perception—the

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partnerships have been more effective than they might otherwise have been. The report continues:

> This lack of consultation has led to ... lack of ownership of the strategy

at local level

> with a feeling by key players that policies have been imposed rather than negotiated. There is a lack of understanding of the role of the

regional

> director among crime reduction partners; this has engendered avoidable suspicion and resentment.

To be fair to the Minister, the inspectors state:

> The gap ... has been recognised by the Home Office

and action is in hand to try to address the challenge.

I hope that Home Office Ministers and officials will make that a priority over the next 12 months, because if such problems cannot be overcome the whole strategy may be at risk.

My final point concerns the role of central Government in partnerships. I have heard complaints from the police and from local councils that part of the difficulty in persuading the various agencies to play their full role in partnership work derives from the reluctance of particular Departments to play their part as the Home Office would like. One local authority chief executive said to me that he had, as yet, seen no guidance from the Department of the Environment, Transport and the Regions about the impact that crime reduction priorities should have on the determination of planning decisions. That is especially important in the light of what the HMIC report says about section 17 of the 1998 Act, and it shows that agencies could be under threat of litigation if they fail to build crime reduction into their decision making and policies.

Similar complaints have been made to me about the Department of Health and the Department for Education and Employment. It is not only councils in Buckinghamshire that have had problems getting the health service and the education service fully engaged in crime reduction work. The retort from health managers is often, "We know that what you are doing is worth while, but it does not figure among the key priorities set for us by our parent Departments in Whitehall." They go on to say that, until the Departments adjust their priorities and demands to reflect the priority that should be given to crime prevention, they will not be able to engage fully with crime reduction work as the Government wish.

That is an issue for the Government, and I note that the inspectors suggest that they should establish a ministerial working group on crime reduction to give a focus to the work of co-ordination at government level. The inspectors cite the ministerial working party on drugs as an example that could be copied. There used to be—I am going back 10 years—a ministerial group on crime prevention which, in my salad days as a special adviser, I attended from time to time. Although I do not believe that moving the furniture around in Whitehall will solve all the country's problems, there is a case, which is well made out in the report, for partnership work to be given a political focus. That might enable the Home Office team to persuade some of their colleagues in other Departments to give priority to crime prevention and crime reduction, which is what Home Office Ministers and our constituents undoubtedly want.

The crime reduction partnerships and the community work embodied in the 1998 Act represent a valuable part of our national campaign to check and reduce crime. However, we must guard against the risk of meetings, paperwork, strategies and audits being interpreted as an end in themselves, when they should be only the starting point for effective grass-roots action to curb crime in our constituencies. Action on the flaws in the system identified by the inspectors in their recent report is the first step that Ministers must take to turn their hopes into reality.

3.48 pm

Jackie Ballard (Taunton): In preparing for this debate, I have to confess that I did not read "Calling Time on Crime". However, I asked members of my local partnership and a number of national voluntary organisations with which I am in contact how they envisaged the strategy would work on the ground. As some hon. Members know, I am doing a secondment through the National Council for Voluntary Organisations scheme for parliamentarians with Crime Concern—which has played a key role in many crime and disorder reduction partnerships—and I have spoken to people there about their perspective. However, I have not had time to ask the most important group of people how the strategy is working—that is, of course, the public.

As the hon. Member for Aylesbury (Mr. Lidington) said, we should not forget that the real test of any strategy or partnership is how it works for the public. Do they feel safer? Are they safer? Is their neighbourhood quieter? Is there more purposeful activity for young people and others in the community? This morning, I had an interesting discussion at Crime Concern about the difference between outputs and outcomes. Outputs can be measured statistically. They give comfort and feedback to the agencies involved, and help to make them accountable to the Government in terms of funding. Outcomes give residents comfort. They are often as much about perception as about reality, and concern matters that cannot so easily be measured.

There have been several positive developments in my area. Unlike many of the crime figures that were discussed earlier, crime levels in Avon and Somerset are down for the seventh year in succession. That is viewed locally as not only a police success, but a crime and disorder reduction partnership success. It is important that successes are recognised as being due to the partnerships, as much as perceived failures are attributed to them.

I shall describe three activities in my constituency that have developed in recent years. The Wellington drug awareness group is a local project that shows the real value of community involvement. It was initiated by a local family, whose son tragically died in a drug-related incident. His father was a member of the local town council, and was able to get the council involved in the initiative. Turning Point, a local voluntary agency, is also involved. The aim of the initiative is to help support

not only drug users, but their families, who often feel unsupported and isolated, and find it difficult to talk to anyone about what it is like living with someone who has a drug problem.

My second example is Taunton retailers against crime. Hon. Members have not mentioned the role of the business sector in crime and disorder reduction partnerships. Businesses have a role to play and not only in providing funding, which they all too often think is the only reason that people want them on board. Under the scheme, retailers in the town have a system of radio contact to inform each other when there is someone suspicious in one of their shops. I have seen it in action when I have been out shopping, and it is very effective.

The third scheme, which is called safe and secure for the elderly, is led by the local authority. As its name suggests, it is intended to assist the elderly in feeling safer and more secure in their own homes through advice and practical means. Those schemes are all successes of the partnership, but in each of them the lead is taken by the appropriate authority or organisation. That is how it should be.

Many partners in crime and disorder reduction partnerships are involved in other local partnerships. Sometimes they feel as though they are suffering from partnership overload—the same representatives of one organisation constantly meet the same representatives of other organisations wearing different hats. I recently attended a primary health care partnership meeting during which someone cynically said that their definition of partnership was sworn enemies coming together for the common purpose of seeking funding. Sadly, in some cases that may be true.

Mr. Lidington: The Labour party.

Jackie Ballard: I am not going to make party political points, because it is not necessary.

People made a number of positive points about the initiative when I questioned them about it. There has been a general welcome for crime and disorder reduction partnerships. Key partners have been brought together, sometimes for the first time, to address crime and disorder problems. Usually—not always—it has led to better working relationships and better multi-agency working. It is welcome that the role of local authorities has been recognised. Many local authorities have done a great deal in relation to community safety initiatives, although it is not a statutory requirement. We have heard about examples of that today and, no doubt, we will hear more.

No one—certainly no one in the agencies involved—thinks that crime is the concern only of the police and the criminal justice system. Most people recognise that the causes of crime are many and, therefore, the agencies involved include health, education and housing authorities, social services, planners and estate design teams. Of those, the estate design teams are the slowest to catch up. I understand that police architectural consultants are not used as well as they might be when new housing estates are being designed. In addition, we should remember the key role played by voluntary organisations.

The process of doing the audit and putting together the strategy has engendered a more rigorous approach, based on the analysis of problems, identification of priorities and formulation of targets, leading to the adoption of evidence-based solutions. However, as we have heard, it has exposed a serious lack of adequate systems for data collection on the part of many agencies. In some instances, there is still a reluctance to share data, although, as we have heard, some of those *problems have been sorted out. I was responsible for* setting up a county-wide domestic violence forum, and the first problem we encountered was that different agencies had different types of data. Some agencies were not at all clear about the data that they held and were reluctant to share them.

The Minister will be pleased to hear me say, as an Opposition Member, that the general view among the public is that more progress has been made in the 18 months since the Crime and Disorder Act 1998 came into force than was made in the previous 18 years. That is positive, but it is not all plain sailing. Partnership work can be difficult to convert into action, and there can be culture clashes in values and ways of working between agencies. The most obvious example relates to the police and local authorities. One group is directly democratically elected and the other has no obvious direct democracy. One group has member involvement and a slower timetable for decision making—although that is changing—while the other is able to make decisions more quickly. I shall not go through the whole list of differences between the police and local authorities. It is not always easy to merge different cultures.

Statutory agencies have not always given proper value to the role of the voluntary sector. Often, there are jealousies involved. Partners have given varying levels of commitment and resources, and there have been disputes over ownership and boundaries. Time and again, there has been conflict between tried and tested solutions and localised solutions and between reconciling the needs and experiences of different areas with national priorities and targets, which can cut across the concept of generating local solutions to problems. Such matters are not easy to resolve. The Minister said that it was important to strike a balance, and I can understand the Government's desire to set national targets and priorities. However, it is not always easy to match them with local priorities.

Some people regard the Home Office guidance as over-prescriptive; others want more guidance. We might have expected that. We must establish the areas in which guidance would be welcomed and those in which it would be intrusive. For example, health authorities have complained about a lack of guidance on signing local protocols on data exchange. The hon. Member for Aylesbury mentioned that problem in relation to data on domestic violence. Some partnerships are unwilling to target geographical areas, for fear of labelling them, and prefer a thematic approach. In other areas, there are neighbourhoods that, clearly, have a concentration of problems, and it makes more sense to work at neighbourhood level.

We have heard about difficulties in areas with a two or three-tier local government. The hon. Member for Aylesbury drew attention to the time-consuming nature of preparing proposals for funding, which is not always proportionate to the funding that is available. Often, the time scale for bids is not seen as being long enough. There are resource implications for partners in

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partnership working and there is a general view that the Government have not adequately acknowledged the resource implications in working in partnership. It is not something that can just be bolted on to the work that local authorities already carry out.

The Government have found that corporate working and dealing with cross-cutting issues is not easy. We must recognise that the same is true for local authorities and others who are often still fighting the culture of departmentalism. There are also competing agendas. I shall not repeat what he said, but the hon. Member for Aylesbury drew attention to the fact that, at times, key partners are not able to devote sufficient time and resources to crime reduction. For example, the performance indicators and targets of health authorities relate to cardiac arrests, cancer and waiting lists, so crime reduction targets are not a key performance indicator for them. The performance indicators for schools are standard assessment tests, GCSEs and truancy, so crime reduction targets are not a key performance indicator for them.

If funding or success in league tables and tangible rewards are not linked to crime reduction, it is more difficult for such agencies to make it a priority for resource allocation. One of the action points in "Calling Time on Crime" is that ministerial portfolios should contain the requirement to consider the prevention of crime and disorder. Can the Minister say whether that is likely to happen? If that can happen at national Government level, it might be easier for that example to be followed at local level.

What is needed? Partners should be willing to adapt off-the-peg solutions that work elsewhere to reduce common problems, such as residential burglary. To repeat the press release at the launch of a new website on crime this week: it will certainly help in the exchange of best practice. Partners need to be able to deliver quick wins—to gain public support and increase awareness. I should be surprised if members of the public had a high awareness of the existence of crime and disorder partnerships.

Mr. Mike O'Brien: If the hon. Lady's constituents want to find out about the website, its address is www.crimereduction.gov.uk, and it is open.

Jackie Ballard: I thank the Minister for that helpful intervention. We shall do our best to publicise the website. I am glad that it is on line; I shall check it out myself.

The neighbourhood approach is often better than a thematic approach because it enables joined-up action at community level and because of its linkage to the national neighbourhood renewal strategies. However, a neighbourhood focus can also mask problems in rural areas, for example, where there is not the same concentration of issues. Thus, a thematic approach may be more appropriate in those areas. We must be pragmatic when dealing with the issue.

Hot spotting of geographical areas can have a negative impact, but there is a need to hot-spot issues in neighbourhoods, such as domestic violence. Drug use can also happen anywhere, although its impact may be different from neighbourhood to neighbourhood. I am sure that the Minister is aware, however, of the drug use problem in the most rural parts of my constituency. Its impact on those living on Exmoor will not be perceived to be nearly as serious as its impact would in an urban or inner-city area, but it certainly impacts on the lives of those who are misusing drugs.

Partners need to address the barriers to effective working, such as culture, competition and trust. Crime Concern has facilitated "partnership away days". That may sound like a trendy idea, but they can be helpful in bringing partners together, breaking down barriers and attaining a level of understanding. Partners have reported that the away days have made a difference in their relationships.

How can the Government improve the working of crime and disorder reduction partnerships? I shall not talk about money, as that would not necessarily help at the moment. There are uncertainties—I do not know whether they are real or an excuse—about the Data Protection Act 1998 and the Human Rights Act 1998 in terms of data sharing. It would help if there were more guidance available to partners on that.

Mr. O'Brien: I did not understand. Did the hon. Lady say that there was a lack of guidance on data sharing in relation to the Human Rights Act 1998 or on both data sharing and the 1998 Act?

Jackie Ballard: I meant that some partners use the Data Protection Act 1998 or the Human Rights Act 1998 as an excuse for not sharing data. It would help if there were guidance on whether either Act limits the extent to which data can be shared and, if so, on how it is limited.

The pathfinder sites report notes that the coterminosity of as many boundaries as possible is desirable, and that unitary authorities are much easier to manage. I do not argue for another local government review. I was a member of a local authority that went through one a couple of years ago and it was a fairly painful process. We ended up staying as we were, so we went through it for nothing. The difficulties in multi-tier areas need to be acknowledged. Like me, the hon. Member for Stroud (Mr. Drew) represents a three-tier area. The subject is worth mentioning, as in rural areas it is important that parish and town councils are involved as well as district and county councils. I talked about an initiative in my constituency that was led or supported by a town council.

The Government need to acknowledge that local concerns will not be the same everywhere, as the Minister said. Local views about priorities in tackling crime and disorder will not always be the same as national perspectives. The 43-point action plan in the report by Her Majesty's inspectorate of constabulary mirrors many points made by members of my local partnership, which may not be surprising. The report confirms that substantial progress is being made on ensuring a high level of commitment, but there is a still a long way to go to ensure that local strategies deliver tangible and sustainable results for local communities.

The Minister spoke of the need to involve local people. The experience of local people on the ground may often be missing when we have such debates. At

Crime Concern's head office this morning, we had a fascinating presentation about a certain project in the midlands. The point was made that we should not be over-reliant on official statistics, especially when it comes to recorded crime. We all know that recorded crime statistics are the tip of the iceberg of actual crime. An example was given of an estate on which the man who ran the fish and chip shop reported that he used to sell many suppers to older residents, but now sells none to them. That tells us that older people no longer feel safe going out on the streets of the estate in the evening.

Such a fact may not be shown in official crime statistics, as it is about perception and fear of crime rather than actuality, although it may lag after actual crime. On the same estate, the owner of a shop reported selling out of tin foil on one weekend, which suggested an influx of a certain hard drug. Such intelligence might not be available to police officers or any other members of the crime and disorder reduction partnership, but would be available to someone living and working in the middle of a community.

The final relevant example from the presentation was of a young man who came into the project office. He knocked on the window and said, "I am your worst nightmare, and I want to talk to you. I am a heroin user and, in order to feed my habit, I commit burglaries. I understand that you have a lot of money to spend, to clear up crime and improve the neighbourhood. However, you need to talk to me about how I can get out of this vicious circle. You need to involve me in your plans for the community."That is a challenge for a partnership. How can the police sit down around the same table as drug users? How can the health authority respond quickly to that young man's need for assessment and treatment? It is also a challenge for the local community. How can it talk—face to face and in a positive way—with someone who is causing it so much trouble?

I do not believe that partnerships will deliver real outcomes on the ground if they do not involve people who are the cause of problems as well as those on the receiving end of those problems. The partnerships are generally working well, judging by the short period during which they have been running. However, there are key issues that need addressing if well-meaning strategies are to be turned into sustainable action and to produce real improvements on the ground.

Several hon. Members *rose—*

Madam Deputy Speaker: Order. I want everyone to have the opportunity to speak, and a tiny bit of discipline would help us to achieve that.

4.11 pm

Mr. Michael Clapham (Barnsley, West and Penistone): I adhere to your stricture, Madam Deputy Speaker, and will be speedy.

I should declare an interest. I chair a safety community partnership and a multi-agency panel for the anti-racist strategy in Barnsley. Many of my Fridays are taken up doing work around my constituency for those two bodies.

This is the first year for the crime prevention partnerships, as set up under the 1998 Act, although many communities have had partnerships for some time, as the hon. Member for Aylesbury (Mr. Lidington) said. There is a long history of partnerships in Barnsley. The crime prevention partnership came into being in 1995 as a result of initiatives that had been taking place since 1993. The partnership had to take on board a large number of projects that had been set up to run throughout the borough. The way in which it was run provided a good lesson in organisation. A co-ordinator was appointed and 28 projects, including projects for drugs, parents and young children, and young people, were given to topic groups. Those groups were given a chairman and set into a coherent framework that could follow through the work that was being done and identify where the resource was needed. When the Crime and Disorder Act 1998 came into being, we had to change the constitution because we had new partners. The health authority, the health action zone and the local LEA all joined the new community safety partnership.

I have watched and observed the various agencies working, and most people seem to be prepared to enter into a new culture. They have put their differences on one side and worked together. When I relate some of the statistics, we will see how the partnership has become bedded down in the community, which is resulting in achievements that reflect a falling crime rate.

Barnsley's partnership was up and running and achieving results before the introduction of the Crime and Disorder Act 1998. We set up that organisation to engage with the community; previously, we had a community and voluntary forum, which was an integrated part of the original partnership. Since bringing in the new constitution we have given greater autonomy to that community forum, which engages with the community and then reports back to the policy board. That board is obviously concerned with policy but it has also been necessary to look at the operational level and how we change that. We have created a grouping of heads of agencies which are responsible for operations, who meet regularly. They implement policy from the policy board and follow it through down to street level, where we are beginning to see results.

The original objective of the community partnership was to create an effective and sustainable preventive approach while ensuring law enforcement. It is a matter, therefore, not merely of looking at the social side of the development of the partnership but also of keeping an eye on law enforcement strategy—not with great rigour but carefully—to ensure that it is robust. The partnership approach works through consultation procedures with the community and provides for an inclusive structure. As I said, I chair the community partnership, but my hon. Friend the Member for Barnsley, Central (Mr. Illsley) is the vice-chair and my hon. Friend the Member for Barnsley, East and Mexborough (Mr. Ennis) is a member of the policy board. The chief executive of the local authority and the chief constable for South Yorkshire are also on the board. Since the new constitution was instituted, the chief executive of the health authority has also been present, so there is always an input from the highest level to ensure that policy is thought through and followed at operational level.

From what I have seen of the inter-agency approach, I believe that it assists in mobilising the community to achieve fair results in certain circumstances. There has

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been criticism about local authorities not using the new panoply of measures available under the Crime and Disorder Act, for example, such as the anti-social orders and curfew orders. In Barnsley we have not yet used either of them; the community approach creates a situation that is conducive to achieving results without having to do so.

I shall give an example of that. We arranged several meetings two years ago, through the tenants and residents association, on one of the problem estates in Barnsley. We had identified addresses where substances were being disposed of at weekends. The estate was consequently full of young people coming to get hold of those substances and they created mayhem, particularly for the elderly. The first meeting we had was attended by the police, the chief executive, the head of housing, the head of social services, my colleagues and me, with around 70 or 80 residents present to discuss how to deal with the problem. The people responsible for the trouble came in to intimidate the participants in the hope that names would not be given and after the meeting there was an increase in burglaries. However, the residents were determined and stuck to their guns. More meetings followed and, after identifying the addresses, visiting the premises and seeing that they were in a poor state of repair, the local authority was eventually able to move two households off the estate. The third household that had been causing a problem followed. As a result, the problem on the estate was cleared up. Every other house on that estate is now in the neighbourhood watch scheme. We were, therefore, able to deal with the problem on the estate without resorting to anti-social behaviour orders.

The Minister should bear in mind the fact that when people are moved on—which happens not only in Barnsley but nationally—the problem is merely displaced. The question is how to deal with the problem. Instead of merely moving a household on to settle in another part of the borough and cause the same problem, should we not be able to ensure that sanctions are applied through, say, a life style centre, which would rehabilitate people in the community? That would avoid the creation of ghettos, which appears to be occurring in certain areas of Barnsley, and which will have to be dealt with robustly. Will the Minister consider how the problem might be tackled? It will have to be addressed during the next two years.

As partnerships are conducive to dealing with thorny social problems, anti-social behaviour orders are not always necessary. Another important factor in relation to a partnership is that it recognises that crime is not an isolated matter—it challenges the community to think about the impact on crime of other factors. In that context, poverty, poor educational attainment, unemployment and health are recognised as playing a role in the criminality of an area. Some of the statistics in relation to Barnsley show that clearly.

I want to make a statistical comparison between 1979 and 1994. In 1979, Barnsley was quite a prosperous area, and, if my memory serves me correctly, the average wage in the town was a few percentage points above the national average, while crime was 25 per cent. below the national average. In 1994, when the local authority carried out a survey across Barnsley, it found that the average income per household on the council estates was between £5,000 and £6,000. The average income across the borough was £11,000. That compared with an average income of more than £18,000 for the rest of Yorkshire and Humberside. That indicates just how deprived the area was at that time. In 1994, crime in the area was 13 per cent. above the national average. Those statistics highlight the other social factors that impact on crime.

Mr. Coaker: Will my hon. Friend recognise a further problem in relation to the economic change to which he refers? In the mining communities that he knows well, and in the mining communities in Nottinghamshire, the social glue disappeared, which had an impact on crime. Communities must be put back together if we want to tackle crime.

Mr. Clapham: I thank my hon. Friend for that timely intervention, which he made pointedly. Communities did fall apart, and crime prevention partnerships can be part and parcel of rebuilding them. That is very much how we see it in Barnsley. It is a central part of the local authority's regeneration strategy.

We have set out to ensure that educational attainment is lifted to the national average level. In Barnsley, the average attainment level, measured by a pupil who attains five GCSEs with grades between A and C, is currently about 31 per cent. I believe that the national average is about 45 per cent. The authority has an ambitious programme to reach the national average level of educational attainment within four years. Much emphasis is therefore being placed on education, projects for parents and young children and drug projects.

One of the main causes of burglary in Barnsley, as in the country in general, is drug-related crime. Until 1994, we did not have a drugs problem. In 1994, we knew precisely where the stuff was coming in from, and we saw an influx of heroin. The drugs action team estimates that about 5,000 people out of a population of 235,000 regularly take heroin.

Sheffield university's analysis of burglary statistics shows that we have a high level of burglary compared with the national average. In four areas in my constituency and the constituency of Barnsley, Central, the level of burglary is four times the national average. However, that applies to a very small area. Forty-three per cent. of burglaries are carried out by just 5 per cent. of offenders, and those 5 per cent. tend to be substance abusers.

The drugs problem has caused an enormous problem for the local authority. Much work is being done. The difficulty is in funding the crime prevention framework and ensuring that it contains a coherent strategy for treatment and rehabilitation after treatment. In Barnsley, 70 per cent. of crime is said to be related to drugs.

This year, the average level of crime in Barnsley fell. The borough is divided into two police districts, D and E. In E district, crime is down this year by 7.4 per cent., and in D district, by 12 per cent. Throughout the borough, violent crime is down by 8 per cent. Having served as its chairman for the past five years, I believe that the crime prevention partnership has played an

important part in reducing crime. I realise that caution should be exercised in analysing crime statistics, but the statistics to which I refer are clear.

Barnsley's partnership is now firmly embedded in the community, and we are achieving results. However, I am not ignoring the physical measures that have been introduced. I accept that CCTV camera projects in both the town centre and Grimethorpe have had an effect and that improvements in lighting, fencing and locks for the elderly, among other measures, have played their part. I am not ignoring the physical issues. They are important, but they are generally short-term measures undertaken, in this context, with an important endeavour. However, prevention through social measures such as early intervention schemes including sure start—on which I hope that the Minister will work closely with his colleagues in the Cabinet Office, because it is an important project—and care in the community projects financed by Joseph Rowntree offer a great many lessons.

I hope that the Minister will examine some of those projects, because they are extremely important. One such project running in Barnsley will, I hope, give us the opportunity of rolling the benefits out across the community. Safety community partnerships provide the essential framework to sustain safer communities in the long term.

4.30 pm

Mr. Steve McCabe (Birmingham, Hall Green): I should like to begin by saying that, in contrast to the views expressed by the hon. Member for Aylesbury (Mr. Lidington) and the shadow Home Office team, the Crime and Disorder Act 1998 has been warmly applauded by the Association of Chief Police Officers, local authorities and the other agencies involved in the crime reduction partnerships. This approach is an opportunity to involve everyone in the fight against crime, and to ensure that we have the extra orders that we need to tackle certain forms of anti-social behaviour.

This is in sharp contrast to the approach adopted in the 1980s and 1990s, when to a great extent the approach was fragmented. Agencies were encouraged to adopt a hostile approach to one another, there was a strong element of passing the buck, and it was difficult for agencies to co-operate. The starting point now should be the approach that the Government are adopting which will bring the necessary elements together to give us a real chance to make a difference.

I have been concerned recently to see that the Opposition have chosen to describe both this approach and the crime and disorder legislation as failures because there has not been massive use of provisions such as anti-social behaviour orders. Like my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham), I believe that such orders should be used only when all other efforts have failed. We should not rush to use them immediately. The first anti-social behaviour orders have now been made in Birmingham, but this should not be seen as some kind of macho test to see who has issued the most orders or how quickly they have been implemented. The test should be: why were the orders applied and how were they used?

The first orders to be made in Birmingham were, interestingly, used in cases of prostitution to ban people from a neighbourhood where the local population had persistently complained about the level of harassment and distress that they were experiencing. This was a joint effort between the police, local people and the local authority, and it was eventually concluded that, having used every other power at their disposal, an anti-social behaviour order would be an effective way of banning the people in question from the area. That is the right use of such an order in the context of the legislation, and an example of a partnership coming together to tackle a problem that is causing distress to the community.

Three further orders have been made recently on a housing estate in Birmingham, which have more to do with youths engaging in a succession of anti-social acts. However, I cited the case that focused on prostitution because that is an area in which it is often difficult for the local community to take legal action, and there can be no doubt about the distress that it causes to people.

The hon. Member for Aylesbury said that the concept of partnership was new and I accept that. However, he implied that the Government were wrong to take the credit for putting partnership at the centre of their approach to crime and disorder. The Government are trying to develop a new and slightly different emphasis but the Opposition are trying to reduce our debate to a simple argument about police numbers. The Opposition have decided to make that the focus of our debate and that narrow, opportunistic approach is to be expected, but the danger is that it takes us back to the position in the 1980s and 1990s when people believed that the police were the only element in the strategy. The police would be the first to say that they cannot work in that way and that it is a recipe for failure, which is a good reason for moving away from the narrow focus on police numbers and broadening the approach to include other agencies that can make a difference.

If the Opposition are desperate to focus on police numbers, they must concede that numbers have been falling since 1993. It is reasonable to ask them what commitment they have made on resources, because it is clear that they cannot sustain the numbers that the Government have promised and manage their £16 billion cuts in public expenditure. We are entitled to an answer to that question. Another important point about police numbers, which is part of the general trend in this approach, is that it is not simply that there has been a reduction in police numbers; other factors are in play. I shall cite the west midlands, with which I am most familiar.

During the past couple of years we have seen a significant shift in sector policing. That is happening in other parts of the country and is crucial for two reasons. First, it moves police officers to front-line policing duties. Previously, they were often engaged in civilian and administration tasks at police headquarters. There has been a change in numbers, but the police are being used more efficiently by policing the community in the front line. There has been a massive corresponding rise in the number of civilian staff employed for many of the duties that were previously performed by police officers. The police authority and the chief constable have made that decision because they recognise that it provides better value for money and uses the police for the purpose for which they are intended.

For me, perhaps the Government's greatest success of this approach has been seen in the relationship between central Government targets and what happens on the

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ground. We were told earlier of criticisms and that the thematic report from Her Majesty's inspectorate of constabulary criticised the lack of analysis and the problem of setting targets without proper analysis. It emphasised the need to move from analysis and targets to monitoring the process and the outcome, and that is right.

I shall take the example of vehicle crime in Birmingham and the west midlands and the target to cut it by 30 per cent. over five years. As vice-chairman of the European Secure Vehicle Alliance, I have an interest in the subject. Birmingham and the west midlands have a particularly large problem with vehicle crime. It costs the country about £3.5 billion a year and during the past five years about 1 million vehicles were never recovered. It has an impact on many people's lives in different ways. It can prevent them from going to work to do their jobs or wreck their family plans and arrangements. It is an unpleasant and costly crime.

Last year, West Midlands police launched Operation Auto Guard, a four-week offensive to cut vehicle crime. When they engaged in a similar operation two years previously, they arrested around 1,700 people. There was a dramatic drop in that crime in certain areas of the city, because relatively small numbers of people commit such offences. A single operation can have a dramatic impact. However, what was important was not only the four-week police offensive, but the relationship between that action and other activities by the other parts of the partnership.

I mentioned abandoned vehicles. That element of vehicle crime, which has grown massively, is causing significant problems in the west midlands. It may have something to do with the fall in the value of scrap metal and the impact of that on the cost of vehicles. It is estimated that around 10,000 vehicles a year are dumped in Birmingham, compared with just 2,000 a few years ago.

In the past, it has been difficult to solve that problem because different agencies have denied responsibility. It has been difficult to obtain information from the Driver and Vehicle Licensing Agency, and many complications have arisen in the process of identifying who owns the vehicle and who is responsible. As a result, it has often been difficult for an agency to take action. Now, the police and the local authority are co-operating through the crime partnership. They have established a protocol on information sharing. When the police identify a registered keeper, that person is notified and told that the vehicle will be disposed of within 14 days if they do not remove it. If the registered keeper cannot be identified, the vehicle is disposed of immediately. That is having a significant impact in certain areas of the city.

The problem is not merely that vehicles are abandoned— they are often set on fire, which causes further distress to local residents and puts pressure on the fire service and other agencies. Pulling the partnership together to tackle the problem is having a general beneficial effect. There is a direct connection between the Government's targets to cut vehicle crime by 30 per cent. in five years, working through the police authority, and the crime reduction partnerships. Each part of the set-up can make its own valuable contribution.

I was a little surprised by the reference of the hon. Member for Aylesbury to "Calling Time on Crime". I recently went to a seminar given by Mr. Keith Povey, Her Majesty's inspector of constabulary, who is responsible for the report. Having listened to him, I would not have recognised the description of the report that we heard today. It is true that the thematic report, which was a massive piece of work, drew attention to the dangers of too many initiatives, too many different reporting phases, and failing soundly to base practice on proper crime analysis. However, the report identifies the steps that are necessary to improve the performance of partnerships. It would be a terrible mistake for anyone to give the impression that the report is generally critical of the approach. It is generally positive about it, but draws out the lessons that need to be learned so that we can improve the performance of the partnerships. That is vital.

We should be careful not to allow this generally positive approach to dealing with crime to be lost in the alarmist remarks that we recently heard following the publication of the latest crime figures. It is true that the figures show rises in some areas and in particular offences, which is a cause for concern. However, we should consider what lies behind the figures. In the west midlands, 4 per cent. of the rise can probably be explained by the new approach to recording. The West Midlands police have been consistently criticised in relation to the accuracy of their reporting, and they have made a major effort to improve it. That is why the figure is slightly higher.

It is in no one's interest to go back to the days when people tried to produce better figures by fiddling them. As my hon. Friend the Member for Gedling (Mr. Coaker) said, we have seen much higher levels of reporting for particular offences, such as domestic violence and racially motivated crimes. The encouragement that people get from the partnerships makes it possible for them to be more open in their reporting of offences. Rather than allow our alarm at the figures to weaken that approach, we should recognise that there will be increased reporting, which will, in turn, increase the figures. That is the least of our concerns; our main concern should be to paint as accurate a picture as possible and put in place the strategies that will have the greatest impact.

The issue of ownership is crucial. Crime affects all of us—the public, local authorities, the fire service, youth offending teams, and education services. All of us, including the police, must work together and prioritise our concerns, if we are to have a major impact on crime. The partnership approach is winning over people who had come to the conclusion that everything was the fault of the police or that there was nothing that could be done. We should focus on the fact that, although there are lessons to be learned that will help us improve performance, the current approach is drawing new people into the battle against crime. That is why it is the right one.

4.47 pm

Ms Dari Taylor (Stockton, South): My constituency is in the Cleveland area, where, in recent months, a question mark has been placed against the capability of the police. I should like to put that right, in the context of our discussion on crime reduction partnerships.

Cleveland police have embraced the concept of partnership; they have looked for partnerships, fought for them and developed them.

The chief constable, the local authorities and the probation service in my area have warmly welcomed the embrace of the Government. Of course, they want more financial resources, but they like the idea that we are carrying out an effective and accurate analysis, which drives effective strategies. There has been a positive response from the partnerships that I know.

Some of the figures for Cleveland—especially Stockton—are persuasive. We have bucked the trend, and our overall crime figure for 1999-2000 was down. It was down only marginally—by 2.2 per cent.—but nevertheless it was down. We acted effectively, bringing the public on board. People were prepared to be part of the effort and were ready to give evidence. We are saying to people, "Please, don't be prisoners in your own homes. Come and tell us what is going on." Only when that dialogue is publicly articulated can we begin to deal with the issues of crime.

That is the start. I am even more proud of my patch. The figures show that house burglary has been reduced by more than 22 per cent. More than 500 extra people have felt a benefit. The down side of being burgled is monstrous. I was burgled four times in five weeks and became a veritable prisoner in my own home. I would not allow my 14-year-old daughter to go home alone, which made her indignant, but I was concerned that she could come home and find that someone had been in, taken things and caused disruption. The home is so precious, and for someone to abuse it in such a way is a nightmare. I am extremely pleased for my constituents that burglary rates are down, so there seems to be a turning of that tide. In Stockton, we also have fewer crimes of violence. The reduction is only small, but the rates are nevertheless down.

I realise that my colleagues are keen to speak, so I shall briefly refer to two initiatives that have focused on reducing crime, especially burglary. The initiatives have determinedly considered the use of CCTV, and I must tell the Minister that every other household wants it. I am not convinced that it is a perfect answer, but it certainly reassures many people, so we have increased its use. I shall soon ask for additional money on that score, and I hope to receive it. With CCTV, people feel that the police can at least watch, monitor and respond quickly to behaviour that is highly suspect.

We have had a superb response from our schools. More than 70 per cent. of schools in Cleveland have been covered by a crime reduction initiative. Our junior crime prevention panels are a striking success. We are beginning to talk to young victims of people who sell drugs outside our school gates and on our street corners. In my multi-deprivation areas, such drug sellers are the only people who drive spectacular cars. Catching them and having evidence to convict them is monstrously hard, but children are becoming good at warning schools, and the schools warn the police. The network is beginning to have an effect on the prevention and reduction of such crimes in our community.

Landlords of pubs are valuable in our partnerships. They do not want people to abuse a substance that they sell, and they certainly do not want other substances sold on their premises. For the first time in my community's leisure life, people are beginning to believe that there is hope. Those of us who have teenagers see them go out at 8 o'clock in the evening looking beautiful. We give them money for taxis, and from 12 o'clock on we listen to hear the door latch. That is the tyranny for families and youngsters, but I see a change beginning. We have spoken to taxi drivers and have them on board, so that they act as a source of protection for our youngsters and another source of information.

There was a startling drop in crime under round 2 of Stockton's burglary reduction initiative, which was implemented in the constituency of my hon. Friend the Member for Stockton, North (Mr. Cook). The focus was on two seriously deprived areas that had enormous problems. With the effective involvement of so many different partners, household burglary was reduced by more than 76 per cent in one year. That figure shows that neighbourhoods can be confident that the police, the probation service and the local authority are there for them. People in those neighbourhoods will become confident that their citizenship is worth fighting for once again, and they will give evidence even though people may threaten them for doing so. They will give evidence because they know that we are a fair society.

I should mention our approach on domestic violence, which is a problem that has been a serious cause of concern to me throughout my working life. I have worked with people who have been abused by their partners. Some women are prisoners in their homes, and when I took evidence their children would say to me, "I put my pillow over my head because I did not want to hear Mum screaming again or shouting, 'Please, someone help me.'" I have been through that with youngsters and I know the hideousness that so many women face. However, when we ask ourselves, "What can we do?", we are beginning to answer the question. There has been an increase of over 14 per cent. in the reporting of domestic violence cases in my constituency and that of my hon. Friend the Member for Stockton, North. That thrills me no end. It tells me that women are no longer prepared to be smacked, beaten and intimidated by men who feel that such behaviour is their only power base.

Again, I hope that my hon. Friend the Minister will take that on board because the straight fact is that we must support women who are prepared to report such crime. The issue of contact is monstrously serious. It is totally unacceptable for partners, previous husbands and fathers to be given contact with their children, only to use it to blackmail, intimidate and threaten women. In such circumstances, women will back off and return into hiding—when we want them to come forward. We want domestic violence to stop and to be able to say that we have a society in which decency prevails.

The police partnerships in Cleveland and Stockton are working and are producing some superb responses. I want better and earlier responses, as we all do, but partnerships have shown that people are working together effectively. However, I should strike a negative note in regard to inquiries into police authorities. The Lancet inquiry, and previously the Charrington inquiry, into Cleveland both took an enormous time and a formidable amount of money—perhaps upwards of £4 million to £5 million the second time around—and both fell, neither producing evidence that could lead to criminal prosecutions. As a result, the people in the Tees

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constituencies feel thoroughly let down and do not feel confident in their policing service. I make a plea to my hon. Friend the Minister to give that serious consideration. We need an independent inquiry board, not the police carrying out inquiries into themselves. Such inquiries should be independently framed, outside the police authority, so that time can be concentrated and evidence scrutinised without taking the police away from other responsibilities.

The partnerships that we have put together are leading to some reasonable and accurate statistics that tell us that crime is beginning to be confronted and reduced in our communities.

4.58 pm

Mr. Gareth Thomas (Clwyd, West): One of the ground-breaking principles enshrined in the Crime and Disorder Act 1998 was the statutory recognition that crime and disorder affect the whole of society, requiring joint working and a multi-agency approach. That is to be welcomed. If we are to develop strategies to deal with crime and disorder, the whole of society has to become involved. I spoke today to the deputy chief constable of North Wales police, who spoke highly of the principles behind the Act and its emphasis on partnership working. The message from north Wales is that partnerships are an excellent idea that are already beginning to yield considerable results in terms of crime reduction.

In the limited time available, I would like to deal with a few issues. I agree with my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham), who is to be congratulated on chairing his own partnership—I am not sure how he finds the time, but I am sure that it has gained much from having Members of Parliament as its chair and vice-chair—that crime reduction is linked to the economic and social regeneration of our communities, especially in deprived areas. I hope that you will allow me to talk about my own constituency for a while, Madam Deputy Speaker. The major town in my constituency is Colwyn Bay, which is a coastal resort and the second largest town in north Wales. Coastal resorts have faced problems for several years, as the traditional British seaside resort declines. Social problems have accompanied that decline in economic fortunes.

Mugging and anti-social behaviour are the major crime problems on the north Wales coast. That is linked with the problem of houses in multiple occupation. A great number of people—many of them vulnerable people with drug and other problems—come to areas such as north Wales and other seaside resorts throughout the United Kingdom. They are often enticed by the offer of accommodation from unscrupulous commercial landlords who are playing the housing benefit system. That matter was addressed in a report about housing benefits published this morning by the Social Security Committee. Those landlords house people in poor accommodation but are able to get the housing benefit. That is a problem that the Department of Social Security, as much as the Home Office, must tackle.

There is a link between crime and poor housing. There is a need for a system that enables registration of houses in multiple occupation. There is a role for a partnership approach between those charged with environmental health regulatory functions within local councils and the police. A few weeks ago, I was heartened to visit a meeting of a crime reduction partnership in my constituency, which focused on problems in an area called Pensarn, which is also on the north Wales coast. I am pleased to say that the crime reduction partnership that has been established in the county of Conwy is focusing real attention on problems associated with that community, and that results have been achieved already.

I congratulate the Minister on initiating the debate. The project is a long-term one and results are not going to be immediate, although we are beginning to see encouraging signs. However, it represents a real sea change in that agencies, councils, probation officers and people within other organisations are taking the view that the buck should not be passed. We want to find solutions.

I should like the Minister to deal with a small number of specific points in his winding-up speech, but if he does not have time to do so, perhaps he will write to me. I referred earlier to the manner in which regional crime directors have been appointed. I accept the need for co-ordination. Indeed, common sense suggests that we must ensure that best practice is disseminated among the various partnerships throughout the country. Do the Government intend to give a monitoring and auditing role to regional crime directors? The Home Office seems to be giving out confusing signals. The job description for regional crime directors in England and Wales stated that one of their functions was to

> agree and implement a plan for the audit of the partnerships' crime reduction strategies, taking into account the work of H. M. Inspectorate of Constabulary and the Audit Commission.

The deputy chief constable of North Wales police said that there does not seem to be a statutory basis in law for giving an audit function to regional crime directors. Reflecting his concerns, my plea is for us to ensure that there is not too much bureaucracy and that the good work undertaken by crime reduction partnerships is not smothered by a heavy-handed bureaucratic approach. When referring to the recently appointed crime reduction director for Wales—a Welsh Assembly appointment, although policing is a Home Office matter which has not been devolved—the deputy chief constable said:

> If the post is to work by support, encouragement and facilitation to help statutory partnerships to be more effective then I am all in favour—but if it is to be yet another auditing and monitoring role in an already crowded field then I am concerned.

I should be grateful if the Minister will address those remarks in his response.

5.7 pm

Mr. Vernon Coaker (Gedling): This debate is very important because, without law and order—however it is achieved—our communities cannot function. Since I became a Member of Parliament in 1997, among the many problems that constituents approach me about are those of crime and anti-social behaviour, matters on which people always have an opinion. They are all worried about it, whether at a national or local level. I pay tribute to my hon. Friend the Minister and the Government for their work on crime. The number of police officers on our streets is important, and that is

now being dealt with. If we really want to make an impact on crime, we must adopt the partnership approach. The police, on their own, cannot solve crime in our communities.

I am not making a political point, but it is a difficult message to get across. Whether we have a Conservative Government, a Liberal Democrat Government or a Labour Government, people will base their judgment of how much is being done about crime on the number of police on the streets. However, other ways of fighting fight crime and tackling disorder are also important. I agree with the hon. Member for Taunton (Jackie Ballard) that we must listen to people and involve them. If we do not engage in such a debate in a sensible and mature way, it will be difficult to make progress. I know that it makes for a good political to and fro in Westminster Hall, but if the debate comes down to how many police are on the streets now as opposed to how many there used to be, it will not be an intelligent debate and we will not move forward. That is not to say that the number of police is not important and that a visible police presence is not something that we are all striving to achieve—I say that in case any of my constituents read this! We need more police, and I know that the Government are looking into that.

The Gedling crime reduction partnership in Nottingham is working well. Local input and local priorities are especially important, and a wide range of bodies are involved—the police, the local authority, neighbourhood watch groups, the voluntary sector and business. Significant results have been achieved. There has been a 25 per cent. reduction in domestic burglary since 1997-98. My hon. Friend the Member for Stockton, South (Ms Taylor) referred to the impact on people whose homes are burgled. Theft of vehicles has fallen by 53 per cent., which is a big reduction. Theft from vehicles has fallen by 17 per cent., and criminal damage is at its lowest level for five years. Violent crime has increased, however, which must concern us all. There is no point trying to fudge that; it is a worry. If the increase in violent crime is partly due to people reporting crimes of violence in the home, which they were not previously willing to do, I hope that the figure continues to rise for that reason. Nothing is worse than people feeling unable to report crimes of domestic violence because of fear. All Governments have tried to address that problem in relation to the reporting of rape, and domestic violence should be addressed in the same way.

The Gedling crime reduction partnership has set targets for tackling the increase in violent crime using local statistics. Making it a local priority should increase the effectiveness of methods to tackle the problem. There has been some excellent news on crime reduction partnerships, and the empowering of local communities is especially important. Local people, including those in the partnership, have asked me how to make crime reduction more effective. Those are questions for all of us, and the Minister will not be able to give answers to every one. One such question is how to restore the legitimate authority of the police. Local people have raised that issue with me, as well as within the partnership. Sometimes the police are confronted with particular difficulties when they attend incidents. We must try to ensure that their legitimate authority is maintained.

My hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) said that the existence of anti-social behaviour orders encourage people to work together. The fact that we do not have a league table of local authorities that have issued the most anti-social behaviour orders does not necessarily mean that they have not been effective. The Home Office has examined the bureaucracy involved in the use of those orders, and has produced new guidelines. I hope that the Minister will ensure that local authorities regard anti-social behaviour orders not just as a last resort but as a measure that can be used if appropriate. There was a famous case in Nottingham of an individual who was subject to an anti-social behaviour order. Local people who became aware of the length of the individual's criminal record did not understand why such a person had been allowed to commit so many crimes for so long before anything had been done about it. Sometimes I wonder why an anti-social behaviour order has been used, because the individual concerned should already have been locked up. However, we should continue to encourage people to view anti-social behaviour orders as a way forward.

As my hon. Friend the Minister will know, I raised the issue of curfews in a ten-minute Bill. We should reconsider the age limit. Curfews can be applied in an area only for young people up to the age of 10. The Home Office is considering raising the limit to 15, which would be useful. I do not suggest that people should be compelled to use the measure, but it should be available if crime reduction partnerships feel that it would be appropriate. My own local authority has one or two open spaces, shops and other areas, and having such a power for a month or six weeks would enable the police, the local authority and people working together to bring that area back under control.

My crime reduction partnership has problems in dealing with nuisance neighbours quickly and effectively. My hon. Friend the Member for Barnsley, West and Penistone made an excellent point. We are not trying merely to dump people on to another community, but some nuisance neighbours cause such mayhem that it is difficult for crime reduction partnerships to deal with them. It is a particular problem when a family with young children is causing the problem. No one wants to evict people and put them on the street when young children are involved, but people who come to my surgery ask what on earth they should do about people who simply will not abide by the normal rules of civilised behaviour in a community. They say to me, "It is all right for you. I feel sorry for the kids, but you don't have to live next door to it every day." The law presents a genuine problem in dealing with such matters, and I ask my hon. Friend the Minister to consider how we should proceed, as, indeed, I am sure he is.

The Government are considering the issue of neighbourhood wardens and the re-establishment of figures of authority, on which I am especially keen. I was brought up in London, which used to have uniformed park keepers on bikes, with radios. We used to be frightened of the parkie. I do not suggest bringing back the parkie as a replacement for the police, but too often we have got rid of bus conductors, station staff, caretakers on housing estates and park keepers. Although such figures of authority would not be able to deal with drug dealers or violent behaviour, they could

[Mr. Vernon Coaker]

have a role to play in creating an image of authority in and around those areas. If park keepers or something similar were re-established, parents might feel more comfortable about their children going to parks.

We talk a lot about young people being a problem. However, my visits to schools suggest that young people are as worried about crime as we are. They are often the victims of crime. They suffer in our communities, and they want something to be done. One of the problems facing our crime reduction partnership is that we focus on the negative side of young people, whereas many of our youngsters have limited local facilities for play and recreation, such as skateboarding.

I make a plea: everyone is favour of more facilities for our young people and says that it is dreadful that they have nowhere to go. However, as soon as we start discussing where to put a skateboard park or various facilities, people start raising all sorts of objections to it. We should adopt a mature, grown-up approach to the matter. Our young people deserve a little better than they sometimes get in some of our communities, especially in terms of facilities. Much as I want anti-social behaviour to be clamped down on, some of our young people are only really hanging around, not causing trouble.

Locally, the crime reduction partnership is working well. I emphasise that partnership is the only way forward. Crime is the responsibility of all of us. One of the things that crime reduction partnerships are trying to do relates to a point made by my hon. Friend for Barnsley, West and Penistone. As he will know, one of the problems in our coal communities was that, when the pit went, the social glue went. The self-policing of those communities declined, and their authority and self-discipline were undermined. Part of the purpose of crime reduction partnerships is to restore that self-discipline and the concept of the community policing itself.

We talk about putting more police on the street, about changing the law and about cracking down on crime, and all those measures have a role to play. However, the partnerships are also crucially about reinvigorating and regenerating the belief that policing of communities is ultimately the responsibility of the community itself. People have a responsibility to police themselves, and restoring that responsibility will have as great an impact on crime as flooding the streets with police.

5.20 pm

Mr. Keith Darvill (Upminster): I shall be brief, Madam Deputy Speaker, as time is short.

My constituency is in an area where levels of crime have fallen over the past three years—there have been increases in some areas, but generally there has been a reduction. To that extent, the local partnership in our area has been successful. To be fair, the reduction in crime was taking place before that period, but there has also been a marked reduction during that time. In London—I think that I am the only hon. Member here today who represents a London constituency—my area is near the top of the league in terms of safe areas.

Our local partnership has had significant success in forming youth offending teams in which members of the police service, the probation service and the local authority work actively together under the same roof, in accordance with the programme of reducing youth crime. That has been very successful. There has been a significant partnership in Romford town centre—just outside my constituency—which is the main retail shopping area in the vicinity. There has been a significant reduction in retail crime there since November 1998: levels are 49 per cent. lower than in November 1997. In 1999, there were 41 retail crime free days.

That partnership takes photographs of habitual criminals, which are issued in accordance with the provisions of data protection legislation. That information is then assessed by the local police and the partnership organisers. The retailers involved also gather information and pass it on to the police, both through closed circuit television and in written format. The courts involved examine the published results; they are made aware of the information and build it into their considerations of bail conditions, and so on. The partnership has been very effective, which has been recognised by the Home Office. It has been a positive success. Other CCTV extensions have flowed from information provided to the partnerships, and the priorities for those have been set at partnership level.

During the past few weeks, a neighbourhood watch scheme has been extended and 100 per cent. of the houses contacted joined the scheme. That is a further example of the concentration on the important issue of reducing crime. Local community police have been appointed in a number of areas in my constituency, and they are doing sterling work, especially in schools. A range of successful partnership initiatives is having an impact on reducing crime.

However, in a debate such as this it would be wrong to dwell only on the successes. We must also examine the failings. All is not sweetness and light and, as other hon. Members have said, the main areas of increased crime are violent crime and crimes related to anti-social behaviour. The partnerships need to focus on those areas to bring about reductions.

When I was preparing for this debate, I looked at the consultative document that the Home Office published in 1997, "Getting to Grips with Crime". Chapter 3 deals with the post-legislation aspect, especially in relation to funding. It states that the Home Office did not, at that stage, envisage any increased funding for the partnerships and suggests that in the longer term they could be financed through substantial savings.

All the partners in my local area have embraced the policy with great enthusiasm. However, if local authority funding is particularly pressed—as it is in my area—the initiatives that can be developed are weakened. Although resources are being devoted to the youth offending teams, and to other initiatives to which I have referred, targeting the estates where violent crime takes place and car crime is at its highest levels would have the greatest impact in reducing crime.

There should be some recognition of those burdens in the funding arrangements for local authorities. In using the word "burdens", I do not mean to be critical of the Government. In my area we embrace the policy enthusiastically and want to initiate projects that would help to reduce crime even further. Ultimately, however, a local authority can do only what its funding allows it

to do, and it is important to take that into account. I know of estates that could work with the police and the local authority in targeting youth offending, but the local authority does not have the resources to do so.

My hon. Friend the Member for Gedling (Mr. Coaker) referred to the park keeper. In my area, an organisation called Green Patrol patrols local parks, and is active in the partnership. Because of its funding difficulties, the local authority has had to reduce the number of people who are employed in the patrols, which leads to a reduction in the effectiveness of the partnership. The local authority can have an impact in other respects, such as housing. Again, funding has been reduced and some initiatives have therefore not been as good as it would like.

I embrace the partnership initiative at national, as well as local, level. It can still go further, and it gives us the opportunity to have a significant impact on reducing crime. However, the funding of local authorities must be considered as a matter of urgency if we are to deliver the benefits that are there to be taken.

5.27 pm

Dr. George Turner (North-West Norfolk): Much sense has been talked this afternoon. In the interests of avoiding repetition, I am grateful that I can agree with much of what was said. That may be partly due to the fact that not a single Back Bencher from the Tory party has been present.

Last week, I had the opportunity to attend the annual meeting of my local partnership, from which I came away heartened. I should like to make three simple points to my hon. Friend the Minister, dwelling on a suggestion that was made during the meeting.

First, partnerships are promising, but they are still new. Despite the comments of the hon. Member for Aylesbury (Mr. Lidington), I know from 20-odd years in local government, and involvement with the police authority, that in the past partnerships were relatively unstructured and ad hoc, and depended on individual initiatives. Frankly, they were a pathetic shadow of what the Government have introduced. Because the partnerships are new, they must be nurtured. That is the Government's role, now that they have established them and given them many of the tools that they require in relation to changes in the law—the new powers and orders, which will be very helpful—and resourcing.

The people at the meeting were delighted that on the previous day they had received a positive response from my right hon. Friend the Home Secretary in the form of an award of £600,000 to address the specific problems of the Fens—where the case of one of my best-known constituents, the farmer Tony Martin, has highlighted crime in the rural parts of my constituency and, perhaps more importantly, the fear of crime. The crime statistics do not take account of the fear of violence, especially in isolated communities, which can have as dramatic an effect on my constituents as actual crimes.They are pleased that the Government are taking these steps.

I was pleased that Dr. Henry Tam, who has been appointed regional director of crime reduction but has not yet taken up his post, was present at the meeting and I want to say something about his role. Despite the concerns expressed this afternoon, I believe that there is a role to be played, whether statutory or not. My local partnership will welcome a friendly critic who wants to point it in the direction of good practice elsewhere and who makes it face up to facts, albeit sometimes unpleasant facts, if it is not on target to meet its objectives. I welcomed Dr. Tam's contribution to the meeting and the fact that the chief constable spent the morning with the partnership.

In nurturing the partnerships, the Government must work with them and listen to what they have to say, as well as guide them and aid them with resources. The greatest problem in addressing crime in my constituency is to persuade the community that we want to involve everyone. When we refer to partnerships, we do not mean just the agencies in the community—the education and health authorities; we mean the people who live in the community because we need their help most. When they realise that our priorities are their priorities and that we are listening to what they want and passing that on to the Government, we shall have their co-operation. It is essential that crime is not seen to be a problem just for the police or someone else.

My hon. Friend the Minister suggested that he does not need a lot of time in which to reply. He said five or six minutes, but I shall try to allow him more than that. One issue arose at the meeting on which I want him to assure me that there will be wider debate. I know from announcements in Parliament that the Home Office is considering the possibility of part-time or retained police and there could be considerable advantages in such an initiative in the rural environment.

One of our biggest problems in Norfolk has been that, even when a local policeman is assigned to an area—in rural places, the area may be quite large—a major incident requires a huge amount of manpower. The most famous one is the Tony Martin case, but I can remember several other incidents during the past two years while I have been in post, including horrendous murders. It is right that police time and manpower are diverted to such incidents, but we often find that the local policeman is withdrawn afterwards and there is a long period without one.

In Norfolk, we have long experience of a retained fire service with properly trained firemen who do not spend 100 per cent. of their time as firemen, but are employed elsewhere and can be released for specific tasks. At our meeting, there were more than 100 people in the room, but only the police representatives were negative about having a retained service. I understood why, because part-time policing raises difficulties and the Home Office would have to be careful with such an initiative. The working group that I joined for the morning considered specific issues of rural policing. Many suggestions were made, some of which were as simple as ensuring that houses are numbered and thinking about the plants used on the periphery of a residence. It was also suggested that parish councils should co-operate more. There are 64 parishes in my constituency and they sometimes do things separately, rather than co-operating with each other. There are large numbers of retired policemen and others who could be trained to do some of the routine work, leaving serving police officers free to be more actively involved in chasing criminals.

As promised, I have raised the matter in Parliament and I hope that my hon. Friend the Minister will ensure that there is a decent debate on the subject. I bring him an offer from west Norfolk that my constituents would

[Dr. George Turner]

be most happy to be involved in piloting, however that is done. They want to co-operate within the partnership and to discover the advantages and disadvantages of some of the suggestions.

5.35 pm

Mr. Mike O'Brien: This good and important debate on crime and disorder reduction partnerships has shown how important it is that local communities, the police and local authorities are involved in tackling and reducing crime.

My hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) gave a constructive evaluation of the ground-breaking approach to partnership in his constituency. Barnsley's approach has lessons for every part of the country and I congratulate my hon. Friend on his chairmanship of such a successful partnership. I will consider his interesting idea of life style centres and let him know what I think about it.

My hon. Friend the Member for Birmingham, Hall Green (Mr. McCabe), in a high-quality contribution, said that crime and disorder partnerships reached parts of the problem that the police alone cannot reach. Crime in the west midlands will best be tackled by the community as a whole, working with the police, rather than by the police working alone.

My hon. Friend the Member for Stockton, South (Ms Taylor) drew attention to the human toll of burglary. She is justly proud of helping to reduce the misery which burglary causes families. She also referred to the tyranny of crime among young people, who are often the victims, rather than the perpetrators, of crime. Although my children are young yet, I expect that the time will come when, like other parents, I will know the fear when they do not put their keys in the latch at midnight as expected, a feeling that my hon. Friend described. I hope that we can help to ensure that young people return from an enjoyable evening out without their parents having to worry.

I entirely agree with my hon. Friend the Member for North-West Norfolk (Dr. Turner), who said that reducing the fear of crime is as important as reducing crime itself; my hon. Friend the Member for Stockton, South made a similar point.

My hon. Friend the Member for Clwyd, West (Mr. Thomas) warned us of the need to tackle the causes of crime, including unscrupulous landlords. He also asked about regional crime directors, and I shall speak to him about that. Their job is to assist, advise and monitor. They will not be unwelcome as they will not try to take over. Their objective is to assist; they will ensure that best practice is followed throughout the country. David A'Herne, a former chief superintendant, will operate in Wales from 7 August. He has a great deal of experience and I am sure that he will make a valuable contribution.

My hon. Friend the Member for Gedling (Mr. Coaker) said that rising statistics on domestic violence may reflect greater confidence in reporting incidents which were previously under-reported, rather than increasing crime. He made several other valuable points which I shall pass on to my right hon. Friend the Home Secretary. My hon. Friend the Member for Upminster (Mr. Darvill) emphasised the importance of CCTV and neighbourhood watch; I was particularly impressed by the local neighbourhood watch schemes in his constituency, one of which had a 100 per cent. response from local people. Areas such as Upminster and Barnsley have lessons for the rest of the country.

My hon. Friend the Member for North-West Norfolk asked me to look at special constables and retained police. I will draw the Minister of State's attention to my hon. Friend's contribution. My hon. Friend can pass to his constituents the message that the Government are listening to the points that they made.

In an excellent and non-partisan speech, the hon. Member for Taunton (Jackie Ballard) welcomed the crime and disorder reduction partnerships. In particular, I appreciated her comment that more progress had been made in the 18 months since the Crime and Disorder Act 1998 was enacted than in the previous 18 years. Of course, she expected me to welcome that. She is right to say that we have reduced the level of buck-passing between authorities. We are ensuring that organisations co-operate more, but there is much more work to do. I will reflect especially on several of the points that she made towards the end of her speech, which showed that parliamentary secondments work and are valuable.

The hon. Member for Aylesbury (Mr. Lidington) gave no commitment to matching the Government's funding to tackle crime. On 18 July, we announced an additional £1.6 billion for the police over three years, which would increase police funding by 21 per cent. to £9.3 billion by 2003-04. The Conservatives have made no commitment on new equipment, such as the public safety radio communications project, which will provide the new airwave communications system that the police need. The Conservatives have made no commitment to extra funding for crime reduction policies and did not suggest that they would match our efforts.

The hon. Gentleman said that he doubted whether such money would be available if a Conservative Government were in power. He thinks that they could not afford such commitments, but he suspects that a Labour Government could. I can tell him that the Labour Government can, and have planned for them. He need not worry about Labour Governments, but clearly his constituents need to worry about Conservative Governments. The Conservatives will not match our future spending commitments on crime and disorder; instead, they will cut spending on crime and disorder.

The hon. Gentleman's other rather incredible point was that Tory Ministers have some inherent super-quality that enables them to perform better than Labour Ministers. He argued that Conservatives would spend money better and have some sort of financial wisdom, managerial skill or other super-human quality that Labour Ministers could not match and that, somehow, Conservative Ministers would get more from less. That argument boils down to "Yah-boo sucks, we can do better than you." That is a laughable argument for any shadow Minister to advance. The hon. Gentleman must understand that, if he and his party are to be serious about tackling crime, they must provide answers on funding. They must do better than he did today, or the right hon. Member for Maidstone and The Weald (Miss Widdecombe) has done recently, because people

know that the price of electing a Conservative Government will be a cut in funding to tackle crime and disorder.

The Government have ensured that we can tackle crime and disorder. Partnerships represent a long-overdue recognition that crime reduction is not simply a matter for the police. Everyone has a part to play. Through the record levels of investment in crime reduction programmes and the record funding for the police, and by raising the number of police officers by 2003 to its highest level ever, the Government are providing the tools and the structure of national and regional support for partnerships, backed up by localised training and guidance. We have shown our firm commitment to partnership by action and by deed. The fight against crime is an integral part of the Government's commitment to making Britain a better place in which to live. The role of crime and disorder reduction partnerships is essential in helping to achieve that most important objective. I am therefore grateful to hon. Members who contributed to this important debate. I am grateful to my hon. Friends, who turned up in force. I regret that there were not more Conservatives to support the hon. Member for Aylesbury. I am grateful for the valuable contributions from the Liberal Democrats. Fighting crime is important. We intend to carry that fight forward.

Question put and agreed to.

Adjourned accordingly at fifteen minutes to Six o'clock.

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OFFICIAL REPORT

SIXTH SERIES **VOLUME 354**

SESSION 1999–2000

17th July—28th July 2000

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- The fortnightly index to Hansard. This covers the same date range as the volume index but references are to the column numbering in the daily parts and weekly edition of Hansard.
- The sessional index to Hansard. This contains references to material in the bound volumes for a whole session.

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- The names of all Members contributing to the Parliamentary business recorded in Hansard.
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  - *Questions* (which includes written, oral and private notice questions).

ABBREVIATIONS

The following abbreviations are used in connection with the progress of bills:

- 1R=First reading
- 2R=Second reading
- Com=Committee stage
- Rep=Report stage
- 3R=Third reading
- res=resolution
- amendt(s)=amendment(s)
- *=matter taken formally without debate or division.

Parliamentary background

- The Parliamentary website at http://www.parliament.uk contains a range of information about Parliament and the full text of some Parliamentary papers and proceedings including Hansard.
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CAMDEN REFERENCE LIBRARY

PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 354

HOUSE OF COMMONS

OFFICIAL REPORT

WRITTEN ANSWERS

THIRD SESSION OF THE FIFTY-SECOND PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-NINTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1999–2000

COMPRISING PERIOD
17 July—28 July 2000

Written Answers to Questions

Monday 17 July 2000

PRIME MINISTER

Queen Mother's Birthday

Mr. Baker: To ask the Prime Minister how much public money will be spent as a result of marking the 100 birthday of Her Majesty Queen Elizabeth the Queen Mother. [128809]

The Prime Minister *[holding answer 3 July 2000]:* I refer the hon. Member to the reply given by the Parliamentary Under-Secretary of State for Defence to my hon. Friend the Member for Islington, North (Mr. Corbyn) on 10 July 2000, *Official Report*, column 376W.

Civil Service Management Code

Mr. Robathan: To ask the Prime Minister if he will list the occasions since May 1997 on which civil servants have been disciplined for failing to comply with the rules in sections 4.2 to 4.4 of the Civil Service Management Code. [129183]

The Prime Minister: The information requested is not held centrally and could be obtained only at disproportionate cost.

Okinawa Summit

Mr. Llew Smith: To ask the Prime Minister, pursuant to his answer of 27 June 2000, *Official Report*, column 455W, on the G8 Summit, what representations he has received on the funding of the Russian plutonium fuel programme; and what response he has made, indicating the dates of *(a)* representations and *(b)* replies. [130022]

The Prime Minister: There has been discussion among officials over funding for the disposition and management of weapons-grade plutonium designated as no longer required for defence purposes.

The issue will be on the agenda at the G8 Okinawa Summit.

Euro (Leaked Documents)

Sir Teddy Taylor: To ask the Prime Minister what steps he takes to prevent the leaking of official documents from Government departments relating to the Government's policy on the euro; and if he will make a statement. [129444]

The Prime Minister *[holding answer 10 July 2000]:* The "Ministerial Code" and the "Civil Service Code" set out the respective responsibilities of Ministers and civil servants in relation to their duties of confidentiality.

Lord Levy

Mr. Robathan: To ask the Prime Minister if Lord Levy has been entertained at public expense at Chequers since May 1997. [130282]

The Prime Minister: I have meetings with a wide range of organisations and individuals. As with previous Administrations it is not my practice to provide details of all such meetings.

Severance Payments (Ministers)

Mr. Baker: To ask the Prime Minister if Ministers who receive severance payments following resignation or dismissal are required to repay such payments on being reappointed to ministerial office. [130397]

The Prime Minister *[holding answer 13 July 2000]:* Under the Ministerial and Other Pensions and Salaries Act 1991, all Ministers (except the Prime Minister and the Lord Chancellor as well as the Speaker) are entitled to receive a severance payment of a quarter of their ministerial salary when they leave office. However, Ministers who are appointed to another paid office within three weeks of leaving office are not eligible for severance pay. For this reason, no severance payment is made within three weeks of a Minister leaving office in these circumstances.

Eurofighter

Mr. Bercow: To ask the Prime Minister if he was consulted over the Eurofighter cannon deselection; and if that aircraft, in its original planning phase, had a secondary ground assault capability. [130785]

The Prime Minister: The decision to delete the 27 mm Mauser cannon from Eurofighter was taken by the Secretary of State for Defence on the advice of RAF and MOD officials. The minimal operational utility of the cannon on Eurofighter in any role is outweighed by its support, fatigue and training cost implications.

The original 1985 European Staff Requirement included both air defence and offensive air support for Eurofighter, but with air defence as its priority. This position remains unchanged.

Lobby Briefings

Mr. Redwood: To ask the Prime Minister how often he has meetings with *(a)* his Press Secretary and *(b)* the senior civil servant who now briefs the Lobby daily. [130719]

The Prime Minister: Regularly.

Govan Shipyard

Mr. Sarwar: To ask the Prime Minister if he will make a statement on the recent petition in support of the Govan shipyard signed by 80,000 people from Scotland and delivered to him. [130955]

The Prime Minister: I received the petition to which my hon. Friend refers on 5 July 2000. My right hon. Friend the Secretary of State for Defence has written to my hon. Friend confirming this.

The Ministry of Defence received the revised offers from the bidding consortiums in its Strategic Sealift competition on 6 July and is currently assessing them.

Dorneywood

Mr. Baker: To ask the Prime Minister what *(a)* discussions and *(b)* consultations took place between the Government and the board of trustees at Dorneywood before the recent refurbishment programme was agreed. [129706]

Ms Beverley Hughes *[holding answer 7 July 2000]:* I have been asked to reply.

None. The trustees act independently of the Government.

HOUSE OF COMMONS

Portcullis House

Mrs. Roe: To ask the Chairman of the Accommodation and Works Committee if he will make a progress report on the completion and occupation of Portcullis House. [130940]

Sir Sydney Chapman: I am pleased to advise my hon. Friend that the work will be substantially complete by the end of this month. Hon. Members and their staff will, therefore, be able to start to occupy the building during September, as planned.

Most of the accommodation will be handed over this month. Already, the four office floors, with their furniture, have been handed back ahead of schedule; the remaining two floors should be complete by the end of the month, with the exception of the installation of specialist equipment in the committee rooms and the main entrance.

My hon. Friend will wish to note that the conference and interview rooms will be available for use by hon. Members with effect from 18 September. The four Select Committee rooms and the two multi-purpose rooms will be available from 26 October. I am pleased to announce that my Committee has agreed that these latter rooms should be named after prominent Parliamentarians, rather than numbered; and that they are to be named "Boothroyd", "Attlee", "Grimond", "Macmillan", "Thatcher" and "Wilson".

During the Summer Adjournment work will be carried out around the periphery of the building. This work will include the installation of the bridge link to the Norman Shaw South Building, restoration of the roads and pavements and the installation of the shop fronts.

Work to repair and restore the subway under Bridge street is being carried out by London Underground and the project team. The intention is that it would be reopened at the beginning of September. This will then provide a direct route between the Palace and all the parliamentary outbuildings north of Bridge street and a covered route to the Underground Station.

Negotiations are proceeding satisfactorily with prospective tenants for the three shop units, which it is intended will be open by the time the House returns. Based on responses from hon. Members to the type of shops they wished to see provided, there will be a small supermarket, a coffee bar and a dry cleaners.

Finally, my hon. Friend will wish to note that the forecast final cost of Portcullis House is now £230 million.

AGRICULTURE, FISHERIES AND FOOD

Fishing Quotas

Mr. Salmond: To ask the Minister of Agriculture, Fisheries and Food what his policy is on quota trading; and if he will make a statement on his analysis of the impact of such trading on the United Kingdom fishing fleet. [130548]

Mr. Morley: The trade in quota has been initiated by fishermen themselves. Transfers of quota between groups with quota management responsibilities must be conducted in accordance with the rules on quota management drawn up by the Fisheries Departments in the UK. These rules are the subject of regular consultation with the fishing industry and those affecting the trade in quota are currently under review by a working group comprising representatives of industry and the Fisheries Departments. A report on possible modifications to the quota management rules, including arrangements for adjusting the fixed quota allocation units attached to fishing vessel licences to take account of transfers between fishermen, is expected shortly.

Regional Service Centre Costs

Mr. Sheerman: To ask the Minister of Agriculture, Fisheries and Food what are the costs of RSC administration of the organic farming and rural economy programmes in the current and next financial years. [131442]

Mr. Nick Brown: The costs of RSC administration of the organic farming and rural economy programmes are estimated to be:

£000

	2000-01	2001-02
Organic farming (RSC administration) CP:040	92	87
Rural economy (RSC administration) CP:050	765	732

Table 10.5 and Annex 5 of MAFF's Departmental Report 2000 included scheme costs against these programmes in error. A corrigendum to the report will be issued shortly.

GM Seed

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if the German authorities contacted the Government directly in regard to the Advanta rapeseed contamination incident. [126819]

Mr. Nick Brown *[holding answer 19 June 2000]:* No.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the reason for the time taken from when the Government first learned about the contamination of Advanta rapeseed with GM varieties to the date at which it first made a public announcement on this matter. [126857]

Mr. Nick Brown *[holding answer 19 June 2000]:* The co-ordination of Government policy in this area falls outside my ministerial responsibilities.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food when the Advisory Committee on Releases into the Environment first met to discuss the contamination of Advanta rapeseed with GM varieties. [126858]

Mr. Nick Brown *[holding answer 19 June 2000]:* I refer the hon. Member to the written answer given by my right hon. Friend the Minister for the Environment on 19 June 2000, *Official Report*, columns 1–2W.

Organic Food

Mr. Peter Bottomley: To ask the Minister of Agriculture, Fisheries and Food what was the total value of organic food sales in the UK for each of the last five years for which figures are available; and what he estimates sales will be in each of the next five years. [127790]

Ms Quin: There are no official estimates. However, estimates covering some of these years will be found in the Soil Association publication "The Organic Food and Farming Report 1999" (ISBN 0 905200 73 X).

Mr. Hancock: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy that *(a)* 30 per cent. of agricultural land will be organic and *(b)* 20 per cent. of food consumed will be organic, by 2010; and if he will make a statement. [130485]

Mr. Morley: No. We do not believe that setting arbitrary targets for the area of land in organic farming or for the consumption of organic food is sensible. But we do wish to see organic farming succeed and we have made available considerable sums of money in support for farmers converting to organic farming through the Organic Farming Scheme. We will make a further £140 million available in support for organic conversion when the European Commission has approved the England Rural Development Programme later this year.

BSE

Mr. Love: To ask the Minister of Agriculture, Fisheries and Food how many cattle were affected by BSE in each of the last two years for which figures are available; what the projected numbers are for the next five years; when he expects that BSE will be eradicated from the United Kingdom herd; and if he will make a statement. [127842]

Ms Quin: BSE was confirmed in 3,178 animals first placed under restriction in 1998, and in 2,254 animals first placed under restriction in 1999. To the end of June 2000, 611 cases of BSE had been confirmed with 223 diagnoses outstanding (of which about 80 per cent. are expected to be confirmed). The latest (3 July) forecasts of the BSE epidemic produced by the VLA model are given in the following table:

Year	*Estimated confirmed BSE cases*	*95 per cent. confidence levels*	
2000	1,115	890	1,340
2001	477	330	624
2002	171	84	258

It is not yet possible to give a precise date when the disease will be eradicated from the UK.

Estate of Farms

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his Estate of Farms. [128305]

Mr. Nick Brown: The Ministry owns a number of farms. Some of them are leased to ADAS Consulting Ltd. and some are leased to Horticulture Research International. Others are used by the Veterinary Laboratories Agency. Research commissioned by the Ministry is undertaken on the farms.

Royal Botanic Gardens, Kew

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on grants paid by his Department to the Royal Botanic Gardens at Kew. [128307]

Mr. Nick Brown: Under the terms of the National Heritage Act 1983 and the Ministry's responsibilities for sponsorship of the Royal Botanic Gardens, Kew, my Department pays a grant in aid towards the body's staff, running costs and for certain capital works.

In recent years, annual grant in aid averaging some £18 million has been paid representing about half of their annual income. The grant allocated for the current financial year is £15.735 million.

Rabbit Haemorrhagic Disease

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will list the recorded incidences of rabbit haemorrhagic disease in the United Kingdom in each of the list five years, indicating if the rabbits concerned were *(a)* domestic and *(b)* wild. [128308]

Mr. Nick Brown: Viral haemorrhagic disease of rabbits (RVHD) was a notifiable disease from 1991 until 21 October 1996 in Great Britain, and until 21 August 1997 in Northern Ireland.

The number of outbreaks notified in 1995 and 1996 in the United Kingdom were:

	1995	*1996*
Wild rabbits	35	23
Domestic/Farmed	479	249
Total	514	272

to October for Great Britain

In Northern Ireland in the period 1 January to 21 August 1997, two outbreaks of RVHD in domestic rabbits were notified.

The disease is now endemic in wild and domestic rabbits in the United Kingdom. Therefore the number of outbreaks are no longer recorded.

Primates

Mr. Wyatt: To ask the Minister of Agriculture, Fisheries and Food how many primates were transported *(a)* into and *(b)* out of Dover during (i) May and (ii) June. [129192]

Ms Quin: According to our records, 188 primates were imported through Dover in May and 164 primates were imported through Dover in June. Records of primate exports from Great Britain are not held centrally and could be obtained only at disproportionate cost.

Over-30-months Scheme

Mr. Levitt: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the *(a)* cost and *(b)* impact on the environment of disposing of over-30-months scheme cattle carcases by (i) rendering, (ii) burning and (iii) other methods. [129650]

Ms Quin: Four companies have contracts to render OTMS carcase material at an average gate fee of £80 per tonne (equivalent to approximately £40 per animal). The Intervention Board has concluded contracts with three companies for the large scale incineration of meat and bone meal derived from the rendering process at an average gate fee equivalent to approximately £10 per animal. Five companies have contracts to incinerate OTMS carcase material from approved abattoirs at an average gate fee of £88 per animal, and 16 companies have contracts to incinerate casualty OTMS animals at an average gate fee of £80 per animal.

All rendering plants and incinerators handling animal waste must be authorised under Part 1 of the Environmental Protection Act 1990.

Mr. Levitt: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the cost to the UK in terms of lost compensation from the EU if the target for the disposal of over-30-months scheme cattle is not met. [129651]

Ms Quin: Compensation from the EU is not dependent upon disposal targets being met. It is dependant upon the remains of all purchased cattle being destroyed by incineration. Where such cattle have initially been disposed of by rendering, 80 per cent. of the available compensation is claimed at that point. Once an equivalent amount of the resultant meat, bonemeal and tallow produced from the rendering process has been incinerated, the balance of the compensation can be claimed.

Although the EC Regulation governing this scheme lays down no time limit by which such destruction has to take place, the UK has an internal target of incinerating 60 per cent. of all meat and bonemeal produced by 31 March 2002.

Pig Farmers

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his plans for an outgoers' scheme for pig farmers. [129401]

Ms Quin *[holding answer 6 July 2000]:* As part of the "Action Plan for Farming", agreed at the Prime Minister's 30 March meeting with industry leaders, the Government decided to introduce a Pig Industry Restructuring Scheme (PIRS). £26 million was made available to the scheme in its first year and bids have been made for funding in subsequent years. Under state aid rules, the European Commission must approve the scheme before it can be introduced. To begin that process, the scheme was formally notified to the Commission on 30 March. The Commission has since carried out its studies of the scheme and raised a number of questions which have been addressed. The outgoers element of the scheme has just ended its consultation period and will be introduced as soon as possible following Commission clearance. This part of the scheme will operate in order to reduce UK pig production capacity by 16 per cent. from 1 June 1998 total, using a sealed bid system.

Appointments (Women)

Mr. Allan: To ask the Minister of Agriculture, Fisheries and Food how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which he has made to non-departmental public bodies since 1 May 1997 were women. [129849]

Mr. Nick Brown *[holding answer 12 July 2000]:* The numbers and percentages of women appointed between 1 May 1997 and 31 December 1999 to paid and unpaid posts in Non-Departmental Public Bodies sponsored by my Department are given in the following table:

Year	*Total women appointed*	*Number women appointed to paid posts*	*Percentage of women in paid posts*	*Number women appointed to unpaid posts*	*Percentage of women in unpaid posts*
1997	15	9	12.16	6	12
1998	21	17	20.99	4	20
1999	31	29	21.37	2	25

1 May to 31 December

The Government are committed to increasing the representation of women in public life. In support of this, the Department has drawn up an action plan for increasing the number of women and ethnic minorities holding public appointments. The latest plans, together with the Government's overall plan, were published on 24 May 2000 in "Quangos: Opening up Public Appointments 2000–2003", copies of which are in the Libraries of the House.

Organophosphate Sheep Dips

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what costs have been incurred, in each of the most recent three years for which figures are available, by his Department in approving and supervising the use of organophosphate sheep dips; and what is his estimate of the cost of training, certification and protective clothing to sheep farmers during the same periods. [130399]

Ms Quin *[holding answer 13 July 2000]:* No new organophosphorus sheep dip has been authorised in the period 1997 to 1999. There has been one variation of a marketing authorisation for an OP sheep dip during this period, at a cost to the marketing authorisation holder of £155. The use of veterinary medicines, including sheep dips, is not supervised by the Ministry.

From the inception of the Certificate of Competence Scheme in 1995 to 7 July 2000, 16,188 certificates have been issued. The cost of the test for the certificate is either £30 or £60 depending on whether an applicant wishes to

be assessed for Part 1 only or Parts 1 and 2. Training for the certificate is not compulsory but is available from agricultural colleges or training establishments or instructors registered with Lantra National Training Organisation. Figures for the cost of training are not held centrally but training costs could be expected to average about £100 per day. The cost of personal protective equipment will vary depending on a number of factors, including supply and demand, and durability and suitability of a sheep farmer's existing equipment. At current prices, the cost of a full set of PPE for someone handling the concentrate would be likely to be in the region of £45.

CHURCH COMMISSIONERS

Ruth Day

Mr. Baker: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what remuneration Ruth Day receives; and what her official duties are. [130405]

Mr. Stuart Bell: I take it that the questioner is referring to Mrs. Rachel (not Ruth) Day, the Steward at Old Palace, Canterbury. She was appointed in 1991, on terms in line with those applicable to comparable posts. The Steward at Old Palace is provided with tied accommodation. Since then her remuneration has been increased in line with increases paid to other episcopal staff generally. The Steward is responsible for the general management of Old Palace.

The Commissioners do not disclose the salaries of individuals employed by themselves or by bishops.

DEFENCE

Police Agency

Mr. Michael Jabez Foster: To ask the Secretary of State for Defence what key targets have been set for the Ministry of Defence Police Agency for the financial year 2000–01. [131150]

Mr. Spellar: The following Key Targets have been set for the Ministry of Defence Police Agency:

Key Target 1(a)

CPS—submission of prosecution files

In England and Wales to submit at least 80.5 per cent. of prosecution files to the CPS within the timescales set out in the Manual of Guidance

Key Target 1(b)

CPS—submission of prosecution files subject to Narey measures

To maintain a submission rate to the CPS at least equal to the Home Department Police Force submission rate for Narey prosecution files.

Key Target 1(c)

CPS—to produce a standardised MDP procedure for the administration of CPS files, thereby allowing quality assurance benchmaking against Home Department Forces in future years.

Key Target 1(d)

Submission of 70 per cent. of all Scottish crime/prosecution files to the Procurator Fiscal within a maximum of eight weeks of the offence being reported.

Key Target 2

To achieve a minimum of 50 per cent. patrol activity from those officers devoted to patrolling

Key Target 3

To maintain or improve upon the target solving rate of 38 per cent. set for 1999–2000 in the light of the average solving rate over the four year period 1 April 1996 to 31 March 2000.

Key Target 4

By the use of data produced by Key Target 7 of 1999–2000, to deploy uniformed and CID resources more effectively so as to achieve an efficiency saving of 3 per cent. on travel and subsistence costs of CID officers when investigating crime.

Key Target 5

By 31 March 2001 to trial and prove the Efficiency Index devised under KT5 of 1999–2000 in respect of the business areas of Firearms, Marine Policing and Dog Handling with a view to its introduction across the Force for April 2001.

Key Target 6

To achieve 2 per cent. ethnic minorities and 15 per cent. of women recruited to the Force during 2000–2001; and to take steps to make possible 3 per cent. and 20 per cent. respectively in 2001–02.

Warships

Mr. Gill: To ask the Secretary of State for Defence (1) if he will provide a schedule of dates when orders for new warships for the Royal Navy will be placed; [126192]

(2) what assessment he has made of the effect upon warship building yards of no new orders having been placed in the past three years; [126190]

(3) what was the most recent date on which a new warship was ordered for the Royal Navy. [126191]

Dr. Moonie: I refer the hon. Member to the statement my right hon. Friend the Secretary of State for Defence made on 11 July 2000, *Official Report*, columns 701–12.

On 19 June 2000, it was announced that the prime contract for the procurement of two new Multi-Role Hydrographic and Oceanographic Survey Vessels had been awarded to Vosper Thornycroft (UK) Ltd. The contract includes the provision of 25 years' contractor support for the vessels and is worth some £130 million in total over the life of the ships. The ships will be built under sub-contract at Appledore Shipbuilders in North Devon and are due to enter service in 2002 and 2003.

As for the schedule for future warship orders, the Strategic Defence Review set out our plans for a forward RN shipbuilding programme which included plans for Type 45 Destroyers, two future Aircraft Carriers and up to 20 Future Surface Combatants, as well as a range of other vessels over the next 15 to 20 years.

We keep the position of UK warshipbuilding yards under careful review; our assessment is that they possess adequate capacity to build vessels in accordance with our forward RN shipbuilding programme and to win such orders through competition with each other. Under Smart Procurement, we continue to consult closely with the shipbuilding industry across a range of individual programmes to ensure effective communication and planning between us.

Mr. Keetch: To ask the Secretary of State for Defence when he plans to *(a)* issue invitations to tender in respect of and *(b)* place the order for, the production of the first Type 45 destroyer, and if he will make a statement. [124915]

Dr. Moonie: I refer the hon. Member to the statement made by my right hon. Friend the Secretary of State for Defence on 11 July 2000, *Official Report*, columns 701–12.

Naval Procurement

Mr. Ben Chapman: To ask the Secretary of State for Defence (1) what plans he has to change the practices under which his Department procures naval vessels; [129013]

(2) what plans he has to spread work between UK yards when *(a)* tendering for and *(b)* building naval vessels. [129015]

Mr. Hoon: There are no plans to change the practices under which we procure naval vessels. It remains our policy that where possible orders are placed following competitive tendering (either direct by the Ministry of Defence or by the Prime Contractor), and that warships and major naval auxiliary ships are built in the United Kingdom. For other vessels, where we are bound by EC treaty obligations and World Trade Organisation rules which will not permit discrimination in favour of United Kingdom industry, every effort is made to ensure that United Kingdom yards have the opportunity to tender for the build of such vessels on an equal basis.

The Department has no policy to spread future shipbuilding work between specific shipyards. Such a policy would not deliver value for money or an efficient, effective industrial base. We seek, nevertheless, to ensure that our forward shipbuilding programme is capable of sustaining a competitive industrial base. For example we have required the T45 Prime Contractor to involve both Vosper Thornycroft and BAE Systems Marine in the design and construction of the initial contract for three T45 destroyers, announced on 11 July, to ensure a more effective competition for subsequent follow-on vessels.

Falklands Airbridge

Mr. Blizzard: To ask the Secretary of State for Defence (1) what plans he has to put the operation of the airbridge between the UK and the Falkland Islands out to commercial tender; [129653]

(2) what plans he has to change the type of aircraft used to maintain the airbridge between the UK and the Falkland Islands; [129655]

(3) if he intends to use the Private Finance Initiative to support the airbridge between the UK and the Falkland Islands. [129654]

Mr. Spellar: The airbridge service to and from the Falkland Islands is provided by TriStars. Previous consideration of whether we should contract out the airbridge, in response to unsolicited proposals, has concluded that, taking into account the operational requirement to retain the Royal Air Force TriStars, the use of military aircraft was the most cost-effective solution. However, as part of [illegible] into how the MOD's strategic passenger lift and air-to-air refuelling capabilities should be provided, we are currently exploring with industry (under the Future Strategic Tanker Aircraft programme) whether capabilities provided by the VC10 and TriStar aircraft might be replaced by a service provided under a Private Finance Initiative/Public Private Partnership venture within the 2007–09 timeframe. The Statement of Requirement for this programme includes provision of the airbridge to the Falkland Islands.

Plutonium

Mr. Llew Smith: To ask the Secretary of State for Defence how much plutonium released from dedicated military-end use under the Strategic Defence Review has been placed under safeguards; what quantities remain to be so placed; and if he will list the current locations of the plutonium re-designated as non-military. [129965]

Mr. Spellar: I refer my hon. Friend to the answer my hon. Friend the Parliamentary Under-Secretary of State for Defence gave him on 14 March 2000, *Official Report*, columns 104–05W. Since then, a further 39 kgs of weapon grade plutonium stored at AWE Aldermaston has been transferred to Sellafield and into safeguards, making the total transferred to date 112 kgs. The remaining MOD stocks designated as no longer required for Defence purposes are currently stored at Aldermaston and will be transferred as soon as is practical.

Former Civil Servants

Mr. Cousins: To ask the Secretary of State for Defence if, pursuant to his reply to the hon. Member for Wirral, South (Mr. Chapman) of 10 July 2000, *Official Report*, columns 377–78W, he will set out the *(a)* duties of and *(b)* responsibilities undertaken in his Department by *(a)* Professor Sir David Davies, *(b)* Sir Charles Masefield and *(c)* Mr. M. J. V. Bell in the 10 years prior to the private sector appointments listed. [130804]

Dr. Moonie: Professor Sir David Davies joined the Ministry of Defence on a fixed-term appointment in October 1993 as the Chief Scientific Adviser. His duties were to provide high level advice on current and future issues having a scientific content and technical implications. He chaired both the Equipment Approvals Committee, which evaluated all major defence equipment procurement, and the Defence Research Committee that had oversight of the Ministry of Defence's Research Policy and Programme. His appointment terminated on 30 March 1999.

Sir Charles Masefield was seconded to the Ministry of Defence from British Aerospace in September 1994 to fill the appointment of Head of Defence Export Services. In this role, he was responsible for supporting British defence companies in their export activities.

Mr. Michael Bell joined the Ministry of Defence in 1965. Between 1988 and 1992, he was Deputy Under-Secretary (Finance), the Ministry of Defence's Principal Finance Officer. He then became Deputy Under-Secretary (Defence Procurement)—later retitled Deputy Chief of Defence Procurement (Support)—where he managed the Procurement Executive's support functions including personnel, finance, contracts and procurement policy. He held this appointment until he was

seconded to British Aerospace in 1996 as their Project Director European Consolidation, a member of the company's team responsible for the development and implementation of strategy for European consolidation.

Malaysia

Mr. Alan Simpson: To ask the Secretary of State for Defence what Government support was provided for British companies to attend the DSA exhibition in Malaysia in April. [128279]

Dr. Moonie: Consistent with the Government's policy to encourage and promote the legitimate sales of defence equipment overseas, the Ministry of Defence's Export Services Organisation carried out its usual role in support of the exhibition and marketing of UK defence industry products at DSA 2000. This included assisting the Defence Manufacturers' Association to co-ordinate the UK industrial presence and providing advice to UK firms on export markets in line with the Government's responsible policy for arms exports.

In addition to the support provided by my own Department, a number of UK Companies exhibiting at the show were in receipt of grants under the Support for Exhibitions and Seminars Abroad scheme run by British Trade International, which is aimed at assisting companies with promotional activities at exhibitions and seminars abroad.

Royal Squadron

Mr. Gordon Prentice: To ask the Secretary of State for Defence how many flights undertaken by *(a)* the Queen, *(b)* the Prince of Wales and *(c)* other members of the Royal family in aircraft of the Royal Squadron in each year since 1997 were unconnected with their royal duties; and if he will make a statement. [129808]

Mr. Spellar: The total number of flights undertaken in aircraft of 32 (Royal) Squadron RAF not connected with royal duties is shown in the following table.

All these flights were reimbursed and full details are in the "Grant-In-Aid for Royal Travel" Annual Reports, copies of which are in the House Library.

	Private flights undertaken by		
	The Queen	*HRH The Prince of Wales*	*Other members of the Royal Family*
1997–98	0	2	1
1998–99	1	3	1
1999–2000	2	1	2

DERA

Mr. Alasdair Morgan: To ask the Secretary of State for Defence, pursuant to his answer of 20 June 2000, *Official Report*, column 134W, if, under his proposals, the land and buildings occupied by DERA West Freugh will transfer to the new DERA company. [130174]

Mr. Hoon: Under our current proposals, we envisage that the capabilities provided by West Freugh will form part of the NewDERA company. We are currently analysing the views and comments received during consultation on our proposals and this analysis will inform the final decision on the way ahead for DERA, which we hope to be in a position to announce shortly. In principle there would be an appropriate split of land and buildings between both NewDERA and RetainedDERA in order to ensure both organisations are able to carry out the role and capabilities required of them. In transferring any assets to the private sector, our aim would be to ensure maximum return from the transaction to reflect the level of taxpayers' investment.

Soldier Deaths (Northern Ireland)

Mr. McNamara: To ask the Secretary of State for Defence if he will list the dates since 1974 on which soldiers of the Ulster Defence Regiment and Royal Irish Regiment have died during training exercises, indicating *(a)* where the death took place, *(b)* barracks in which those soldiers were stationed in Northern Ireland, *(c)* whether the soldiers had, during their military career, been seconded for special duties or on assignment to other regiments and *(d)* in each case who was responsible for the investigation of the cause of death and what their findings were. [130420]

Mr. Spellar: One soldier (of the Royal Irish Regiment) has died during a training exercise since 1974. The death occurred in Wainwright, Canada on 13 June 2000. The soldier was stationed in Drumadd Barracks, Armagh and was on attachment to 1st Battalion Grenadier Guards for the duration of the exercise. The incident is currently the subject of a Board of Inquiry and the findings will not be known for some time. A small number of deaths arising from natural causes while soldiers have been on annual camp exercise with their own units have not been included.

Army (Complaints)

Mr. Peter Bradley: To ask the Secretary of State for Defence what percentage of complaints to the Army Board and Her Majesty the Queen were upheld in the last five years for which figures are available. [130746]

Dr. Moonie: A central database has been in use only since April 1997, and since that time 24 per cent. of cases to the Army Board have been upheld in whole or in part. None has been upheld by Her Majesty The Queen.

Mr. Peter Bradley: To ask the Secretary of State for Defence how many complaints to the Army Board and Her Majesty the Queen are being processed. [130744]

Dr. Moonie: The Army Board is currently processing 18 cases. There are at present no petitions being considered by Her Majesty The Queen but there are 10 petitions in preparation.

Mr. Peter Bradley: To ask the Secretary of State for Defence what percentage of complaints rejected by the Army Board and Her Majesty the Queen were pursued in the civil courts in the last five years for which figures are available; and what percentage of the complaints so pursued were *(a)* successfully defended by his Department, *(b)* settled out of court, *(c)* won by the complainant and *(d)* dropped. [130747]

Dr. Moonie: This information is not held centrally. I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Typhoon

Mr. Quentin Davies: To ask the Secretary of State for Defence what are *(a)* the roles for which the Typhoon is specified, and *(b)* aircraft types which it will be replacing in the RAF. [129318]

Mr. Hoon *[holding answer 13 July 2000]:* Typhoon is the name given by industry to the export version of Eurofighter; it is not the name for RAF aircraft. Eurofighter will, on achieving full capability, have air defence and offensive support roles. It will replace the Tornado F3 and Jaguar aircraft respectively in these roles.

HMS Orkney

Mr. Duncan Smith: To ask the Secretary of State for Defence for what reasons HMS Orkney has been towed to Devonport from Portsmouth; and which organisation or department paid for the towing. [130442]

Mr. Spellar *[holding answer 13 July 2000]:* HMS Orkney has been towed to Devonport to enable a Docking and Hull Survey to be undertaken. This is a prerequisite for the sale of HMS Orkney to the Trinidad and Tobago Defence Force (TTDF) who will have representatives in attendance during the survey exercise.

The Ships Support Agency, part of the Defence Logistics Organisation, has met the cost of towing the vessel and the survey exercise.

Training Exercises

Mr. Duncan Smith: To ask the Secretary of State for Defence which training exercises in the past 12 months within British waters have involved foreign submarines. [130446]

Mr. Spellar *[holding answer 13 July 2000]:* During the past 12 months, foreign submarines have been involved in two Joint Maritime Courses (JMC), Exercise Northern Light 99, as well as weekly exercises in the South Coast Areas, in support of Operational Sea Training.

Vessel Sales

Mr. Duncan Smith: To ask the Secretary of State for Defence which vessels have been sold by his Department since 1 May 1997; and to which countries. [130449]

Dr. Moonie *[holding answer 13 July 2000]:* The Ministry of Defence has made no actual sales of surplus Royal Navy vessels since 1 May 1997. However, the following transfers, not strictly sales, have been arranged in the period:

Vessels	*Country*	*Terms of transfer*
Four Upholder Class Conventional Submarines: HMS Upholder, Unseen, Unicorn, Ursula	Canada	Lease with option to buy by 2007
Two Hunt Class Mine Counter Measure Vessels: HMS Bicester and Berkeley	Greece	Sold through Vosper Thornycroft

Military Aircraft Accidents

Mr. Field: To ask the Secretary of State for Defence, pursuant to his answer of 10 July 2000, *Official Report*, column 381W, on military aircraft accidents, if he will disaggregate the number of gross, culpable and serious negligence findings for the 486 accidents between 1 January 1980 and 31 December 1999. [131075]

Mr. Spellar: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Departmental Budget

Mr. Keetch: To ask the Secretary of State for Defence if he will list for *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000 the funds budgeted for by his Department that were not spent, the budget head any underspends came from, the reason for any underspend and if underspends were carried forward into the next year's budget; and if he will make a statement. [130659]

Mr. Spellar: The overall underspend in 1997–98 was some £225 million and in 1998–99 it was some £74 million. I can confirm that the provisional outturn for 1999–2000 indicates an overall underspend of some £318 million. The underspends for 1997–98 and 1998–99 were carried forward into the subsequent financial year. I am confident that the same procedure will be followed for 1999–2000. The final amount carried forward will be reduced by the amount of underspend on Kosovo and Bosnia, for which my Department was given access to the Reserve.

I will write to the hon. Member concerning the detail of the years in question and a copy will be placed in the Library of the House.

Army Training and Recruiting Agency

Mr. Ennis: To ask the Secretary of State for Defence what key targets have been set for the Army Training and Recruitment Agency for the financial year 2000–01. [125578]

Mr. Spellar *[pursuant to his reply, 14 July 2000, Official Report, c. 643–44W]:* The Key Targets set out for the Army Training and Recruiting Agency were for the previous financial year 1999–2000 and therefore incorrect.

The following Key Targets have been set for the financial year 2000–01:

1. To meet the Army's requirement for 560 trained mainstream officers available to take up their first appointment within a permissible variance of 2 per cent. The 1999–2000 performance was an output of 523.
2. To meet the Army's requirement for 10,623 soldiers available to take up their first appointment within a permissible variance of 5 per cent. The 1999–2000 performance was an output of 9,573.
3. Achieve a 98 per cent. first time pass rate for all officers made available to undergo career or professional development training. The 1999–2000 performance was a pass rate of 99 per cent.
4. Achieve a 96 per cent. first time rate for all soldiers made available to undergo career or professional development training. The 1999–2000 performance was a pass rate of 96.7 per cent.
5. To achieve an overall 3 per cent. improvement in the efficiency of ATRA operations.

NORTHERN IRELAND

Ministerial Code

Mr. Robathan: To ask the Secretary of State for Northern Ireland (1) how many times Ministers in his Department have sought the advice of the Permanent Secretary under the circumstances envisaged in Paragraphs 118, 121 and 123 of the Ministerial Code; and on which occasions such advice was sought; [129172]

(2) on how many occasions since May 1997 Ministers in his Department have made a declaration of interest to their colleagues under circumstances envisaged in Paragraph 110 of the Ministerial Code. [129158]

Mr. Mandelson: Information relating to internal advice and consultation is not disclosed under Exemption II of the Code of Practice on Access to Government Information.

Extradition

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many applications for extradition of persons from *(a)* Northern Ireland and *(b)* Great Britain for (i) terrorist-related offences and (ii) non-terrorist related offences, from the Irish Republic made in each of the years (1) 1997, (2) 1998, (3) 1999 and (4) 2000 to the latest available date are outstanding; and how many persons are being sought by the United Kingdom police forces under these extradition requests. [128824]

Mr. Ingram: Extradition requests made by the Republic of Ireland authorities for persons in England and Wales are dealt with on a police to police basis and figures are not collated centrally.

For Scotland figures were not collated centrally prior to 1998. In the year April 1998–99, four applications were made and in respect of which three individuals were returned to the Republic of Ireland. In the year 1999–2000, two applications have been made, both of which are still pending. All applications were in respect of non-terrorist offences.

For Northern Ireland all the cases are non-terrorist related. The figures are as follows:

	Number of requests made still outstanding	*Number of persons still sought*
1997	0	0
1998	0	0
1999	2	1
2000	2	1

Mr. William Ross: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 28 June 2000, *Official Report*, column 495–96W, if he will list for each of the previous three years and in the current year the number of applications for extradition to *(a)* Great Britain and *(b)* Northern Ireland which were for (i) terrorist offences and (ii) non terrorist offences; and for each category of offences in each of these years how many persons were extradited. [128859]

Mr. Ingram: The table provides details of the extraditions sought from the Republic of Ireland by UK police forces in the years 1997 to date. It should be noted that the figures for England and Wales are not necessarily complete, as figures are not collated centrally, and the 1997 figures for Scotland are not available.

Numbers of persons for which requests were made for extradition

	Sought for terrorist offences	*Number extradited*	*Sought for non terrorist offences*	*Number extradited*
(a) From Republic of Ireland to Great Britain				
1997	1	0	21	10
1998	0	0	28	15
1999	0	0	17	11
2000	0	0	4	1
(b) From Republic of Ireland to Northern Ireland				
1997	3	0	5	3
1998	2	0	4	6
1999	0	0	6	3
2000	0	0	1	1

Telephone Steering Systems

Mr. Ben Chapman: To ask the Secretary of State for Northern Ireland how many agencies of his Department use touch tone telephone steering systems when dealing with telephone inquiries from the general public. [129630]

Mr. Mandelson: None.

Saville Inquiry

Mr. William Ross: To ask the Secretary of State for Northern Ireland (1) what the total cost was up to 30 June of the Saville inquiry into the events in Londonderry on 30 January 1972; [129131]

(2) what sums were spent from 1 May until 30 June, on the Saville inquiry into the events in Londonderry on 30 January 1972, broken down by *(a)* salaries of staff, *(b)* travel and subsistence, *(c)* accommodation, *(d)* hearing/witness costs, *(e)* fees to solicitors representing those killed, and others, *(f)* fees to barristers representing those killed, and others, *(g)* IT/communications and *(h)* miscellaneous, including general office expenditure. [129130]

Mr. Ingram: The figures are not yet available in the form requested. I will write to the hon. Member as soon as they are ready.

Opus Dei

Mr. McNamara: To ask the Secretary of State for Northern Ireland for what reasons he has proposed that members of Opus Dei should declare their membership on wishing to be recruited into the proposed Police Service of Northern Ireland; and whether existing members of the RUC who are members of Opus Dei will be called upon to reveal their membership. [130501]

Mr. Ingram: The organisations listed in the Police (Northern Ireland) Bill are those about which there is public concern about police membership—including Opus Dei.

Serving members of the RUC who are members of Opus Dei will be required to register their membership when the provision in the Bill is brought into force.

Barristers

Mr. McNamara: To ask the Secretary of State for Northern Ireland, pursuant to his answer of 4 February, *Official Report*, column 778W, on barristers, if he will *(a)* make a statement on correspondence with the Lord Chancellor and *(b)* place copies in the Library. [124105]

Mr. Ingram: During the relevant period there were two items of correspondence. The first was a letter of 25 May 1998 in which the Lord Chancellor set out proposals for having the responsibility for the appointments of Queen's Counsel in his office. The second was a response of 30 May from the then Secretary of State in which she agreed to the Lord Chancellor's proposals. However, both letters contained personal opinions on particular policy issues and copies have not been placed in the Library, in accordance with Part II, Section 2 of the Code of Practice on Access to Government Information.

FOREIGN AND COMMONWEALTH AFFAIRS

Sierra Leone

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the UN Secretary-General regarding the recent UN Assessment Team's visit to Sierra Leone. [127653]

Mr. Hain: We understand that the Assessment Team visited Sierra Leone between 2–8 June. We continue to support all efforts by the UN Secretary-General to improve UNAMSIL's efficiency and are currently engaged in seeking agreement on how to proceed with fellow members of the Security Council and UN officials.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs what the UNAMSIL's authorised maximum strength is; how many UN troops *(a)* are and *(b)* were deployed prior to 8 May to Sierra Leone. [127654]

Mr. Hain: UNSCR 1299 of 11 May 2000 increased UNAMSIL's authorised strength to 13,100. The present strength is very slightly below this but we expect it to be reached shortly. Prior to 8 May UNAMSIL's ceiling was 11,360.

Drugs Trade

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the work of his Department to counter the drugs trade. [130025]

Mr. Battle: The Foreign and Commonwealth Office lead in co-ordinating and prioritising the UK's international activities to reduce the availability of illicit drugs in the UK in close co-operation with the UK Anti-Drugs Co-ordinator, Keith Hellawell. The UK plays an active role in international forums dealing with the threat posed by illicit drugs, including in the UN, G8 and EU. Last year the Foreign and Commonwealth Office spent over £6.5 million on international counter-drugs activities.

Travel Advice

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries on which his Department gives travel advice to the general public. [130525]

Mr. Hain: At present we issue notices for 163 countries. A list of these countries showing the date on which the notice came into effect is shown in the table. The full notices can be seen on the FCO website at: www.fco.gov.uk

Country	*Date of issue during 2000*
Afghanistan	4 July
Albania	12 June
Algeria	5 May
Angola	31 May
Anguilla	29 June
Argentina	3 July
Armenia	19 May
Australia	9 June
Austria	19 June
Azerbaijan	25 May
Bahamas	13 June
Bahrain	13 June
Bangledesh	16 June
Belarus	20 April
Belgium	28 June
Belize	10 May
Benin	24 January
Bhutan	23 May
Bolivia	2 May
Bosnia and Herzegovina	28 March
Botswana	3 March
Brazil	31 May
Brunei	13 June
Bulgaria	3 March
Burkina Faso	28 June
Burma	25 May
Burundi	17 May
Cambodia	15 May
Cameroon	7 June
Central African Republic	7 June
Chad	7 June
Chile	28 June
China	20 April
Colombia	27 June
Comoros	5 July
The Republic of the Congo	22 March
The Democratic Republic of the Congo	30 June
Costa Rica	3 April
Cote d'Ivoire	6 July
Croatia	3 April
Cuba	7 July
Czech Republic	8 June
Djibouti	23 June
Dominica Republic	8 June
East Timor	9 March
Ecuador	10 April
Egypt	18 May
El Salvador	28 June
Equatorial Guinea	8 June
Eritrea	23 June
Estonia	23 March
Ethiopia	23 June
Fiji	7 July
France	5 July
Gabon	7 June
The Gambia	6 June
Georgia	25 May
Ghana	2 June
Greece	8 June

Country	Date of issue during 2000
Guatemala	16 May
Guinea	13 June
Guinea Bissau	13 June
Guyana	13 June
Haiti	17 May
Honduras	4 April
Hong Kong and Macau	31 May
Hungary	12 June
Iceland	23 June
India	19 June
Indonesia	12 June
Iran	31 March
Iraq	22 May
Israel and the Palestinian Authority	26 May
Italy	8 June
Jamaica	12 April
Japan	17 April
Jordan	30 March
Kazakhastan	17 March
Kenya	23 June
Kiribati	14 February
Democratic People's Republic of Korea	9 February
Kuwait	25 May
Kyrgyzstan	3 July
Laos	5 July
Latvia	9 June
Lebanon	2 June
Lesotho	19 June
Liberia	26 May
Libya	7 June
Lithuania	4 April
Macedonia	7 July
Madagascar	5 July
Malawi	8 June
Malaysia	24 May
Maldives	25 May
Mali	13 June
Malta	27 June
Mauritius	28 April
Mexico	29 June
Moldova	12 June
Mongolia	8 June
Monteserrat	19 May
Morocco	26 May
Mozambique	27 April
Namibia	18 April
Nepal	15 May
Netherlands	9 June
New Zealand	5 July
Nicaragua	5 June
Niger	25 February
Nigeria	26 June
Oman	12 April
Pakistan	16 June
Panama	30 June
Papua New Guinea	19 June
Peru	26 June
Philippines	22 June
Poland	7 April
Portugal	16 June
Qatar	29 March
Romania	8 June
Russia	17 June
Rwanda	16 June
Samoa	15 March
Saudi Arabia	19 June
Senegal	13 June
Seychelles	29 March
Sierra Leone	28 June
Singapore	12 June
Republic of Slovakia	15 May
Republic of Slovenia	12 June
Solomon Islands	5 June
Somalia	25 May
South Africa	23 June
Spain	28 June
Sri Lanka	16 May
Sudan	16 May
Swaziland	17 April
Syria	19 June
Taiwan	13 June
Tajikistan	3 July
Tanzania	11 April
Tailand	5 July
China (Tibet)	25 May
Togo	9 June
Trinidad and Tobago	30 March
Tunisia	20 April
Turkey	9 June
Turkmenistan	3 July
Turks and Caicos Islands	26 May
Uganda	21 June
Ukraine	16 May
United Arab Emirates	25 May
United States	25 May
Uruguay	28 March
Uzbekistan	3 July
Venezuela	8 June
Vietnam	28 June
Western Sahara	19 June
Yemen	14 April
Federal Republic of Yugoslavia (Serbia (inc Kosovo) and Montenegro)	19 May
Zambia	26 April
Zimbabwe	7 July

IT

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will estimate the cost savings for *(a)* his Department as a whole and *(b)* embassies and high commissions, of the use of IT, including e-mail, in the past year. [130123]

Mr. Battle *[holding answer 13 July 2000]:* In the past year the benefit to the Foreign and Commonwealth Office resulting from prior investment in IT is estimated at *(a)* £20 million for whole Department, of which *(b)* over £11 million was overseas.

These figures include new cost savings last year of £0.5 million in the UK messenger service, resulting in part from the use of e-mail. They do not include savings which will accrue once our new Information and Communications Technology infrastructure is in place.

Overseas Prisoners (British Nationals)

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British nationals were in prison overseas on 1 July; and if he will list the country and the offence committed in each case. [130526]

Mr. Hain: As of 1 July, we were aware of 2,750 British nationals in prison overseas. Around 40 per cent. of these prisoners were convicted of drugs related offences.

To list the countries and offences for which each prisoner was convicted would incur disproportionate costs.

British Council

Mr. O'Hara: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to increase the Government grant to the British Council. [131058]

Mr. Hain: The British Council has a good case for increased funding. In the current Spending Review my right hon. Friend the Foreign Secretary has been pressing for a significant increase in funding for the Council, as for the BBC World Service and the FCO as a whole.

Mr. O'Hara: To ask the Secretary of State for Foreign and Commonwealth Affairs how much the Government grant-in-aid was to the British Council in Greece in *(a)* 1995–96 and *(b)* the latest year for which figures are available, together with the percentage change in the grant-in-aid to the British Council in Greece in real terms over the same period. [131055]

Mr. Hain: The Foreign and Commonwealth Office provides the British Council with grant-in-aid funding for its activities world-wide; the Council decides on its distribution, in consultation with this Department. In 1995–96 the Council allocated £1.9 million of the grant-in-aid to Greece; in 1999–2000 the figure is £1.4 million. This represents a decrease in real terms of 37 per cent. The total British Council budget in Greece in recent years has been boosted by substantial revenue-earning activity, chiefly in administering examinations and teaching English.

Mr. O'Hara: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the contribution made towards his Department's objectives by the British Council in Greece. [131056]

Mr. Hain: The primary focus of the British Council's work in Greece is on co-operation in education and promoting the United Kingdom as a dynamic, modern partner. This is fully in line with the FCO's objectives.

Diplomatic Cars

Mr. O'Hara: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list HM missions overseas that maintain a *(a)* Rolls-Royce, *(b)* Daimler and *(c)* Bentley motor car. [131057]

Mr. Battle: There are currently 11 Rolls-Royce cars and four Daimlers in use in Her Majesty's missions overseas.

They are detailed as listed:

Post	*Make*	*Location*
Dhaka	Daimler	At Post
Gibraltar	Daimler	At Post
Islamabad	Daimler	At Post
Kuala Lumpur	Daimler	At Post
Berlin	Rolls-Royce	At Post
Brussels	Rolls-Royce	At Post
Cairo	Rolls-Royce	At Post
Hong Kong	Rolls-Royce	At Post
New Delhi	Rolls-Royce	At Post
New York	Rolls-Royce	At Post
Peking	Rolls-Royce	At Post
Riyadh	Rolls-Royce	At Post
Singapore	Rolls-Royce	At Post
Tokyo	Rolls-Royce	At Post
Washington	Rolls-Royce	At Post

PRESIDENT OF THE COUNCIL

National Insurance

Mr. Webb: To ask the President of the Council what has been the policy since 1989 on writing annually to those of her Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129481]

Mrs. Beckett: My Department currently has no members of staff paying reduced rates of National Insurance contributions, and has had no such staff since 1989. The policy would be to follow the Inland Revenue guidance note if such circumstances were to arise.

Appointments Commission

Mr. Gordon Prentice: To ask the President of the Council what definition of ethnicity the Appointments Commission will use in taking forward the proposals by the Royal Commission on the Reform of the House of Lords to make the House of Lords more representative of the United Kingdom population. [130630]

Mrs. Beckett: The present Appointments Commission was appointed in accordance with the Government's proposals in "Modernising Parliament: Reforming the House of Lords" (Cm 4183, January 1999) and is unconnected with the Royal Commission's proposals. It will publish the details of how it intends to fulfil its remit in due course.

TRADE AND INDUSTRY

Call Centres

Mr. Etherington: To ask the Secretary of State for Trade and Industry what action he is taking to *(a)* monitor and *(b)* improve working conditions and health and safety standards for call centre industry employees. [130200]

Mr. Meacher: I have been asked to reply

The responsibility for monitoring and ensuring appropriate health and safety standards in the call centre industry rests with local authorities. Local authorities enforce the Health and Safety at Work etc. Act 1974, and other relevant statutory provisions made under it, in call centre premises.

HSE has commissioned the Health and Safety Laboratory (HSL) to conduct further detailed study of call centre working conditions. This will be reporting in spring 2001 and will result in further guidance to local authorities on the enforcement of health and safety law in these premises.

Internet Regulation

Mr. Allan: To ask the Secretary of State for Trade and Industry what representations he has received from industry in the last three months concerning the regulation of the internet. [130939]

Ms Hewitt: The Department of Trade and Industry receives regular representations on various aspects of internet regulation. In the last three months, the main topics have been domain names and the Regulation of Investigatory Powers Bill.

The Department of Trade and Industry and the Department of Culture, Media and Sport invited comments by 23 June from industry and others on the Communications White Paper, which will consider the issue of offensive and illegal content on the internet.

Import Tariffs

Mr. Gill: To ask the Secretary of State for Trade and Industry what the level is of each import tariff imposed on British exports to the United States of America. [130849]

Mr. Caborn: The information requested could be obtained only at disproportionate cost.

However, some data are available on average tariffs applicable to imports of industrial products from all Most Favoured Nation trading partners following the Uruguay Round negotiations which took place during 1986–93. The simple average of all US industrial tariff rates (excluding petroleum products) after the Uruguay Round Agreement was 3.9 per cent.

In the case of agricultural products, tariffs are not the main means of protecting domestic producers from overseas competition, and any available tariff data are likely to give a misleading indication of the openness of the market in question.

Source:

WTO Integrated Database.

Miners' Compensation Claims

Mr. Keetch: To ask the Secretary of State for Trade and Industry for what reasons Mr. Onllwyn Glyndwr Williams, a constituent, is not yet in receipt of his compensation from British Coal; and if he will make a statement. [130295]

Mrs. Liddell: Mr. Williams underwent spirometry testing, the first stage of the assessment process, at home on 1 December last year. In light of the results the Department made Mr. Williams an expedited offer, in full and final settlement of his claim, which he chose to reject and he has since elected to proceed through the medical testing, the second stage of the assessment process. IRISC, the Department's claim handling agents, subsequently forwarded the necessary forms to Mr. Williams' solicitor. The forms have been returned and once Mr. Williams' medical records have been collected an appointment will be made for a respiratory specialist to attend his home to carry out the assessment.

As with most claimants who choose to reject an expedited offer Mr. Williams received a further interim payment of compensation in addition to that which he had originally received in June 1998.

To date the Department has received nearly 110,000 claims from former miners and their families. Of these some 22,516 claimants have received interim or full and final payments in settlement of general damages totalling over £64 million.

Mr. Keetch: To ask the Secretary of State for Trade and Industry how much has been paid from 1970 to date to members of the legal and medical professions in connection with the miners' compensation claims against British Coal; and if he will make a statement. [130294]

Mrs. Liddell: Prior to 1996 British Coal Corporation did not make a provision in their annual reports for personal injury and health claims. In their last report before the Department assumed responsibility for the health liabilities the Corporation made a provision of £34 million, as they considered there was considerable uncertainty with regard to both the Corporation's liability and the potential damages.

Since assuming the liabilities in January 1998 some £12.5 million has been incurred by the Department in relation principally to Counsel, external solicitors, medical experts and medical assessments. In addition some £23.3 million has paid in legal fees and trial costs to solicitors acting on behalf of claimants.

Joint Infrastructure Fund

Mr. Boswell: To ask the Secretary of State for Trade and Industry how much has been made available to higher education through the Joint Infrastructure Fund; what proportion of bids have been successful to date; and what estimate he has made of the overall cost of preparing bids on the part of the institutions involved. [130088]

Ms Hewitt *[holding answer 12 July 2000]:* The Joint Infrastructure Fund (JIF) has made 109 awards worth just under £600 million to 39 universities. The final two rounds of awards, with a total value of £150 million, will be decided in November 2000 and March 2001.

So far, in Rounds 1 to 3 of JIF, the Wellcome Trust and the Research Councils have received around 550 applications totalling approximately £3.2 billion. The success rate is in the region of 20 per cent. by number of bids and amount bid for.

I have not made an estimate of the overall cost of preparing bids on the part of the institutions involved. This information can be obtained only at a disproportionate cost.

Coal Industry

Mr. Redwood: To ask the Secretary of State for Trade and Industry what grants the coal industry has received as a result of the measures announced in his oral statement of 17 April 2000, *Official Report*, columns 697–99. [130307]

Mr. Byers *[holding answer 13 July 2000]:* The statement made it clear that the support was linked to the lifting of the stricter gas consents policy.

Motor Industry

Mr. Redwood: To ask the Secretary of State for Trade and Industry which companies manufacturing cars in the United Kingdom have received regional selective assistance since May 1998. [130308]

Mr. Byers *[holding answer 13 July 2000]:* Since May 1998, the following companies in Great Britain have received payments of Regional Selective Assistance:

Rover Group

Jaguar Cars

Peugeot Motor Co

Vauxhall Motors Ltd.

Ford Motor Co Ltd.

Mr. Redwood: To ask the Secretary of State for Trade and Industry (1) which companies manufacturing cars in the United Kingdom have received *(a)* offers and *(b)* indicative offers of Regional Selective Assistance since May 1997; [130309]

(2) what was the amount of *(a)* offers and *(b)* indicative offers of Regional Selective Assistance made since May 1997 to companies manufacturing cars in the United Kingdom. [130310]

Mr. Byers *[holding answer 13 July 2000]:* Since 1 May 1997, 10 companies in Great Britain have been offered Regional Selective Assistance (RSA) totalling £245.7 million. This includes £129 million offered to the Rover Group. One offer was conditional on the approval of the new Assisted Areas Map by the EC. However, for reasons of commercial confidentiality details of individual offers cannot be given until the first payment of grant has been made. Three companies have received some payment of grant and are shown in the table with the amount of RSA offered:

£ million

	RSA offered
Rover Group	22.5
Jaguar Cars	40
Peugeot Motor Co	2.0

Shipbuilding

Mr. Blizzard: To ask the Secretary of State for Trade and Industry what help he is giving to the shipbuilding industry. [130760]

Mr. Alan Johnson: My Department's strategy is to assist the industry to improve its competitiveness. In July 1998 my Department established the Shipbuilding Forum whose membership comprises representatives of the shipbuilding and ship repair industry, trades unions, equipment suppliers and customers, both private and public sector. Also involved are the National Training Organisation for the marine sector and relevant Government Departments. The Forum's terms of reference are to consider the current situation of the shipbuilding and ship repair industry and how to improve its competitiveness so as to increase its share of the European market, leading to increased output, profitability and employment.

In addition, my right hon. Friend the Secretary of State chaired a meeting on 13 July where a number of Ministers, including my right hon. Friend the Deputy Prime Minister and my right hon. Friend the Secretary of State for Defence, met leading members of the shipbuilding industry and trades unions to discuss the further steps necessary to build a world class shipbuilding industry.

Following that meeting, the Government will take forward discussions on the issues raised on skills, training, productivity and financial support and then present them to the Shipbuilding Forum meeting in the autumn.

Cannabis

Mr. Cohen: To ask the Secretary of State for Trade and Industry, pursuant to his answer to the hon. Member for Leeds, North-East (Mr. Hamilton) on 4 July 2000, *Official Report*, columns 137–38W, concerning tests to assess the medical benefits of cannabis, from what source the cannabis extracts will be obtained. [130689]

Ms Hewitt: The source of cannabis extracts are plants legally grown in Switzerland for scientific purposes by a not-for-profit organisation. From there the plants are taken to Germany for extraction and encapsulation of the cannabinoid. Importation of the extract requires a Home Office licence and this has been applied for by the trial co-ordinator.

Small Firms (Greater London)

Mr. Cox: To ask the Secretary of State for Trade and Industry how many firms operating in the Greater London area have a labour force of fewer than *(a)* 50 people and *(b)* 25 people. [130522]

Ms Hewitt: There were 219,800 firms with fewer than 50 employees registered in the Greater London area at the start of 1998, the latest year for which figures are available. Of these 215,000 had fewer than 25 employees.

In addition, there are an estimated 343,000 businesses without employees in the Greater London area.

Competition Commissioners

Mr. Gibb: To ask the Secretary of State for Trade and Industry what his policy is regarding attendance of Competition Commissioners at party political fund-raising functions. [130698]

Mr. Byers: The Competition Commission is an independent body and its commissioners are not civil servants.

CABINET OFFICE

Crop Contamination

Mr. Breed: To ask the Minister for the Cabinet Office when the Genetic Modification Information Unit was consulted about the contamination of Hyola oilseed rape seeds; and if she will make a statement. [128055]

Marjorie Mowlam: The GM communications unit was told of the GM-contamination of oilseed rape on 18 April, the day after Advanta first told MAFF and DETR officials of the issue, and the day before I myself was informed.

SOCIAL SECURITY

Lone Parents

19. **Mr. Swayne:** To ask the Secretary of State for Social Security what action he is taking to reduce the reliance of lone parents on social security benefits. [129340]

Angela Eagle: This Government have introduced a raft of measures to help lone parents move from benefit dependency into work, and to help make work pay.

These include the New Deal for Lone Parents; the Lone Parent's Benefit Run-On; the National Childcare Strategy; the National Minimum Wage and the Working Families Tax Credit.

32. **Mr. Russell Brown:** To ask the Secretary of State for Social Security what assessment he has made of the impact of the New Deal for Lone Parents. [129353]

Angela Eagle: Since the start of NDLP 154,731 lone parents have taken part, 16,294 have entered education or training and 54,241 have obtained jobs—over 1 in 3 of those participating. Independent evaluation of the prototype areas found a reduction in the number of lone parents on Income Support in NDLP areas compared to comparison areas.

We are supporting the New Deal with a raft of measures to help lone parents move into work including the Lone Parent's Benefit Run-On, the National Childcare Strategy, and Working Families Tax Credit.

From April 2001 (and in three pathfinder areas from this autumn) we will be introducing work-focused interviews for lone parents with school age children to ensure that they are aware of all the help and opportunities that are available for them.

34. **Sir Sydney Chapman:** To ask the Secretary of State for Social Security if he will make a statement on progress in implementing the New Deal for Lone Parents, including the costs involved. [129355]

Angela Eagle: The New Deal for Lone Parents (NDLP) programme was introduced in July 1997 in eight prototype areas and extended nationally to all Income Support claimants from October 1998. The prototype phase cost £7.9 million, including set-up costs, and the national programme has provisionally cost £60.1 million (to March 2000). Independent evaluation of the NDLP prototypes estimated that NDLP was recovering 90 per cent. of its total costs and more than covered its on-going running costs.

From April 2001 we will be introducing a £15 weekly training premium for lone parents moving into work-focused training through NDLP; increasing the earnings disregard in income-related benefits; and providing more help with child care for those moving into part-time work. We will also be introducing work-focused interviews for lone parents on Income Support with a youngest child of school age to ensure that they are aware of all the measures that we have introduced to help them move into work.

Mr. Robertson: To ask the Secretary of State for Social Security if he will make a statement on the progress of the New Deal for Lone Parents. [129336]

Mr. Brady: To ask the Secretary of State for Social Security if he will make a statement on the performance of the New Deal for Lone Parents. [129327]

Angela Eagle: Since the start of the New Deal for Lone Parents, 154,731 lone parents have taken part, 16,294 have entered education or training and 54,241 have obtained jobs—over 1 in 3 of those participating.

Mr. Willetts: To ask the Secretary of State for Social Security how many initial invitation letters for the New Deal for Lone Parents were sent out between October 1998 and April 2000. [130229]

Angela Eagle: The total number of initial invitation letters issued between October 1998 and April 2000 was 489,481. From April 2001, we will be introducing compulsory work-focused interviews for all lone parents on Income Support whose youngest child is of school age.

Mr. Willetts: To ask the Secretary of State for Social Security under the New Deal for Lone Parents, how many lone parents in each month between February and April 2000 *(a)* attended an initial interview and *(b)* found work, broken down into those whose youngest child was (i) over and (ii) under five years and three months. [130228]

Angela Eagle: The information is in the table.

Number of lone parents who attended an initial interview and number who obtained jobs

	Over 5 years 3 months	*Under 5 years 3 months*
Number attending initial interview with a youngest child		
February	4,390	4,360
March	5,190	5,340
April	3,880	3,030
Number of jobs obtained by lone parents with a youngest child		
February	1,650	1,270
March	2,470	1,920
April	1,870	1,710

Child Support Agency

20. **Mr. Bob Russell:** To ask the Secretary of State for Social Security if he will make it a requirement that the alleged father of a child in disputed paternity cases should be required by the CSA to take a second blood test if the mother requests it. [129341]

Angela Eagle: The CSA cannot require non-resident parents to take a blood test and we have no plans to enable them to do so. In the new child support scheme, alleged parents who refuse to take a DNA test will be presumed to be the parents of the child. If the parent with care refuses to accept the outcome of a DNA test she can apply to court for a declaration of parentage that will be binding on the CSA.

Benefit Sanctions

22. **Mr. Kirkwood:** To ask the Secretary of State for Social Security what recent representations he has received about depriving claimants who are in breach of community service orders of their benefits. [129343]

Angela Eagle: The Government have received a number of representations from a number of national organisations, members of the public and Members of

Parliament, relating to the timing of the benefit sanction and the fiscal implications of the measure. We have considered carefully these opinions while designing our main policy of linking entitlement to benefits with the discharge of social responsibilities.

Pensioners

23. **Ms Oona King:** To ask the Secretary of State for Social Security if he will take steps to link pensioners' incomes to average incomes. [129344]

Mr. Rooker: In the last 20 years pensioners' incomes have grown on average by 60 per cent. This exceeds the growth in average earnings.

27. **Dr. Julian Lewis:** To ask the Secretary of State for Social Security what recent representations he has received from pensioner organisations about the Government's policy on the basic state pension. [129348]

Mr. Rooker: Further to my written answer to the hon. Member for Blaby (Mr. Robathan) on 19 June 2000, *Official Report*, column 79W, we have received about 1,000 more letters about the level of the basic pension, some of them from pensioner organisations. However, we have not kept a separate count of the latter.

31. **Mr. Wilkinson:** To ask the Secretary of State for Social Security if he will estimate the value in percentage terms of state old age pensions as against the projected level of average earnings in financial years 2000–01 and 2001–02. [129352]

Mr. Rooker: This information is contained on page 20 of the Government Actuary's Report on the Quinquennial Review for the period ending 5 April 1995, "National Insurance Fund Long Term Financial Estimates", Cm 4406, published July 1999, a copy of which is in the Library.

Mr. Hoyle: To ask the Secretary of State for Social Security what plans he has to eliminate pensioner poverty in Chorley. [129329]

Mr. Rooker: During the course of this Parliament, an extra £6.5 billion over and above inflation will be spent on pensioners. Of this, half is going to help the poorest third of pensioners, primarily through increases to the Minimum Income Guarantee and winter fuel payments.

Mrs. Lait: To ask the Secretary of State for Social Security if the minimum income guarantee and winter heating allowance are available to British pensioners living in other EU countries. [129736]

Angela Eagle: The minimum income guarantee and the winter fuel allowance are funded from general taxation, not from social security contributions. Payment is only made to qualifying persons who are resident in the UK.

Child Poverty

24. **Mr. Blizzard:** To ask the Secretary of State for Social Security what assessment he has made of the impact of policies implemented by the Government on child poverty; and what further steps he proposes to take to reduce child poverty. [129345]

Mr. Bayley: Our £7 billion a year tax and benefit package will lift 1.2 million children out of poverty by 2001. We are committed to eradicating child poverty in 20 years, and aim to do this through a combination of measures which will reduce worklessness, and reform the tax and benefit system. But poverty is more than just low income. So we are also implementing a wide-ranging programme of action including raising standards in schools, improving children's health, and regenerating local areas. We will report on progress on all fronts in our second annual report on poverty and social exclusion, due to be published later this year.

"Winning the Generation Game"

25. **Helen Jackson:** To ask the Secretary of State for Social Security what responses he has received following the publication of the performance and innovation unit's report, "Winning the Generation Game". [129346]

Mr. Rooker: The report has been broadly welcomed and commentators have been supportive of what we are doing to improve opportunities for older people.

Expenditure

26. **Mr. Clappison:** To ask the Secretary of State for Social Security what the cost of social security spending on welfare was on *(a)* 1 May 1997 and *(b)* 1 May 2000. [129347]

Mr. Rooker: Real terms spending on social security benefits and their administration and on Working Families Tax credit in 1999–00 is estimated to be £103.7 billion. The equivalent figure for 1996–97, the last year of the previous Government, is £104.1 billion.

Benefit Payments (Post Office)

28. **Mr. Evans:** To ask the Secretary of State for Social Security what the value of benefits paid through the Post Office was in 1999. [129349]

Mr. Rooker: The value of social security benefits paid through the post office by order book and girocheque during 1999 was £56 billion.

Housing Benefit

29. **Mr. Love:** To ask the Secretary of State for Social Security what steps he is taking to improve the administration of housing benefit. [129350]

Angela Eagle: We intend to reform Housing Benefit to improve customer service through a modernised, streamlined system, to tackle fraud and error, and to reduce the barriers to work.

The Benefit Fraud Inspectorate is conducting an on-going programme of inspections of local authorities, encouraging them to develop action plans to improve administration and tackle fraud and error. Best practice guidance, developed through this programme, has been made available to all local authorities. The current round of inspections focuses on the 30 local authorities with the highest Housing Benefit expenditure. We have made it abundantly clear to all council Chief Executives that where the inspectorate finds evidence of persistent

failings, we will use our powers to direct the authority on the standards it is to meet and the timescales for achieving them.

We have set Best Value performance indicators from this April designed to ensure that authorities provide their communities with a faster, more accurate Housing Benefit service which is more secure against fraud, and which provides value for money and takes account of the views and needs of clients. Authorities are required to set challenging targets against these indicators and demonstrate that they are achieving year on year improvements in the standard of service they provide. And we are making better use of IT to speed up administration and reduce the scope for fraud and error. By this autumn, nearly all of the 20 million forms currently sent by the Benefits Agency to local authorities through the post will be sent electronically, significantly reducing the time taken just to transfer information.

We have already made significant progress; our Housing Green Paper, currently out for consultation, sets out how we can take this further.

Mr. Corbyn: To ask the Secretary of State for Social Security what recent representations he has received on the performance of IT NET in the delivery of Islington's Housing Benefit contract. [129334]

Angela Eagle: I am aware of reports on the administration of Housing Benefit in Islington and of my hon. Friend's concerns about this issue. The Benefit Fraud Inspectorate is currently carrying out an inspection of Islington's benefit service and has received representations on the real problems that the borough and many people claiming benefit are facing. We will decide what further action may be necessary in the light of the inspectorate's findings.

Ms Buck: To ask the Secretary of State for Social Security what percentage of private tenants claiming Housing Benefit have had their benefit payments restricted to below the level of the rent payable due to *(a)* local reference rent restrictions, *(b)* single room rent restrictions, *(c)* exceptionally high rent determinations and *(d)* significantly high rent restrictions in the last year for which figures are available. [130243]

Angela Eagle: The information is not available in the format requested. Such information as is available is in the table.

Housing Benefit recipients in deregulated tenancies by Housing Benefit scheme, Great Britain, May 1998

	Total private deregulated tenants	*Assessed under LRR scheme*	*Assessed under SRR scheme*
Total	803,000	542,000	32,000
Total restricted under scheme	—	191,000	10,000
As a percentage of all private deregulated tenants	—	24	1
As a percentage of private deregulated tenants assessed under each scheme	—	35	31

January 1996 and October 1997

Notes:

1. Information refers to the number of benefit units.
2. The figures are rounded to the nearest thousand and the percentages are to the nearest whole number.
3. Information is in respect of tenants on Housing Benefit living in the deregulated private rented sector.
4. We do not centrally collect data on contractual rents neither do we record whether the rent is exceptionally high or significantly high because the local authority is required to use the lowest of the determinations made by the rent officer to calculate the rent for Housing Benefit purposes. They therefore record the figure rather than the determination to which it relates.

Source:

Housing Benefit Management Information System, annual 1 per cent. sample, taken on the second Thursday of May 1998.

Winter Fuel Payments

30. **Mr. Watts:** To ask the Secretary of State for Social Security if he will make a statement on the impact of winter fuel payments on pensioners. [129351]

Angela Eagle: Winter fuel payments were introduced in the winter of 1997–98, to alleviate worries older people might have about finding the money to meet the higher fuel bills which winter brings.

In each of the three winters of the scheme so far, around 10 million people have benefited from the payments, which will increase from £100 to £150 for each eligible household from this winter. As a result of extending the scheme to men and women aged 60, the number of people eligible will increase by up to 1.5 million this winter, with as many as 1.9 million people eligible for backdated payments.

With nearly £4 billion committed to provide winter fuel payments over the lifetime of this Parliament, we have ensured that today's elderly do not have to worry about turning up their heating when it is cold.

Working Families Tax Credit

33. **Mr. Grogan:** To ask the Secretary of State for Social Security what impact the working families tax credit has had on reducing child poverty. [129354]

Mr. Bayley: I refer my hon. Friend to the answer which my hon. Friend the Financial Secretary to the Treasury gave my hon. Friend the Member for Amber Valley (Judy Mallaber) on 22 June 2000, *Official Report*, column 448.

Discrimination at Work

35. **Dr. George Turner:** To ask the Secretary of State for Social Security what discussions he has had with employers' representatives about ending discrimination against older people in the workplace. [129356]

Mr. Rooker: We have discussed tackling age discrimination in the workplace with individual employers and a wide range of expert representative organisations. We hope to meet employers' representatives later in the year.

Early Retirement

36. **Mr. Bill O'Brien:** To ask the Secretary of State for Social Security what measures he is taking to increase the financial security of people who have had to retire early; and if he will make a statement. [129357]

Mr. Rooker: Income related benefits such as the minimum income guarantee are available to people, from age 60, who have had to retire early and have insufficient resources to provide for their own financial security.

Minimum Income Guarantee

37. **Mr. Flynn:** To ask the Secretary of State for Social Security how many people have responded to the minimum income guarantee take-up campaign; and how many new payments have been made. [129358]

Mr. Bayley: Since the end of May, there have been 123,000 responses to the minimum income guarantee take-up campaign.

Preliminary details on the number of successful claims will be available later in the summer.

Mr. Alan Williams: To ask the Secretary of State for Social Security what estimate he has made of the number of pensioners qualifying for the minimum income guarantee; and what the most recent uptake figures are for *(a)* Swansea West, *(b)* the City of Swansea and *(c)* Wales. [130563]

Mr. Bayley: The information requested is not available in the format requested. Such information as is available is in the table.

Minimum Income Guarantee pensioners by Parliamentary constituency, Government office region, and unitary authority—Swansea, February 2000

Thousand

Area	*Number of claimants*
Swansea West PC	3.3
Swansea UA	8.8
Wales GOR	93.3

Notes:

1. Figures are based on a 5 per cent. sample and therefore subject to sampling error.

2. Figures have been rounded to the nearest hundred and quoted in thousands.

3. Pensioners are defined as benefit units where the claimant and/or their partner is aged 60 or over.

Source:

Income Support Statistics Quarterly Enquiry, February 2000.

Mr. Webb: To ask the Secretary of State for Social Security, pursuant to his answer of 7 July 2000, *Official Report*, column 343W, on the minimum income guarantee, if he will estimate the total cost of the minimum income guarantee take-up campaign; and if he will make a statement. [130702]

Mr. Bayley: We estimate that around £15 million will be spent over the course of the campaign.

Ann Clwyd: To ask the Secretary of State for Social Security what progress has been made on encouraging pensioners to take up the minimum income guarantee since the launch of his Department's publicity campaign. [129323]

Mr. Bayley: Since the end of May, there have been 123,000 responses to the minimum income guarantee take-up campaign.

Mr. Webb: To ask the Secretary of State for Social Security pursuant to his answer of 7 July 2000, *Official Report*, column 343, on the minimum income guarantee, if he will estimate how many of the 35,000 claim packs issued have so far produced successful claims. [130703]

Mr. Bayley: Pensioners receiving the minimum income guarantee claim packs have one month in which to complete and return them. Information on the results of the first wave of claims will be available later in the summer.

133,000 responses have been received so far and 87,000 claim packs have been issued.

Benefits (Backdating)

Mr. Barnes: To ask the Secretary of State for Social Security what representations he has received recently concerning the backdating of benefits; and if he will make a statement. [129335]

Mr. Bayley: The most recent representation concerning the backdating of benefits I have received, has been a letter from my hon. Friend in relation to linked benefit claims.

Carers (Pensions)

Mr. Quinn: To ask the Secretary of State for Social Security if he will make a statement on the impact of pensions reform on long-term carers. [129342]

Mr. Rooker: Our proposed State Second Pension will help some 2 million carers a year build up entitlement to a second tier pension for the first time.

Each qualifying year of caring will mean about £1 a week extra pension in today's terms. So the greatest gains will go to long-term carers.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Social Security if he will list for his Department and its agencies the approved list of manufacturers of *(a)* cars and *(b)* commercial vehicles; and if he will make a statement on his Department's leasing and purchasing policy. [128980]

Mr. Bayley: The information is as follows:

The respective car and commercial vehicle manufacturers whose products comprise the Department's motor fleet

Car manufacturer

Carbodies
Citroen
Daewoo
Fiat
Ford
Hyundai
Lancia
Nissan
Peugeot
Renault
Rover
Seat
Toyota
Vauxhall
Volkswagen
Volvo

Commercial vehicle manufacturer

Toyota
Vauxhall
Mitsubishi
Renault
Bedford
Citroen
Fiat
Ford
Leyland
Volkswagen
Mercedes.

From April 2000, following an extensive tendering process with all the major manufacturers which began in August 1999, a new three year purchase contract for the Department and Inland Revenue, but available to other government Departments, has been negotiated and awarded to six manufacturers (Ford, Vauxhall, Peugeot, Fiat, Nissan and Citroen). It is expected that all future purchases, both for cars and light commercial vehicles, will be made from this framework contract and will be based on available discount at the time of purchase.

At the present time, the Department does not have any long-term lease arrangements for these vehicles.

Benefit Fraud Inspectorate

Mr. Davidson: To ask the Secretary of State for Social Security how many reports of the Benefit Fraud Inspectorate have been published in respect of *(a)* local councils and *(b)* other organisations, in Scotland. [130297]

Mr. Rooker: The Benefit Fraud Inspectorate (BFI) reports on the administration of Social Security benefits by local authorities and seeks to drive up standards of administration.

To date, we have published eight reports following BFI inspections of Housing and Council Tax Benefit administration in local authorities in Scotland.

BFI has not published reports on any other organisations in Scotland.

Informal Economy

Mrs. McKenna: To ask the Secretary of State for Social Security what steps he has taken to implement the recommendations made in the report by Lord Grabiner QC on The Informal Economy. [131151]

Mr. Darling: Lord Grabiner's report made a number of useful recommendations that the Government are committed to implement. A confidential telephone helpline has been launched to provide advice on tax and benefits to people who want to put their affairs in order. We are extending the tightened procedures for allocating National Insurance numbers to the rest of the country. We are also taking steps to deny benefit to people who have been convicted twice of benefit fraud—"two strikes and you're out".

An important recommendation was that the Government should make greater use of information from private sector sources. Today I am publishing a consultation document on how we can better check claims in the fight against fraud. The public and all interested parties will have three months to respond. Copies of the consultation document have been placed in the Library and the Vote Office.

Exceptional Hardship Fund

Ms Buck: To ask the Secretary of State for Social Security (1) how many applications were made for housing benefit exceptional hardship payments in each local authority area in England and Wales *(a)* in total and *(b)* from households with children; and, in each case, what proportion were accepted, in each of the last three years; [129693]

(2) what proportion of the exceptional hardship fund was unspent in each local authority in England and Wales in each of the last three years. [129694]

Angela Eagle: The information is not available in the format requested. Such information as is available has been placed in the Library.

Ms Buck: To ask the Secretary of State for Social Security how many applications for exceptional hardship payments were made by households on income support or incapacity benefit; and, of these, how many were accepted, in each of the last three years. [129695]

Angela Eagle: The information is not available in the format requested. Such information as is available is in the table.

The number of awards of Housing Benefit exceptional hardship payments made for each of the last three years for which data are available

Year	*Number*
1996–97	10,096
1997–98	19,705
1998–99	25,177

Remote Terminal Access

Mr. Field: To ask the Secretary of State for Social Security if he will place in the Library a copy of his Department's study of remote access terminal usage. [130713]

Angela Eagle: There has been no specific study of local authority usage of Remote Access Terminals (RATs). However during the period April 1999 to March 2000 over three million enquiries were made via RATs. The first wave of the Department's Local Authority Omnibus Survey, published in April 2000, established that 80 per cent. of local authorities believed that RATs had made a positive contribution to the administration of Housing Benefit and Council Tax Benefit.

Departmental Payments

Mr. Chope: To ask the Secretary of State for Social Security what percentage of correctly presented bills were paid by his Department in *(a)* 1998–99 and *(b)* 1999–2000 within 30 days of receipt of (i) goods and services, (ii) a valid invoice and (iii) other agreed payment terms. [130038]

Mr. Rooker *[holding answer 11 July 2000]:* I refer the hon. Member to the written answer from the Minister of State, Department of Trade and Industry, on 13 July 2000, *Official Report*, column 621W.

Money Purchase Pension Fund

Mr. Cousins: To ask the Secretary of State for Social Security if he will estimate the size of a money purchase pension fund required to purchase *(a)* a level and *(b)* an indexed annuity equivalent to the difference between the basic state pension and the minimum income guarantee for (i) a woman aged 60 years, (ii) a man aged 65 years and (iii) a married couple with a basic pension eligibility earned through a single partner. [130799]

Mr. Rooker: The information is in the table.

The capital sum required to purchase an annuity to provide an annual income equalling the difference between the basic state pension and the minimum income guarantee in 2000–01 based on the annuity rates available in July 2000

£

	Level annuity	*Indexed annuity*
Woman aged 60	7,600	11,100
Man aged 65	6,100	8,000
Married couple, both aged 65	9,000	12,500

Note:
Figures rounded to the nearest £100.

Anyone considering taking out an Occupational Pension would want to consider the State Second Pension and SERPS.

Inland Revenue (Staff Transfers)

Mr. Cousins: To ask the Secretary of State for Social Security how many staff have been transferred to the Inland Revenue as a result of the transfer of policy and other responsibility for *(a)* pension credits, *(b)* the state second pension, *(c)* stakeholder pensions, *(d)* pensions forecasting, *(e)* incapacity benefit changes and *(f)* bereavement benefit changes; and how many such staff remain working for his Department. [130822]

Mr. Rooker: Responsibility for the specific areas mentioned has not transferred to the Inland Revenue, nor, therefore, have any staff.

PFI Projects

Mr. Matthew Taylor: To ask the Secretary of State for Social Security what clawback mechanisms exist under private finance initiative contracts within his Department in respect of contingencies other than refinancing; and if he will place copies of each private finance initiative contract in the Library. [130262]

Mr. Rooker *[holding answer 13 July 2000]:* The PRIME (Private Sector Resource Initiative for Management of the Estate) contract has numerous clawback mechanisms where gains, profits and savings are shared between the Department and Trillium, the PRIME contractor.

The Department receives: one quarter of savings from the deferral or avoidance of maintenance over a three year period but does not share in higher than planned costs; half of the utility cost savings achieved against an annual target set by a joint Departmental/Trillium liaison committee; half the savings from contribution in lieu of rates (business rates from 1 April 2000) negotiated by Trillium and 90 per cent. in following years until a further saving is made, when the base CILOR year is reset; 20 per cent. of savings derived from changes in contractor's service methods; 50 per cent. of savings in landlord's service charges on rented properties; 50 per cent. of development proceeds from disposed properties, after deduction of a fixed developer's profit, costs and the value that Trillium had agreed for the property with the Department. The Department may seek to recover a share of any windfall gain arising during the first five years of the contract, after either a sale of the rights of more than half of the net cashflow of the project or the flotation of more than 25 per cent. of Trillium. The Department may also seek to recover a share of any windfall profits arising during the first five years of the contract, where the net cashflow to Trillium's owners exceeds a predetermined level compared with the original expectation.

Treasury Taskforce Policy Statement No. 5 (Provision of Information to Parliament) sets out best practice in relation to Departments' obligations to disclose information to Parliament. This approach has been agreed with the National Audit Office. The Department has not found it necessary to deposit additional information in the Library.

Mr. Matthew Taylor: To ask the Secretary of State for Social Security what the net present cost is of each project undertaken in his Department under the private finance initiative; what the value is of their public sector comparators in *(a)* pre-risk and *(b)* risk-adjusted terms; what risks have been identified as having been transferred; and if he will place information on other relevant costs for each private finance initiative project in the Library. [130248]

Mr. Rooker *[holding answer 13 July 2000]:* The cost of the PRIME (Private Sector Resource Initiative for Management of the Estate) deal over the 20 year life of the contract is £2.008 billion (using the Government's real discount rate of 6 per cent.). This is £560 million less than the cost of continuing public sector provision. The bidding process established that the gap between the cost of the public sector comparator and the bids from all three consortia were such that the pricing of risk transfer was

not a factor in demonstrating value for money to the taxpayer in this instance. Other relevant costs on PRIME may be found in the National Audit Office report "The PRIME Project: The Transfer of the Social Security estate to the private sector HC370 Session 1998–99" which was presented to the House of Commons and subsequently published on 23 April 1999. The NAO report also identified some 16 areas of risk as having been transferred to Trillium, the PRIME contractor.

Benefit Discontinuance

Mr. Willetts: To ask the Secretary of State for Social Security how many claims for *(a)* Disability Living Allowance and *(b)* Attendance Allowance have been (i) refused and (ii) stopped because the claimant lives in a local authority owned or managed residential home in each year since 1997. [130409]

Mr. Bayley: Withdrawal of benefit in these situations is based on the principle, established since the beginning of the Social Security system in 1948, that funding to meet a specific need should not be provided from more than one public source at the same time. These rules have applied to Attendance Allowance and Disability Living Allowance since the benefits were introduced.

Figures for homes owned or managed by local authorities are not available separately from homes funded generally by local authorities or the National Health Service. Such figures as are available for Disability Living Allowance are in the table. No equivalent figures are centrally available for Attendance Allowance, since this may be stopped by local offices where payment of Attendance Allowance is combined with other benefits, in particular Retirement Pension.

Numbers of cases where Disability Living Allowance was refused or stopped because the claimant was in a residential care or nursing home

Year	*Benefit refused*[1]	*Benefit stopped*[2]
1997	14,700	36,400
1998	15,400	40,700
1999	15,600	43,500

[1] Figures relate to DLA care component not payable because the claimant was in a residential care or nursing home, funded by either a local authority or the National Health Service, at the time they established entitlement to the benefit.

[2] Figures relate to cases where payment of DLA care component stopped because the claimant has spent more than 28 days in a residential care or nursing home funded by either a local authority or the National Health Service.

Note:

Figures relate to 30 November each year.

Source:

DSS Information Centre: 5 per cent. data. Figures rounded to nearest hundred.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Refrigerants

Mr. Brady: To ask the Secretary of State for the Environment, Transport and the Regions what alternatives to CFCs and HCFCs as refrigerant products his Department has identified which are non-flammable, non-toxic and energy efficient. [126977]

Mr. Meacher: We recognise that for a number of applications, including some in refrigeration and air-conditioning, there is no immediate alternative to the continued use of HFCs. That is why we are not proposing a ban but rather are sending a clear signal to industry and end users that they need to look closely at all the alternatives and to select those that are more environmentally acceptable where they do exist, taking safety, feasibility and cost effectiveness into account.

GM Crops

Jackie Ballard: To ask the Secretary of State for the Environment, Transport and the Regions what his policy is in respect of GM maize trials in the future; and what views have been expressed to his Department at local residents' meetings on GM maize trials. [127793]

Mr. Meacher: The Farm Scale Evaluations are a three-year programme. The Scientific Steering Committee (SSC), which is overseeing the trials, has advised that there should be around 60 to 75 GM maize sites during this period. The SSC is due to meet in the autumn to consider its requirements for next year. It is too early to predict what it might advise.

The Scientific Steering Committee has stated that where farmers' normal rotation is to have consecutive years of maize on the same site, it is possible that trial sites used this year could be used again. However, site selection is a matter for SCIMAC and the independent researchers, using criteria set by the Scientific Steering Committee.

At each public meeting held during the spring, a range of views was expressed by local people, from strong opposition to definite support for the trials. One group of activists opposed to the trials attended several of the meetings.

DVLA (Data Protection)

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions how many names and addresses of vehicle owners and keepers have been disclosed to third parties by virtue of that party showing reasonable cause for the disclosure in the last three years; if he can break down disclosure statistics by categories of reasonable cause if the DVLA alerts such third parties to the offence under section 55 of the Data Protection Act 1998; what data matching exercises he has undertaken to identify those who might be using the third party facility as a means of tracing individuals who do not want to be traced; and if he will make a statement. [129189]

Mr. Hill: The number of 'reasonable cause' inquiries of the vehicle register maintained by the Driver and Vehicle Licensing Agency (DVLA) during the last three years is as follows:

1997–98: 629,808

1998–99: 830,970

1999–2000: 883,522.

The main source of inquires is insurance companies in respect of claims, and finance houses for vehicle-related loan agreements. The remainder are from solicitors and

car parking enforcement companies etc. Information is disclosed under strictly defined terms and conditions and recipients are subject to periodic audit.

Information is released to about 2,500 private individuals each year. They must give a full written explanation for their inquiry together with supporting evidence, such as a police incident or insurance policy number. Around 1,500 such inquiries are refused each year.

The Agency works closely with the Data Protection Commissioner to facilitate prosecution for the handful of offences that come to light each year.

PFI Contracts

Mr. Alan Williams: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the PFI contracts entered into by his Department, indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if his Department has a claw-back entitlement to share in savings arising from refinancing. [129048]

Ms Beverley Hughes: The tables set out the details requested.

Department of the Environment Transport and Regions private finance initiative (PFI) contracts

PFI contract	*Date of contract signature*	*Capital value (£ million)*	*Subject to refinancing?*	*Does DETR have a claw-back entitlement to share in savings arising from refinancing?*
Channel Tunnel Rail Link	February 1996	4,178	No	[2]Yes
Birmingham North Relief Road[1] (Highways Agency)	February 1992	[3]450	No	No
A69 Carlisle to Newcastle (Highways Agency)	January 1996	9	No	No
A1(M) Alconbury to Peterborough (Highways Agency)	February 1996	128	No	No
A419/A417 Swindon to Gloucester (Highways Agency)	February 1996	49	No	No
M1-A1 Lofthouse to Bramham Link Road (Highways Agency)	March 1996	214	No	No
A50 Stoke to Derby (Highways Agency)	May 1996	21	No	No
A30/A35 Exeter to Bere Regis (Highways Agency)	July 1996	75	No	No
A19/A168 Dishforth to Tyne Tunnel (Highways Agency)	August 1996	29	No	No
M40 Denham to Warwick (Highways Agency)	October 1996	65	No	No
A13 Thames Gateway (Highways Agency)	April 2000	146	No	No
Catering (Queen Elizabeth II Conference Centre)[1]	February 1997	3	n/a	n/a
MOT Computerisation (Vehicle Inspectorate)	February 2000	38	No	No
Spirit IT (Countryside Agency)[1]	November 1997	4.5	n/a	n/a

[1] Contracting authority in brackets
[2] Although there is no clause for sharing in the benefits of refinancing of the Channel Tunnel Rail Link, the Department would directly benefit as it would reduce the requirement for an operating subsidy in future years
[3] Finance for the Birmingham Northern Relief Road has yet to be finalised
[4] Approximate figure
[5] The contractor did not require finance for this contract so refinancing would not arise

Private finance initiative contracts which required the approval of Department of the Environment Transport and Regions Ministers

PFI contract	*Date of contract signature*	*Capital value (£ million)*	*Subject to refinancing?*	*Does the contracting authority have a claw-back entitlement to share in savings arising from refinancing?*
Northern Line Trains (London Underground)	April 1995	409	No	No
Power (London Underground)	August 1998	108	No	No
Prestige (London Underground)	August 1998	137	No	No
British Transport Police (London Underground)	March 1999	13	No	No
Connect (London Underground)	November 1999	355	No	No
Croydon Tramlink (London Transport)	November 1996	205	No	Yes
Oceanic Flight Data Processing System (National Air Traffic Services Ltd.)	June 1997	18	No	No

[1] Contracting authority in brackets

BSE

Mr. Levitt: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the health risks associated with spreading the condensate from the process of rendering cattle carcases on to land. [129649]

Mr. Mullin: The Environment Agency commissioned an assessment of the risk from BSE infectivity from the spreading on to agricultural land of condensate from the rendering of cattle slaughtered under the Over-30-Months Scheme (OTMS). A copy is being placed in the Library of the House. The assessment concluded that:

The concentration of infectivity in condensate from rendering plants processing OTMS material is low, even when that condensate is untreated;

Spreading of condensate on farmland is unlikely to represent a risk to people owing to contamination of drinking water with BSE infectivity, or to people being exposed to aerosols of the condensate as a result of the spreading activity; and

Cattle grazing on treated land would be extremely unlikely to be exposed to a dose large enough to result in infection with BSE.

The Spongiform Encephalopathy Advisory Committee (SEAC) reviewed this assessment and concluded that the risk to human health from the practice was negligible. However, SEAC advised that the practice of spreading rendering condensate on land should be discontinued because of the presence of detectable levels of ruminant protein in samples, which could pose a risk to animal health. My right hon. Friend the Minister for Agriculture, Fisheries and Food is considering how to take forward the SEAC advice and hopes to consult on proposals shortly.

Petrol Prices

Miss McIntosh: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact on the rural economy of recent increases in petrol prices; and if he will make a statement. [129643]

Mr. Hill: The Government recognise that transport provision is particularly important to people in rural areas because jobs and services are more widely dispersed than in urban areas. Within the 10 Year Plan for transport, we are developing a package of measures to improve public transport in rural areas and we shall be developing our ideas further in the forthcoming Rural White Paper.

We recognise that the car will remain central to rural life, and any substantial increase in motoring costs may have adverse impact on the rural economy. We are therefore carefully monitoring the recent increases in petrol prices. These recent increases have been primarily due to a sharp increase in international gasoline prices caused by the combination of higher crude oil prices and gasoline supply problems, especially in the United States, not the Government's tax policies.

Trans-European Network

Mr. Alasdair Morgan: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to develop the Trans-European Network roads in the UK up to 2010. [129467]

Mr. Hill: The development of Trans-European Network roads in the UK is considered as part of the motorway and trunk roads programme as a whole. Within that programme all new schemes are assessed by the same rigorous appraisal criteria and brought forward as and when resources permit. Further details of our current plans can be found in the following publications:

A New Deal for Trunk Roads in England—July 1998

A Strategic Review of the Welsh Trunk Road Programme—July 1998]

Travel Choices for Scotland: Strategic Roads Review—November 1999.

A formal review of road schemes has not been carried out in Northern Ireland. All new proposals there are considered on their own merits.

Mr. Alasdair Morgan: To ask the Secretary of State for the Environment, Transport and the Regions what amounts of *(a)* European Union and *(b)* United Kingdom funds were spent on each section of Trans-European Network roads in the United Kingdom in each year since 1994. [129799]

Mr. Hill: The European Union has so far allocated 9.125 million euro from the TEN budget for expenditure on UK motorways and trunk roads.

Article 18 of the TEN Guidelines, adopted in July 1996, requires Member States to provide the European Commission with a biennial implementation report on national investment in the TEN. The first report—COM(1998)614—was published in October 1998. It covers investment in the years 1996 and 1997 and is available in the House Libraries. The next report, covering 1998 and 1999, is due to be published later this year.

Information on investment prior to 1996 is not required by the Commission and is not available.

Mr. Alasdair Morgan: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the Trans- European Network roads in the United Kingdom. [129794]

Mr. Hill: The information requested is in the *Official Journal of the European Communities*, Volume 39, a copy of which is available in the House Library. The United Kingdom Trans-European Network roads are detailed on Map 2.14 in Section 2 of Annexe 1 of that document.

National Insurance

Mr. Webb: To ask the Secretary of State for the Environment, Transport and the Regions what has been the policy since 1989 on writing annually to those of his Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129488]

Ms Beverley Hughes: Neither the former Department of the Environment nor the former Department of Transport introduced such reminders. DETR has not sent any reminders to staff regarding NI contribution rules. Arrangements are being introduced to comply with the Inland Revenue guidance.

National Air Traffic Services

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions (1) what assessment he has made of the safety implications of the cost reductions in the operations of National Air Traffic Services recommended by the economic regulation group of the Civil Aviation Authority; and if he will make a statement; [129760]

(2) what representations he has received from *(a)* the management of NATS and *(b)* IPMS about the cost reductions in the operations of National Air Traffic Services recommended by the economic regulation group of the Civil Aviation Authority; [129761]

(3) if he will place a copy of the paper entitled, "NATS' Response to ERG's Second Consultation Paper", dated 26 May, in the Library. [129764]

Mr. Mullin: Under the proposed public-private partnership for National Air Traffic Services, NATS' charges will be regulated using an RPI-X formula. The Economic Regulation Group of the Civil Aviation Authority has the task of advising the Secretary of State about the initial value of X. The CAA is carrying out a consultation process designed to help it prepare that advice. The consultation paper issued by ERG on 26 April, and NATS' response of 26 May, are part of that process.

The figures in the consultation paper, to which these questions refer, were preliminary and we have made no assessment of them. We expect ERG's final advice in the next few weeks. Decisions on the regulatory benchmarks, including the value of X, will be taken by Ministers. We shall consider ERG's advice carefully when we receive it before taking that decision. In doing so, we shall consider the safety implications and take account of the views of the CAA's Safety Regulation Group.

We have seen NATS' response but have received no direct representations from NATS or IPMS on the ERG paper.

I am arranging for copies of the ERG paper and the NATS response to be placed in the Library shortly.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what his forecast is of capital spending by NATS in the current year and each of the next five years; and what increases in capital spending are anticipated as a result of the proposed public-private partnership. [129762]

Mr. Mullin: The Government do not make forecasts for NATS' capital expenditure. NATS has recently produced its first 10-year investment plan and is currently consulting with its customers on this document. The form, timing and appropriateness of the plan will also be reviewed by the CAA. NATS' estimate is that capital expenditure over the next decade will be of the order of £1.4 billion (in current prices).

The Government believe that the Public–Private Partnership is the best way to deliver the investment needed, and will provide the additional management expertise to ensure that this capital programme is achieved on time and on budget for the benefit of NATS' customers and for the Government as shareholder.

Powershift Programme

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many companies have benefited from grants under the Powershift programme so far in financial year 2000–01; [129819]

(2) how many applications have been made for grants under the Powershift programme in financial year 2000–01; [129818]

(3) how much money was spent under the Powershift programme between 1 April and 30 June. [129816]

Mr. Hill: Between 1 April and 30 June, grants totalling £2,619,984 were offered under the Powershift programme towards the cost of purchasing alternatively fuelled vehicles. These grant offers will be progressively taken up over the summer.

So far this financial year, 440 applications for grants have been made under the Powershift programme and grants have been offered to 235 different companies.

Environmental Change Programme

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the benefits which have accrued from the global environmental change programme supported by the ESRC; what successor programmes are planned; and what steps are being taken to ensure widespread knowledge of, and access to, the Gecko data base. [129971]

Mr. Meacher: My officials have been actively involved in the planning and management of the Programme since its inception and all its reports have been disseminated throughout the Department. The longer-term impact of the Programme will be reviewed by the Department's Chief Scientist and the Chief Executive of the ESRC in the autumn under our Concordat arrangement.

I understand from my noble Friend the Minister for Science that the Programme is being followed up by a number of activities including work at the new Joint Climate Change Centre and the Environmental Decision-Making Centre, and with a potential new Link Programme investment in Environmentally Sustainable Technologies. I also understand that the Gecko website is being maintained for 12 months while arrangements are being made for longer term curation of the database.

Fishguard Harbour

Mr. Sayeed: To ask the Secretary of State for the Environment, Transport and the Regions what his policy is on the use of *(a)* pleasure craft and *(b)* other craft by anyone under the age of 16 years, in Fishguard Harbour. [130077]

Mr. Hill: The Government believe that pleasure craft should be used safely and are acting to improve safety on three fronts: the launch of a voluntary code of practice earlier this year, a continuing and enhanced coastguard education programme; and a Review of the Coastal Byelaws. The code of practice specified that for users of personal water craft (jet skis), persons between the ages of 12 to 16 should be directly supervised by an adult; persons under 12 should not be allowed to use them.

Regulation of the use of such craft in Fishguard Harbour by way of byelaws is a matter for the local harbour authority. Revised byelaws are currently being considered by the Secretary of State and a decision will be made in due course.

Homelessness

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions how many lettings each transfer association made available to homeless households for each year after stock transfer has taken place. [130240]

Mr. Mullin: This information is not held centrally and could be produced only at disproportionate cost.

Departmental Payments

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of correctly presented bills were paid by his Department in *(a)* 1998–99 and *(b)* 1999–2000 within 30 days of receipt of (i) goods and services, (ii) a valid invoice and (iii) other agreed payment terms. [130030]

Ms Beverley Hughes *[holding answer 11 July 2000]: (a)* I refer the hon. Member to the answer given to my hon. Friend the Member for Elmet (Mr. Burgon) on 23 July 1999, *Official Report*, columns 677–78W.

(b) The information for 1999–2000, including the DETR figure, is being collated currently, and will be made available to the House shortly.

Health and Safety Executive

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to improve *(a)* the effectiveness of the Health and Safety Executive and *(b)* its responsiveness to the public. [130220]

Mr. Meacher: I place very high priority on improving, with the help of the Health and Safety Commission and Executive (HSC\E), standards of health and safety. I am particularly keen that the procedures to reach those standards should be carried through in the most open, transparent and accountable manner feasible.

The Government will be looking to HSE to deliver improvements in health and safety not only through their Public Service Agreement targets, but also through meeting the challenging targets set out in the Revitalising Health and Safety Strategy Statement.

Since coming to office this Government have significantly increased the resources available to health and safety—additional resources of some £63 million were made available to the Health and Safety Commission and Executive (HSC\E) in the three year Comprehensive Spending Review in 1998. These additional resources are enabling HSE to recruit and train more inspectors. As a result of the additional funding the HSE has agreed to increase the number of its regulatory contacts with employers and duty holders (including inspections) to 200,000 by 2001–02. The number of prosecutions for health and safety offences has been rising each year, as have the number of investigations into complaints from employees and members of the public. We have also been arguing strongly for extra resources through the SR2000 process.

Construction Sites

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions what formal means of cooperation there are between the Corporation of London, the Health and Safety Executive and the Environment Agency to facilitate the supervision of construction sites in the City of London. [130199]

Mr. Meacher: There are currently no formal standing arrangements between the Corporation of London, the Health and Safety Executive and the Environment Agency to facilitate the supervision of construction sites in the City of London. There is, however close liaison between officers of the three organisations on an individual site basis as the need arises.

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions how many inspections by the Health and Safety Executive in the last two years were concerned with safety on construction sites. [130216]

Mr. Meacher: In the two years from 1 April 1998 to 31 March 2000 there were 39,233 preventive inspection contacts made to construction sites out of a total number of construction site contacts of 64,142. Details of other site contacts are shown in the attached table. The figures shown are provisional. It is not possible to distinguish between those contacts dealing only with safety, as opposed to health and welfare issues: the vast majority of inspections will cover all three matters.

Construction site contacts between 1 April 1998 and 31 March 2000

	Number
Preventive inspection	39,233
Investigation—Accidents and complaints	15,724
Product safety	62
Asbestos	593
Enforcement	6,659
Advice	1,153
Education/Promotion	268
Standards	12
Sector work—National issues	23
Civil litigation	40
Local projects	367
Total	64,134

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions how many deaths and serious injuries have occurred on construction sites in each of the past 10 years. [130219]

Mr. Meacher: In the 10 years for which figures are available, the number of deaths and major injuries[1] reported to all enforcing authorities are shown in the table.

Fatal and major injuries to employees, self-employed and members of the public in the construction sector 1 April to 31 March 1989–90 to 1998–99

Year	*Fatal injuries*	*Major injuries*
1989–90	165	4,220
1990–91	133	3,961
1991–92	105	3,447
1992–93	100	2,844
1993–94	94	2,683
1994–95	88	2,748
1995–96	82	2,594
Introduction of RIDDOR '95		
1996–97	93	4,459
1997–98	86	4,665
1998–99	68	5,034

[1] As defined by the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985 and 1995

DAMAGED ORIGINAL

Note:
Data prior to 1994–95 are classified under the Standard Industrial Classification 1980 (SIC80)
Data from 1994–95 are classified under the Standard Industrial Classification 1992 (SIC92).
Injury from 1996–97 cannot be directly compared to previous years figures due to the changes introduced by Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 1995.

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions (1) what steps he is taking to improve the Environment Agency's supervision of waste generated on construction sites; [130224]

(2) what powers are available to him concerning the treatment and disposal of waste from construction sites. [130217]

Mr. Mullin: The Secretary of State for the Environment, Transport and the Regions has a range of powers to make regulations on waste under Part II of the Environmental Protection Act 1990; and some limited powers either to direct or to issue statutory guidance to the Environment Agency.

Section 33 of the 1990 Act requires that waste from construction sites must be treated and disposed of in accordance with the conditions of a waste management licence, or within the terms of a licensing exemption, and in a way which does not cause pollution of the environment or harm to human health. Section 34 of the 1990 Act imposes a duty of care on those who produce, carry, keep, treat or dispose of construction waste. Contravention of these controls is a criminal offence.

We are currently reviewing two of the licensing exemptions which allow the use of construction waste and which have been the subject of allegations of abuse. The aim of the revised controls under consideration is to enable the Environment Agency to supervise more effectively the use of construction waste at exempt sites.

CITES

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to ensure that Greek authorities enforce the EU Convention on the International Trade in Endangered Species Regulations; and if he will make a statement. [130385]

Mr. Mullin: The European Commission, rather than the UK Government, is responsible for ensuring that member states meet their obligations under community law. As far as the CITES Convention itself is concerned, following pressure from the CITES Standing Committee (then under UK Chairmanship), Greece announced a series of improvements in February last year which led to the withdrawal of CITES trade sanctions imposed for unsatisfactory implementation of the Convention in September 1998. It will be for the Convention and the Commission to assess whether these improvements have been implemented.

Disabled Facilities Grants

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to make all requirements of the disabled facilities grants mandatory; and if he will make a statement. [130383]

Mr. Mullin: Disabled facilities grants are mandatory in all cases set out under section 23(1) of the Housing Grants, Construction and Regeneration Act 1996, and local authorities must follow the provisions of that Act in giving them. The grants are subject to a test of the applicant's resources to ensure that they are directed at those who are unable to afford the cost of adaptations on their own. In addition to their statutory duties, local authorities have powers to approve grants for the welfare, accommodation and employment of disabled people, and to pay grant above the £20,000 limit for the mandatory grant. These discretionary provisions enable local authorities to respond sensitively to individual cases without weakening the statutory entitlement of disabled people to a grant. We have no plans to change these arrangements.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions if he will review the operation of the disabled facilities grant, with particular reference to the needs associated with childhood and adolescence; and if he will make a statement. [130482]

Mr. Mullin: Earlier this year, my Department reviewed the arrangements for disabled facilities grants in relation to the needs of disabled children and young people. In the light of that review, we introduced changes to the test of resources for the grant in April this year, to reflect the higher housing costs incurred by parents of disabled children. We have no plants to make further changes to the arrangements governing the treatment of disabled children and young people, which are consistent with those for other housing-related benefits.

Litter Fines

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions how many people have been fined for dropping litter in the last 12 months for which figures are available. [130293]

Mr. Hill: In the 12 month period, 1 April 1998–31 March 1999, local authorities in England and Wales issued 4,576 fixed penalty litter notices. Of these 2,520 were paid and 13 cases were taken to court.

Dorneywood

Mr. Robathan: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those people that have been entertained at public expense at Dorneywood, since May 1997. [130281]

Ms Beverley Hughes: I refer the hon. Member to my answer of 12 June 2000, *Official Report*, columns 438W-39W.

Britannic House Site

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Environment Agency is taking to monitor the waste disposal process from the former Britannic House site in the City of London. [130391]

Mr. Meacher: Section 33 of the Environmental Protection Act 1990 requires that waste from construction sites is treated and disposed of in accordance with the conditions of a waste management licence, or within the terms of a licensing exemption, and in a way which does not cause pollution of the environment or harm to human

health. Section 34 of the 1990 Act imposes a duty of care on those who produce, carry, keep, treat or dispose of construction waste. Contravention of these controls is a criminal offence.

It is the responsibility of those who produce and dispose of construction waste to comply with the requirements of sections 33 and 34 of the 1990 Act. However, in view of my hon. Friend's concern, the Environment Agency has undertaken to visit the site.

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Health and Safety Executive is taking to check safety standards at the former Britannic House site in the City of London. [130390]

Mr. Meacher: The Health and Safety Executive received an initial notification of construction work at the former Britannic House site in January 1998. Since then there have been five visits to the site by HSE Inspectors to check health and safety standards, the last one being in March this year. At least one further visit is planned before the project is completed.

Peat

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what measures he is taking to meet the aim published in the UK Biodiversity Habitat Action Plan for Lowland Raised Bogs, of achieving 90 per cent. replacement of the total market requirement for peat with alternatives by 2010. [130681]

Ms Beverley Hughes: The preliminary target in the Lowland Raised Bogs Action Plan is for 40 per cent. of the total market requirement for soil conditioners and growing media to be met by peat alternatives by 2005. The plan also indicates the promotion of research and development of sustainable alternatives to peat to speed up reduction of peat used in both amateur and professional markets, with the longer-term aim of 90 per cent. peat-free by 2010. We are closely monitoring the UK markets for peat and alternatives. In 1998, peat alternatives accounted for 32 per cent. of the total market. The provisional results for 1999, which will be published later this year, indicate continued progress towards the published target.

We wish to maintain a competitive UK horticultural industry, and the quality of products available to the amateur gardener, and recognise that unless the sustainable alternatives are acceptable to the consumer they will not be taken up. The report of the Peat Working Group, published in November 1999, identified possible courses of action to increase further the use of alternatives in the longer term, including the dilution of peat based products, and the development of quality standards for growing media. We are now looking at means of taking these ideas forward.

Housing Subsidy

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the extent to which the level of local authority spending on the management and maintenance of their dwellings differs from the amount provided through the housing subsidy system; and if he will make a statement. [130487]

Mr. Mullin: Provisional outturn figures for 1999–2000 indicate that local authorities have spent £4.0 billion on the management and maintenance of their dwellings. This compares with total allowances of £3.1 billion included within the calculation of the Housing Revenue Account Subsidy. These allowances are just one component of the subsidy calculation, which also takes into account expenditure on debt charges and assumed income from rents. It is for local authorities to decide how best to balance their various sources of income and expenditure so as to meet the needs of their tenants.

Aarhus Convention

Mr. Mackinlay: To ask the Secretary of State for the Environment, Transport and the Regions when the Government will ratify the Aarhus Convention on the Environment. [130637]

Mr. Meacher: The UK is committed to ratifying the UNECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (the "Aarhus Convention") as soon as possible. The Explanatory Memorandum for the Convention (Cm 4736) outlines the steps that need to be taken before this can be done. We anticipate that we will be in a position to ratify the Convention by summer 2001. However, the exact timing will depend on the legislative programmes of the devolved administrations.

Connex South Central

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will set out the timetable for awarding the rail franchise for the services operated by Connex South Central; [130651]

(2) pursuant to his answer of 7 July 2000, *Official Report*, column 314W, on rail franchises, what contractual commitments Connex South Central has to provide for a well-planned and smooth changeover period if it fails to win the next franchise; and what action he can take if Connex fails to meet these commitments. [130561]

Mr. Hill: Although Connex have no such contractual requirements, they currently hold more than one franchise and are pre-qualified bidders or potential bidders for other replacement franchises. The Franchising Director is entitled to take into account the past performances of operators when considering the award of franchises. The Franchising Director has set no specific dates for the award of any replacement franchise, as to do so may prejudice his negotiating position.

House Sales

Mr. Coaker: To ask the Secretary of State for the Environment, Transport and the Regions what progress he has made in his review of legislation on the buying and selling of houses; and if he will make a statement. [130977]

Mr. Mullin: On 11 October last year we announced our intention to take forward a package of complementary measures, which were based on a detailed survey and consultation exercise and studies of experience in other countries.

The key proposal is a requirement that before putting a home on the market, the seller or seller's agent should put together a pack of standard documents and information for prospective buyers.

Introducing a compulsory seller's information pack requires legislation and we are awaiting a suitable legislative opportunity. In the meantime, we have set up a pilot scheme in Bristol to test out the components of the seller's information pack and to provide information on its practical operation.

Single Regeneration Budget

Mr. Coaker: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the bid by Gedling Borough Council for SRB6 funding for Netherfield; and if he will make a statement. [130510]

Ms Beverley Hughes: The bid by Gedling Borough Council for Single Regeneration Budget round 6 funding, along with other bids from the region, is currently being assessed by the East Midlands Development Agency (EMDA). EMDA will make recommendations to the Secretary of State, who will decide which bids to support early next month.

Mr. Coaker: To ask the Secretary of State for the Environment, Transport and the Regions when he will announce the areas which have been successful under the SRB6 programme. [130509]

Ms Beverley Hughes: Final bids under round 6 of the Single Regeneration Budget (SRB) have been assessed by Regional Development Agencies, who are now making recommendations to myself and to my right hon. Friend the Minister for Local Government and Regions. After we have consulted other ministerial colleagues, the Government and the RDAs plan to announce the successful bids in early August.

In London, responsibility for the SRB passed to the Mayor and the London Development Agency on 3 July. An announcement about successful round 6 bids in London is therefore a matter for the Mayor.

Parliamentary Questions

Mr. Colman: To ask the Secretary of State for the Environment, Transport and the Regions when he will reply substantively to the question from the hon. Member for Putney of 21 June, to which he gave a holding reply on 26 June. [130538]

Mr. Mullin: I have written to my hon. Friend today. Copies of the letter have been placed in the Libraries of the House.

Correspondence

Mr. Wilshire: To ask the Secretary of State for the Environment, Transport and the Regions when he will reply to the letter from the hon. Member for Spelthorne dated 26 April relating to his constituent, Mrs. J. E. Jones. [130655]

Ms Beverley Hughes: I replied to the hon. Member's letter on behalf of the Secretary of State on 25 May.

Virgin Trains

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions if he will discuss with Virgin Trains their criteria for making APEX tickets available to passengers. [130794]

Mr. Hill: The Secretary of State has no plans to discuss with Virgin Trains the criteria for making APEX tickets available. APEX fares represent a substantial discount over the regulated fares and are offered in return for corresponding reduction in flexibility. They are not regulated by the Franchising Director and the criteria and conditions applied to them by Virgin Trains, or any other Train Operating Company (TOC), are entirely commercial matters for the TOC concerned.

Refrigeration Appliances (Waste Disposal)

Mr. Martlew: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Government are taking to ensure that discarded domestic refrigeration appliances producing CFC gases are collected in Cumbria. [127806]

Mr. Mullin: *[Pursuant to the answer of 29 June 2000, c. 603W]:* Under section 59 of the Environmental Protection Act 1990, local authorities are not under a duty to collect waste which is fly-tipped. Section 59(1) provides that a collection authority may serve a notice requiring the occupier of the land to remove fly-tipped waste.

Section 59(7) provides that a collection authority may remove fly-tipped waste itself to prevent pollution etc.

SCOTLAND

Civil Servants

Dr. David Clark: To ask the Secretary of State for Scotland what was the average percentage increase in salaries of non-industrial civil servants, excluding members of the senior Civil Service, in his Department for 1999–2000; and to what extent the pay awards were staged. [121651]

Dr. Reid *[holding answer 18 May 2000]:* The average performance-related pay increase for staff of the Scotland Office was 4 per cent. The increase was not staged.

Mr. Sarwar: To ask the Secretary of State for Scotland what the Government's policy is regarding distributing Civil Service posts more widely across Scotland. [129916]

Dr. Reid: Relocation of civil servants is a matter for individual departments and agencies. As I announced at the Select Committee on Scottish Affairs on 21 July 1999, I have established my main office, and the bulk of my small staff, in Glasgow.

The policy in relation to the relocation of civil servants who work for the Scottish Executive and related public bodies is devolved and is a matter for the Scottish Parliament. The Scottish Executive made announcements on their approach to location and relocation of public service jobs in Scotland on 15 September 1999 and 6 July 2000.

Sewage Works

Mr. Gorrie: To ask the Secretary of State for Scotland if he will list the Scottish sewage works at which untreated effluent *(a)* is used to wash screens in screen houses and *(b)* has been so used during the past five years. [126273]

Dr. Reid: Matters relating to the Scottish water authorities are devolved and are now for the Scottish Parliament. In the four years prior to 1 July 1999, the water authorities used potable water to wash screens in screen houses using an automated process in the majority of cases. However, waste water (sewage works effluent) was used at the following 10 sewage works:

North of Scotland Water Authority

Biologically treated wastewater was used at Persely, Halkirk and Tain

East of Scotland Water Authority

Settled wastewater was used at Edinburgh and Dunfermline

Screened wastewater was used at Kirkcaldy and Tayport

Biologically treated wastewater was used at Galashiels

West of Scotland Water Authority

Screened wastewater was used at Meadowhead and Stevenson.

Water Workers

Mr. Gorrie: To ask the Secretary of State for Scotland if Scottish water workers who have been transferred to a private company under a PFI contract retain their public servant status with regard to pensions and conditions of service. [126271]

Dr. Reid: Matters related to the Scottish water authorities are devolved. Pensions are generally reserved, but pensions for staff in Scottish public authorities are excepted under Schedule 5, Head F3 of the Scotland Act 1998. This is therefore a matter for the Scottish Parliament.

Mr. Gorrie: To ask the Secretary of State for Scotland if he will make a statement on the application of TUPE rules to employees transferred from Scottish council water departments to water boards and subsequently under PFI to a private contractor company. [126272]

Dr. Reid: Although the Transfer of Undertakings (Protection of Employment) Regulations 1981 are reserved under Schedule 5, Head H1 of the Scotland Act 1998, matters relating to the Scottish water authorities are devolved. Application of the TUPE rules to Scottish water authorities' staff is therefore a matter for the Scottish Parliament.

Scottish Parliament

Mr. Swinney: To ask the Secretary of State for Scotland what plans he has to meet representatives of the *(a)* Scottish Parliament and *(b)* Scottish Executive to discuss mechanisms for consulting on the Government's policy on changing the number of Members of the Scottish Parliament. [126772]

Dr. Reid *[holding answer 21 June 2000]:* It was agreed during the passage of the Scotland Act 1998 that a reduction in the number of Members of Parliament would lead to a reduction in the number of Members of the Scottish Parliament. However, we have made it clear that this issue will be examined in due course, in the light of the experience of the Scottish Parliament's operation.

Interactive Voice Response Systems

Mr. Ben Chapman: To ask the Secretary of State for Scotland how many departmental telephone lines used by the general public are responded to by interactive voice response systems. [127402]

Dr. Reid: My Department has no telephone lines using interactive voice response systems, other than those to allow messages to be recorded.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Scotland if he will list for his Department and its agencies the approved list of manufacturers of *(a)* cars and *(b)* commercial vehicles; and if he will make a statement on his Department's leasing and purchasing policy. [128994]

Dr. Reid: My Department does not maintain a list of approved vehicle manufacturers. The Department does not operate any cars other than those provided through the Government Car and Despatch Agency or the Government Car Service (Scotland).

Ministerial Code

Mr. Robathan: To ask the Secretary of State for Scotland (1) on how many occasions since May 1997 Ministers in his Department have made a declaration of interest to their colleagues under circumstances envisaged in Paragraph 110 of the Ministerial Code; [129166]

(2) how many times ministers in his Department have sought the advice of the Permanent Secretary under the circumstances envisaged in Paragraphs 118, 121 and 123 of the Ministerial Code; and on which occasions such advice was sought. [129177]

Dr. Reid: Information relating to internal advice and consultation is not disclosed under Exemption II of the "Code of Practice on Access to Government Information".

Lords Lieutenant

Mr. Baker: To ask the Secretary of State for Scotland how much money his Department has spent in each of the last 10 years for which figures are available on *(a)* lords lieutenant and *(b)* their deputies in Scotland. [129679]

Dr. Reid *[holding answer 7 July 2000]:* Expenditure incurred by the Scottish Office on lord lieutenants' expenses in each of the last 10 years is as follows:

£000

Year	Amount[1]
1990–91	10
1991–92	12
1992–93	13
1993–94	14
1994–95	25
1995–96	43
1996–97	27
1997–98	24
1998–99	30
1999–2000	[2]34

[1] Figures rounded to the nearest £1000
[2] Provisional

No expenditure has been incurred in relation to deputy lords lieutenant.

Although the subject matter of the Lieutenancies Act 1997 is reserved, other aspects are now devolved and expenditure on lords lieutenant is a matter for the Scottish Executive.

HOME DEPARTMENT

Asylum Seekers

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on measures under discussion on standardisation of arrival procedures for asylum seekers throughout the EU; and what discussions are currently on-going concerning the definition of a refugee. [128236]

Mrs. Roche: The Government's approach to minimum standards on asylum procedures was set out in the Explanatory Memorandum dated 26 March 1999, which was a response to the Commission working document dated 3 March 1999, entitled "Towards common standards on asylum procedures". A copy of the Explanatory Memorandum was deposited in the Library.

Discussions on minimum standards for qualification as a refugee have not yet begun.

Mr. Cox: To ask the Secretary of State for the Home Department how many asylum seekers were sent from the Greater London area to other areas of the United Kingdom in the last three months; and if he will list the areas. [129509]

Mrs. Roche: The National Asylum Support Service is not yet responsible for providing support to destitute asylum seekers who were living in London at the time of their application for asylum. Some of those applying for asylum at ports of entry may have been placed in emergency accommodation in the Greater London area while their application for support was being considered. From 3 April until 30 June, a total of 3,212 asylum seekers, including dependants, had been dispersed under the national asylum support scheme. I am afraid that we do not hold information on how many of these were dispersed from emergency accommodation in the Greater London area. The areas to which they were dispersed are the East Midlands, North East, North West, Scotland, South West, Sussex, West Midlands and Yorkshire.

Mr. Brooke: To ask the Secretary of State for the Home Department how many units of accommodation currently being paid for by the National Asylum Support Service are standing empty; and what percentage of the total numbers being paid for this represents. [130697]

Mrs. Roche: On Friday 14 July, 4,126 bed spaces which represent 42 per cent. of all property available to the National Asylum Support Service (NASS) were being paid for but not used. The exact number of units available changes day by day as providers notify NASS of properties. Equally, the number of asylum seekers provided with accommodation by NASS changes daily. In order to ensure that adequate numbers of accommodation units are available to satisfy current demand, and make provision for the forthcoming roll-out of the scheme, NASS has to maintain a stock of available property. The total stock currently standing empty represents approximately three weeks of accommodation needed when the NASS scheme has been fully rolled out.

Special Units (Prisons)

Dr. Lynne Jones: To ask the Secretary of State for the Home Department how many prisoners were resident at any time in the Special Unit in C wing at Parkhurst Prison between 1 July 1991 and 1 July 1993; and if he will list for each prisoner in an anonymised form the number of *(a)* recorded assaults and *(b)* violent episodes in each of (i) the two years prior to joining C wing, (ii) during his time on C wing prior to 1 July 1993, (iii) during his time on C wing after 1 July 1993 and (iv) since leaving C wing to date. [128619]

Mr. Boateng: The information requested can be obtained in full only at disproportionate cost. In Parkhurst C-Wing between July 1991 and July 1993 the population varied from 10 to 16 prisoners. During that period there were 217 incidents including seven fights, five assaults on prisoners, six assaults on staff, 16 verbal threats on prisoners and 37 verbal threats on staff.

Prisons (Religious Practices)

Mr. Stinchcombe: To ask the Secretary of State for the Home Department what plans the Prison Service has to extend its recognition of religious practices and faiths; and if he will make a statement. [129196]

Mr. Boateng: Prisoners of all religions are free to practise their religion, consistent with good order and discipline within prisons. The Prison Service does not recognise Scientology, the Nation of Islam and Rastafarianism as religions. There are no plans to change these arrangements.

Criminal Injuries Compensation

Mr. Simon Hughes: To ask the Secretary of State for the Home Department (1) what the total number was of *(a)* applications, *(b)* applications resolved and *(c)* awards made by the Criminal Injuries Compensation Board in each of the last 10 years; and if he will make a statement; [128539]

(2) what the total expenditure was on criminal injuries compensation in each of the last 10 years *(a)* in total and *(b)* per category; and if he will make a statement. [128538]

Mr. Charles Clarke *[holding answer 5 July 2000]*: The available information requested is set out in the table.

Financial year	*Applications made*	*Applications resolved*	*Awards made*	*Compensation paid (£ million)*	*Administration costs (£ million)*
1990–91	50,820	53,384	35,190	109.3	10.3
1991–92	61,400	60,113	39,249	143.7	13.1
1992–93	65,977	58,688	36,638	152.2	14.2
1993–94	73,473	65,293	40,635	165.1	17.3
1994–95	71,734	64,549	37,365	175.4	17.8
1995–96	75,667	76,225	44,036	179.0	19.3
1996–97	75,414	79,219	46,942	210.6	20.3

Financial year	Applications made	Applications resolved	Awards made	Compensation paid (£ million)	Administration costs (£ million)
1997–98	77,743	79,544	45,080	201.5	21.0
1998–99	78,897	85,493	46,240	194.3	22.1
1999–2000	78,891	83,021	43,495	206.1	24.7

The figures are for both the Criminal Injuries Compensation Board (which dealt with applications received under the old scheme prior to 1 April 1996) and the Criminal Injuries Compensation Authority (which deals with claims received under the new tariff scheme on or after 1 April 1996).

The figures for 1999–2000 are subject to audit. Applications resolved in a year do not necessarily relate to applications received in that year.

Expenditure on criminal injuries compensation per category of injury is not available in respect of cases settled under the old scheme. I will write to the hon. Member with the available information about categories of injury under the tariff-based scheme.

National Insurance

Mr. Webb: To ask the Secretary of State for the Home Department what has been the policy since 1989 on writing annually to those of his Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129485]

Mr. Straw: The validity of the certificate of election is checked when new staff join the Home Office. Action is taken if this is not in order or staff notify a change in circumstances. It is for the individual concerned to notify any change in circumstances after he or she has joined the Home Office.

Speeding Offences

Mr. Öpik: To ask the Secretary of State for the Home Department what plans he has to extend the issuing of fixed penalties for speeding offences to individuals driving in the UK on non-UK driving licences; and if he will make a statement. [130205]

Mr. Charles Clarke: We have no plans at present to extend the fixed penalty system in the way proposed. Speeding is an endorsable offence which, under the fixed penalty system, puts three penalty points on an offender's licence. The courts can endorse only licences issued under the Road Traffic Act 1988 and foreign licences do not have the space for recording such endorsements. But we are in discussion with the European Union about mutual recognition issues on road traffic offences.

Mr. Öpik: To ask the Secretary of State for the Home Department what the average per capita cost was of prosecuting drivers for speeding offences in England and Wales since 1998 using *(a)* the fixed penalty system and *(b)* the courts; and if he will make a statement. [130206]

Mr. Charles Clarke: The information is not available.

Mr. Cox: To ask the Secretary of State for the Home Department how much revenue was received from fines imposed for motor speeding offences in 1999. [130523]

Mr. Charles Clarke: Information on fines for speeding offences in 1999 is not yet available.

London Local Authorities Act 1995

Mr. Edward Davey: To ask the Secretary of State for the Home Department (1) how many notices have been served using sections 12 and 13 of the London Local Authorities Act 1995; [130299]

(2) what the average cost is to local authorities of serving a notice using sections 12 and 13 of the London Local Authorities Act 1995; [130300]

(3) what plans he has to modify sections 12 and 13 of the London Local Authorities Act 1995 to make it quicker and cheaper for local authorities to use their powers; and if he will make a statement. [130301]

Ms Beverley Hughes: I have been asked to reply.

Information is not held centrally about the number of notices served and their cost under sections 12 and 13 of the London Local Authorities Act 1995. We have no plans to amend those provisions.

Prison Service (IT)

Mr. Edward Davey: To ask the Secretary of State for the Home Department if he will list the performance targets set in the Prison Service's contract with Electronic Data Systems; if they have been met to date; what penalties have been included in the contract for not fulfilling the performance targets; and what safety precautions have been taken to ensure that the Prison Service's IT requirements can be satisfied if Electronic Data Systems' contract is terminated. [130302]

Mr. Boateng: The Prison Service's Quantum Agreement with Electronic Data Systems sets out a range of performance targets. These are given in the table.

Electronic Data Systems took responsibility for the day to day operation of the Prison Service's information technology and telecommunications services—"live running"—on 3 July 2000. It is therefore too soon to assess performance against targets. Regular service review meetings are required under the terms of the Agreement. The first of these will take place in August 2000.

The Quantum Agreement provides a comprehensive range of financial remedies in the event of unsatisfactory

performance against targets. These have been developed in consultation and are consistent with the guidance of Partnerships United Kingdom (formerly known as the Treasury Taskforce on Private Finance Initiatives).

Comprehensive termination arrangements are provided for in the contract. They allow, inter alia, for the transfer of service provision to a replacement contractor and have been devised to minimise the business risk to the Prison Service.

Prison service quantum agreement performance targets

Service	*Description*	*Target*
Desktop Services	24 hours per day, 7 days per week, 365 days per year	98%—monthly
Prisoner Administration	24 hours per day, 7 days per week, 365 days per year	98%—monthly
Intranet	24 hours per day, 7 days per week, 365 days per year	98%—monthly
Personnel	24 hours per day, 7 days per week, 365 days per year	98%—monthly
Finance	24 hours per day, 7 days per week, 365 days per year	98%—monthly
Other applications	24 hours per day, 7 days per week, 365 days per year	98%—monthly
Purchasing and Stock control	24 hours per day, 7 days per week, 365 days per year	98%—monthly
Training Services	Candidate throughput	100% to plan—monthly
	Achieve agreed standards	95%—monthly
	Post evaluation	100%—quarterly
Help Desk services	Call response time	90% within 15 seconds—monthly
		97% within 30 seconds—monthly
	Confirmation of action	97% within 15 minutes—monthly
Fix times	Fixes within agreed criteria	Criteria dependent—Monthly
Moves and Changes	On time and quality	99%—monthly
	Removal and disposal	98%—monthly
Report provision	Management reports on time and to quality	99%—monthly
	Performance reports on time and to quality	99%—monthly
Usability	Customer and User satisfaction	100%—yearly
	Customer care complaints	Less than 5 per quarter year

Road Traffic Offences

Mr. Kidney: To ask the Secretary of State for the Home Department what progress he has made with completing the Government's review of penalties for road traffic offences. [130303]

Mr. Charles Clarke: As I said in my reply to the hon. Member for East Worthing and Shoreham (Mr. Loughton) on 13 July 2000, *Official Report*, column 665W, the work of the review of penalties for road traffic offences is almost complete. The Government hope to publish a consultation document, setting out the proposals of the review, shortly.

Transsexuals

Mr. Pike: To ask the Secretary of State for the Home Department what progress the Inter-Departmental Working Group on Transsexual People has made with regard to transsexual people obtaining an amended birth certificate. [130285]

Mr. Mike O'Brien: I refer my hon. Friend to the reply I gave to the hon. Member for Daventry (Mr. Boswell) on 12 July 2000, *Official Report*, column 596W.

Coroners

Mr. Greenway: To ask the Secretary of State for the Home Department, pursuant to his answer of 11 July 2000, *Official Report*, column 513W, how much money his Department is spending on research into the way information is provided by coroners to the bereaved; and what the terms of reference are. [130811]

Mr. Boateng: The total sum allocated for this project is just under £70,000. The terms of reference are as follows:

to identify the range of experiences that families have regarding receipt of information from the coroner service; including: what families learn about the death, how much information they receive, and how long it takes for this information to be given;

to identify where complications arise, including research into how long it takes to release a body to the family for subsequent burial, cremation or other disposal; and

to identify models of practice which families perceive as good.

False Evidence

Mr. Rendel: To ask the Secretary of State for the Home Department what his policy is towards the recovery of police costs where investigations have been undertaken following the submission of evidence subsequently found by the police to be false. [130699]

Mr. Charles Clarke: Assuming that the provisions of the criminal law relating to the wasting of police time do not apply, this would be a matter for individual police forces.

Police (Devon and Cornwall)

Mr. Steen: To ask the Secretary of State for the Home Department what has been the percentage change in funding for the Devon and Cornwall Constabulary in the last three years. [130701]

Mr. Charles Clarke: The percentage change in Government funding (police grant, revenue support grant and national non-domestic rates) was 6.4 per cent. between 1998–99 and 2000–01. This was made up as follows:

Year	*Government funding (£ million)*	*Percentage change*
1998–99	141.1	+6.2
1999–2000	146.7	+4.0
2000–01	150.2	+2.4

In addition, the force will have received over the three years capital, special, firearms and Special Constabulary grants totalling over £6.6 million.

Crime Statistics

Mr. Wyatt: To ask the Secretary of State for the Home Department if he will provide a breakdown of the *(a)* Kent County Constabulary and *(b)* North Yorkshire Constabulary figures for crime in (i) 1992–93, (ii) 1993–94, (iii)1994–95, (iv) 1995–96, (v) 1996–97, (vi) 1997–98, (vii) 1998–99 and (viii) 1999–2000 with respect to (A) burglary, (B) theft and (C) vehicle theft. [130931]

Mr. Charles Clarke: The number of offences recorded by the Kent County Constabulary and North Yorkshire Constabulary in the years ending March are given in the table. The data from 1 April 1998 are not directly comparable with earlier years because of changes to the counting rules for recorded crime which occurred on that date. Recorded crime figures for the year ending March 2000 will be released tomorrow. Figures for Kent and North Yorkshire will be available in the Library.

Notifiable offences recorded by the police

	April 1992–March 1993	*April 1993–March 1994*	*April 1994–March 1995*	*April 1995–March 1996*	*April 1996–March 1997*	*April 1997–March 1998*	*April 1998–March 1999*
Kent							
Burglary	31,898	29,348	27,770	34,332	31,219	24,452	22,978
Theft and handling stolen goods	89,838	89,139	83,077	77,717	67,752	58,002	57,314
Theft or unauthorised taking of motor vehicle	19,318	18,030	16,606	16,445	14,270	11,078	10,335
North Yorkshire							
Burglary	16,390	16,031	16,765	16,406	12,661	11,402	11,237
Theft and handling stolen goods	29,868	30,486	31,621	31,097	27,128	26,051	25,608
Theft or unauthorised taking of motor vehicle	4,497	4,976	5,399	5,315	4,172	3,805	2,990

Market and Opinion Research

Mr. Don Foster: To ask the Secretary of State for Health if he will place copies of the results of all market and opinion research carried out by his Department, agencies and non-departmental public bodies since May 1997, in the Library. [123809]

Mr. Denham *[holding answer 25 May 2000]:* Copies of research reports are not routinely placed in the Library. A list giving details of market and opinion research undertaken by the Department is made available. This has been updated and placed in the Library. The list may not include all research projects as some information is not readily available and could be provided only at disproportionate cost. Decisions on whether to publish research are taken on an individual basis.

We are committed to consulting and involving the public to help inform both policy formulation and the delivery of better quality public services. Responsive public services are an important part of the Modernising Government initiative.

We conduct or commission market or opinion research only when it is justified by the needs of the policy or programme and is the most economical, efficient and effective way to achieve the purpose.

Mr. Swayne: To ask the Secretary of State for Health if he will list the opinion research projects undertaken on behalf of his Department in the financial year 1999–2000, itemising *(a)* focus group research, *(b)* quantitative surveys and *(c)* other market research surveys, in each case specifying when and where the results were published. [123261]

Mr. Denham *[holding answer 25 May 2000]:* A list of research projects carried out by the Department in the financial year 1999–2000 is in the table. The list may not include all research projects, as some information is not readily available and could be provided only at disproportionate cost.

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Opinion research projects undertaken by the Department of Health: 1999–2000

Type	*Title*	*Published?*	*Where*
Focus Group Research	NHS Executive South West: The organisation of commissioning—involving the public in local decision making for health care February 2000	1997	Social Research 19: 1–4
		The global challenge of health care rationing (Coulter A, Ham C) Milton Keynes: Open University Press	
Focus Group Research	NHS Executive South West: Understanding compliance with Physiotherapy	Not published	

Opinion research projects undertaken by the Department of Health: 1999–2000

Type	*Title*	*Published?*	*Where*
Focus Group Research	NHS Executive South West: With Mended Voice—a focus group study of patients with head and neck cancer and their carers	Not yet published	
Focus Group Research	Nursing Recruitment Advertising: Pay research	Not published	
Focus Group Research	Nursing Recruitment Advertising: Qualitative research findings	Not published	
Focus Group Research	Public Attitudes and Perceptions of the NHS	Not yet published	
Focus Group Research	Risk Taking Behaviour Among Young People	Not published	
Focus Group Research	Violence Against Social Care Staff—Qualitative Research	Published June 2000	DH website
Focus Group Research	Winter 2000 Advertising Development Research	Not published	
Focus Group Research/Quantitative Survey	Impact and awareness of Quality Protects	Not published	
Focus Group	Improving access to and convenience of primary care services	Not published	
Other Market Research	COI Public Evaluation Smoking: Giving up for Life	Not published	
Other Market Research	GP Registrars' Experience of Vocational Training for General Practice	Not published	
Other Market Research	NHS Corporate Identity Research	Not published	
Other Market Research	Qualitative research to help develop a tobacco education campaign	Not published	
Other Market Research	Sexual Health for All: identifying key obstacles to sexual health for gay men, lesbian women and bisexuals	Not available yet	
Other Market Research	Tobacco Education Campaign Desk Research	Not published	
Other Market Research	Tobacco Education Communications check	Not published	
Other Market Research	Winter 2000 Advertising Awareness Evaluation	Not published	
Other Market Research	Winter 2000 Doctors and Pharmacists Self-Completion Survey	Not published	
Quantitative Survey	British Social Attitudes Survey 17th Report	To be published autumn 2000	The 17th British Social Attitudes Report
Quantitative Survey	Survey of NHS Chiropody Heads of Services	To be published summer 2000	NHS Executive publication
Quantitative Survey	Cranstoun Drugs Services—Pre testing 'real time' video	Not published	
Quantitative Survey	Department of Health Corporate Exhibition Stand appraisal	Not published	
Quantitative Survey	H. E. A/Alcohol Concern: Pre Testing resource on alcohol and young people	Not published	
Quantitative Survey	Keep Warm, Keep Well	Not published	
Quantitative Survey	Monitor of attitudes to Nursing	Not published	
Quantitative Survey	National Children's Bureau and Drug Education Forum	Not published	
Quantitative Survey	NHS Media Impact Research	Not published	
Quantitative Survey	Nurses Day Project	Not published	
Quantitative Survey	Nursing Recruitment Advertising: Pre and Post campaign measurement	Not published	
Quantitative Survey	Organ Donation—Campaign Tracking Research	Not yet published	
Quantitative Survey	Survey of Investment in CPD, Modern Apprenticeships and National Traineeships	Not published	
Quantitative Survey	Tacade Pre Testing—Information postcards for the children of drug misusing parents	Not published	
Quantitative Survey	Tacade Pre Testing—Resource for school children with mild to moderate learning difficulties	Not published	
Quantitative Survey	The Elfrida Society	Not published	
Quantitative Survey	Tobacco Education Campaign evaluation: report on results of benchmark and wave 2	Not published	
Quantitative Survey (Postal)	The National Survey of NHS Patients—Coronary Heart Disease Questionnaire	April 2000	A statistical press release outlining preliminary results was issued. More detailed information will be published in the summer and made available on the DH website
Quantitative Survey (Postal)	The National Survey of NHS Patients—GP Questionnaire	October 1999	A book of national results is available,(£10) plus a summary of key findings, free of charge, from DoH, PO Box 777 London SE1 6XH. Results are also available on the DH website at http://www.doh.gov.uk/public/nhssurvey.htm

Opinion research projects undertaken by the Department of Health: 1999–2000

Type	*Title*	*Published?*	*Where*
Quantitative Survey/Other Market Research	A practical guide for disabled people	Not published	
Quantitative Survey/Other Market Research	NHS Careers—Schools Competition	Not published	
Quantitative Survey/Other Market Research	Understanding the Careers Guidance Needs of Junior Doctors	To be published summer 2001	Publication of briefing document/CRAC website

Foodborne Illness

Mr. Gill: To ask the Secretary of State for Health how many cases of sickness resulting from the consumption of fresh meat emanating from British abattoirs were recorded in 1999. [126189]

Ms Stuart: Most cases of infectious intestinal disease are not part of recognised outbreaks (i.e. they are sporadic cases). It is very difficult to obtain scientific information implicating a specific food as the cause of infection for these sporadic cases and, as such, it is not possible to provide data on specific foods associated with sporadic infection.

However, meat and meat products are an important vehicle of foodborne illness. There was at least one large outbreak in 1999 which was attributable to meat from a British abattoir.

Hospital Waiting Lists

Mrs. Virginia Bottomley: To ask the Secretary of State for Health which health authorities have more in-patients waiting over one year than in May 1997. [128503]

Mr. Denham: The list compares March 1997 (the last data collection before May 1997) with March 2000.

Health authorities who have seen an increase in patients waiting over 12 months for elective admission March 1997 to March 2000

Northern and Yorkshire
Bradford HA
Durham HA
East Riding HA
Leeds HA
Newcastle and North Tyneside HA
North Cumbria HA
Northumberland HA
Sunderland HA
Tees HA
Wakefield HA
North Yorkshire HA
Calderdale and Kirklees HA

Trent
Leicestershire HA
North Nottinghamshire HA

West Midlands
Birmingham HA
Coventry HA
Dudley HA
Herefordshire HA
Sandwell HA
Shropshire HA
Solihull HA
North Staffordshire HA
South Staffordshire HA
Walsall HA
Warwickshire HA
Wolverhampton HA
Worcestershire HA

North West
South Lancashire HA
Liverpool HA
Manchester HA
Morecambe Bay HA
St. Helens and Knowsley HA
Salford and Trafford HA
Sefton HA
Stockport HA
West Pennine HA
Bury and Rochdale HA
North Cheshire HA
South Cheshire HA
East Lancashire HA
North West Lancashire HA
Wigan and Bolton HA
Wirral HA

Eastern
Bedfordshire HA
North Essex HA
South Essex HA
Suffolk HA
East and North Hertfordshire HA
West Hertfordshire HA
Cambridgeshire HA
Norfolk HA

London
Kensington, Chelsea and Westminster HA
Bexley and Greenwich HA
Bromley HA
Kingston and Richmond HA
Merton, Sutton and Wandsworth HA
Barking and Havering HA
Camden and Islington HA
East London and City HA

South East
Berkshire
Buckinghamshire
East Kent
West Kent
East Surrey
West Surrey
East Sussex, Brighton and Hove
West Sussex
Northamptonshire

North and Mid Hampshire
Portsmouth and South East Hampshire
South West RO
Somerset HA
South and West Devon HA
Wiltshire HA
Avon HA
Cornwall and Isles of Scilly HA
Dorset HA
North and East Devon HA
Gloucestershire HA

Source:
Department of Health form QF01

PFI Contracts

Mr. Alan Williams: To ask the Secretary of State for Health if he will list the PFI contracts entered into by his Department, indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if his Department has a clawback entitlement to share in savings arising from refinancing. [129050]

Mr. Denham: Information on refinancing in private finance initiative contracts is collected centrally for the major schemes (capital value £25 million or over) which have reached financial close. The position regarding these schemes is as follows:

Name	*Date of commencement (financial close)*	*Value (£ million)*	*Have they been refinanced?*	*Is there a re-financing clawback?*
Dartford and Gravesham	July 1997	94	No	[1]No
Carlisle	November 1997	65	No	[2]No
South Buckinghamshire	December 1997	45	No	No
Norfolk and Norwich	January 1998	144	No	[1]No
North Durham	March 1998	61	No	Yes
Greenwich	July 1998	93	No	[2]No
Calderdale	July 1998	65	No	Yes
South Manchester	December 1998	66	No	Yes
Bromley	November 1998	118	No	[1]No
Barnet and Chase	February 1999	54	No	No
Worcester	March 1999	87	No	Yes
Hereford	April 1999	64	No	Yes
South Durham	May 1999	41	No	[1]No
South Tees	August 1998	122	No	[2]No
Swindon and Marlborough	October 1999	96	No	Yes
King's	December 1999	64	No	Yes
Leeds Community	March 2000	47	No	Yes
St. George's	March 2000	49	No	[1]Yes

[1] There are no specific clawback arrangements, but the contract places a limit on the private sector's ability to refinance without the trust's approval.
[2] These are transactions financed by bond issues. The nature of these transactions means re-financing is extremely unlikely.

Mr. Matthew Taylor: To ask the Secretary of State for Health what clawback mechanisms exist under private finance initiative contracts within his Department in respect of *(a)* refinancing and *(b)* other contingencies; and if he will place copies of each private finance initiative contract in the Library. [130211]

Mr. Denham *[holding answer 13 July 2000]:* I refer the hon. Member to my reply above to my right hon. Friend the Member for Swansea, West (Mr. Williams). This details the major National Health Service private finance initiative contracts with clawback arrangements regarding re-financing.

No other specific clawback arrangements are made except in the case of schemes with forward land sales. Where the land is sold in advance, there are clawback arrangements in the event of the land eventually being sold on at a higher price. Only the contracts at Dartford and Gravesham and Bromley have forward land sales and both have such protection.

Copies of the full business cases and detailed contract summaries for all PFI schemes with a capital value greater then £10 million are available in the Library.

Mr. Matthew Taylor: To ask the Secretary of State for Health what is the average cost to public funds of external advisers in the negotiation of private finance initiative projects for hospitals, expressed as a proportion of each contract's value. [130260]

Mr. Denham *[holding answer 13 July 2000]:* Information on the total amounts spent on advisers' costs is collected centrally for major private finance initiative schemes (capital value of £25 million or above) which have reached financial close. The data are set out in the table.

£

	Costs				
NHS Trust	*Legal*	*Financial*	*Other*	*Total*	*As percentage of capital cost*
Bromley	1,710,000	1,759,000	743,000	4,212,000	3.5
Norfolk and Norwich	1,559,000	1,938,000	932,000	4,429,000	3.0
Hereford	2,500,000	1,200,000	900,000	4,600,000	7.2
Greenwich	1,169,000	676,000	351,000	2,196,000	2.4
South Manchester	1,224,000	888,000	1,051,000	3,163,000	4.8

£

NHS Trust	Costs: Legal	Financial	Other	Total	As percentage of capital cost[1]
Wellhouse	2,531,000	980,000	1,175,000	4,686,000	8.7
Carlisle	605,000	475,000	736,000	1,816,000	2.8
Calderdale	901,000	654,000	527,000	2,082,000	3.2
Dartford and Gravesham	1,215,000	960,000	180,000	2,355,000	2.5
South Buckinghamshire	1,653,000	780,000	169,000	2,602,000	5.8
North Durham	375,000	438,000	888,000	1,701,000	2.8
South Tees	1,706,639	938,407	310,000	2,955,046	2.4
South Durham (Bishop Auckland)	1,088,000	1,087,000	247,000	2,422,000	5.9
Worcester	1,050,000	1,110,000	300,000	2,460,000	2.8
Swindon and Marlbrorough	1,135,000	680,000	1,730,000	3,545,000	3.7
King's	2,606,575	1,374,357	785,554	4,766,486	7.4
St. George's	637,897	181,904	361,897	1,181,698	2.4
Leeds Community	685,000	308,000	514,000	1,507,000	3.2
Totals	24,351,111	16,427,668	11,900,451	52,679,230	—

[1] Capital cost defined as: total capital cost to the private sector consortium which includes cost of land, construction, equipment and professional fees but excludes Value Added Tax, rolled up interest and financing costs such as bank arrangement fees, bank due diligence fees, banks lawyers fees and third party equity costs.

All PFI schemes, including the 'second wave' and 'third wave' of major prioritised schemes, are now using the new PFI guidance and standard form contract introduced under this Government, the aim of which is to reduce procurement time and transaction costs. Further standardisation of documentation on payment mechanisms and output specifications will be published shortly, which will further reduce transaction costs.

Ministerial Code

Mr. Robathan: To ask the Secretary of State for Health (1) how many times Ministers in his Department have sought the advice of the permanent secretary under the circumstances envisaged in paragraphs 118, 121 and 123 of the Ministerial Code; and on which occasions such advice was sought; [129171]

(2) if he will list the occasions on which Ministers in his Department have sought the advice of the permanent secretary under the circumstances envisaged in paragraphs 118, 121 and 123 of the Ministerial Code. [129105]

Yvette Cooper: Information relating to internal advice and consultation is not disclosed under Exemption II of the "Code of Practice on Access to Government Information".

Mental Health Act 1983

Dr. Lynne Jones: To ask the Secretary of State for Health if he will publish his Department's summary of responses to the Green Paper on reform of the Mental Health Act 1983. [129497]

Mr. Hutton: The Department has received over 1,000 responses to the Green Paper "Reform of the Mental Health Act 1983" and we are considering them all carefully. We will be making an announcement on the next stage of this reform process in the near future.

Children in Care

Dr. Cable: To ask the Secretary of State for Health what standard procedures exist to initiate police investigations and search operations in cases where children go missing from children's homes. [129765]

Mr. Hutton: Part III of the Children's Homes Regulations 1991 requires the authority responsible for children's homes to draw up written procedures to be followed when children go missing from children's homes.

In order to improve practice in this area, in January 1998 the Local Government Association and the Association of Chief Police Officers issued guidance to local authorities on procedures and good practice when children go missing from care. Social services and police forces were advised to develop locally agreed protocols to cover the circumstances in which initial reports should be made to the police and to act on any report of a child going missing from care immediately. The Department was represented on the working party which produced this guidance. We intend to publish further good practice guidance later this year aimed at helping statutory and voluntary sector staff identify potential runaways and will suggest preventative measures which they can take. The guidance will reiterate the need for inter-agency planning and provision of services for runaways.

Dr. Cable: To ask the Secretary of State for Health what protection exists for children in care in relation to corporal punishment. [129778]

Mr. Hutton: Corporal punishment is prohibited for all children looked after by local authorities, under the Children Act 1989 and associated regulations.

Dr. Cable: To ask the Secretary of State for Health what the capacity of children's homes was in each year from 1992–93 to 1998–99; and what the average percentage utilisation of these homes was in each year. [129776]

Mr. Hutton: The information for 31 March 1996 and 31 March 1997 (the only years for which data on the capacity of children's homes are available) is given in the table.

Capacity and number of looked after children accommodated in children's homes in England—31 March 1996 and 1997

	1996	1997
Total capacity of homes (places)	10,892	10,869
Number of children	6,600	6,400
Average occupancy rate	61%	58%

In addition, a further 3,800 and 4,000 children were accommodated in children's homes during the years ending 31 March 1996 and 1997 respectively, under a series of short-term placements. It is not possible to estimate how many of these were in residence at the end of the year.

Dr. Cable: To ask the Secretary of State for Health what provisions exist for the protection of privacy in children's care homes, with particular reference to uncensored mail. [129767]

Mr. Hutton: The Children's Homes Regulations 1991, made under the Children Act 1989, provide that children's homes should have appropriate facilities for children to meet privately with parents, relatives, friends and others, and for children to be able to make and receive phone calls in private. The Children Act guidance on residential care makes it clear that homes should recognise the need for privacy. There are no particular provisions in respect of uncensored mail.

Dr. Cable: To ask the Secretary of State for Health what steps are being taken to ensure that qualified former residents of children's homes are fully represented on the short lists for the post of Children's Rights Director on the National Care Standards Commission and among the Director's staff. [129775]

Mr. Hutton: The appointment of staff to the National Care Standards Commission will be a matter for the Commission itself once legally established in 2001. The Department will, however, define the role of the Children's Rights Director and suggest a model structure for their Directorate.

Dr. Cable: To ask the Secretary of State for Health what plans he has to ensure that victims of abuse in children's residential homes receive *(a)* an official apology and *(b)* compensation. [129809]

Mr. Hutton: I refer the hon. Member to the statement made by my right hon. Friend the Secretary of State for Wales on 15 February 2000, *Official Report*, column 784–87, when he presented Sir Ronald Waterhouse's report "Lost in Care" to Parliament. Our response to "Lost in Care", published on 29 June 2000, acknowledges that the awful events in North Wales are not unique and that the abuse of children in the public care system across the United Kingdom has been a source of shame for all.

Anyone who has been the victim of a criminal act is entitled to seek compensation. For victims of child abuse, we realise that this can be a particularly difficult process to see through. However, it must be for individual people to decide if they wish to seek redress through the Courts or the Criminal Injuries Compensation Authority. Each case will need to be judged on its own merits.

Dr. Cable: To ask the Secretary of State for Health how many residents of children's homes were officially recorded as missing in the period 1992–93 to 1998–99; and how many of these have subsequently been traced. [129777]

Mr. Hutton: Data supplied by local authorities show that during the period 1 April 1992 to 31 March 1999 there were an estimated 1,700 occasions when children being looked after in children's homes in England absconded for more than one week. In 1,500 of these cases, the child concerned subsequently had a further period of care with the same local authority. Where no further period of care with the same authority is recorded these children may have been traced but not subsequently looked after or the responsibility for the care may have transferred to another authority.

Elderly People

Mr. David Atkinson: To ask the Secretary of State for Health when he plans to publish a White Paper on Care for the Elderly; and if he will make a statement. [130076]

Mr. Hutton: We will be announcing our response to the Royal Commission on Long Term Care very shortly.

Departmental Payments

Mr. Chope: To ask the Secretary of State for Health what percentage of correctly presented bills were paid by his Department in *(a)* 1998–99 and *(b)* 1999–2000 within 30 days of receipt of (i) goods and services, (ii) a valid invoice and (iii) other agreed payment terms. [130041]

Ms Stuart *[holding answer 11 July 2000]:* I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Trade and Industry to my hon. Friend the Member for Elmet (Mr. Burgon) on 23 July 1999, *Official Report*, columns 679–80W. Departments and their agencies are currently collating this information for 1999–2000 and this will be made available to the House shortly.

National Research Register

Mr. Jenkin: To ask the Secretary of State for Health for what reason access to the NHS National Research Register on-line is no longer available to members of the public. [130265]

Ms Stuart: The National Research Register (NRR) provides a systematic record of research projects supported, undertaken or of interest to the National Health Service. The NRR contains currently over 57,000 records. It is freely available on-line to the public at the Department of Health Research and Development website: www.doh.gov.uk/research.

The NRR can be accessed both from the Research and Development home page and the "Information from Research" section on the Research and Development pages. Access from the Research and Development home page to the NRR was recently disrupted by a technical fault. During this time, the NRR remained accessible from the "Information from Research" section. The fault has now been rectified.

Correspondence

Mr. Wilshire: To ask the Secretary of State for Health when he will reply to the letter from the hon. Member for Spelthorne dated 12 April relating to his constituent Mr. L. G. Robinson. [130654]

Ms Stuart: A reply was sent to the hon. Member on 13 July.

Mr. Wilshire: To ask the Secretary of State for Health when he will reply to the letter from the hon. Member for Spelthorne dated 12 April relating to his constituent Mr. J. M. Hawthorn. [130656]

Mr. Denham: A reply was sent to the hon. Member on 7 July 2000.

Mrs. Roe: To ask the Secretary of State for Health when he will reply to the letters dated 7 April, 10 May, 8 June and 6 July from the hon. Member for Broxbourne relating to Miss Sue Burr, a paediatric nurse adviser at the Royal College of Nursing. [130084]

Ms Stuart *[holding answer 11 July 2000]:* A reply was sent to the hon. Member on 13 July.

Source Informatics

Mrs. Lait: To ask the Secretary of State for Health, pursuant to the answer of 6 July 2000, *Official Report*, column 283W, on Source Informatics, for what reasons it was not in the public interest to pursue the case against Source Informatics. [130430]

Ms Stuart: I concluded that further time, effort and expense pursuing this appeal could not be justified.

Psychotherapists

Mr. McNamara: To ask the Secretary of State for Health what estimate he has made of the shortfall in the number of local authority psychotherapists by authority; what proposals he has to increase the number of psychotherapists; and what estimate he has made of the cost to local authorities in each of the last five years of employing psychotherapists in private practice. [130424]

Mr. Hutton: Separate figures for the number of specialised psychotherapists employed in health and local authorities are not collected centrally and no estimate has been made of the cost of employing the skills of psychotherapists working in private practice.

We have given a high priority to improving service quality in general in the National Health Service and social care services and to strengthening the work force. The National Service Framework set out how effective psychotherapy forms an important component of mental health care and treatment. The Workforce Action Team under the chairmanship of Sue Hunt is taking forward what education and training of staff is required to deliver the standards set out in the National Service Framework for Mental Health.

The Workforce Action Team will focus not only on specialised psychotherapists but also those professionals with training and responsibility to deliver effective psychotherapies as a component of their role in health and social care.

Out of Area Treatments Scheme

Tony Wright: To ask the Secretary of State for Health how the right of a patient to obtain a second opinion is ensured under the Out of Area Treatments scheme. [130646]

Mr. Denham: Since 1 April 1999 patients are always treated under service agreements. Emergencies and other situations which preclude the use of specific pre-arranged service agreements are covered by arrangements termed Out of Area Treatments (OATs).

Detailed guidance on the OAT arrangements is set out in HSC 1999–117. A copy has been placed in the Library.

The Patients Charter states that patients have a right to be referred to a consultant who is acceptable to them when their general practitioner thinks it is necessary, and to be referred for a second opinion if the patient and GP agree it is desirable. The OATs arrangements do not alter this.

Clozapine

Dr. Cable: To ask the Secretary of State for Health if NICE will investigate the effectiveness of clozapine as a standard treatment for psychiatric illness. [130943]

Mr. Hutton: The National Institute for Clinical Excellence is currently developing a guideline on the treatment of early schizophrenia, which will include an evaluation of the use of clozapine and other atypical anti-psychotics.

CJD

Ms Coffey: To ask the Secretary of State for Health how many cases of Creutzfeldt Jakob disease have occurred in Leicestershire; if this represents an unexpectedly high rate of disease incidence; and if he will make a statement. [131247]

Yvette Cooper: We are currently aware of four confirmed cases and one probable case of variant Creutzfeldt Jakob Disease (vCJD) having occurred in Leicestershire. This compares with 75 known confirmed and probable cases of vCJD throughout the United Kingdom. Statistical experts advise it is unlikely that the higher number of cases in Leicestershire will have occurred by chance.

A locally based investigation is now under way to look into the circumstances of this apparent cluster. To that end, the Department, through its Regional Office of the National Health Service Executive, will be working closely with the Local Health Authority and its Public Health Department as well as with experts from the Ministry of Agriculture, Fisheries and Food, the National CJD Surveillance Unit, the London School of Hygiene and Tropical Medicine, and the Communicable Diseases Surveillance Centre of the Public Health Laboratory Service.

It is important to recognise that the cases we have identified will have been exposed to the infective agent many years ago. Control measures to protect public health from risk of exposure to Bovine Spongiform Encephalopathy have been in place for many years and progressively strengthened over recent years, and the Government will continue to take whatever steps the experts recommend. The Food Standards Agency stands ready to assist with the investigation as necessary and will in particular wish to be satisfied that no new factor is involved in these cases which requires further action to ensure the safety of food.

Tranquillisers and Anti-depressants

Mr. Cousins: To ask the Secretary of State for Health what general practitioner prescriptions of *(a)* tranquillisers and *(b)* anti-depressants in each health authority in England (i) in total and (ii) as a ratio per 1,000 of resident population of each health authority there were in (A) 1997, (B) 1998 and (C) 1999; and what was their value. [130823]

Ms Stuart: The information requested for 1998 and 1999 has been placed in the Library. Information for 1997 is no longer available at this level of detail.

Nut Allergies

Dr. Kumar: To ask the Secretary of State for Health what recent action he has taken to increase awareness of nut allergies; and if he will make a statement. [131004]

Ms Stuart: A major catering awareness campaign was carried out by the Ministry of Agriculture, Fisheries and Food in November 1997. I am advised that officials in the Food Standards Agency have recently met interested parties to explore what more could be done to increase awareness of nut allergies.

Dr. Kumar: To ask the Secretary of State for Health what action he has taken to encourage food producers to produce food free of nuts; and if he will make a statement. [131001]

Ms Stuart: I am advised by the Food Standards Agency that it has entered into dialogue with representatives of the food industry to consider what can be done to minimise problems of food allergy. Initial discussions have focused on the need to strengthen food labelling rules and to encourage good manufacturing practice.

Epi Pens

Dr. Kumar: To ask the Secretary of State for Health (1) how many Epi Pens were *(a)* prescribed and *(b)* used in the last 12 months; and what was the total cost to the National Health Service; [131007]

(2) what advice he has issued to *(a)* medical practitioners, *(b)* NHS trusts and *(c)* primary care groups on the (i) prescription and (ii) use of Epi Pens. [131006]

Ms Stuart: The number of prescription items dispensed in the community in England in 1999 for Epi Pens was 50,300. The associated net ingredient cost was £1,754,900. Information is not available on the numbers used or on the number of items dispensed in hospitals.

The net ingredient cost is the basic cost of a drug and does not take account of discounts, dispensing costs, fees or prescription charges income.

Guidance on anaphylaxis and its treatment appears in the British National Formulary (BNF) which is issued twice a year to doctors, pharmacists and other healthcare professionals by the Department. It is a joint publication of the British Medical Association and the Royal Pharmaceutical Society of Great Britain. The BNF aims to provide doctors, pharmacists and other healthcare professionals with up to date information about the use of medicines.

Further advice was also included in the Chief Medical Officer Update No. 2 issued in May 1994 and the Chief Medical Officer Update No. 19 issued in August 1998.

Substance Abuse

Mr. Love: To ask the Secretary of State for Health how many deaths were associated with volatile substance abuse in the last 12 months for which figures are available; and if he will make a statement. [130924]

Ms Stuart: Statistics collected by St. George's Hospital Medical School and published on 13 July show that there were 70 deaths in the United Kingdom in 1998 associated with Volatile Substance Abuse (VSA). Deaths in 1998 were less than half the number recorded at their peak in 1990. We take any death associated with VSA very seriously and are committed to continuing action to address this problem.

It is particularly important that young people should know about the dangers of abusing volatile substances. We are supporting a programme that will enable general practitioners and other healthcare professionals to assist teachers in communicating health messages about the dangers of drugs and solvents. Other measures to address this issue include a campaign to inform retailers about the risks of volatile substance abuse, and their responsibilities under the law. The Department is also working with voluntary organisations to develop training packages for professionals working with young people at risk of abusing volatile substances.

The report "Trends in Deaths Associated with Abuse of Volatile Substances 1971–1998" is available in the Library.

St. Dunstan's

Mr. Bob Russell: To ask the Secretary of State for Health (1) how many applications for grant aid from St. Dunstan's have been received for the financial years 1998–99, 1999–2000, and 2000–01; how many have been granted; for what purposes and at what value; and if he will make a statement; [131072]

(2) for what reasons an application by St. Dunstan's for section 64 grant aid towards the replacement of the swimming pool was refused. [131703]

Mr. Hutton: No applications were received from St. Dunstan's for section 64 funding in the 1998–99 and 1999–2000 rounds, although there were applications from the Diana Gubbay Trust for the Blind, which is administered by St. Dunstan's. Under the 2000–01 round, St. Dunstan's submitted an application for a section 64 grant of £500,000 towards the repair of the roof covering of their swimming pool.

Under section 64 of the Health Services and Public Health Act 1968 the Department has power to fund voluntary organisations in England whose activities support the Department's policy objectives relating to health and social services. As applications for grant aid exceeded funds available for 2000–01, each application was considered on its merits, and grants awarded when they were judged most likely to further the Department's policy objectives. St. Dunstan's application was one of a large number of unsuccessful applications.

EDUCATION AND EMPLOYMENT

Nut Allergies

Dr. Kumar: To ask the Secretary of State for Education and Employment (1) what advice he has issued to schools, nurseries and playgroups about catering provision for children with nut allergies; and if he will make a statement; [131009]

(2) if he will make a statement on the impact of nut allergies on children's access to places in nurseries, playcentres and summer play schemes; [131010]

(3) what advice he has issued to school nurses, schools, nurseries and playgroups on how to deal with children with nut allergies; and if he will make a statement. [131059]

Jacqui Smith: My Department has issued joint good practice guidance, with the Department of Health, for schools on "Supporting Pupils with Medical Needs" which contains advice on anaphylaxis. It recommends drawing up individual health care plans to enable children to take as full a part as possible in school activities. I commend the guidance to other bodies having children in their care. Advice is also available on the joint DfEE and Department of Health "Wired For Health" website (www.wiredforhealth.gov.uk). The guidance that we will be publishing this autumn for school caterers to support our new nutritional standards for school lunches will include advice on catering for those children who stay for a school lunch but who have particular medical needs, including nut allergies.

Supply Teachers

Mr. Willis: To ask the Secretary of State for Education and Employment how many supply teachers were employed *(a)* in England and Wales and *(b)* by local education authorities in (i) inner London and (ii) outer London in (A) July 1998 to June 1999 and (B) July 1999 to June 2000. [130777]

Ms Estelle Morris: The number of supply teachers employed within the specified periods are not available centrally.

Admissions (Infant Schools)

Mr. Brady: To ask the Secretary of State for Education and Employment how many appeals for admission to infant schools in the next academic year have been refused on the grounds that admission would breach the class size limit for five, six and seven-year-olds; and in how many cases the child had a sibling already in the school. [130696]

Ms Estelle Morris: The Department does not hold this information. The admissions framework we have established aims to ensure that local admission arrangements accommodate parental preference wherever possible, but there have always been cases where this cannot be met. Our infant class size initiative, which is being pursued in such a way that popular schools are able to expand, enables more parents to obtain a place for their child at their preferred school. A net gain of 12,000 places at popular schools is being provided as a result of the policy.

We are well on course to deliver our pledge to limit infant classes to 30 pupils. £620 million is available to support the pledge, and allocations so far to Trafford LEA amount to some £2 million. This has helped to reduce the size of the average Key Stage 1 class in the Altrincham and Sale, West parliamentary constituency to 25.9. The figure in January 1997 was 29.6.

Class Sizes (Suffolk)

Mr. Ruffley: To ask the Secretary of State for Education and Employment what the average class sizes were in Suffolk for *(a)* primary schools, *(b)* middle schools and *(c)* upper schools in (i) 1997–98, (ii) 1998–99 and (iii) 1999–2000. [130749]

Ms Estelle Morris: The requested information is shown in the following table.

In the Suffolk local education authority area, the number of pupils in key stage 1 classes of 31 or more pupils was 1,850 in January 2000, compared with 2,590 a year earlier. This means that less than 10 per cent. of these pupils remain in classes of over 30 pupils.

The number of pupils in key stage 1 classes in England of over 30 pupils has already fallen by 300,000 and the Government are well on target to deliver their infant class size pledge in England. Some £620 million is available to support the pledge and allocations so far to Suffolk LEA amount to some £3 million. This has helped reduce the average size of key stage 1 classes in the parliamentary constituency of Bury St. Edmunds from 25 in January 1997, to 24 in January 2000. Over the same period, the average size of key stage 2 classes in the constituency has fallen from 27 to 26.

The size of the average secondary class in Suffolk has risen slightly over this period, but at 21.8 this is still four fewer than in primary schools. Secondary classes nationally have been rising steadily for the last 12 years. In 1988 the figure was 19.9. In the budget, secondary headteachers received between £30,000 and £50,000 each to spend as they choose. If they spent it on teachers, they could reduce the secondary pupil:teacher ratio by 0.4.

Average class size of one teacher classes in maintained primary, middle and secondary schools in Suffolk local education authority: 1998–2000[1]

Position as at January each year	*1998*	*1999*	*2000*
Key stage 1:			
Average class size	24.1	24.1	24.3
Number of pupils in classes of 31 or more	3,011	2,590	1,850
Key stage 2:			
Average class size	26.3	26.3	26.2
Overall primary[2]*:*			
Average class size	25.0	24.9	24.9
of which middle deemed primary:			
Average class size	[3]—	[3]—	[3]—
Secondary:			
Average class size	20.8	20.8	21.2
of which middle deemed secondary:			
Average class size	23.7	23.6	23.8

[1] Provisional
[2] Includes nursery classes and mixed stage classes
[3] Not applicable (no schools of this type)

Class Sizes

Mr. Pike: To ask the Secretary of State for Education and Employment what impact changes in public expenditure on schools have had on class sizes since May 1997; and if he will make a statement. [130284]

Ms Estelle Morris: Since this Government came to power, the average size of Key Stage 1 classes has fallen dramatically, and we are well on course to deliver our pledge to limit infant classes to 30 pupils. £620 million is available to support the pledge, and allocations so far to Lancashire LEA amount to nearly £15 million. This has helped to reduce the size of the average Key Stage 1 class in the Burnley parliamentary constituency to 25.6. The figure in January 1998 was 27.1.

As far as funding more generally is concerned, while spending per pupil fell by £60 between 1994 and 1997, we have increased it by £300 per pupil in real terms since 1997. This has helped to reverse the trend towards bigger classes in primary schools. The size of the average primary class fell in January 2000 for the second year running, after rising for the previous 10 years. The size of the average Key Stage 2 class has also started to fall—from 28.4 in January 1999 to 28.3 in January 2000.

The average size of secondary classes has risen slightly, but at 22 still remains more than five below those in primary schools. Class sizes in secondary schools have been rising steadily since 1988, when the figure was 19.9. The pupil/teacher ratio in secondary schools is 17.1—more than six lower than in primary schools. In the budget earlier this year, secondary heads each received between £30,000 and £50,000. It remains for heads to decide how to use this money, but if spent on teachers, the secondary pupil/teacher ratio could be reduced by 0.4.

New Deal (Lone Parents)

Mr. Field: To ask the Secretary of State for Education and Employment, pursuant to his answer to the right hon. Member for Penrith and The Border (Mr. Maclean) of 1 March 2000, *Official Report*, column 313W, on the New Deal for Lone Parents, if he will place in the Library a copy of the invitation letter issued to 443,700 lone parents. [130753]

Ms Jowell: I have arranged for a copy of the invitation letter to be placed in the Library.

New Deal (Young People)

Mr. Davidson: To ask the Secretary of State for Education and Employment what assessment he has made of the impact of the New Deal for Young People on levels of long-term unemployment among young people in Glasgow, Pollok. [130296]

Ms Jowell: The New Deal for Young People is aimed at people aged 18–24 who have been claiming unemployment benefits for six months or more.

Claimant unemployment among this group has fallen by 70 per cent. in the three years since April 1997 and by 56 per cent. since April 1998 when the New Deal was introduced. Part of this fall is due to the delivery of a strong and stable economy, but the New Deal for Young People has helped unemployment to fall even faster. The fall of 56 per cent. since the New Deal was introduced compares with a fall of 18 per cent. in total unemployment, 23 per cent. in total youth (18–24) unemployment and 26 per cent. in the total number unemployed for six months or more. The effect of the New Deal is confirmed by independent research from the National Institute of Economic and Social Research.

It is not possible to measure the New Deal effect exactly in each constituency. However, in Glasgow, Pollok the falls in unemployment among the New Deal client group have also been substantially faster than for other groups. In Glasgow, Pollok constituency in the two years since April 1998 claimant unemployment among those aged 18–24, unemployed for six months or more, has fallen by 68 per cent. from 315 to 101. This compares with a fall of 18 per cent. in total unemployment, 28 per cent. in total youth (18–24) unemployment, and 32 per cent. in the total number unemployed for six months or more.

School Uniforms

Mr. Nigel Jones: To ask the Secretary of State for Education and Employment what advice he gives to school governors regarding school uniform policies which ban girls from wearing trousers. [130433]

Jacqui Smith: We have not issued guidance about school uniforms because we believe school governors should be free to decide what their school uniform or dress code policies should be.

Teachers (Performance-related Pay)

Mr. Willis: To ask the Secretary of State for Education and Employment what the cost is of the implementation of each part of the teachers' performance-related pay scheme; and what the current cost is of administering the scheme. [130207]

Ms Estelle Morris *[holding answer 12 July 2000]:* We have made up to £1 billion available to support the cost of our teaching reforms in England until March 2002. Most of this extra money will be spent on the new teachers' pay system. The total cost of administering the pay reforms will be dependent upon the number of school visits carried out and this will not be known until later in 2000.

New Deal for Schools

Mr. Allan: To ask the Secretary of State for Education and Employment if he will list, for the latest date for which figures are available, the total value of grants made by each local education authority in England and Wales to schools, through the New Deal for Schools, for the repair of school buildings. [130209]

Jacqui Smith *[holding answer 12 July 2000]:* The following table shows allocations made to local education authorities in England under the New Deal for Schools rounds 1 to 4. Information covering Welsh Authorities is not held by this Department.

£000

LEA name	*Total NDS allocation*
Barking and Dagenham	6,096
Barnet	7,686
Barnsley	6,615
Bath and North East Somerset	4,907
Bedfordshire	6,906
Bexley	5,469
Birmingham	24,635
Blackburn	4,647
Blackpool	3,783
Bolton	8,963

£000

LEA name	Total NDS allocation
Bournemouth	4,122
Bracknell Forest	2,467
Bradford	28,592
Brent	6,415
Brighton and Hove	4,481
Bristol	7,458
Bromley	5,398
Buckinghamshire	9,254
Bury	4,397
Calderdale	7,104
Cambridgeshire	10,727
Camden	3,462
Cheshire	15,390
City of London	0
Cornwall	11,246
Coventry	7,676
Croydon	7,848
Cumbria	8,639
Darlington	2,392
Derby	5,492
Derbyshire	17,747
Devon	15,714
Doncaster	7,251
Dorset	9,197
Dudley	8,472
Durham	12,212
Ealing	5,981
East Riding of Yorkshire	8,479
East Sussex	10,440
Enfield	6,474
Essex	25,232
Gateshead	5,317
Gloucestershire	12,482
Greenwich	6,287
Hackney	5,087
Halton	4,291
Hammersmith and Fulham	3,896
Hampshire	25,586
Haringey	6,514
Harrow	4,554
Hartlepool	3,413
Havering	5,422
Herefordshire	6,005
Hertfordshire	22,356
Hillingdon	5,925
Hounslow	6,434
Hull	7,584
Isle of Wight	3,425
Isles of Scilly	108
Islington	6,455
Kensington and Chelsea	1,625
Kent	27,506
Kingston upon Thames	3,962
Kirklees	9,231
Knowsley	4,760
Lambeth	5,566
Lancashire	26,454
Leeds	16,517
Leicester	9,566
Leicestershire	12,755
Lewisham	9,951
Lincolnshire	9,012
Liverpool	16,773
Luton	3,576
Manchester	12,176
Medway Towns	6,007
Merton	4,938
Middlesbrough	4,922
Milton Keynes	5,025
Newcastle upon Tyne	14,717
Newham	8,819
Norfolk	16,793
North East Lincolnshire	5,573
North Lincolnshire	4,704
North Somerset	5,444
North Tyneside	5,088
North Yorkshire	12,799
Northamptonshire	14,231
Northumberland	11,012
Nottingham	6,328
Nottinghamshire	19,308
Oldham	10,264
Oxfordshire	13,285
Peterborough	4,252
Plymouth	6,395
Poole	3,428
Portsmouth	4,063
Reading	4,346
Redbridge	5,868
Redcar and Cleveland	10,900
Richmond upon Thames	2,670
Rochdale	6,791
Rotherham	7,124
Rutland	1,548
Salford	8,361
Sandwell	8,486
Sefton	6,764
Sheffield	18,669
Shropshire	5,699
Slough	2,730
Solihull	6,690
Somerset	11,780
South Gloucestershire	6,329
South Tyneside	5,539
Southampton	5,085
Southend-on-Sea	3,266
Southwark	4,700
St. Helens	6,638
Staffordshire	18,920
Stockport	7,566
Stockton-on-Tees	4,967
Stoke-on-Trent	8,626
Suffolk	13,331
Sunderland	7,581
Surrey	17,725
Sutton	3,664
Swindon	5,632
Tameside	8,378
Thurrock	2,835
Torbay	3,772
Tower Hamlets	7,677
Trafford	6,198
Wakefield	9,328
Walsall	8,001
Waltham Forest	5,612
Wandsworth	4,651
Warrington	5,359
Warwickshire	11,404
West Berkshire (Newbury)	3,337
West Sussex	14,501
Westminster	3,457
Wigan	11,335
Wiltshire	8,998
Windsor and Maidenhead	2,783
Wirral	9,094
Wokingham	3,784
Wolverhampton	7,081
Worcestershire	11,022
Wrekin	4,895
York	4,562
Total allocation for local education authorities in England	1,243,488

Further Education

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will make a statement about trends in enrolment to further education in the last 12 months. [130086]

Mr. Wicks *[holding answer 12 July 2000]:* Snapshot figures for November 1999 show that adult learners funded by the Further Education Council (FEFC) declined by 1.9 per cent. on 1998 while numbers of 16–18 year olds rose by 2.5 per cent. in the same period. The decline in adult learners reflects our squeezing out of the inappropriate franchising by some colleges allowed by the previous Government. The measures announced by the FEFC this year will help ensure that recruitment rises in line with Government projections for 2000–01 and 2001–02.

Neo-natal Hearing Screening

Mr. Boswell: To ask the Secretary of State for Education and Employment what resources his Department *(a)* has allocated and *(b)* plans to allocate to develop language and educational provision in preparation for the launch and national roll-out of the pilot project for neo-natal hearing screening. [130104]

Jacqui Smith: There has been a £1.1 billion increase in education through Standard Spending Assessment (SSAs) in 2000–01. Through this, money is made available to all local education authorities (LEAs). It is for LEAs to determine how to make best use of this money and decide which services they make resources available for.

In addition in 2000–01, we have made the following increases in funding available to schools and LEAs: £500 million extra in grant to the standards fund; £50 million to support school budgets; £14 million in extra support for Excellence in Cities; and £290 million directly for schools in the March Budget. Taken together these amount to an increase in funding per pupil of £180 in real terms.

Non-departmental Public Bodies

Mr. Allan: To ask the Secretary of State for Education and Employment how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which he has made to Non-departmental Public Bodies since 1 May 1997 were women. [129841]

Mr. Wills *[holding answer 11 July 2000]:* The total number of appointments and re-appointments to DfEE Non-departmental Public Bodies since 1 May 1997 is 410. Of these, 141 have been women, 15 of which have been paid appointments (25 per cent. of all paid appointments and re-appointments) and 126 have been unpaid (36 per cent. of all unpaid appointments and re-appointments).

This Government are committed to increasing the representation of women in public life. In support of this, the Department has drawn up an action plan for increasing the number of women and ethnic minorities holding public appointments. The latest plans, together with the Government's overall plan, were published 24 May 2000 in "Quangos: Opening up Public Appointments 2000–2003", copies of which are in the Libraries of the House.

Residential Care Homes

Dr. Cable: To ask the Secretary of State for Education and Employment what arrangements exist to ensure that residential care establishments teach the National Curriculum. [129770]

Jacqui Smith: Although residential care establishments are able to access and use the National Curriculum if they are undertaking education within their establishments, only maintained schools are obligated to do so.

The Government expects and is committed to providing mainstream education including access to the full National Curriculum for all children of school age, wherever this is suitable. The recently published joint Department for Education and Employment and Department of Health "Guidance On The Education of Children and Young People in Public Care" stipulates that: "The Government expects local authorities to set a maximum time limit of twenty school days within which they must secure an education placement for any pupil in public care. It will be a full-time place in a local mainstream school unless the circumstances of the child make full-time or local or mainstream provision unsuitable". This is supported by statutory guidance in Circular LAC(2000)13.

Youth Employment

Mr. Coaker: To ask the Secretary of State for Education and Employment what estimate he has made of the numbers of 16 and 17 year-olds in full-time work with no training. [127615]

Ms Jowell: The Department's latest estimate is that there were 114,000 16 and 17-year-olds in employment and not in education or training in England at the end of 1999.

WALES

A3XX Airliner

Mr. Barry Jones: To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary concerning a regional selective assistance grant for the A3XX airliner, with reference to the likely date of the First Secretary's decision; and if he will make a statement. [129500]

Mr. Paul Murphy: I meet the First Secretary on a regular basis, and our discussions have included the A3XX project. I understand that BAE have submitted a new RSA application with a new case for a grant for £25 million and that the National Assembly is awaiting more detailed information from the company in support of the case before a decision can be made.

New Deal

Mr. Evans: To ask the Secretary of State for Wales how many people in Wales aged 25 years and over have left the New Deal for jobs lasting less than 13 weeks but

have been included in the number leaving for sustained employment as a result of not having returned to jobseeker's allowance. [131035]

Mr. Paul Murphy: The definition of a sustained job is one from which the employee does not return to Jobseeker's Allowance within 13 weeks. Information is not available on whether those employees retain the same job.

Latest figures, to the end of April 2000, show that 2,382 people had gained sustained employment from the 25+ New Deal programme.

Mr. Evans: To ask the Secretary of State for Wales how many people in Wales have joined the New Deal since it was established. [131037]

Mr. Paul Murphy: To April 2000, 29,330 young people joined the 18–24 New Deal programme. 13,440 joined the 25+ New Deal programme.

Mr. Evans: To ask the Secretary of State for Wales how many people have left their New Deal scheme in Wales to be placed on *(a)* Incapacity Benefit, *(b)* Income Support, *(c)* Jobseeker's Allowance and *(d)* other benefit. [131053]

Mr. Paul Murphy: To the end of April 2000, 4,590 people left the 25+ New Deal and continued to claim Jobseeker's Allowance. An additional 1,190 transferred to other benefits including Incapacity Benefit and Income Support. No breakdown of this figure is available.

Mr. Evans: To ask the Secretary of State for Wales how many New Deal participants in Wales have found sustained unsubsidised jobs of 13 weeks or more before having had a New Deal interview. [131041]

Mr. Paul Murphy: To April 2000, 1,060 participants left the 18–24 programme and 225 left the 25+ programme for sustained unsubsidised jobs before participating in a New Deal interview.

Mr. Evans: To ask the Secretary of State for Wales what the average cost of the New Deal in Wales is per participant. [131048]

Mr. Paul Murphy: Approximately £1,577.

Mr. Evans: To ask the Secretary of State for Wales what proportion of New Deal participants in Wales have seen their wages rise on leaving the scheme. [131040]

Mr. Paul Murphy: No central information is held on the wage levels of those leaving New Deal.

Police Time

Mr. Evans: To ask the Secretary of State for Wales what the average amount of time spent by a police officer on the beat was between *(a)* May 1997 and May 1998, *(b)* May 1998 and May 1999 and *(c)* May 1999 and May 2000. [130983]

Mr. Paul Murphy: The deployment of police officers is a matter for individual Chief Constables.

Information about the percentage of officer time spent in public has been published by the Audit Commission in the 1997–98 and 1998–99 editions of "Local Authority Performance Indicators—Police and Fire Services".

Home Office Allocation

Mr. Evans: To ask the Secretary of State for Wales how much money Wales was allocated from the Home Office budget between *(a)* May 1997 and May 1998, *(b)* May 1998 and May 1999 and *(c)* May 1999 and May 2000. [130984]

Mr. Paul Murphy: The allocation of the Home Office budget is a matter for my right hon. Friend the Home Secretary.

LORD CHANCELLOR'S DEPARTMENT

Towel Rails

Mr. Stephen O'Brien: To ask the Parliamentary Secretary, Lord Chancellor's Department what the cost was of each towel rail installed in the last 12 months in the premises used by the Lord Chancellor privately or officially in the Palace of Westminster; how many towel rails were installed; and what the labour cost was for the installation of each towel rail. [130805]

Mr. Lock: The Parliamentary Works Directorate is responsible for carrying out repairs in the Palace of Westminster. Two defective heating radiators in bathrooms in the Lord Chancellor's residence have been replaced by them in the last 12 months. Each radiator cost £536.66 and was subject to a 5 per cent. handling charge, the total labour charge was £174.20 and the VAT was £227.71, giving a total of £1,528.90 for the two radiators. The entire cost went to the House of Lords current works 2000–01 budget.

TREASURY

Export Credits Guarantee Department

Mr. Chaytor: To ask the Chancellor of the Exchequer if he will make it his policy to *(a)* establish environmental guidelines for the Export Credits Guarantee Department and *(b)* support the introduction of such guidelines at the G8 summit in Okinawa. [130830]

Mr. Caborn: I have been asked to reply

ECGD has enhanced its procedures to assess the environmental impact of projects for which its support is requested. In the context of the current review of its mission and status, ECGD is also looking carefully at what more should be done to ensure its support for projects is consistent with the Government's sustainable development objectives, including possible further improvements to its environmental screening and assessment process.

At the forthcoming G8 summit in Okinawa, the UK will support moves to reaffirm the mandate from the Cologne summit, at which it was agreed to work within the OECD towards common environmental guidelines for export credit agencies. At their meeting in June, OECD Ministers welcomed the good progress made in the OECD Export Credit Group on strengthening common approaches on the environment and requested a report on progress at the next meeting.

Mortgages and Endowment Policies

Mr. Cousins: To ask the Chancellor of the Exchequer what powers are available to the Financial Services Authority to regulate, and take sanctions against, market abuses of the sale of financial products which seek to offer protection against shortfalls in endowment policies designed to pay off mortgages. [130821]

Mr. Timms: The Financial Services and Markets Act 2000 and other legislation provide the relevant regulators with an effective statutory framework with which to tackle market abuse of all kinds. It is illegal to conduct unauthorised insurance business.

Dr. Cable: To ask the Chancellor of the Exchequer what approaches *(a)* he and *(b)* the Financial Services Authority have made to individual firms requesting the numbers of 25 year endowment contracts (A) with-profits and (B) unit linked purchased (i) one year ago, (ii) five years ago, (iii) 10 years ago, (iv) 15 years ago and (v) 20 years ago which are still in force today; and if he will publish the data received. [130635]

Miss Melanie Johnson: On behalf of the Financial Services Authority, the Personal Investment Authority (PIA) collects and publishes information on the persistency of endowment contracts, but only for periods of up to four years after policies begin. The latest figures were published in October 1999 in the PIA's "Fifth Survey Of The Persistency Of Life And Pensions Policies", a copy of which has been placed in the House of Commons Library.

Dr. Cable: To ask the Chancellor of the Exchequer when he proposes to bring forward amendments to the law to protect house purchasers from the mis-selling of mortgages. [130650]

Mr. Timms: The Financial Services and Markets Act 2000 provides a statutory framework for the regulation of mortgages.

The House will be asked to approve a Regulated Activities Order in the next few months. This will include further details of how mortgages will be regulated.

On the timing of mortgage regulation, I refer the hon. Gentleman to the answer my hon. Friend the Economic Secretary to the Treasury gave to my hon. Friend the Member for Stevenage (Barbara Follett) on 27 January 2000, *Official Report*, columns 263–64W.

Motor Service Garages

Mr. Jenkin: To ask the Chancellor of the Exchequer how many motor service garages which subcontract their MOT business to an approved test centre have been investigated by HM Customs and Excise for under-declaration of Value Added Tax since November 1996; how many have been found to have under-declared their Value Added Tax liability; and if he will make a statement. [130718]

Dawn Primarolo: Visit information about motor service garages that subcontract their MOT business is not held centrally by Customs and Excise. But visits are made to check businesses' Value Added Tax declarations on the basis of Customs' overall assessment of revenue risk. This takes account of local information including knowledge about under-declarations found on visits to other businesses. In the years 1998–99 and 1999–2000 the number of visits made by Customs to motor service garages to check their Value Added Tax declarations was 2,249 and 1,987 and the number found to have under-declared their Value Added Tax liability was 1,347 and 1,227 respectively.

Working Families Tax Credit

Mr. Ruffley: To ask the Chancellor of the Exchequer if he will make a statement on the costs to business of the implementation of the Working Families Tax Credit. [129339]

Dawn Primarolo: I refer the hon. Member to the regulatory impact assessment which was published and placed in the House Library in December 1999.

Mr. Ian Bruce: To ask the Chancellor of the Exchequer what changes have taken place in *(a)* staff and *(b)* premises since the introduction of Family Tax Credit; and what further changes are planned. [130005]

Dawn Primarolo *[holding answer 10 July 2000]:* Around 3,500 full-time equivalent (FTE) staff transferred from the Benefits Agency to the Inland Revenue in October 1999 to form the Tax Credit Office (TCO). Staffing levels have not changed significantly since that time, and there are still currently around 3,500 FTE staff in the TCO. The TCO still occupies the same premises as it did in October 1999. There are no plans within the TCO to change either staffing levels or accommodation, although both are kept under review.

Mr. Ian Bruce: To ask the Chancellor of the Exchequer if he will make a statement on the operational effectiveness of the introduction of Family Tax Credit. [130003]

Dawn Primarolo *[holding answer 10 July 2000]:* The Tax Credit Office (TCO) was set up in October 1999. For the period between October 1999 and 31 March 2000, most of the TCO's inherited targets have either been met or exceeded. A full analysis of performance against targets will be contained in the Inland Revenue Plan 2000–01 which is to be published shortly.

Mr. Ian Bruce: To ask the Chancellor of the Exchequer what the average time is from receipt of application to receipt of tax credit for Family Tax Credit; and what is the current number of cases being processed. [130006]

Dawn Primarolo *[holding answer 10 July 2000]:* We do not record the average time between receipt of Working Families Tax Credit (WFTC) applications by the Tax Credit Office (TCO) and receipt of tax credit payments by applicants. However, the TCO aims to settle 90 per cent. of all WFTC applications within 30 working days of receipt. The actual percentage of applications settled within 30 days since the beginning of this financial year and the end of June 2000 is 97.6 per cent. The number of applications being processed as at 30 June 2000 was 61,000.

Withholding Tax

Mr. Bercow: To ask the Chancellor of the Exchequer if he will make a statement on the Austrian Government's blocking of the withholding tax proposal, with particular reference to the use of the national veto. [129921]

Dawn Primarolo: All 15 member states have agreed to accept exchange of information, and not a withholding tax, as the way forward for the EU to tackle the problem of cross-border tax evasion.

VAT (Continence Pads)

Mr. Burstow: To ask the Chancellor of the Exchequer, pursuant to his answer of 18 May 2000, *Official Report*, column 268W, on VAT, by what mechanism incontinent people apply for zero-rated continence pads. [130754]

Dawn Primarolo: The mechanism for claiming VAT relief on supplies of continence pads works on the basis of self assessment. Individuals living in their own homes and suffering from incontinence declare to suppliers that they are chronically sick or disabled and are therefore entitled to purchase zero-rated continence pads.

Departmental Initiatives

Dr. Lynne Jones: To ask the Chancellor of the Exchequer if she will list each departmental initiative since May 1997 requiring bids for funding together with the total resources available, the number of successful bids and the proportion this represents of total bids received; and what data he collects on the average expenditure of organisations bidding for funding through each initiative. [131088]

Mr. Andrew Smith: New spending plans for the years 2001–02 and 2003–04 are being considered in the current Spending Review. The outcome of the review will be announced on 18 July.

Pensioner Savings

Mr. Sarwar: To ask the Chancellor of the Exchequer how many pensioners benefited from the changes to income tax on savings announced in the Budget. [130959]

Dawn Primarolo: Six out of 10 pensioners do not have any income tax to pay. Many of the remaining pensioners with savings could benefit from the measures announced in the Budget.

Married Person's Allowance

Mr. Simon Thomas: To ask the Chancellor of the Exchequer how many men born between 6 April 1935 and 5 April 1936 are affected by the withdrawal of the married person's allowance in *(a)* the UK, *(b)* Wales and *(c)* Ceredigion. [127871]

Dawn Primarolo: Six out of 10 pensioners do not have any income tax to pay. People become entitled to the age-related personal allowance at the age of 65. This is worth up to £1,405 over and above the basic allowance.

In his 1999 Budget, the Chancellor increased the age-related personal allowance by more than inflation, and someone aged 65 to 74 can have an income of £111 a week in 2000–01 before paying tax.

Mr. Todd: To ask the Chancellor of the Exchequer what estimate he has made of the additional tax collected in 2000–01 as a result of the abolition of the married couples allowance. [130769]

Dawn Primarolo: An estimate was provided in appendix A2.1 of the March 2000 Financial Statement and Budget Report. A copy is held in the Library of the House.

Imports (Israel)

Dr. Starkey: To ask the Chancellor of the Exchequer, pursuant to his answer of 20 March 2000, *Official Report*, column 449W, if the European Commission has asked the UK, through HM Customs and Excise, to begin a posteriori verification measures under the Origin Rules Protocol in respect of imports from Israel. [130181]

Dawn Primarolo: Yes.

Dr. Starkey: To ask the Chancellor of the Exchequer, pursuant to his answer of 20 March 2000, *Official Report*, column 450W, following the Israeli Government's admission concerning the definition of territoriality it uses in issuing certificates of origin, if the European Commission will require security bonds or deposits on new importations of products labelled, "Made in Israel", similar to those previously shown to have been produced in settlements on the West Bank, Gaza, East Jerusalem or the Golan Heights. [130183]

Dawn Primarolo: No such decision has yet been taken.

Dr. Starkey: To ask the Chancellor of the Exchequer in cases prior to October 1999, where HM Customs and Excise initiated a posteriori verification procedures with Israel's customs concerning importations under preferences of products that Customs and Excise had reason to suspect may have been wholly produced or substantially processed in the territories occupied by Israel since 1967, what answers HM Customs and Excise received from Israeli customs concerning the originating status of the products concerned. [130185]

Dawn Primarolo: No such verifications were initiated.

Dr. Starkey: To ask the Chancellor of the Exchequer, pursuant to his answer of 20 March 2000, *Official Report*, column 449W, if HM Customs and Excise have begun to apply, or will apply, a posteriori verification measures under the Origin Rules Protocol to *(a)* all Israeli products and *(b)* new imports of products labelled, "Made in Israel", similar to those previously shown to have been produced in settlements on the West Bank, Gaza, East Jerusalem or the Golan Heights. [130182]

Dawn Primarolo: HM Customs and Excise have begun a posteriori verifications based on information supplied to it by the European Commission. No decision on additional verification measures beyond this has yet been taken.

Dr. Starkey: To ask the Chancellor of the Exchequer, pursuant to his answer of 20 March 2000, *Official Report*, column 449W, when the European Commission completed its assessment of the evidence provided by HM Customs and Excise relating to Israeli violations of the EC-Israel Trade Agreement. [130180]

Dawn Primarolo: At the beginning of April 2000, the European Commission instructed member states to commence verification inquiries with Israel as set out in Article 32 of Protocol 4 to the EC-Israel Trade Agreement.

Dr. Starkey: To ask the Chancellor of the Exchequer if there have been instances where imports to Britain, accompanied by Israeli certificates of origin, have been prevented by HM Customs and Excise from benefiting from preferential treatment because the labelling, the locales named in the origin certificates, or other information indicated that the goods in question were wholly produced or substantially processed in the occupied territories of the West Bank, Gaza or Golan Heights. [130184]

Dawn Primarolo: There have been no such instances.

BEST Pensioners

Mr. Sanders: To ask the Chancellor of the Exchequer if he will make a statement on the dispute between the Inland Revenue and Standard Life in respect of the BEST pensioners. [130058]

Dawn Primarolo: We are unaware of any such dispute.

Children's Tax Credit

Mr. Willetts: To ask the Chancellor of the Exchequer how many forms have been sent out inviting people to apply for the Children's Tax Credit; how many completed forms have been returned; and what proportion of completed and returned forms have been completed *(a)* incorrectly and *(b)* by someone who is ineligible for the Children's Tax Credit. [130222]

Dawn Primarolo: The Children's Tax Credit will reduce the tax bills of 5 million families by up to £442 a year. Taken with other reforms such as the record levels of Child Benefit and increases in the amounts of Working Families Tax Credit, 1.2 million children will be lifted out of poverty by April 2001.

Claim forms for the credit were sent at the end of June to around 8 million PAYE taxpayers whom our records suggest may be eligible. Over 1.5 million forms have already been returned. No figures are available on the number of forms filled in incorrectly.

Mr. Willetts: To ask the Chancellor of the Exchequer what the total cost to date is of the administration of the new Children's Tax Credit including the costs of *(a)* producing and distributing the forms, *(b)* advertisements and *(c)* the telephone helpline. [130221]

Dawn Primarolo: The Children's Tax Credit will reduce the tax bills of 5 million families by up to £442 a year. Taken with other reforms such as the record levels of Child Benefit and increases in the amounts of Working Families Tax Credit, 1.2 million children will be lifted out of poverty by April 2001.

We estimate the costs to date of implementing the credit at around £4 million, including £1.5 million for publicity and £1.7 million for the issue of claim forms. No separate figures are available for the cost to date of the helpline.

Ms Buck: To ask the Chancellor of the Exchequer if entitlement to Working Families Tax Credit will be affected by the Children's Tax Credit. [130381]

Dawn Primarolo: Families who are eligible to claim both credits will be entitled to do so.

Call Centres

Mr. Etherington: To ask the Chancellor of the Exchequer (1) how many call centre jobs there were in *(a)* 1992, *(b)* 1997 and *(c)* 2000 in (i) England and Wales and (ii) the City of Sunderland; [130201]

(2) what the average salary was for employees of the call centre industry in *(a)* England and Wales and *(b)* the City of Sunderland in (i) 1992, (ii) 1997 and (iii) 2000. [130202]

Miss Melanie Johnson: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Bill Etherington, dated 17 July 2000:

As National Statistician I have been asked to reply to your recent questions regarding the number of call centre jobs and the salaries of employees in call centre jobs. (130201/2)

The Labour Force Survey (LFS) is National Statistics major source of labour market data on individuals and the New Earnings Survey (NES) is the most comprehensive source of earnings information in Great Britain. Both surveys use the Standard Occupational Classification (SOC) to allocate people to a certain code depending on their occupation. Under the current classification for 1990 (SOC90) call centre staff are allocated to a number of occupation codes, depending on the industrial sector in which they work, which include:

Telephone salespersons - SOC Code 792

clerks (not otherwise specified) - SOC Code 430

counter clerks and cashiers - SOC Code 411

accounts and wage clerks, book-keepers, other financial clerks - SOC Code 410.

However, these occupations also include those people who do a similar job with the same SOC number, but who do not work in a call centre - e.g. bank and insurance clerks. Thus the number of call centre staff, and hence their salaries, cannot be separately identified.

In the newly updated SOC2000, call centre agents/operators will be identified as a separate code. LFS and NES data for SOC2000 will be available in 2001.

Public Appointments

Mr. Allan: To ask the Chancellor of the Exchequer how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which he has made to non-departmental public bodies since 1 May 1997 were women. [129839]

Dawn Primarolo: *[holding answer 11 July 2000]:* This Government are committed to increasing the

representation of women in public life. In support of this, I have drawn up an action plan for increasing the number of women and ethnic minorities holding public appointments in public bodies of the Chancellor's Departments and Agencies.

The same question was tabled by the hon. Member for Taunton (Jackie Ballard) in April 1998 and an answer was subsequently given on 29 April 1998, *Official Report*, columns 161–62W. Information of appointments made since then is as follows:

Number of appointments since 29 April 1998

	Paid	*Unpaid*
Number of women appointed	5	33
Women as percentage of appointments	38	85

Departmental Payments

Mr. Chope: To ask the Chancellor of the Exchequer what percentage of correctly presented bills were paid by his Department in *(a)* 1998–99 and *(b)* 1999–2000 within 30 days of receipt of (i) goods and services, (ii) a valid invoice and (iii) other agreed payment terms. [130031]

Mr. Andrew Smith *[holding answer 11 July 2000]:* I refer the hon. Member to the answer given by the Minister for Small Businesses and E-commerce on 13 July 2000, *Official Report*, column 621W.

Taxation and National Insurance

Sir Teddy Taylor: To ask the Chancellor of the Exchequer what percentage of GDP is taken in taxation and National Insurance contributions *(a)* in the UK and *(b)* in each other EU member state. [130083]

Dawn Primarolo: The information requested can be found in the OECD publication, "Revenue Statistics 1965–1998", a copy of which is in the Library.

IR35

Mr. Nigel Jones: To ask the Chancellor of the Exchequer what assessment he has made of the views expressed by the Professional Contractors Group concerning the effect of the IR35 proposals on *(a)* the wages paid by large foreign-owned companies and *(b)* United Kingdom entrepreneurs. [130392]

Dawn Primarolo: There is no reason why the IR35 changes should have any effect on the wages paid by large foreign-owned companies or on genuine UK entrepreneurs.

Mr. Nigel Jones: To ask the Chancellor of the Exchequer what recent representations he has received concerning the IR35 tax proposals. [130393]

Dawn Primarolo: We continue to receive correspondence expressing a range of views on this policy.

Adoption

Mr. McNamara: To ask the Chancellor of the Exchequer if he will amend the regulations to enable prospective parents of children placed for adoption and awaiting its confirmation to qualify for *(a)* Working Family Tax Benefit and *(b)* Sure Start maternity grant. [130425]

Dawn Primarolo: The tax, benefit and local authority support systems will be considered in the light of the recommendations of the recently published report on adoption undertaken by the Performance and Innovation Unit.

VAT (EU)

Mr. Mitchell: To ask the Chancellor of the Exchequer what value added tax *(a)* rates and *(b)* exemptions are applied by each Government in the EU states; and what court cases have been (i) initiated and (ii) concluded in the European Court of Justice concerning the application of value added tax since 1 May 1997. [130292]

Dawn Primarolo: This information is supplied periodically in the "International VAT Monitor."

European Single Currency

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what studies *(a)* are being undertaken and *(b)* have been undertaken by the Government concerning the effect on trade and competition of the United Kingdom entering the single currency. [130247]

Miss Melanie Johnson *[holding answer 12 July 2000]:* I refer the hon. Member to the answer I gave him on 3 February 2000, *Official Report*, column 687W.

Public Sector

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the level of *(a)* public sector net worth and *(b)* public sector gross worth in financial year 1999–2000; and if he will make a statement. [130275]

Mr. Andrew Smith *[holding answer 12 July 2000]:* Forecasts of public sector net worth as a percentage of GDP were published in Table 2.6 of the March 2000 "Financial Statement and Budget Report". Forecasts of public sector gross worth are not available.

Net worth has recently been on an upward trend. This follows a prolonged period in which the poor state of the public finances led to it falling below 15 per cent. of GDP, from over 77 per cent. of GDP in 1980–81.

Monetary Policy Committee

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what criteria he uses to decide whether the Monetary Policy Committee members have knowledge and experience which is likely to be relevant to the Committee's functions; and on what grounds he decides whether to renew their membership. [130313]

Miss Melanie Johnson *[holding answer 13 July 2000]:* All members appointed to the MCP have distinguished professional track records in fields relevant to monetary policy. In deciding whether or not to reappoint external members the Chancellor takes into account the need to strike a balance between continuity and ensuring that there are opportunities to bring new ideas and perspectives into the MCP at regular intervals.

Fuel Duty

Mr. Brake: To ask the Chancellor of the Exchequer what assessment he has made of the advantages and disadvantages of allowing duty on fuel products to be paid at the terminal instead of at the point at which they leave the refinery. [130717]

Mr. Timms: I have made no such assessment.

Nigeria

Ms Walley: To ask the Chancellor of the Exchequer if he will make a statement in respect of debt owed by Nigeria to the UK. [130991]

Miss Melanie Johnson: The UK welcomes Nigeria's new democratic government and its determination to push ahead with economic reform. As Nigeria's largest creditor we have been working to help Nigeria resolve its debt burden within the context of IMF support so that freed-up resources can be devoted to poverty eradication. The Chancellor has taken a two-stage approach: first, a generous debt rescheduling at the Paris Club once an IMF programme has been agreed; and then, once Nigeria has built a track record of reform, the UK has made clear that it would be willing to consider partial debt cancellation subject to a debt sustainability analysis.

Written Answers to Questions

Tuesday 18 July 2000

DEFENCE

PFI Contracts

Mr. Matthew Taylor: To ask the Secretary of State for Defence (1) what mechanisms are in place to monitor the *(a)* service provided by defence projects delivered under the private finance initiative and *(b)* performance of PFI contracts for projects already operating; [128590]

(2) what monitoring is undertaken by his Department of Private Finance Initiative contracts; and if he will make a statement; [129202]

(3) what the average period of time is between the completion of a full business case and signing of the final contract for PFI contracts in his Department; and if he will make a statement. [129204]

Mr. Spellar: MOD signs PFI deals when appropriate contractual arrangements have been negotiated in order to secure best value for money. The time taken to complete such deals varies from contract to contract. Detailed records covering this particular aspect are not held centrally. Each PFI contract contains performance measures against which service provision is reviewed. MOD also seeks to apply lessons learned from its own PFI deals and from elsewhere in Government, drawing on guidance from the National Audit Office and other relevant bodies.

HMS Orwell

Mr. Quentin Davies: To ask the Secretary of State for Defence what the operational status is of HMS Orwell. [129857]

Mr. Spellar: HMS Orwell was decommissioned on Monday 10 July 2000.

Sierra Leone

Mr. Hancock: To ask the Secretary of State for Defence what steps he has taken to ensure that the 5 million rounds of 7.62 mm ammunition and the 4,081 mm mortar bombs provided to Sierra Leone by the UK Government are used only by the legitimate Government of Sierra Leone; and if he will make a statement. [130481]

Mr. Hoon: The issue of light weapons and ammunition provided by the UK Government to the Government of Sierra Leone, including the 5 million rounds of 7.62 mm ammunition and 4,000 81 mm mortar bombs, is controlled by a senior British military officer in Freetown. The Government of Sierra Leone has provided assurances that all weapons and ammunition will be used only by regular Sierra Leone Army soldiers and in accordance with international humanitarian law and human rights standards.

Nuclear Weapons (Iraq and Israel)

Mr. Savidge: To ask the Secretary of State for Defence what recent assessment he has made of the nuclear weapons capability of *(a)* Iraq and *(b)* Israel. [130679]

Mr. Hoon: We remain concerned about the potential for Iraq to resume its covert programme to develop a nuclear weapons capability. Hence the importance we attach to re-establishing weapons inspections in Iraq under the relevant United Nations Security Council resolutions.

Israel is a non-party to the nuclear non-proliferation treaty (NPT). We consistently call on Israel to join the NPT as a non-nuclear weapons state, to place all its nuclear facilities under international Atomic Energy Agency safeguards, to ratify the comprehensive nuclear test ban treaty and to engage in negotiations on a fissile material cut-off treaty.

Electronic Test Facility

Mr. Matthew Taylor: To ask the Secretary of State for Defence what representations he has received from the Irish Government with regard to his Department's Electronic Test Facility, formerly sited at the British Nuclear Fuels Ltd. site at Capenhurst, Cheshire since 19 October 1999; when these were received; and from which Departments of the Irish Government. [130531]

Mr. Spellar: The Ministry of Defence has not received any representations from the Irish Government regarding the Electronic Test Facility since 19 October 1999.

HMS Sheffield

Mr. Duncan Smith: To ask the Secretary of State for Defence what plans he has to fit HMS Sheffield with the Harpoon missile system. [130443]

Mr. Spellar *[holding answer 13 July 2000]:* None. I refer the hon. Member to the answer I gave on 12 June 2000, *Official Report*, column 451W.

RAF Gliding School

Mr. Clifton-Brown: To ask the Secretary of State for Defence what progress has been made with moving the RAF Gliding School from RAF Bicester to RAF Rissington. [130941]

Mr. Spellar *[holding answer 17 July 2000]:* Options for the future basing of the Joint Services Adventurous Training (Gliding) Centre and the Royal Air Force Gliding and Soaring Association Bicester Flying Club are currently being investigated. One option being considered is a move from RAF Bicester to RAF Little Rissington.

Until this work is completed later this year, it will not be possible to decide where these units will be located in future or to progress a move.

Executive Agencies

Mr. Michael Jabez Foster: To ask the Secretary of State for Defence what key targets have been set for the Defence Evaluation and Research Agency for the financial year 2000–01. [131149]

Dr. Moonie: Key Targets set for the Chief Executive of the Defence Evaluation and Research Agency for the financial year 2000–01 are set out as follows:

Key Target 1

Consistent with Treasury requirements, to achieve at least a 6 per cent. Return on Capital Employed.

Key Target 2

To increase New Business income (from customers other than the UK MOD) from £137 million forecast to be achieved in 1999–2000 to £165 million.

Key Target 3

To increase the number of staff elected as Fellows of professional bodies by 5 per cent. from a baseline at 31 March 2000.

Key Target 4

To achieve on time 90 per cent. of the agreed milestones on work for MOD customers.

Key Target 5

To maintain the level of MOD customer satisfaction as measured by core questions.

Key Target 6

Over a period of three years (1998–99 to 2000–01), to achieve a 20 per cent. increase in peer reviewed publications per professional. For 2000–01, this translates into achieving a figure of 7.1 publications per 100 professionals from a baseline at 1 April 2000 of 6.3.

Key Target 7

Over a three year period from (1998–99 to 2000–01), to increase by 50 per cent. the number of scientific teams assessed as 'world-class' in the technical assessment exercise. For 2000–01 this translates into achieving 24 from a current baseline at 1 April 2000 of 19.

Laura Moffatt: To ask the Secretary of State for Defence what key targets have been set for the Defence Medical Training Organisation for the Financial Year 2000–01. [131512]

Dr. Moonie: Key Targets have been set for the Chief Executive of the DMTO for financial year 2000–01. The targets build on the progress already made by the Agency since it formed in April 1997 and are as follows:

Key Target 1—Academic Success (Quality and Quantity)

To achieve the following academic success rates:

Common Core Course (CCC)—96 per cent.

Specialist Registrars (SpR)—96 per cent.

Pre-Registration Nurses (Pre-Reg Nurses)—96 per cent.

Key Target 2—Academic Success (Timeliness)

The following percentage of trainees achieving academic success to be delivered on time, as agreed with the customer:

CCC—96 per cent. (at first attempt, remainder at second attempt (which is normally within three months).

SpR—96 per cent.

Pre-Reg Nurses—98 per cent.

Key Target 3—External Individual Medical Services Training

Confirm with customers the baseline requirement for external medical services training by 31 March 2001.

Key Target 4—Corporate Efficiency Index

To achieve a 1.5 per cent. efficiency improvement demonstrated by the DMTO corporate efficiency index for 2000–01.

Laura Moffatt: To ask the Secretary of State for Defence what key targets have been set for the Defence Dental Agency for the financial year 2000–01. [131513]

Dr. Moonie: Key Targets have been set for the Chief Executive of the DDA for financial year 2000–01. The targets build on the progress already made by the Agency since it formed in March 1996 and are as follows:

Key Target 1—The Operational Requirement

From within available personnel resources allocated to the DDA by single Services to achieve 100 per cent. of personnel called forward, trained to required professional and military standards, at the specified readiness for deployment with the Joint Rapid Reaction Force (JRRF) and all operations.

Key Target 2—Overall Dental Fitness

For each Service, maintain the dental fitness level targets as follows:

(a) RN at least 75 per cent.

(b) Army at least 70 per cent.

(c) RAF at least 75 per cent.

Key Target 3—Treatment Needs

To show a zero increase in the Treatment Needs (TN) Index as follows:

(a) RN above 500.

(b) Army above 755.

(c) RAF above 340.

Key Target 4—Dental Fitness Category D

To limit the number of personnel in dental fitness Category D4 (those personnel who have not received a dental inspection and charting for 12 months or more) to the following percentage of the total Service population:

(a) RN 14 per cent.

(b) Army 17 per cent.

(c) RAF 14 per cent.

Key Target 5—Training

To achieve the following success rates within the normal duration of each course:

Vocational Dental Practitioner—90 per cent.

Dental Hygienist—90 per cent.

Basic Dental Support Specialist (DSS)—95 per cent.

Key Target 6—Military Training

To ensure that 80 per cent. of all DDA personnel, whose medical category permits, are released to undertake annual military training as specified by respective single Services.

Key Target 7—Personnel For Exercises

To ensure that 100 per cent. of all DDA personnel nominated to established post in the operational core requirement of their parent Service are released to attend appropriate exercises.

Mrs. Gilroy: To ask the Secretary of State for Defence what key targets have been set for the Defence Secondary Care Agency for the Financial Year 2000–01. [131515]

Dr. Moonie: Key Targets have been set for the Chief Executive of the DSCA for financial year 2000–01. The targets build on the progress already made by the Agency since it formed in April 1996 and are as follows:

Key Target 1—The Operational Requirement

From within the personnel resources provided to the DSCA by the single Services, to meet 100 per cent. of the requirement of the Commanders in Chief (CinCs) for secondary care personnel for operational deployments.

Key Target 2—Outpatient Waiting Times

To ensure that 45 per cent. of Service patients referred to the Agency are offered at first outpatient appointment within four weeks of receipt of a referral and 85 per cent. within 13 weeks.

Key Target 3—Inpatient Waiting Times

To ensure that 75 per cent. of Service patients are offered a treatment date which is within 13 weeks of the decision to give inpatient treatment.

Key Target 4—Efficiency

To obtain savings of 10 per cent. in non-project works and maintenance expenditure.

Key Target 5—Quality

To carry out NHS requirements for progress in clinical governance and deliver a baseline assessment of capacity and capability across all DSCA Units by 31 August 2000 and a second assessment demonstrating measurable improvement by 31 March 2001.

Key Target 6—Military Training

To ensure that 80 per cent. of all DSCA personnel, whose medical category permits, are released to receive their respective Service's annual mandatory military training.

Key Target 7—Personnel For Exercises

To ensure that 80 per cent. of DSCA based personnel nominated to established posts in their Service's operational core requirement are released to attend appropriate exercises.

Mrs. Gilroy: To ask the Secretary of State for Defence what key targets have been set for the Medical Supplies Agency for the Financial Year 2000–01. [131516]

Dr. Moonie: Key Targets have been set for the Chief Executive of the Medical Supplies Agency for financial year 2000–01. The targets build on the progress already made by the Agency since it formed in March 1996 and are as follows:

Key Target 1—Composite Medical Matériel

To build, completely, to time and within budget, by 31 March 2001, 100 per cent. of all modules on the agreed Operational Build Programme, as authorised by the Director Medical Operational Capability (D Med Op Cap).

Key Target 2—The Operational Requirement

To meet 100 per cent. of the Services requirements for blood products and scaled medical matériel, or matériel approved by D Med Op Cap to mount and sustain operations.

Key Target 3—The Exercise and Training Requirement

To meet 100 per cent. of the Services requirements for modularised medical matériel, blood and blood products in support of exercises, training and major events.

Key Target 4—Response to Demands

To meet 90 per cent. of all demands for Category B items (common used items with a unit cost of less than £100 and approved by D Med Op Cap) within the agreed timescale, expressed in working days.

Key Target 5—Stock Issued to Stock Held Ration

To improve the ratio of stock issued to stock held from 1.75 to 2.

Falkland Islands

Mr. Baker: To ask the Secretary of State for Defence what is the total annual amount spent by his Department in respect of the Falkland Islands in the last year for which figures are available. [130417]

Mr. Spellar: The outturn cost to the Ministry of Defence for the Falkland Islands Garrison in financial year 1999–2000 was £71.1 million.

This figure relates to the costs incurred by the Commander British Forces Falkland Islands only. It does not include the costs of the RAF airbridge to the Falkland Islands, nor the cost of naval deployments to the South Atlantic. These costs fall to other budgets and could be provided only at disproportionate cost.

TRADE AND INDUSTRY

Nuclear Fuel

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what proportion of the respective stockpiles of reprocessed uranium from *(a)* magnox fuel, *(b)* AOR fuel, *(c)* SGHWR fuel and *(d)* fast reactor fuel have been re-cycled in new fuel to date; and if he will list the quantities and current locations of the reprocessed uranium stored to date. [129967]

Mrs. Liddell: Proportion *(a)* is approximately 50 per cent. Proportion *(b)* is 0 per cent. Proportions *(c)* and *(d)* cannot be calculated without incurring disproportionate cost, because UKAEA does not separately distinguish the source of the uranium which it uses for fuel manufacture.

My Department published the figure of holdings of civil depleted, natural and low enriched uranium at 31 December 1999 on 13 June. This material is stored at licensed civil nuclear sites in the UK.

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry which *(a)* Government Departments, in (i) the United Kingdom and (ii) Japan, *(b)* en route states, *(c)* nuclear regulatory bodies and *(d)* non-governmental groups in (1) the United Kingdom, (2) Japan and (3) en route states were consulted on the decision to return plutonium MOX fuel to Sellafield; what considerations underlay the decision to transport the plutonium fuel; what other options were considered; what his estimate is of the cost of the shipment and subsequent processing at Sellafield; and what is the basis for his estimate. [130850]

Mrs. Liddell: The agreements announced on 11 July on resolving the problem of the MOX fuel at Takahama in Japan followed discussions between BNFL and its Japanese customer, Kansai Electric Power Company, and between the UK and Japanese Governments.

The Government's support for BNFL's decision followed full consultation across Departments. The cost of the return shipment and the subsequent handling of the fuel at Sellafield is a commercial matter for BNFL.

Mr. Chaytor: To ask the Secretary of State for Trade and Industry what estimate he has made of the total cost of returning the defective MOX fuel from Japan to the United Kingdom; and if he will break down the main components of the cost. [131301]

Mrs. Liddell: British Nuclear Fuels plc (BNFL) is responsible for the return of the MOX fuel in Japan. The fuel will be returned at BNFL's expense. The cost is a commercial matter for BNFL.

Export Licences

Mr. Chope: To ask the Secretary of State for Trade and Industry how many export licence applications to his Department have been awaiting a decision for more than *(a)* three months, *(b)* six months and *(c)* a year. [130049]

Dr. Howells *[holding answer 11 July 2000]:* At 7 July 2000, a decision had not yet been taken on 634 applications for new individual export licences received since 2 May 1997. These are broken down as follows:

	Standard individual export licences	Open individual export licences
Applications received between:		
7 July 1999 or earlier	62	68
8 July 1999 and 7 January 2000	118	52
8 January and 7 April 2000	242	92

The figures for open individual export licences do not cover amendments, extensions or OIELs for protective clothing for the media.

However, this information should be considered in light of the answer I gave to my hon. Friend the Member for Kingswood (Mr. Berry), on 27 July 1999, *Official Report*, columns 307–08W.

Mr. Cousins: To ask the Secretary of State for Trade and Industry how often in *(a)* 1997, *(b)* 1998 and *(c)* 1999 an export required a licence under the weapons of mass destruction end use controls; in which states these end-users were located; and in how many cases the licence was refused. [130800]

Dr. Howells *[holding answer 17 July 2000]:* Details of all export licensing decisions taken between 2 May 1997 and 31 December 1998 were set out in the Government's 1997 and 1998 annual reports on strategic export controls, published by the Foreign and Commonwealth Office; copies are in the Library of the House. These reports list by country of destination the numbers of export licences issued and refused in each entry in the relevant legislation under which the export of goods is controlled, which is known as their rating.

The end use control applies to goods, not otherwise subject to control, where the exporter has been told or knows or suspects that the goods would or might be used in activities connected with weapons of mass destruction or missiles for their delivery. Goods controlled for these reasons are given the rating "End Use".

Information on export licensing decisions taken in 1999 will be set out in the 1999 Annual Report on Strategic Export Controls, which will be published soon.

Venture Capital

Mr. Kidney: To ask the Secretary of State for Trade and Industry what steps he has taken to help developers of agriculture-related projects obtain access to venture capital. [130732]

Ms Hewitt: The Enterprise Fund's venture capital elements, the UK High Technology Fund and the Regional Venture Capital Funds, are being established to stimulate the availability of equity finance for smaller businesses which offer significant growth potential.

A range of agriculture-related projects will be eligible to receive equity funding through the Enterprise Fund venture capital schemes. However, all investment decisions under these programmes will be made by professional Fund Managers in pursuit of the best possible commercial returns for their funds. It is therefore not possible to pre-determine the sectors in which investments will be made.

Sub-post Office

Mr. Viggers: To ask the Secretary of State for Trade and Industry if he will investigate ways of increasing the incomes of sub-post offices by *(a)* the payment of wages to their staff, *(b)* provision of swipe cards for the collection of child allowances, pensions and other benefits, *(c)* encouraging their use for the charging of electricity key meters, *(d)* the issue of vehicle excise licences and *(e)* other means. [131162]

Mr. Alan Johnson: The Performance and Innovation Unit's report on the future of the post office network identified new business opportunities for sub-post offices and the Post Office is also seeking out new commercial opportunities in order to sustain or enhance the income of sub-post offices.

Mortgages (Insurance Products)

Mr. Cousins: To ask the Secretary of State for Trade and Industry what his policy is towards tying the sale of insurance products to mortgage lending; and if he will make a statement. [130810]

Dr. Howells *[holding answer 17 July 2000]:* I consider that tying-in of mortgages with insurance often means that consumers pay uncompetitive premiums for their insurance cover. I believe that consumers should be free to shop around for the best deal.

DTI is therefore now consulting on a proposal to ban compulsory tie-ins of mortgages with insurance products. Once I have considered fully all the responses to the consultation, I will then look at how this proposal can be taken forward.

Intellectual Property Rights

Mr. Baker: To ask the Secretary of State for Trade and Industry (1) what documentation has been prepared by his Department for the TRIPS Council to demonstrate compliance of the United Kingdom's intellectual property law with the TRIPS Agreement which incorporates Article 10bis of the Paris Convention; what response his Department has received from the TRIPS Council; and if he will place a copy of both the document and response in the Library; [130410]

(2) what discussions his officials have had with the TRIPS Council regarding the compliance of the United Kingdom's intellectual property law with the TRIPS Agreement that incorporates Article 10bis of the Paris Convention. [130411]

Dr. Howells: As required by the World Trade Organization (WTO) Trade Related Aspects of Intellectual Property Rights (TRIPS) Agreement the United Kingdom notified its main dedicated intellectual property laws and regulations to the WTO. These were published by the WTO during 1996 in documents with the references IP/N/1/GBR/1, IP/N/1/GBR/C/1, IP/N/1/GBR/C/2, IP/N/1/GBR/T/1, IP/N/1/GBR/T/2, IP/N/1/GBR/G/1, IP/N/1/GBR/G/2, IP/N/1/GBR/D/1, IP/N/1/GBR/D/2, IP/N/1/GBR/P/1, IP/N/1/GBR/P/2, IP/N/1/GBR/P/3, IP/N/1/GBR/L/1, IP/N/1/GBR/U/1, IP/N/2/GBR/1 and IP/N/6/GBR/1.

The United Kingdom participated in reviews of developed country WTO members' TRIPS implementing legislation carried out by the TRIPS Council throughout

1996 and 1997. Records of introductory statements made by the United Kingdom delegation, questions put to the United Kingdom delegation and the responses given were published by the WTO in four documents with references IP/Q/GBR/1, IP/Q2/GBR/1, IP/Q3/GBR/1 and IP/Q4/GBR/1. All of these documents are available to the public on the WTO website, www.wto.org.

Employment Tribunals

Helen Jones: To ask the Secretary of State for Trade and Industry if he will review the appointment of Mrs. J. Upshall as a member of employment tribunals taking account of the operation of Integrate Services in Warrington. [130669]

Mr. Alan Johnson: I am not aware of any grounds for action in relation to Mrs. Upshall's appointment.

TREASURY

Financial Services and Markets Act 2000

Mr. Love: To ask the Chancellor of the Exchequer if he will publish the timetable for implementation of each part of the Financial Services and Markets Act 2000. [126975]

Miss Melanie Johnson: I expect the Financial Services and Markets Act 2000 to come into force in about one year's time. This will complete the process of the modernisation of financial services regulation announced by my right hon. Friend the Chancellor of the Exchequer in May 1997. The timescale provides a framework within which proper preparations can be made for the new regulatory system.

The Government believe that both the financial services industry and consumers will benefit from a single regulator with clear statutory objectives providing a light touch where possible, protection where necessary.

Aggregates

Mr. Gill: To ask the Chancellor of the Exchequer when the Quarry Products Association was informed of specific legal objections to their proposed preferential purchasing scheme for aggregates from quarry operators meeting certain environmental criteria. [131096]

Mr. Timms: The Quarry Products Association put forward their developed proposals for a preferential purchasing scheme in late 1999. The Government at that time made it clear that this scheme raised concerns in terms of both EU procurement law and on competition grounds.

Mr. Gill: To ask the Chancellor of the Exchequer when he discussed the Quarry Products Association's proposed preferential purchasing scheme for aggregates from quarry operators meeting certain environmental criteria with *(a)* the Office of Fair Trading, *(b)* the European Commission, *(c)* the DETR and *(d)* the Department of Trade and Industry. [131095]

Mr. Timms: Discussions with the relevant Government Departments on the Quarry Products Association's proposed preferential purchasing scheme began as soon as further details of the scheme were brought forward in late autumn 1999.

Pesticides Tax

Mr. Alan Simpson: To ask the Chancellor of the Exchequer if he will list *(a)* the representations the Treasury has received and *(b)* meetings it has held on the proposed pesticides tax, giving details of meetings held with (i) the British Agrochemicals Association, (ii) UKASTA, (iii) NOAH, (iv) the National Farmers Union, (v) the Country Landowners Association, and (vi) agrochemical companies, indicating which companies; and what the duration of the meetings was in each case. [131103]

Mr. Timms: I refer my hon. Friend to the answer I gave him on 21 June 2000, *Official Report*, columns 215–16W.

Spending Review (Devolved Administrations)

Mrs. Lawrence: To ask the Chancellor of the Exchequer if he will publish the funding rules for the devolved Administrations applied in the 2000 Spending Review. [131564]

Mr. Andrew Smith: Copies of the updated statement of funding policy, which sets out the funding arrangements for the devolved Administrations, have today been placed in the Libraries of both Houses of Parliament.

Parliamentary Questions

Mr. Stunell: To ask the Chancellor of the Exchequer how many written parliamentary questions were tabled to his Department between 19 October 1999 and 20 April; and how many did not receive substantive answers citing disproportionate cost as the reason. [131201]

Mr. Timms: 1,676 written questions were tabled to the Chancellor of the Exchequer in the period concerned. Disproportionate cost was cited in 15 instances as the reason why the information requested could not be provided. In a further 28 cases, some of the information sought was provided, but some other information would have been disproportionately costly to obtain.

Tax Returns (Internet)

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer how many individual taxpayers who file self-assessment tax returns have registered for the Inland Revenue service for filing tax returns on the internet in each month since the service became available; and if he will make a statement. [130564]

Dawn Primarolo: Since the registration service became available on 3 April, 63,301 individual taxpayers who file self-assessment tax returns have registered for the Inland Revenue service for filing tax returns on the internet. The number of registrations in each month were as follows:

Month	*Registrations*	*Cumulative total*
April	32,937	32,937
May	14,877	47,814
June	10,677	58,491
July[1]	4,530	63,021
July[2]	280	63,301

[1] Week one
[2] Week two

Special Advisers

Mr. Tyrie: To ask the Chancellor of the Exchequer if he will update the statement on travel on Government business by the Treasury's special advisers deposited in the Library on 27 July 1999 to include information about the period after 13 July 1999. [124123]

Miss Melanie Johnson *[holding answer 5 June 2000]:* Details for the period since 13 July 1999 are as follows:

Official travel overseas by Treasury special advisers: 13 July 1999-June 2000

Date	*Destination*	*Purpose*
Ian Austin		
15–17 September 1999	New York/Washington, USA	Chancellor's speaking engagement and bilateral meetings
Ed Balls		
15–17 September 1999	New York/Washington, USA	Chancellor's speaking engagement and bilateral meetings
24–29 September 1999	Washington, USA	G7 and IMF/World bank Annual Meetings, bilateral meetings
29 November 1999	Brussels, Belgium	ECOFIN
4–8 December 1999	Washington, USA	Chancellor's speaking engagement and bilateral meetings
9–10 December 1999	Helsinki, Finland	European Council
15–16 December 1999	Berlin, Germany	G20 Finance Ministers Meeting
31 January 2000	Brussels, Belgium	ECOFIN
21–23 February 2000	New York, USA	Chancellor's speaking engagement
28 February 2000	Brussels, Belgium	ECOFIN
13–18 April 2000	Washington, USA	G7 and IMF/World bank Spring Meetings, bilateral meetings
18–20 June 2000	Feira, Portugal	European Council
29 June 2000	Paris, France	Meeting at the Tresor
Ed Miliband		
10–11 September 1999	Turku, Finland	Informal ECOFIN
15–17 September 2000	New York, Washington, USA	Chancellor's speaking engagement and bilateral meetings
24–26 September 1999	Washington, USA	G7 and IMF Meetings
21–23 February 2000	New York, USA	Chancellor's speaking engagement

SOCIAL SECURITY

Average Incomes

Ms Roseanna Cunningham: To ask the Secretary of State for Social Security, pursuant to his answer of 22 June 2000, *Official Report*, column 256W, on average incomes, if he will list the figures requested for single parents and disabled people. [128063]

Mr. Bayley: The information is not available in the format requested. Data are not available for all the years requested. The earliest and latest financial years for which data from the Family Resources Survey (FRS) data are available are 1994–95 and 1998–99 respectively.

Year on year changes in average amounts of State benefits reflect changes in employment status, income from other sources (for income-related benefits), benefit entitlement and caseload mix.

Results are subject to statistical variability. Comparisons of one year with the next should be treated with considerable caution.

For the purposes of these statistics, disabled people have been defined as anyone in receipt of at least one disability benefit, i.e. Disability Living Allowance (care or mobility), Attendance Allowance, Severe Disablement Allowance, Disability Working Allowance or Incapacity or Invalidity Benefit.

Their average weekly income from state benefits (including the State Retirement Pension) per individual was £110 in 1994–95. It remained at this level in 1995–96 then rose to £117 in 1996–97, £120 in 1997–98 and £124 in 1998–99. The same figures rebased in constant May 2000 prices to adjust for inflation were £129 in 1994–95, £125 in 1995–96, £129 in 1996–97, £128 in 1997–98 and £130 in 1998–99. This represented 34 per cent. of average earnings in 1994–95, 33 per cent. in each of the years 1995–96, 1996–97 and 1997–98, and 32 per cent. in 1998–99.

Results for single parents are sensitive to the proportion of single parents in employment and are presented separately for those in work—defined as working 16 hours or more per week—and those not in work. The proportion of single parents in work, according to the FRS, rose from 37 per cent. in 1994–95 to 43 per cent. in 1998–99. Benefit income is of course much lower for lone parents in work, who therefore have income from earnings, than lone parents not in work. (For recipients of disability benefits the proportion in work, as recorded in the FRS, was stable over this period.)

Average weekly income from State benefits (including the State Retirement Pension) per individual lone parent in work was £64 in 1994–95, £66 in 1995–96, £65 in 1996–97, £68 in 1997–98 and £74 in 1998–99. The same figures rebased in constant May 2000 prices to adjust for inflation were £75 in 1994–95, £75 in 1995–96, £72 in 1996–97, £73 in 1997–98 and £77 in 1998–99. This represented 20 per cent. of average earnings in 1994–95 and 1995–96 and 19 per cent. in each of the years 1996–97, 1997–98 and 1998–99.

Average weekly income from state benefits (including the State Retirement Pension) per individual lone parent not in work was £135 in 1994–95, £142 in 1995–96, £144 in 1996–97, £149 in 1997–98 and £155 in 1998–99. The same figures rebased in constant May 2000 prices to adjust for inflation were £158 in 1994–95, £162 in 1995–96, £160 in 1996–97, £160 in 1997–98 and £161 in 1998–99. This represented 41 per cent. of average earnings in 1994–95, 42 per cent. in 1995–96, 41 per cent. in 1996–97 and 1997–98 and 40 per cent. 1998–99.

The amounts listed here and used in the calculation of percentages are per individual. Benefits have been assigned to the individual in receipt. For example, if Income Support is paid to a disabled person with a non-disabled partner, the full amount of Income Support is assigned to the disabled person in these tables.

The mean has been used to calculate the average weekly income from State benefits for all individuals in the various different groups.

Real term figures have been calculated by uprating cash term figures to reflect May 2000 prices. The headline Retail Prices Index has been used for this calculation.

Average earnings figures, used as the base for calculation of the percentage figure, are for all full time adult employees and are based on data from the New Earnings Survey (Office for National Statistics) which is conducted in April of each year. As FRS data is for financial years the April in which the FRS financial year begins has been used as the average earnings base.

It should be noted that benefit receipt is based on self-assessment and therefore may be subject to mis-reporting.

All income figures have been rounded to the nearest pound and percentages rounded to the nearest integer.

Vaccine Damage Payment Scheme

Mr. Ian Stewart: To ask the Secretary of State for Social Security, pursuant to his oral statement of 27 June 2000, *Official Report*, column 720, what additional payments will be made to people who received a *(a)* £10,000, *(b)* £20,000, *(c)* £30,000 and *(d)* £40,000 payment under the 1979 Vaccine Damage Payment Scheme; and on what basis these amounts have been calculated. [130842]

Mr. Bayley: Top-up payments are intended to represent the difference, in real terms, between the original payments and the proposed new £100,000 rate. Calculation of the proposed top-up payments is as follows:

£

Original payment	*Top-up payment*
10,000	67,000
20,000	62,500
30,000	61,500
40,000	58,000

The original payment made to past recipients has been revalued from the date that the relevant rate of that payment was introduced up to April 2000 using the Retail Prices Index (All items) and the normal method applied in revaluing Social Security benefits across successive upratings.

Mr. Lilley: To ask the Secretary of State for Social Security (1) where he intends to publish the criteria which will be used under the revised Vaccine Damage Payment Scheme to determine whether a person is 60 per cent. disabled; [131126]

(2) where the criteria determining whether a child is 80 per cent. disabled are published; [131131]

(3) if he will publish the protocols used by SEMA Group to determine whether a person's injuries were caused by a vaccine; [131132]

(4) if he will publish the protocols used by SEMA Group to determine whether a person is 80 per cent. disabled. [131119]

Mr. Bayley: Section 1(4) of the Vaccine Damage Payments Act 1979 directs that the level of disablement in vaccine damage cases be assessed as for the purposes of section 103 of the Social Security Contributions and Benefits Act 1992. Assessment is further covered in Schedule 6 to the latter Act, and in the Social Security (General Benefit) Regulations 1982 (SI 1982/1408), reg 11 and Schedule 2.

Assessment of 80 per cent. disablement is made by doctors specially trained in disability assessment medicine. They assess the degree of disablement by reference to and comparison with assessments, including guidance on percentage impairments, prescribed in the above legislation. They are assisted in this task by guidance contained in "The Severe Disablement Allowance Handbook for Medical Advisers", approved by the Department of Social Security's Chief Medical Adviser and published by Sema Medical Services, a copy of which will be placed in the Library. Because of the proposed change to the disability threshold under the scheme the need for revised guidance on the 60 per cent. disablement criterion will be considered, and made publicly available as appropriate, before the new threshold comes into force.

Sema doctors advise on whether, on the balance of probabilities, a person's injuries were caused by a vaccine on the basis of the current consensus of informed medical opinion. The use as reference the book "Adverse Events Associated with Childhood Vaccines" by the Institute of Medicine. Sema doctors also carry out regular electronic searches of published medical research papers. The majority of such research in the past three years has been published in *The Lancet*. The current consensus of informed medical opinion is summarised in Sema medical Services' procedural guidance to its doctors on processing referrals for advice on vaccine damage claims, a copy of which will be placed in the Library.

Mr. Lilley: To ask the Secretary of State for Social Security (1) when he plans to publish regulations increasing the statutory sum available under the Vaccine Damage Payments Scheme; [131127]

(2) if the £60 million sum for the costs of revisions to the Vaccine Damage Payments Scheme is intended to cover only the top-up payments for previous recipients of awards; [131130]

(3) if additional funds will be made available *(a)* this year and *(b)* in future years if more people than anticipated qualify for a vaccine damage payment when the Vaccine Damage Payments Scheme is revised; [131117]

(4) when he plans to introduce legislation on the Vaccine Damage Payments Scheme; [131118]

(5) pursuant to his oral statement of 27 June 2000, *Official Report*, columns 719–20, on vaccine damage payments, if he will make a statement on the basis of the calculations that top-up payments of £58,000 to £67,000 will provide recipients with a total payment of £100,000 in real terms. [131193]

Mr. Bayley: The draft Vaccine Damage Payment Act 1979 Statutory Sum Order 2000 was laid on 5 July and is being debated in both Houses this week. We estimate that the costs of implementing the proposals as they affect all existing cases will be around £60 million. There is a statutory entitlement to a vaccine damage payment if the relevant criteria are met and such payments will be made regardless of the future number of awards.

The original payment made to past recipients has been revalued from the date that the relevant rate was introduced to April 2000 using the Retail Prices Index (All items) and the normal method applied in revaluing Social Security benefits across successive upratings. The top-up payments represent the difference between this figure and the proposed new £100,000 rate.

We will bring forward primary legislation to implement the proposed changes to the time limit and the disability threshold as soon as possible.

Occupational Pensions Regulatory Authority

Maria Eagle: To ask the Secretary of State for Social Security when he expects to receive the Occupational Pensions Regulatory Authority's fourth annual report; and if he will make a statement. [131562]

Mr. Darling: I have received the fourth report of the Occupational Pensions Regulatory Authority which documents how the organisation has carried out its regulatory functions and worked with others to raise standards in the pensions industry. I have laid copies of the report before both Houses today.

Widowers

Mr. Field: To ask the Secretary of State for Social Security how many widowers have had their claims for retrospective payment of Widow's Benefits or compensation for not receiving those benefits recently refused; and if he will make a statement on the grounds on which those claims were refused. [131184]

Angela Eagle: In the two months to 31 May 2000, 104 claims for Widow's Benefits were received from men. All such claims are disallowed as men are not entitled to Widow's Benefits under current legislation.

Mr. Field: To ask the Secretary of State for Social Security how many widowers have contacted his Department to make an inquiry about the possible payment of retrospective Widow's Benefits to men or a settlement following the European Court of Human Rights ruling. [131183]

Angela Eagle: There has been no ruling from the European Court of Human Rights (ECHR). The ECHR's published judgments on two cases explained that, having reached a friendly settlement, these cases have been struck out of the list.

We have received 40 letters inquiring about Widow's Benefits for men in relation to the European Court of Human Rights.

Mr. Field: To ask the Secretary of State for Social Security how many widowers have claims for Widow's Benefit for men or compensation for the non-payment of those benefits before the European Court of Human Rights. [131185]

Angela Eagle: Fifteen applications have been referred to us by the European Court of Human Rights, including two cases which have been struck out of the list following acceptance of the Government's offer by way of friendly settlement.

Disability Benefit

Maria Eagle: To ask the Secretary of State for Social Security how he intends to respond to the Social Security Commissioner's decision that telephone conversations could in certain circumstances count as attention for the purpose of giving entitlement to Attendance Allowance or the care component of Disability Living Allowance. [131563]

Mr. Bayley: We know that many people get support from telephone contact with friends and advisers. However, the purpose of Attendance Allowance and the care component of Disability Living Allowance (DLA) is to provide a contribution for the extra costs of people who are so severely disabled that they need another person present to help them. We must ensure that the benefits are provided for those people for whom they were intended. Subject to Parliamentary approval, we therefore intend to introduce amending regulations to ensure that benefit entitlement is not available simply where people speak over the telephone or similar media.

Other assistance is available from social services and social work departments; they have powers to provide assistance with telephone expenses to people who are assessed as needing them for emergency situations.

Stakeholder Pensions

Mr. Willetts: To ask the Secretary of State for Social Security if the Government will have access to information on stakeholder pensions to enable it to ascertain whether sales are to people outside or within its target group. [130762]

Mr. Rooker: We are planning to collect a range of statistical data. It is intended that this data will, in due course, include information about the level of members' earnings which will enable us to determine how many sales are to people in the target group, as part of the total market for Stakeholder Pensions.

Mr. Field: To ask the Secretary of State for Social Security what the basis is for his calculation that it would be advantageous for a person earning £9,500 to contract out of the state second pension into a stakeholder pension. [131326]

Mr. Rooker: Stakeholder pensions will be open to people at all income levels but are primarily intended for moderate earners—those earning between around £10,000 and £20,000 a year—as well as higher earners. It will be for individuals to decide whether or not to use a stakeholder pension to contract out of the state scheme, but National Insurance rebates for people who do contract out are set at a level which reflects the cost of providing the state benefits forgone. The state second pension is structured to provide extra help in the state scheme above that available from SERPS for people on earnings up to around £20,000. The new contracting-out arrangements have been designed so that members of contracted-out

pension schemes will benefit from the extra help that the state second pension brings to low and moderate earners, either through higher rebates or a state scheme top-up.

Maternity Pay

Ms Harman: To ask the Secretary of State for Social Security what percentage of women's average earnings flat rate Statutory Maternity Pay represents; and what was the highest percentage it has ever represented. [131112]

Mr. Bayley: The flat rate of Statutory Maternity Pay was 27 per cent. of average women's earnings in 1999–2000, the latest year for which there are figures. This percentage was at its highest in 1987–88 when it reached 28 per cent.

Ms Harman: To ask the Secretary of State for Social Security what the total annual cost is of Statutory Maternity Pay flat rate; and what it would be if it was increased to £100. [131113]

Mr. Bayley: Statutory Maternity Pay is paid at 90 per cent. of a woman's average weekly earnings for the first six weeks of her maternity leave and a flat rate of £60.20 for the following 12 weeks.

The cost of the SMP flat rate is £210 million.

The total full year cost of paying flat rate at £100 a week would be £350 million.

Ms Harman: To ask the Secretary of State for Social Security what the total extra cost of flat rate Statutory Maternity Pay would be if it were extended from 12 weeks to up to the child's first birthday. [131114]

Mr. Bayley: The extra full year cost in 2000–01 of extending the flat rate of Statutory Maternity Pay from 12 weeks up to the child's first birthday would be up to £495 million.

Pensions

Mr. Alan Williams: To ask the Secretary of State for Social Security if he will estimate for 2000–01, the *(a)* gross and *(b)* net difference between the cost of the actual pension increase and (i) an increase of 2.5 per cent., (ii) an increase in line with earnings and (iii) the provision made in the Department's estimates. [131254]

Mr. Rooker: The estimated extra cost for 2000–01 of a 2.5 per cent. increase in basic pension rates would be £530 million gross, £400 million net of means-tested benefits.

The extra cost of an increase in line with earnings would be £1,310 million gross, £1,000 million net. The estimates made in the Departments Report assume a 1.1 per cent. increase and as this was the level of increase there is no difference.

Notes:

1. Assumed average earnings growth is 4.6 per cent. The measure of earnings used is the annual change in the seasonally adjusted, three months to July average earnings index, which was used to uprate the Minimum Income Guarantee.

2. Estimates are rounded to the nearest £10 million.

3. Costs include benefits whose rates are linked by statute to the rate of basic Retirement Pension (principally Widow's Benefits and long-term Incapacity Benefit).

4. Gross costs have been estimated by the Government Actuary's Department. Offsetting means-tested benefit savings have been estimated using the Department's Policy Simulation Model.

Housing Benefit

Mr. Tynan: To ask the Secretary of State for Social Security if he will make a statement on the Government's plans for the extension of the Housing Benefit Verification Framework; and how the Government intends to achieve this extension, with particular reference to incentives or penalties for local authorities failing to *(a)* comply fully with the scheme or *(b)* commit themselves to a date. [130763]

Angela Eagle: We are working in partnership with local authorities in developing and implementing anti-fraud initiatives such as the Verification Framework. Local authorities are in a position to consider their specific needs and local circumstances before deciding when to take forward these initiatives.

That said, we continue to encourage all local authorities to implement the Verification Framework. We have made £100 million available to enable all authorities to implement the Framework by 2001. In addition we have introduced changes that mean that authorities which are compliant with the Framework can claim additional subsidy under the Weekly Benefit Savings Scheme.

Mr. Tynan: To ask the Secretary of State for Social Security if he will list for each local authority in Great Britain, for each of the last two financial years, weekly benefit savings for *(a)* thresholds, *(b)* claimed savings, *(c)* amount of additional subsidy claimed and *(d)* amount of subsidy penalty applied. [130963]

Angela Eagle: The information has been placed in the Library.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Social Security how many written parliamentary questions tabled to his Department between 19 October 1999 and 20 April did not receive substantive answers, citing as the reasons commercial or other confidentiality. [131202]

Mr. Rooker: Of the 1,815 questions we received during this period, we were unable to give substantive answers to three questions where we cited the information was commercial in confidence and one answer where the information was confidential.

Correspondence

Mr. Winnick: To ask the Secretary of State for Social Security, pursuant to his reply of 10 July 2000, *Official Report*, column 389W, for what reason the Director of the Disability and Carer Benefits Directorate did not sign the reply of 4 July to the hon. Member for Walsall, North concerning a constituent; and why the letter gave no explanation of why the Director was unable to sign. [130658]

Mr. Bayley *[holding answer 17 July 2000]:* The Director personally signs letters to right hon. and hon. Members unless he is unavailable, when a nominated deputy signs on his behalf.

The Director was out of the office on 4 July. I regret that, in his absence, the normal procedures were not followed in this particular case.

In future additional guidance will be given to staff about who may sign letters received by Benefits Agency Directors from Members.

Minimum Income Guarantee

Mr. Webb: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) of 25 May 2000, *Official Report*, column 619W, how many pensioners are in receipt of the Minimum Income Guarantee *(a)* in total and *(b)* in each parliamentary constituency, for each year for which figures are available. [131196]

Mr. Rooker: The total number of pensioners claiming Income Support has been reducing since 1988 as the following table shows.

Minimum Income Guarantee claimants in Great Britain[1]

Year	Total
2000	1,604,200
1999	1,627,900
1998	1,650,500
1997	1,713,900
1996	1,763,640
1995	1,781,000
1994	1,764,600
1993	1,736,200
1992	1,643,100
1991	1,574,900
1990	1,674,700
1989	1,606,500
1988	1,719,300

[1] Before April 1999 this would have been expressed as Income Support

Figures for parliamentary constituencies for the Minimum Income Guarantee which was introduced in April 1999 have been placed in the Library.

INTERNATIONAL DEVELOPMENT

Low-income Countries

Dr. Tonge: To ask the Secretary of State for International Development for each low-income country, what proportion of total bilateral aid it received in *(a)* 1996–97 and *(b)* 1999–2000; and what total amount of bilateral aid it received in 1996–97. [130862]

Clare Short: Data for 1999–2000 are not yet available. The tables show both Department for International Development bilateral expenditure and UK Gross Public Expenditure on Aid (GPEX) for 1996–97 and 1998–99, the latest year for which figures are available. Low-income countries are defined as those with a 1995 GNP per capita of less than $766. The total figures include bilateral expenditure which cannot be attributed to individual countries, including for instance block grants and regional allocations.

Bilateral aid to low-income countries 1996–97

	DFID		GPEX	
	£000	%	£000	%
Total all countries	1,074,762	—	1,281,794	—
Of which low-income group countries				
Afghanistan	8,544	0.79	9,444	0.74
Albania	1,038	1.10	1,038	0.08
Angola	9,787	0.91	9,787	0.76
Armenia	1,122	0.10	1,122	0.09
Azerbaijan	1,093	0.10	1,093	0.09
Bangladesh	42,402	3.95	42,405	3.31
Benin	29	0.00	29	0.00
Bhutan	20	0.00	20	0.00
Bosnia and Herzegovina	727	0.07	752	0.06
Burkina Faso	204	0.02	204	0.02
Burma	314	0.03	319	0.02
Burundi	1,560	0.15	1,560	0.12
Cambodia	5,552	0.52	5,552	0.43
Cameroon	2,205	0.21	2,205	0.17
Central African Republic	21	0.00	26	0.00
Chad	142	0.01	142	0.01
China	31,701	2.95	31,701	2.47
Comoros	17	0.00	17	0.00
Congo	—	—	990	0.08
Democratic Republic of the Congo	107	0.01	1,213	0.09
Cote d'Ivoire	633	0.06	4,915	0.38
Equatorial Guinea	—	—	—	—
Eritrea	1,210	0.11	1,210	0.09
Ethiopia	8,078	0.75	8,518	0.66
Gambia	1,844	0.17	1,844	0.14
Georgia	1,851	0.17	1,851	0.14
Ghana	25,643	2.39	28,339	2.21
Guinea	178	0.02	412	0.03
Guinea-Bissau	6	0.00	6	0.00
Guyana	5,382	0.50	7,036	0.55
Haiti	10	0.00	10	0.00
Honduras	1,077	0.10	7,395	0.58
India	92,393	8.60	112,140	8.75
Kenya	26,481	2.46	26,491	2.07
Kyrgyzstan	923	0.09	935	0.07
Laos	729	0.07	729	0.06
Liberia	3,006	0.28	3,006	0.23
Madagascar	399	0.04	601	0.05
Malawi	33,555	3.12	44,877	3.50
Mali	523	0.05	8,656	0.68
Mauritania	18	0.00	293	0.02
Mongolia	378	0.04	378	0.03
Mozambique	22,035	2.05	26,447	2.06
Nepal	15,371	1.43	15,373	1.20
Nicaragua	1,193	0.11	1,193	0.09
Niger	112	0.01	467	0.04
Nigeria	7,642	0.71	7,642	0.60
Pakistan	27,517	2.56	59,367	4.63
Rwanda	9,676	0.90	9,676	0.75
Sao Tome and Principe	12	0.00	12	0.00
Senegal	577	0.05	764	0.06
Sierra Leone	10,619	0.99	10,841	0.85
Somalia	1,322	0.12	1,322	0.10
Sri Lanka	7,364	0.69	19,937	1.56
Sudan	4,534	0.42	4,534	0.35
Tajikistan	4,301	0.40	4,301	0.34
Tanzania	48,208	4.49	56,432	4.40
Togo	311	0.03	617	0.05
Tuvalu	n/a	n/a	n/a	n/a
Uganda	42,976	4.00	49,095	3.83
Vietnam	5,606	0.52	5,606	0.44
Yemen	1,975	0.18	2,004	0.16
Zambia	17,499	1.63	40,629	3.17
Zimbabwe	11,126	1.04	21,103	1.65
Total to low-income group of countries	550,878	51	706,623	55

1998–99

	DFID £000	%	GPEX £000	%
Total all countries	1,175,605	—	1,386,083	—
Of which low-income group countries				
Afghanistan	4,123	0.35	4,123	0.30
Albania	643	0.05	643	0.05
Angola	4,550	0.39	4,550	0.33
Armenia	551	0.05	551	0.04
Azerbaijan	498	0.04	498	0.04
Bangladesh	69,918	5.95	69,918	5.04
Benin	88	0.01	88	0.01
Bhutan	14	0.00	14	0.00
Bosnia and Herzegovina	2,599	0.22	2,599	0.19
Burkina Faso	318	0.03	318	0.02
Burma	795	0.07	795	0.06
Burundi	324	0.03	324	0.02
Cambodia	5,625	0.48	5,625	0.41
Cameroon	1,888	0.16	3,588	0.26
Central African Republic	—	—	5	0.00
Chad	—	—	—	—
China	39,540	3.36	39,541	2.85
Comoros	18	0.00	18	0.00
Congo	6	0.00	3,216	0.23
Democratic Republic of the Congo	552	0.05	1,546	0.11
Cote d'Ivoire	623	0.05	13,453	0.97
Equatorial Guinea	0	0.00	0	0.00
Eritrea	868	0.07	868	0.06
Ethiopia	8,850	0.75	9,910	0.71
Gambia	976	0.08	979	0.07
Georgia	1,265	0.11	1,265	0.09
Ghana	54,365	4.62	63,844	4.61
Guinea	424	0.04	603	0.04
Guinea-Bissau	8	0.00	8	0.00
Guyana	5,777	0.49	22,893	1.65
Haiti	59	0.01	59	0.00
Honduras	2,611	0.22	3,382	0.24
India	92,275	7.85	113,865	8.21
Kenya	34,023	2.89	43,011	3.10
Kyrgyzstan	442	0.04	458	0.03
Laos	546	0.05	546	0.04
Liberia	776	0.07	776	0.06
Madagascar	410	0.03	612	0.04
Malawi	47,265	4.02	52,395	3.78
Mali	331	0.03	831	0.06
Mauritania	2	0.00	429	0.03
Mongolia	470	0.04	477	0.03
Mozambique	26,401	2.25	29,158	2.10
Nepal	17,209	1.46	17,209	1.24
Nicaragua	1,996	0.17	1,996	0.14
Niger	172	0.01	870	0.06
Nigeria	11,053	0.94	11,053	0.80
Pakistan	25,180	2.14	28,608	2.06
Rwanda	13,776	1.17	13,776	0.99
Sao Tome and Principe	—	—	—	—
Senegal	454	0.04	616	0.04
Sierra Leone	9,036	0.77	9,241	0.67
Somalia	1,617	0.14	1,617	0.12
Sri Lanka	7,831	0.67	7,831	0.56
Sudan	24,416	2.08	24,416	1.76
Tajikistan	732	0.06	1,440	0.10
Tanzania	51,433	4.38	78,924	5.69
Togo	124	0.01	1,204	0.09
Tuvalu	n/a	n/a	n/a	n/a
Uganda	52,621	4.48	64,307	4.64
Vietnam	4,699	0.40	4,699	0.34
Yemen	1,048	0.09	1,048	0.08
Zambia	14,986	1.27	33,134	2.39
Zimbabwe	16,597	1.41	29,391	2.12
Total to low-income group of countries	665,797	57	829,162	60

Notes:

1. Countries are classified using 1995 GNP per capita estimates
2. Data for Tuvalu are not available as bilateral assistance to the Pacific is provided under a single regional programme.
3. 1998–99 figures are the latest available data.

Dr. Tonge: To ask the Secretary of State for International Development what definition her Department uses for low-income countries in relation to its performance target set out in its Public Service Agreement. [130863]

Clare Short: The definition of low-income countries, used in the Public Service Agreement, is those with a GNP per capita in 1995 of less than US$766. There are 64 such countries and they are listed on pages 164–166 of the latest (1999) edition of "Statistics On International Development" (a copy of which is in the House Library). The definition was developed by the World bank.

Aid Indicators

Dr. Tonge: To ask the Secretary of State for International Development what the level of each of the indicators was in *(a)* 1996–97 and *(b)* 1999–2000 for each of the targets listed in her Department's Public Service Agreement for the 30 largest recipients of British aid; and what action is being taken by her Department to increase progress towards achievement of the targets for each of the targets. [130962]

Clare Short: The level of each of the Public Service Agreement (PSA) indicators for the baseline year and for 1999–2000 are set out in Box g (items 1 to 3) of the Department for International Development's 2000 Departmental Report. Copies of the Departmental Report and the latest public drafts of the Target Strategy Papers which set out the action necessary to achieve the International Development Targets have been deposited in the House Library. The final Target Strategy Papers will be published over the next few months. A revised PSA for DFID, covering the years 2001–04 will be published shortly as Command Paper 4808.

Nolan Rules

Mr. Stunell: To ask the Secretary of State for International Development if she will list each group that is responsible to her Department, with significant and plural membership from outside the Civil Service, and to which the Nolan rules on non-departmental public bodies do not apply; and for each such group, if it *(a)* is a company limited by guarantee, *(b)* is a charity, *(c)* has no formal legal basis and *(d)* has some other legal basis, giving details. [131174]

Clare Short: The only body which meets these criteria is CDC Group plc. It is not a company limited by guarantee, nor is it a charity. CDC Group plc has a formal legal basis and was formerly a statutory corporation. On 8 December 1999 CDC was registered as a plc in accordance with, and by virtue of, the CDC Act 1999. CDC is presently wholly owned by Government. The Secretary of State for International Development holds the shares, less one which is held by the Treasury Solicitor. It is to these two members that CDC Group plc is responsible.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for International Development how many written parliamentary questions were tabled to her Department between 19 October 1999 and 20 April; and how many did not receive substantive answers citing disproportionate cost as the reason. [131200]

Clare Short: 574 written parliamentary questions were tabled to my Department between 19 October 1999 and 20 April 2000. Of these, five were not answered substantively because of disproportionate cost.

Nepal

Mr. Bill O'Brien: To ask the Secretary of State for International Development what plans her Department has to assist the development of the economy of Nepal; and if she will make a statement. [129553]

Mr. Foulkes: The objectives of the UK's development programme to Nepal are set out in the Country Strategy Paper, published in November 1998 (a copy of which I am placing in the House of Commons Library). More recently we have been working with other Donors to help the Government implement its Reform Programme which was announced at the Development Forum meeting at Paris in April. This focuses on key areas such as macro-economic stability and fiscal administration, creating an enabling environment for private sector development, financial sector reform, and better governance (including decentralisation, anti-corruption measures, and civil service reform).

Debt Relief

Mr. Robertson: To ask the Secretary of State for International Development if she will make a statement on the UK's progress towards meeting the G7 commitment on debt relief. [131188]

Clare Short: So far, eight countries have qualified for debt relief under the enhanced HIPC Initiative, which is fewer than we had hoped. Some countries who could benefit from HIPC debt relief are involved in conflict, or have failed to demonstrate their commitment to tackling poverty. At the Spring Meetings of the World bank and IMF in April, the Government's proposal to establish a joint World bank/IMF committee to oversee the implementation process was agreed. The committee has begun its work and should provide a focus for efforts to meet the target set by the G7 at the Cologne meeting, that three quarters of eligible countries start to receive debt relief before the end of 2000.

We have committed over $315 million to the Trust Fund established under the Heavily Indebted Poor Countries (HIPC) debt Initiative to help the multilateral financial institutions fund their shares of HIPC costs. This is the largest contribution from any country. The figure includes our share of the substantial EC contribution for which we pressed; our contribution to the costs of the IMF delivering its HIPC debt relief is additional. We expect the whole of our commitment to be disbursed over the next three years.

Ministerial Visits

Mr. Streeter: To ask the Secretary of State for International Development if she will list the overseas visits *(a)* she and *(b)* the Parliamentary Under-Secretary will make during August and September. [131319]

Clare Short: I shall be going to Prague for 24 and 25 September for the World bank meetings. I have no other overseas visits planned for August and September though I do intend to visit the west of Ireland for my holiday. The Parliamentary Under-Secretary has no overseas visits planned for August and September.

NORTHERN IRELAND

Diplock Court System

Mr. McNamara: To ask the Secretary of State for Northern Ireland what progress has been made on the review into the future operation of the Diplock court system; and when he expects a report to be published. [130422]

Mr. Ingram: On 14 December 1999, during the Second Reading of the Terrorism Bill in the House of Commons, the Home Secretary announced that in parallel with the passage of the Bill the Government would conduct a review of the Diplock court arrangements. The Review Group has now completed its work and presented its report to the Secretary of State. The report was placed in the libraries at Westminster on 4 July and I enclose a copy for information.

While the Government's overall objective remains a return to jury trial for all offences in Northern Ireland, the Secretary of State agrees with the Review Group's recommendation that the time is not yet right for such a move. The Review Group's report also addresses a number of detailed points in relation to the operation of the Diplock court and will be considered further by the Secretary of State.

SOLICITOR-GENERAL

Director of Public Prosecutions

Maria Eagle: To ask the Solicitor-General when the Director of Public Prosecutions will publish his Annual Report. [131511]

The Solicitor-General: I can confirm that I have today placed copies of the Annual Report in the Libraries of the House.

Roisin McAliskey

Mr. Goggins: To ask the Solicitor-General if he will make a statement concerning the possible prosecution of Roisin McAliskey. [131514]

The Solicitor-General: Further to the statement of the Home Secretary on 10 March 1998, *Official Report*, column 133W, that he would not order the extradition of Roisin McAliskey to Germany, the Crown Prosecution Service, in accordance with this country's obligations under Article 7 of the European Convention on the Suppression of Terrorism, has considered whether to prosecute Roisin McAliskey in this country for the offences allegedly committed in Germany in relation to the Osnabruk bombing of 28 June 1996.

The test applied by the Crown Prosecution Service is the test set out in the Code for Crown Prosecutors that applies to all prosecution will be commenced or proceeded with only if there is sufficient evidence to afford a realistic prospect of conviction and that prosecution is in the public interest.

The Crown Prosecution Service, having taken the advice of Senior Treasury Counsel, has concluded that there is not a realistic prospect of convicting Miss McAliskey for any offence arising out of the Osnabruk bombing. It has reached that conclusion having taken into account the available evidence and the likely result of any argument that may be put forward by Miss McAliskey that to prosecute her now would be an abuse of process.

The Law Officers have been consulted and we agree with the conclusion reached by the Crown Prosecution Service.

It is not usual for the Law Officers to make announcements concerning consideration of individual cases. In this instance, the Home Secretary, in a written reply, 20 March 1998, *Official Report*, column 742W, said that this matter would be considered for prosecution in the United Kingdom. It is right that the House should be informed of the outcome of those considerations.

WALES

Further Education Colleges

Mr. Barry Jones: To ask the Secretary of State for Wales what discussions he has had with the First Secretary concerning facilitating access to further education colleges in Wales by *(a)* single parents, *(b)* the long-term unemployed and *(c)* others; and if he will make a statement. [125561]

Mr. Hanson: My right hon. Friend the Secretary of State meets the First Secretary on a regular basis to discuss a range of issues including education and training. I also have regular discussions with the Assembly Secretary for Post-16 Education and Training.

The new arrangements for post-16 education and training in Wales will enable a coherent system between all providers of post-16 education and training, thereby increasing choice for all our people whatever their personal circumstances. It is envisaged that the new National Council for Education and Training for Wales (CETW) will fund a wide range of learner support measures that will enable more people to participate in training.

The National Assembly provides Access Funds for students who experience financial difficulties while studying or who are prevented from entering further education because of financial reasons. Further Education Access Funds have been substantially increased from £0.5 million in 1998–99 to a total of £13.3 million over the period 1999–2000 to 2001–02.

Police

Mr. Evans: To ask the Secretary of State for Wales how many police there were in Wales in *(a)* May 1997 and *(b)* July 2000. [130981]

Mr. Paul Murphy *[holding answer 17 July 2000]:* Figures are not held centrally for the months specified. At 31 March 1997, there were 6,593 police officers in Wales, and at 30 September 1999 there were 6,692 police officers.

Assembly (Information Exchange)

Mr. Evans: To ask the Secretary of State for Wales if he will make a statement on information exchange between the United Kingdom and the Welsh Assembly. [131064]

Mr. Paul Murphy *[holding answer 17 July 2000]:* The Memorandum of Understanding between the United Kingdom Government and the Cabinet of the National Assembly for Wales published in October 1999 says in paragraph 9 that:

> the administrations will aim to provide each other with as full and open as possible access to scientific, technical and policy information including statistics and research and, where appropriate, representations from third parties.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Wales on how many occasions he has deposited papers in the Library in response to parliamentary questions tabled to his Department between 19 October 1999 and 20 April. [131129]

Mr. Paul Murphy: Six papers were deposited in the Library in response to parliamentary questions tabled between 19 October and 20 April.

AGRICULTURE, FISHERIES AND FOOD

Over-30-months Scheme

Mr. Levitt: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the efficiency and environmental standards of the Durga process for burning over-30-months scheme carcases. [129652]

Ms Quin: Durga were one of a number of companies contracted to provide incineration services following a competitive tender held by the Intervention Board during 1996. The company's contract required them to have all necessary planning and environmental consents in place prior to commencement of operations. Incineration services began in October 1997 and the company have operated under Environment Agency supervision successfully destroying over 43,000 OTMS carcases by the end of June 2000.

EDUCATION AND EMPLOYMENT

Interactive Voice Response

Mr. Ben Chapman: To ask the Secretary of State for Education and Employment how many departmental telephone lines used by the general public are responded to by interactive voice response systems. [127404]

Mr. Wills: Within the Department for Education and Employment there are no departmental telephone lines used by the general public which are responded to by interactive voice systems.

Lunchtime Exclusions

Helen Jones: To ask the Secretary of State for Education and Employment (1) what recent guidance his Department has issued on the exclusion of pupils at lunchtime; and if he will make a statement; [128125]

(2) if he will make it his policy to monitor the number of fixed-term lunchtime exclusions; and if he will make a statement. [128126]

Jacqui Smith *[holding answer 3 July 2000]:* My Department's guidance, Circular 10/99 "Social inclusion: Pupil Support", issued in July 1999, makes it clear that lunchtime exclusions are fixed period exclusions and as such are governed by the exclusion provisions in the School Standards and Framework Act 1998. This statutory framework protects the rights of pupils, parents and headteachers.

We already collect data on all permanent and certain fixed period exclusions but collecting data on lunchtime exclusions would impose an unjustified additional burden on schools.

Departmental Payments

Mr. Chope: To ask the Secretary of State for Education and Employment what percentage of correctly presented bills were paid by his Department in *(a)* 1998–99 and *(b)* 1999–2000 within 30 days of receipt of (i) goods and services, (ii) a valid invoice and (iii) other agreed payment terms. [130035]

Mr. Wills *[holding answer 11 July 2000]:* I refer the hon. Member to the answer given to my hon. Friend the Member for Elmet (Mr. Burgon) on 23 July 1999, *Official Report,* columns 677–78W.

Departments and their Agencies are currently collating this information for 1999–2000 and this will be made available to the House shortly.

Holocaust Memorial Day

Mr. Öpik: To ask the Secretary of State for Education and Employment what progress his Department has made with the production of a resource pack for Holocaust Memorial Day; when the pack will be made available; and if he will make a statement. [130283]

Jacqui Smith: We are working with the Home Office and key organisations involved in Holocaust Education to develop the resource pack. It will comprise guidance and materials for schools, suggesting activities for teachers and pupils to follow, for example in classroom activities and assemblies, and it will be available in autumn this year.

In June, we launched a teaching pack and guidelines to accompany the Anne Frank Declaration and to support primary and secondary school teachers in their work on Education for Citizenship and the Teaching of Democracy.

Language Teaching

Mr. Pike: To ask the Secretary of State for Education and Employment what plans the Government have to increase the teaching of a second language in primary and junior schools. [130286]

Jacqui Smith: Around a quarter of all primary schools already offer a second language. The revised National Curriculum, published last November, contains guidance for teaching 7 to 11-year olds, covering skills, knowledge and understanding. It also contains suggested attainment targets. Furthermore, we have published a Scheme of Work for French aimed at this age group, and will add German and Spanish later this month.

We are piloting approaches to extending language teaching in primary schools, through our Early Language Learning initiative, in which we are gathering good practice and providing classroom materials and a draft curriculum framework. We have asked the Qualifications and Curriculum Authority (QCA) to consider the potential to extend this further in the longer term.

Official Visits

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment if he will list the visits outside Britain made by his Department's Permanent Secretary on official business since 1 January 1999, indicating the date and purpose of the visit in each case. [130489]

Mr. Wills: Michael Bichard has made the following visits since 1 January 1999:

13–14 January 1999—Germany

18–19 February 1999—France

4–5 November 1999—Netherlands

25–26 November 1999—Finland

29 February 2000—USA.

In all cases the purpose was to exchange views on education and employment issues, including in the first three cases in the EU context.

Home Education

Mr. Coaker: To ask the Secretary of State for Education and Employment what grants are available to parents for educating their children at home. [130975]

Jacqui Smith: Section 7 of the Education Act 1996 places a duty on parents to ensure that their children receive suitable full-time education, either by regular attendance at school or otherwise. Some parents opt to educate their children at home. Although local education authorities are not required to provide financial help to home educating parents, some do provide support and assistance, including free National Curriculum material. Education authorities are also under a duty to monitor home education to ensure that the education a child receives is suitable to their age, ability, aptitude and any special educational need they may have.

Access to Work Grants

Mr. Andrew George: To ask the Secretary of State for Education and Employment what research his Department has completed, commissioned or co-operated in which estimates the take-up of Access to Work grants in each of the last five years. [130755]

Ms Hodge *[holding answer 17 July 2000]:* Responsibility for the subject of this question has been delegated to the Employment Service under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Richard Foster to Mr. Andrew George, dated 18 July 2000:

As the Employment Service is an Executive Agency, the Secretary of State has asked Leigh Lewis to reply to your question regarding what research his Department has completed,

commissioned or co-operated in which estimates the take up of Access to Work grants in each of the last five years. This is something which falls within the responsibilities delegated to Mr Lewis as Chief Executive of the Agency. I am replying in his absence.

The Employment Service commissioned independent research into Access to Work in 1996 and 1998. On both occasions the research focused on a wide range of issues within Access to Work including types of disability, age and gender of applicant, employment type, time taken to provide support and general satisfaction with the programme. Copies of both research reports have been placed in the libraries and their titles are; The Access to Work Programme - A Survey of Recipients, Employers, Employment Service Managers and Staff, the Social & Community Planning Research 1996; and Evaluation of Access to Work, the Institute for Employment Studies, 1998.

Neither report was commissioned to look specifically into the take up and spend of the Access to Work programme but we do collect management information that gives us this information. The table shows you how many disabled people have been helped and how much has been spent through Access to Work between April 1995 and March 2000.

Year	*Number of beneficiaries*	*Total spend (£ million)*
1999–2000	20,729	24.3
1998–99	16,094	19.5
1997–98	12,825	14.6
1996–97	10,119	12.5
1995–96	13,577	19.9

I hope this is helpful.

Environment Taskforces

Mr. Heathcoat-Amory: To ask the Secretary of State for Education and Employment how many people took up a job with an environmental taskforce under the New Deal during *(a)* 1999 and *(b)* the first half of 2000. [130544]

Ms Jowell *[holding answer 17 July 2000]:* During 1999, 18,000 young people took advantage of the work experience opportunities offered by the Environment Taskforce option of the New Deal for Young People. Latest available figures to April 2000, show that a further 5,800 young people have started this option.

Higher Education Funding

Mr. Boswell: To ask the Secretary of State for Education and Employment what response he has sent to the Greenaway report on Higher Education Funding. [130565]

Mr. Wicks: The Greenaway Report was commissioned by the Russell Group of Universities, not the Government. I understand that it has been passed to the Committee of Vice-Chancellors and Principals, to form part of their wider inquiry into university funding. The Government are opposed to "top-up" tuition fees and have legislated to prevent universities from levying such charges.

School Funding (Sheffield)

Mr. Bill Michie: To ask the Secretary of State for Education and Employment how much has been invested in total in Sheffield schools in the financial years 1999–2000 and 2000–01 to date; and if he will indicate the investment in each school. [131329]

Ms Estelle Morris: In 1999–2000, £205.3 million of revenue funding and £9.8 million of capital funding was available for use by Sheffield Local Education Authority. The corresponding figures for 2000–01 are £224.2 million of revenue funding and £10.6 million of capital funding. It is not possible to provide revenue and capital allocations for individual schools.

Infant Class Sizes (Middlesbrough)

Dr. Kumar: To ask the Secretary of State for Education and Employment what progress he has made in reducing infant class sizes in the constituency of Middlesbrough, South and Cleveland East; and if he will make a statement. [131203]

Ms Estelle Morris: We are well on course to deliver our pledge to limit infant classes to 30 pupils. We have since January 1998 already reduced the number of children in infant classes of over 30 pupils by 300,000. £620 million is available to support the pledge, and allocations so far to Middlesbrough LEA amount to some £750,000. This has helped to reduce the size of the average Key Stage 1 class in Middlesbrough, South and Cleveland, East to 25.6. The figure in January 1998 was 26.8.

HEALTH

NHS Estates Executive Agency

Ms Keeble: To ask the Secretary of State for Health if he will publish the Annual Report and Accounts 1999–2000 for the NHS Estates Executive Agency. [131479]

Mr. Denham: We have received the report and copies have today been laid in accordance with the requirements of section 5 of the Exchequer and Audit Departments Act 1921. Copies have also been placed in the Library.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Road Haulage Firms

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions what initiatives have been taken by the Council of Ministers, or Commission of the European Community, concerning the desirability and practicality of requiring registration, under commonly agreed conditions, of road haulage firms within the Community licensed to carry goods on surface or sub-surface routes across the sea between the United Kingdom and other member states of the European Community, other than the Republic of Ireland. [128851]

Mr. Hill: A system of registration already exists. Since the entry into force of Council Regulation (EEC) 881–92 on 1 January 1993, hauliers seeking to operate internationally within the Community must be in possession of a Community Authorisation certificate as issued by the licensing authorities in the country in which they are established. This applies to heavy goods vehicle traffic to and from the Irish Republic as well as to haulage operations on mainland Europe.

UK/US Air Services

Mr. Fearn: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on progress in the negotiations between the UK and the US authorities on air service agreements. [129440]

Mr. Mullin: A further round of talks took place in Washington on 5–6 July. The discussions were constructive and covered a wide range of issues, including ideas for phasing-in liberalisation. Negotiations will resume again in London in September.

Housing

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the effectiveness of the HOMES scheme and similar mobility schemes for social housing tenants; and if he will make a statement. [130233]

Mr. Mullin: The activities of HOMES are monitored on an ongoing basis by the DETR. In particular through a requirement on HOMES to agree annual objectives with the Department; to report on their achievement of objectives; and to submit a three year business plan. The level of grant funding DETR provides to HOMES is subject to effective implementation of the plan. The Housing Green Paper "Quality and Choice: A decent home for all" sets out the Government's proposals to promote lettings and transfers policies that offer more choice for existing and prospective tenants of social housing. The role and effectiveness of mobility schemes will be an important consideration. The Government will consider responses to the Green Paper and would wish to discuss any proposals with key interested parties.

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions (1) what steps he plans to take to meet the commitment in the Housing Green Paper to strengthen the obligation on registered social landlords to co-operate with local authorities in offering accommodation to households on local authority housing registers; and if he will make a statement; [130239]

(2) what assessment he has made of the effectiveness of the obligation on registered social landlords to co-operate with local authorities in the provision of accommodation to households on local authority housing registers; and if he will make a statement. [130238]

Mr. Mullin: Statutory guidance issued by the Housing Corporation requires registered social landlords (RSLs) to make available at least of 50 per cent. of their lettings to local authority nominees from the housing register, in order to comply with the duty of co-operation placed on RSLs under section 170 of the Housing Act 1996. Under current arrangements, RSLs with more than 250 units of accommodation or 250 bed spaces are required to provide comprehensive data about households and properties in respect of all their lettings. The Housing Green Paper states that the Government will be reviewing—with a view to strengthening—the current obligation on RSLs to co-operate with local authorities in offering accommodation to people on authorities' housing registers. The Government will consider responses to the Green Paper before deciding how to take this forward, and would wish to discuss any proposals with representatives of local government, the Housing Corporation, the National Housing Federation and others before introducing any changes.

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to allow social housing tenants to move across local authority boundaries; and if he will make a statement. [130234]

Mr. Mullin: The Housing Green Paper, "Quality and Choice; A decent home for all", sets out the Government's proposals for increasing choice in social lettings. As part of these proposals, we are interested in exploring the scope for promoting greater flexibility and more movement across local authority boundaries, and will consider responses to the Green Paper before deciding whether to develop this further. We would wish to discuss any proposals with representatives of local government, Shelter and others before taking them forward.

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to introduce a standardised monitoring system for the letting of social housing stock by registered social landlords and local authorities; and if he will make a statement. [130236]

Mr. Mullin: The Housing Green Paper, "Quality and Choice; A decent home for all", sets out the Government's proposals for increasing choice in social lettings. In taking these proposals forward we will wish to consider the arrangements for monitoring lettings by social landlords.

Homelessness

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions (1) what assessment he has made of the impact of stock transfer on the availability of social housing for homeless people; [130235]

(2) what account will be taken of the need to provide housing for homeless people in the proposed selection criteria set out in the Housing Green Paper for applications for stock transfer. [130237]

Mr. Mullin: The Government consider that stock transfer is an important way of improving the quality and availability of affordable social housing. The proposed selection criteria do not explicitly address the issue of homelessness because, following the transfer of their housing stock, local housing authorities retain their obligations towards homeless households under Part VII of the Housing Act 1996. They must also continue to keep a register of applicants who qualify for the allocation of accommodation. To ensure they have access to accommodation to enable them to discharge their housing functions, authorities generally negotiate nomination rights with the transfer landlord of between 50 per cent. and 75 per cent. of the transferred stock.

Brownfield Development

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions what his latest assessment is of the availability of brownfield land suitable for housing purposes in urban centres. [130218]

Ms Beverley Hughes: Estimates for 1998 of the amount of previously developed land that is unused or may be available for redevelopment, including how much may be suitable for housing, are published on the National Land Use Database website (www.nlud.org.uk). Figures are available for England and the Government Office Regions. Figures for local authority districts show amounts of previously developed land with planning allocation or permission for housing. There are no estimates for "urban centres".

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions what his targets are for the percentage of new homes in Shrewsbury and Atcham to be built on brownfield sites. [131148]

Ms Beverley Hughes: The Secretary of State expects Shrewsbury and Atcham Borough Council to contribute towards the regional target of 61 per cent. contained in Regional Planning Guidance for the West Midlands (RPG 11: April 1998). Local authorities are required to set their own land recycling targets in development plans which will contribute to attaining the regional target. It is understood that in its review of the local plan the borough council proposes to exceed the regional target. The Government's Planning Policy Guidance Note 3: Housing (March 2000) confirms the national target of 60 per cent. of additional housing on previously developed land and requires local authorities to give priority to the re-use of such land within urban areas in allocating sites for housing in development plans.

Crown Exemption

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to remove Crown exemption from the planning system. [130680]

Ms Beverley Hughes: Crown exemption will be removed from the planning system when a suitable legislative opportunity arises.

Hedge Control

Mr. Rowe: To ask the Secretary of State for the Environment, Transport and the Regions when he will make a decision on the control of Leylandii and other hedges. [130631]

Mr. Mullin: We expect to make a statement, setting out our decision on the way forward on this issue and the reason for them, before the summer recess.

Housing Projections (Suffolk)

Mr. Ruffley: To ask the Secretary of State for the Environment, Transport and the Regions how many new homes are currently projected to be built in *(a)* St. Edmondsbury Borough Council and *(b)* Mid-Suffolk District Council area between 2000–01 and 2015–16; and what corresponding projections were used by his Department in 1997–1998. [130739]

Ms Beverley Hughes: The adopted Suffolk Structure Plan provides for 540 dwellings per annum for St. Edmundsbury and 420 dwellings for Mid Suffolk over the period from 1998 to 2006. These totals are relevant to both 1997–98 and 2000–01. The structure plan is currently under review and the totals for 2006–16 will be determined as a result of Suffolk County Council's consideration of the appropriate level of housing in the county.

A14 (Road Accidents)

Mr. Ruffley: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* fatal and *(b)* non-fatal road accidents were recorded as taking place on the A14 between Bury St. Edmunds and Stowmarket in (i) 1996–97, (ii) 1997–98, (iii) 1998–99 and (iv) 1999–2000. [130740]

Mr. Hill: The information requested is shown in the table.

	1996	*1997*	*1998*	*1999*
Fatal	0	1	2	4
Serious	7	10	2	4
Slight	20	22	19	19
Injured	27	32	21	23
Total	27	33	23	27

Official Visits

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the visits outside Britain made by his Department's Permanent Secretary on official business since 1 January 1999, indicating the date and purpose of the visit in each case. [130490]

Ms Beverley Hughes: Sir Richard Mottram has made one overseas visit on official business. He attended the 49th Königswinter conference in Düsseldorf from 18 to 20 March 1999.

Zoos

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many zoos within the UK use *(a)* electric goads and *(b)* other weapons to discipline animals; and if he will make a statement. [130486]

Mr. Mullin: The information requested is not held centrally.

Responsibility for the licensing of zoos under the Zoo Licensing Act 1981 rests with local authorities. Inspectors, appointed by the Secretary of State, assist local authorities in reaching their decisions.

Statutory guidance to inspectors is given in the "Revised Secretary of State's Standards of Modern Zoo Practice", which came into effect on 3 April 2000. The revised Standards require that handling must be done with care in order to protect an animal's well being, and avoid unnecessary discomfort, stress or physical harm. Appendix 7 further advises that training methods should be based on positive reinforcement and that if negative reinforcement is used, it must never compromise the welfare of the animal.

Assured Tenancies

Mr. Hilary Benn: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to amend the law relating to assured tenancies; and if he will make a statement. [130827]

Mr. Mullin: We remain firmly committed to the current legal framework of assured and assured shorthold tenancies. Certainty and confidence are essential if we are to persuade reputable landlords and investors to increase the supply of decent rented housing.

Private Finance Initiative

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions when he received a request to provide Private Finance Initiative credits for community and leisure use aspects of an educational Private Finance Initiative programme in Newcastle-upon-Tyne; what amount of Private Finance Initiative credits was involved; and when a decision was given to the City of Newcastle-upon-Tyne authorities. [130825]

Ms Beverley Hughes *[holding answer 17 July 2000]:* The first contact with Newcastle City Council about this proposal was in August 1999. A formal outline business case was submitted in February 2000 and supporting information provided on 31 May 2000. This was assessed in preparation for the July endorsement round. Newcastle City Council was informed of the outcome of that assessment on 14 July. Details of the sums involved are a matter for the local authorities.

Regional Offices

Mr. Denzil Davies: To ask the Secretary of State for the Environment, Transport and the Regions what has been the cost to public funds in the most recent financial year of the administration of the Yorkshire and Humberside Government Regional Office. [131249]

Ms Beverley Hughes: Running costs for the Government Office for Yorkshire and the Humber are as follows:

£000

	1999–2000
Pay	5,911.0
Accommodation	1,227.0
Other	1,749.9
Total	8,887.9

Notes:

Running costs allocations do not include any provision for pay rises. Therefore any increases in costs have to be met by efficiency savings which usually run at around 3 per cent. per year. Any additional funds provided by Departments are only given for new areas of work.

Mr. Denzil Davies: To ask the Secretary of State for the Environment, Transport and the Regions what has been the total cost to public funds from inception to the latest available date of administering the Yorkshire and Humberside Regional Development Agency. [131309]

Ms Beverley Hughes: Yorkshire Forward (Yorkshire and Humber Regional Development Agency) came into existence on 14 December 1998 and became fully operational when it was designated on 1 April 1999. Administration costs were as follows:

£000

	1998–99	*1999–2000*
Salaries and wages	144	5,645
Other administration costs	342	6,692
Total	486	12,337

[1] From 14 December 1998 to 31 March 1999
[2] Includes initial setting up/office costs

Note:

The administrative resource allocation for 2000–01 is £8.525 million.

Further information is available in Yorkshire Forward's Annual Report and Accounts 1999–2000 which will be available as a public document, after it has been laid before Parliament before the summer recess.

Red Ensign

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions if he will ensure that the Red Ensign is flown from public buildings to mark Merchant Navy Day on 3 September. [130559]

Mr. Hill *[holding answer 17 July 2000]:* The Department of the Environment, Transport and the Regions will fly the Red Ensign from its headquarter buildings on Merchant Navy Day. The day will be marked by special events to celebrate our merchant navy and to highlight the opportunities of a merchant navy career.

Aggregates

Mr. Gill: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with the Chancellor of the Exchequer regarding the Quarry Products Association's proposed preferential scheme for aggregates from quarry operators meeting defined environmental criteria. [131092]

Ms Beverley Hughes: My hon. Friend the Minister for Housing and Planning held a number of discussions with my hon. Friend the Financial Secretary to the Treasury on the Quarry Products Association's proposals for a voluntary alternative to a levy on primary aggregates, including their scheme for preferential procurement of aggregate by the public sector.

Mr. Gill: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about the green purchasing commitments set out in the document entitled, "Building a better quality of life—a strategy for more sustainable construction". [131093]

Ms Beverley Hughes: In "Building a better quality of life—a strategy for more sustainable construction", which I launched during National Construction Week this year, we recognised the Government's responsibilities, as the industry's leading client, to set an example in the sustainable procurement, maintenance and operation of its built assets.

On 10 July my hon. Friend the Minister for Housing and Planning launched the sustainability action plan of the Government Construction Clients' Panel—"Achieving sustainability in construction procurement". The plan's framework is based upon the 10 themes for action from

"Building a better quality of life". It supports other cross-government initiatives such as "Achieving Excellence", sets milestones, and outlines a collective programme for implementation. The plan also commits Departments, agencies and NDPBs to assess their current situation, and develop their own action plans (or update existing plans). These would be in line with overall objectives, but specific to individual Departments' activities. The Local Government Task Force is developing a similar approach for local authorities to apply to their construction procurement.

Disabled Drivers

Mr. Shepherd: To ask the Secretary of State for the Environment, Transport and the Regions how many disabled drivers are awaiting an on-road assessment; how many have been waiting since November 1998; and when he will amend the regulations to allow the Driver and Vehicle Licensing Centre to authorise applicants to drive for one day for the purposes of assessing whether they are fit to resume driving. [130562]

Mr. Hill *[holding answer 17 July 2000]:* There are currently 51 drivers awaiting on-road assessments. Of these, three have been waiting since November 1998. The process of amending the regulations is at an advanced stage and we hope to implement the changes later this year.

Planning Consultations

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions how many representations have been received to the consultations initiated by GOSE on PPG3 and RP69; how many of these were *(a)* on the official response form and *(b)* in other forms; and what weight was given to each such type of response. [131320]

Ms Beverley Hughes: My Department consulted on PPG3 last year and received 620 responses, of which the majority were supportive. Final PPG3 was published in March of this year. The Government Office for the South East led the consultation on draft RPG9 this year and have received 922 responses, all of which are being considered very carefully irrespective of the form in which they were made.

Car Registrations

Mrs. Browning: To ask the Secretary of State for the Environment, Transport and the Regions how many new motor cars were registered at the DVLA in each month from January 1999 to May 2000 using *(a)* the DVLA form V55/1 and *(b)* the DVLA form V55/5. [131323]

Mr. Hill: Figures for the first registration of new motor cars categorised by the type of application form used are not readily available. Vehicles registered on form V55/1 include all types of new vehicles. Vehicles first registered on form V55/5 include vehicles that are not new. Many new vehicles are registered by motor dealers using an electronic system, known as AFRL (automated first registration and licensing). These cases do not use a paper form, but would have used the V55/1 form if they had not been processed through the AFRL system. The table shows the number of registrations recorded at DVLA for all vehicles by type of form and the number of AFRL registrations.

	V55/1	*V55/5*	*AFRL*	*Total*
1999				
January	101,150	12,372	74,529	188,051
February	93,006	14,491	60,777	168,274
March	173,928	20,944	155,647	350,519
April	152,052	16,718	82,752	251,522
May	126,939	17,233	80,145	224,317
June	128,049	21,522	96,530	246,101
July	124,793	20,949	88,202	233,944
August	89,761	18,399	67,083	175,243
September	141,313	22,529	216,339	380,181
October	117,483	20,060	89,033	226,576
November	77,856	19,203	98,825	195,884
December	58,932	14,655	59,886	133,473
2000				
January	68,161	17,654	127,551	213,366
February	55,847	18,768	90,775	165,390
March	118,404	26,142	259,478	404,042
April	82,651	19,657	121,685	223,993
May	80,401	23,166	151,256	254,823

Declaration of Interest

Mr. Robathan: To ask the Secretary of State for the Environment, Transport and the Regions if he made a declaration in relation to the Rail and Maritime Transport Union of his interest in accordance with paragraph 110 of the Ministerial Code, at the meeting he held with the Department of Trade and Industry and unions to discuss ship building on 13 July. [131194]

Ms Beverley Hughes: No declaration was made as my right hon. Friend the Secretary of State has no private interest in the business discussed.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions how many parliamentary questions were tabled to his Department between 19 October 1999 and 20 April which requested information pursuant to previous answers. [131125]

Ms Beverley Hughes: For the period in question, 48 parliamentary questions were tabled to my Department which requested information pursuant to previous answers out of a total of 2,865 questions.

Mortgages

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 13 July 2000, *Official Report*, column 567W, what proportion of *(a)* all mortgages and *(b)* the total value of mortgages, were new mortgages on (i) fixed, (ii) discounted variable and (iii) other variable rates in each year from 1994 to 1998. [131325]

Mr. Mullin: The proportion of new mortgages that were fixed rate, discounted variable rate and other variable rate is provided in the table.

	1994	1995	1996	1997	1998
Percentage of new mortgages by number					
Fixed	49.4	30.7	20.5	41.2	49.9
Discounted variable	28.5	49.1	47.2	30.3	28.8
Other variable	22.2	20.2	32.3	28.4	21.3
Percentage of new mortgages by value					
Fixed	51.5	33.8	18.2	45.4	53.1
Discounted variable	26.0	45.3	47.9	27.2	26.0
Other variable	22.5	20.9	33.9	27.4	20.9

Note:
Figures may not sum to 100.0 due to rounding
Source:
DETR 5 per cent. Survey of Mortgage Lenders

Most fixed rate mortgages will revert to variable rate mortgages after an agreed period of anything from six months up to 10 years.

House Prices

Mr. Woodward: To ask the Secretary of State for the Environment, Transport and the Regions what were the average house prices in *(a)* South East England, *(b)* London, *(c)* North East England and *(d)* the West Midlands, in (i) 1995, (ii) 1996, (iii) 1997, (iv) 1998 and (v) 1999. [131065]

Mr. Mullin: The figures for average house prices are as follows:

£

	South East	London	North East	West Midlands
1995	83,030	89,528	46,565	62,123
1996	87,644	94,065	51,009	64,320
1997	94,842	105,819	52,824	67,803
1998	106,378	114,760	55,957	71,864
1999	121,654	142,321	61,620	79,757

Source:
DETR five per cent. survey of mortgage lenders

FOREIGN AND COMMONWEALTH AFFAIRS

Iraq

16. **Mr. Galloway:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will meet Mr. Scott Ritter to discuss progress made on the disarmament of Iraq; and if he will make a statement. [129556]

Mr. Hain: The responsibility for ensuring the destruction of Iraq's weapons of mass destruction capability lies with the United Nations Monitoring, Verification and Monitoring Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA), under relevant United Nations Security Council resolutions. We are in close touch with both organisations. I shall be discussing this important issue with the Executive Chairman of UNMOVIC, Dr. Hans Blix, on 27 July.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British companies are listed in United Nations reports of inspection visits to Iraq since 1991 as having provided technology used in the Iraqi programmes of weapons of mass destruction. [130851]

Mr. Hain: It is not our practice to comment on information that was given to us in confidence by the United Nations Special Commission (UNSCOM). In any case, UNSCOM did not share information from inspection reports with the UK except when seeking our help to follow up that information.

Copies of UNSCOM's reports to the UN Security Council are held in the Libraries of the House.

Germany

17. **Mr. Bradshaw:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of bilateral relations between the UK and Germany; and if he will make a statement. [129557]

Mr. Vaz: As my right hon. Friend the Prime Minister said at this year's Königswinter Conference our relations with Germany are as excellent as any bilateral relations can be. Three weeks ago my right hon. Friend the Prime Minister visited the German Chancellor in Berlin, and just this morning my right hon. Friend the Foreign Secretary met the German Foreign Minister to discuss a range of EU issues where we have many important common interests. I invited the German Minister for Europe Herr Christoph Zopel to London on 14–15 April and I visited him in Berlin in March.

Italy

19. **Mr. Casale:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about recent progress in strengthening British-Italian bilateral relations. [R] [129559]

Mr. Vaz: British-Italian relations are strong both in bilateral and the EU and NATO contexts. President Ciampi visited Britain for a brief visit on 1 June when he attended a lunch hosted by HM the Queen and Prince Philip. During the visit my right hon. Friend the Foreign Secretary held bilateral meetings with Foreign Minister Lamberto Dini.

Her Majesty the Queen will make a State Visit to Italy 16–19 October, visiting Rome and Milan.

International Criminal Court

20. **Tony Wright:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress in establishing the International Criminal Court. [129560]

Mr. Hain: To date the Rome Statute of the International Criminal Court has been signed by 97 States and ratified by fourteen. The Court will be established once 60 states ratify. A Preparatory Commission completed two important subsidiary documents to the Statute at its last session in June.

Kosovo

21. **Mr. Coaker:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the progress being made by UNMIK in Kosovo. [129562]

Mr. Vaz: UNMIK has made significant progress in the last year. Over one million refugees and internally displaced persons have returned, the KLA has

demilitarised, schools and hospitals have reopened, a functioning judiciary is being established, houses are being reconstructed, joint administrative structures have been set up and over 800,000 people have registered for the forthcoming local elections. The UK has played an important part in pushing all this forward. But I do not want to minimise the difficulties we still face in restoring normal economic life in Kosovo and bringing about ethnic reconciliation. It will take time but we are determined to get the job done.

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects the municipal elections in Kosovo to take place. [130660]

Mr. Vaz: UNMIK have confirmed that municipal elections in Kosovo will be held during this coming October. An exact date in October has not been decided.

Middle East

22. **Dr. Iddon:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Middle East peace process. [129563]

30. **Mr. Clapham:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress in the Middle East peace process. [129571]

Mr. Hain: The Middle East could soon see further steps towards lasting peace. The summit between the Israelis and Palestinians called by President Clinton at Camp David is a crucial event in the search for Permanent Status Agreement. My right hon. Friend the Prime Minister saw Ehud Barak on 3 July and sent a message to President Arafat on the eve of the summit. We wish both parties and President Clinton every success in making progress in the talks.

On the Syrian track, we welcome statements by the new Syrian Government that they are keen to restart negotiations with Israel. We hope that this can happen as soon as possible.

We welcome UN confirmation of Israeli withdrawal from Lebanon. This too is an important step towards a comprehensive peace in the region.

Yugoslavia

23. **Mr. Wilkinson:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the UK's relations with Yugoslavia. [129564]

Mr. Vaz: The Federal Republic of Yugoslavia broke off diplomatic relations with the UK on 25 March 1999. Since then relations have been conducted through the British Interests Section of the Brazilian Embassy in Belgrade and the Federal Republic of Yugoslavia Interests Section of the Cypriot High Commission in London.

Syria

24. **Sir David Madel:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to meet the President of Syria; and if he will make a statement. [129565]

Mr. Hain: I met Bashir al-Asad during my visit to Syria in May. My right hon. Friend the Foreign Secretary met him at the condolence ceremony for his father on 13 June. We look forward to continuing our dialogue soon, both to improve bilateral relations and as part of our continuing support for all parties seeking a comprehensive peace in the region.

Drugs Trade

26. **Mrs. Ann Winterton:** To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his counterparts abroad on tackling the international illegal drugs trade. [129567]

Mr. Battle: I take every opportunity to discuss, with our counterparts, the UK's international activities to combat the trade in illicit drugs. We take the lead in co-ordinating and prioritising such activities across Government in close co-operation with the UK anti-drugs co-ordinator Keith Hellawell. The UK plays an active role in international forums dealing with the threat posed by illicit drugs, including in the UN G8 and EU. Last year the Foreign and Commonwealth Office spent over £6.5 million on international counter-drugs activities.

Single Currency

27. **Miss McIntosh:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Chancellor of the Exchequer on progress towards joining the European single currency. [129568]

Mr. Vaz: My right hon. Friend the Foreign Secretary meets Cabinet colleagues to discuss a range of issues. The Government's policy towards the single currency has not changed and will not change. We will only recommend joining a successful single currency if it is in our national economic interest to do so, and if the economic case for the UK joining is clear and unambiguous. The Treasury will make another assessment of the five economic tests early in the next Parliament.

Colombia

28. **Ms Osborne:** To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government propose to take to support the Colombian peace process following the conference in Madrid on 6 and 7 July on Plan Colombia. [129569]

Mr. Battle: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Wythenshawe and Sale, East (Mr. Goggins) on 18 July 2000, *Official Report*, columns 210–11.

Luxembourg

29. **Mr. Healey:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his recent bilateral contacts with Luxembourg. [129570]

Mr. Vaz: My right hon. Friend the Foreign Secretary held bilateral talks with the Luxembourg Foreign Minister in September 1999. In the last six months there have been bilateral meetings with the Luxembourg Prime Minister

and the Ministers of Budget, Justice and Social Affairs. These contacts form part of our Step Change initiative to increase contacts with our EU partners.

Brigadier Saunders

31. **Mr. Paul Marsden:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress made to bring to justice those responsible for the murder of Brigadier Saunders in Greece. [129572]

Mr. Battle: Since the incident Her Majesty's Government has been in close contact with the Greek authorities at the highest level. At their request, a team of specialists from the Metropolitan police flew to Athens on the day of the murder. They are still there, working closely with the Greek police. The House must understand that the operational aspects must remain confidential. However, we remain committed, as do the Greek Government, to bringing the perpetrators to justice.

Fiji

33. **Mr. Borrow:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his discussions with the administration in Fiji. [129574]

Mr. Battle: We have kept in close touch with the Fijian authorities since the beginning of the current crisis. On 23 May my right hon. Friend the Foreign Secretary spoke personally to the then President Mara to assure him of our support for a peaceful negotiated solution to the hostage situation. Our High Commission in Suva have been in constant touch with the Fijian authorities since then. In parallel we are keeping in close touch with the Commonwealth Secretariat and with key international partners over a coordinated response to the latest interim administration, announced on 18 July.

Angola

34. **Ms Buck:** To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to visit Angola to assess the situation there. [129575]

Mr. Hain: I visited Angola from 4–6 July when I met President Dos Santos and other senior members of the Angolan Government. I also met representatives of the opposition including UNITA and representatives of the Aid Agencies, Civil Society and the Church. I visited a refugee camp at Huambo and signed a UK/Angola Memorandum of Understanding on Air Services and an Investment Promotion and Protection Agreement.

Departmental Presentation

35. **Sir Teddy Taylor:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effectiveness of procedures for informing the public about his Department's policies. [129576]

Mr. Hain: Members of the public may access information on Her Majesty's Government's foreign policy via the Foreign and Commonwealth website—http://www.fco.gov.uk—which includes an archive of ministerial policy speeches dating back to May 1997 and other key policy statements and documents. "Briefing Papers" are published on topical areas of foreign policy and the "Key Foreign Policy Issues" section includes detailed contributions from many Departments on specific policy work, for example "Britain and the EU", "Human Rights in Foreign Policy", "UK and the United Nations" and "UK and the Commonwealth".

The Foreign and Commonwealth Office website is one of the most heavily accessed sites in Whitehall, with around 350,000 page impressions to the site per week. The majority of visitors to the website are from the UK. The "Britain and the EU" home page has been accessed over 8,800 times since the beginning of June. Users may also register their personal foreign policy interests with the website and receive notification by e-mail of the latest news updates. To date, 12,500 UK-based users have registered their interest this way.

As part of the London String of Pearls Millennium Festival, the Foreign and Commonwealth Office is open to the public every Tuesday between 9 May and 25 July. In addition to viewing the Foreign and Commonwealth Office historic rooms, an average of 3,000 visitors per week have seen displays on the Foreign and Commonwealth's work in particular areas, such as Europe, International Security, Global Issues and the Americas. Feedback from the visitors has been very positive.

Diplomatic Bags

36. **Mr. Gordon Prentice:** To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the impact of new technology on the use of the diplomatic bag. [129577]

Mr. Battle: Frequency of bag service has reduced marginally over the last 4 years by 1 per cent. week per post.

Volume of material for the years 1997–99 has remained within 0.1 per cent.

World Service

37. **Mr. Öpik:** To ask the Secretary of State for Foreign and Commonwealth Affairs what recent meetings he has held with ministerial colleagues to discuss funding for the BBC World Service; and if he will make a statement. [129578]

Mr. Hain: There have been numerous contacts between the Foreign and Commonwealth Office and other ministerial colleagues in the context of the current Spending Review. We have presented a strong case for increased funding for the BBC World Service, as for the Foreign and Commonwealth Office as a whole.

Lord Levy

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what mechanism exists for his Department to receive reports from Lord Levy when he is acting as the Prime Minister's personal envoy on foreign affairs. [129566]

Mr. Hain: Lord Levy's visits are reported to my right hon. Friends the Prime Minister and the Foreign Secretary, in person by Lord Levy, and by telegram from the Ambassador in the country concerned.

India

Mr. Oaten: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Indian Government about upholding the rule of law for social and religious minority groups in India. [129573]

Mr. Hain: My right hon. Friend the Foreign Secretary raised our concerns over incidents of religious intolerance with the Indian Home Minister, L. K. Advani, during talks in London in June and with Indian Foreign Minister, Jaswant Singh, during his visit to India in April.

Mrs. Brinton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's policy towards India's claim to a permanent seat on the UN Security Council. [131110]

Mr. Hain: Our policy is for each regional group to recommend who should occupy any permanent seat allocated to them in an enlarged Security Council. My right hon. Friend the Foreign Secretary reiterated this point when he visited India earlier this year. India would clearly be a contender for any eventual Asian Group seat.

Afghanistan

Ms Buck: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the application for an export licence for mine-clearance equipment to Afghanistan. [131317]

Mr. Hain: Following consultations with this Department and the Ministry of Defence, the Department of Trade and Industry recently issued a licence for the export of mine clearance equipment for the use by the HALO Trust to aid their demining activities in Afghanistan. This licence was granted for humanitarian purposes. This decision does not affect the Government's continued support for the EU Common Position on arms exports to Afghanistan.

British Indian Ocean Territory

Mr. Coleman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on policy towards the British Indian Ocean Territory. [131318]

Mr. Battle: The territory's immigration laws and policy are currently the subject of an action in the High Court. We are aware that some of the Ilois community have expressed an interest in returning to settle on the outer islands of the archipelago. We have been studying the feasibility of settlement on the outer islands, which have been uninhabited for 30 years, and the potential environmental impact. This work is not complete and we will continue it.

Recently we have sponsored a group of Ilois to visit the outer islands to see conditions there for themselves.

We shall maintain our sovereignty over the BIOT for as long as our treaty obligations require it. Thereafter, we stand by the undertaking we have made that we would cede sovereignty of the territory to Mauritius.

Lebanon

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals his Department has discussed for development aid to Lebanon for reconstruction in Southern Lebanon with *(a)* the Lebanese Government, *(b)* other EU member states and *(c)* the EU's High Representative, Sr. Javier Solana. [130426]

Mr. Hain: We have discussed proposals for development aid for southern Lebanon with the Lebanese Government, with other EU member states in regular meetings of the relevant EU working groups, and with the European Union Special Envoy, Miguel Moratinos. These proposals focus on the rehabilitation of southern Lebanon into the infrastructure of Lebanon and the effective disbursement of international aid to the area.

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals his Department has discussed for resolving the issue of Palestinian refugees in Lebanon with *(a)* the Lebanese Government and *(b)* other EU member states. [130427]

Mr. Hain: The issue of Palestinian refugees in Lebanon is part of the wider permanent status negotiations between the Israeli Government and the PLO. We support for all Palestinian refugees the implementation of UNGA Resolution 194 through negotiation and agreement between the parties. We discuss this issue regularly with the Lebanese Government, as host country of this refugee group, and wither other EU member states, as well as with Israel and the Palestinian Authority.

Indonesia

Mr. McGrady: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent reports he has received on the level of violence in Indonesia; and if he will make a statement. [131191]

Mr. Battle: We receive regular reports on Indonesia from our Embassy, NGOs and others. We are particularly concerned by the sharp escalation of violence in Maluku, and the extensive loss of life and serious injury. I discussed this with the Indonesian Ambassador on 3 July and the Head of the Diplomatic Service raised our concerns directly with President Wahid on 4 July. There is an urgent need to respond to the growing humanitarian crisis. We are working closely with the United Nations Development Programme (UNDP) to establish mechanisms for managing the international humanitarian response. The UNDP has recently despatched three teams to Maluku to assess current needs.

Helsinki Final Act

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs how the Government intend to commemorate the 25th Anniversary of the Helsinki Final Act; and if he will make a statement. [130665]

Mr. Vaz: To mark the 25th Anniversary of the signing of the Helsinki Final Act, the Austrian Chairmanship of the OSCE will host a Commemorative Meeting of the OSCE Permanent Council in Vienna on 19 July to which leading academic and NGO representatives (and others) have been invited. Her Majesty's Government will be represented by an FCO official, who has published a history of the negotiations leading up to the signing of the Act on 1 August 1975.

EU Enlargement

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what advice has been given to applicant countries with EU candidacy status about the need to have institutions charged with promoting awareness about equal opportunities which are empowered to seek aid and assistance and to enforce rights consistent with European Union norms; and if he will make a statement. [130661]

Mr. Vaz: Before negotiations for accession can begin, the EU requires that applicant states achieve stability of institutions guaranteeing human rights and respect for and protection of minorities.

Article 13 of the Treaty of Rome requires member states to take action on discrimination whether based on sex, racial origin, religious belief, disability, age or sexual orientation. The issue of discrimination is a prominent part of the Social Policy and Employment acquis of the EU. Applicant states are expected to implement the acquis and treaty obligations by accession. The Commission monitors applicant states implementation of these requirements in its annual progress reports and makes specific recommendations to each applicant.

The EU currently operates a programme on equal opportunities for men and women. This programme is open to all applicant states and has a budget of 30 million euro. The Community is to adopt an action programme to combat discrimination based on race, sex, religious belief, disability, age or sexual orientation. This programme will be open to applicant states. It will have a budget of 98 million euro. The programme objectives include improving the understanding of discrimination and developing the capacity of applicant states to address it.

Separately, the Home Office meets regularly with Government officials from applicant states to discuss race equality matters. This includes advice on the function of the Commission for Racial Equality.

Gibraltar

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what consultations his Department is having with *(a)* other Government Departments, *(b)* the Government of Gibraltar, *(c)* trade unions in Gibraltar and *(d)* representatives of the maritime industry operating in Gibraltar, prior to the United Kingdom formulating its response to the proposals about the future of competition in European ports outlined by the Commissioner for Energy and Transport; and if he will make a statement. [130859]

Mr. Vaz: The Commission have not yet made any concrete proposals on this subject and we do not expect them to do so until the end of the year. There will be full consultation with interested parties once these proposals emerge.

British Council

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs which country directorates in the British Council will be assessed for closure over the next five years; and if he will make a statement. [131255]

Mr. Hain: The British Council is conducting a strategic review to ensure the sustainability of its overseas network and maximise the impact of its work, for example by taking full advantage of new information technology. This review may recommend reallocation of resources to the new priorities and the closure of some country directorates on the basis of their relative importance to the UK. As yet no decisions have been taken; my right hon. Friend the Foreign Secretary will be consulted over any closures.

General Affairs Council

Mr. Jim Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the outcome of the General Affairs Council held in Brussels on 10 and 11 July; and if he will make a statement. [130428]

Mr. Vaz: The General Affairs Council in Brussels on 10 July adopted the A points in document 10051/00 and noted the resolutions, decisions, and opinions adopted by the European Parliament at its part-session in Strasbourg listed in document 8849/00. Copies of these documents will be placed in the House Libraries as soon as they become available.

Western Balkans

The Council held an open debate on the Western Balkans, but also discussed it as a formal agenda item, and adopted conclusions.

The Council confirmed the EU's intention to hold a summit between the EU and the Western Balkans this autumn. This will confirm that these countries are bound to Europe, will clarify the reciprocal commitments between them and the EU, and will reiterate that the door will also be open to a democratic FRY.

The Council noted with great concern the revision of the FRY constitution. The Council reiterated its support for the democratically elected authorities in Montenegro and urged them not to yield to provocation from Belgrade.

The Council extended the suspension of the ban on flights between the territories of the European Community and the FRY until 31 March 2001, and welcomed the Commission's intention to increase the number of companies on the financial sanctions "white list".

Follow-up to Feira

The Presidency announced its work programme for the various items following up the Feira European Council, notably on enlargement and European defence.

Ministers agreed that continued work on the latter should be a priority for the French Presidency, and took note of Presidency papers outlining future work on permanent structures within the EU; EU/NATO working groups; and elaboration of the headline goal for military capabilities. They looked forward to the Capabilities Commitment Conference in November, which would represent an important measure of progress on enhancing military capabilities; and also to continued work on the relationship between the EU and the six European members of NATO outside the EU.

Russia

The Council adopted conclusions on Russia which underline the importance of the Common Strategy in developing a strategic partnership with Russia; orient the work plan on the Common Strategy towards institutional/

economic reform, democratization, and the strengthening of civil society and the independent media; and urge the Commission to resume preparation of the TAXIS indicative programme for 2000–03 and to propose a targeted action plan for 2000. The Council emphasized that a long-term relationship with Russia must be based on common values, that it remained concerned by the situation in Chechnya, and that it would remain vigilant to ensure that Russia respected its commitments to the Council of Europe and the OSCE.

Zimbabwe

The Council agreed Conclusions on the recent elections in Zimbabwe. These call on the Zimbabwean Government to take steps to bring those responsible for the pre-election violence to justice; to tackle urgently Zimbabwe's economic and social problems; and to work for a rapid solution to the problem of land reform on the basis of the principles of the 1998 Land Conference.

Bananas

The Council invited the Commission to examine the possibility of a quota-based regime based on the "first-come first-served" licensing system. It also asked the Commission, once it had done this, to report back on possible solutions, including a tariff-only regime and its implications. The Council highlighted its desire to reach a solution as quickly as possible, having regard to WTO rules, the interests of Community procedures and the commitments of the Union to the ACP, especially the most vulnerable.

Institute for European-Latin American Relations

Under Any Other Business, the Council supported a Spanish proposal to create a working party to seek a solution to IRELA's financial difficulties.

Inter-governmental Conference

Ministers held a general exchange of views with the EP President Fontaine and Commission President Prodi, following which the Presidency set out its work programme for the next six months.

The Council was followed by Association Councils with Kazakhstan and Kyrgyzstan.

CULTURE, MEDIA AND SPORT

National Lottery

Mr. Oaten: To ask the Secretary of State for Culture, Media and Sport what recent discussions he has had with the National Lottery Commission concerning the Lottery Operator's policy on withdrawing Lottery contracts from post offices which do not meet sales targets. [129660]

Kate Hoey *[holding answer 7 July 2000]:* None. Decisions on the locations of terminals are a matter for the operator of the National Lottery, subject to the minimum requirements set out in the licence.

Tennis

Mr. Sarwar: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the Government's support for young tennis players in *(a)* Scotland and *(b)* the United Kingdom. [129917]

Kate Hoey: Government support for tennis in Scotland is channelled through SportScotland, who have provided the following information.

Funding is available to tennis through the Lottery, one of whose priorities is young people. Lottery funding for tennis facilities has been made to 312 projects, worth a total of £2,324,802. In addition Lottery funding has been made to young tennis players under the Talented Athletes Programme to the value of £56,015 in 1999–2000. Over the same period the estimated value of the tennis element of local authority junior groups programme is in the region of £20,000. £12,000 was provided under the UK World Class Performance Programme to assist talented young tennis players.

SportScotland has provided £64,000 Exchequer funding to the Scottish Lawn Tennis Association in 2000–01.

Junior tennis is eligible for funding from Sportsmatch, the Government's sports sponsorship incentive scheme.

Sportsmatch in Scotland has made 25 awards worth a total of £86,304 since its inception in 1992, to grass roots and junior tennis projects.

In addition, Government support for young tennis players in the rest of the United Kingdom, is set out.

England

Sportsmatch in England has made 194 awards worth a total of £1.15 million since its inception in 1992, to grass roots and junior tennis projects.

Funding is also available to tennis through the Lottery Sports Fund, one of whose priorities is young people. The Fund has made 473 awards to tennis projects, worth a total of over £54 million. In addition, the Fund made World Class Performance Programme awards totalling £8,574, to disabled tennis players in 1999–2000.

Tennis is also one of the nine sports selected by Sport England for a five year sports development programme aimed at young people. The programme is England-wide, delivered at local level and involves local clubs, local authorities, education services, schools and the Lawn Tennis Association (LTA) working in partnership. Sport England is allocating a total of £10 million Lottery funding each year for all nine sports involved in the programme.

Wales

In Wales funding for tennis is channelled through the Sports Council for Wales, who have provided the following information.

Funding is available to tennis through the Lottery, one of whose priorities is young people. Lottery funding for tennis facilities has been provided to the value of £2,050,982, and to individual competitors through the Elite Cymru programme to the value of £6,500 in 1999–2000. The Council provided £86,886 exchequer funding to "Tennis Wales", the governing body for tennis in 2000–01.

Sportsmatch in Wales has made 32 awards worth a total of £92,260 since its inception in 1992, to grass roots and junior tennis projects.

Northern Ireland

Funding for tennis in Northern Ireland is channelled through the Sports Council for Northern Ireland, who have provided the following information.

Funding is available to tennis through the Lottery, one of whose priorities is young people. Lottery funding for tennis has been provided to the value of £1,479,650 over the period 1995–2000. Over the same period £8,000 has been provided towards the development of talented young individuals. In 1999–2000 Exchequer funding of £11,500 was provided to the governing body responsible for tennis in Northern Ireland.

Museums

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport what criteria he uses in deciding whether a museum is eligible *(a)* for Government funding and *(b)* to reclaim VAT. [130677]

Mr. Alan Howarth: My Department funds the 12 national museums in England, and provides varying degrees of grant-in-aid to seven other museums or museum services, partly for historical reasons and partly in recognition of the importance of their collections. Other funding is generally project related challenge funding, distributed in response to applications made in published criteria (for instance, the £15 million being made available over three years to designated museums through the Designated Museums Challenge Fund).

To the extent that museums are businesses, they are subject to the same VAT rules as other businesses. These rules are a matter for HM Customs and Excise.

Official Visits

Mr. Matthew Taylor: To ask the Secretary of State for Culture, Media and Sport if he will list the visits outside Britain made by his Department's Permanent Secretary on official business since 1 January 1999, indicating the date and purpose of the visit in each case. [130488]

Mr. Chris Smith: My Permanent Secretary made two visits outside Britain in the specified period.

From 13 to 15 October 1999 inclusive he visited Paris and Berlin.

From 16 February to 18 February 2000 inclusive he visited Portugal and Madrid.

My Department is committed to improved collaboration with other Governments within the EU; and my Permanent Secretary has undertaken these visits to establish contact and good relations with his opposite numbers in a range of EU countries.

Correspondence

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer on 5 May 2000, *Official Report*, column 229W, when he will write to the hon. Member for Sittingbourne and Sheppey. [131155]

Kate Hoey: I wrote to my hon. Friend with a full response on 13 July. Copies of the letters have been placed in the Libraries of the House.

Appointments (Women)

Mr. Allan: To ask the Secretary of State for Culture, Media and Sport how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which he has made to non-departmental public bodies since 1 May 1997 were women. [129856]

Mr. Chris Smith *[holding answer 12 July 2000]:* The information is as follows:

	Total	Paid	Unpaid
Number of appointments	358	123 (33.2%)	235 (66.8%)
Number of women appointed	133	50 (40.6%)	83 (35.5%)

My Department is committed to increasing the representation of women in public life. In support of this, the Department has drawn up an action plan for increasing the number of women, people from ethnic minorities and people with disabilities holding public appointments. The latest plan, together with the Government's overall plan, was published on 24 May 2000 in "Quangos: Opening up Public Appointments 2000–03", copies of which are in the Libraries of the House.

Football Association Premier League Funds

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what powers are available to him to allocate Football Association Premier League funds to activities other than football. [130845]

Mr. Chris Smith: None. The FA Premier League and the Football Association are fully responsible for their own decisions on funding.

The Government will shortly announce details of a new body to distribute funds for the development of football—the Football Foundation—to which the Premier League, the FA and Sport England will make substantial contributions. It will be for the new body to decide on its funding criteria. In dealing with applications, though, the Foundation may wish to consider whether proposed football facilities may be used for other sports.

Royal Parks Agency

Mr. Goggins: To ask the Secretary of State for Culture, Media and Sport what targets he has set for the Royal Parks Agency. [131303]

Mr. Alan Howarth: The following targets have been set for the Royal Parks Agency for 2000–01:

Financial and Efficiency

To increase income by 10 per cent. from the 1999–2000 level, from all sources except recharges and VAT refunds.

Stay within the flat running costs allocation of £8.235 million.

Keep hourly costs of a Royal Parks Police Constable on duty down to 1999–2000 levels in real terms.

Visitor satisfaction

Achieve an overall quality rating of 89 per cent. from visitors to the parks, compared to a rating of 88 per cent. in 1999–2000. The minimum rating for any one park should be no lower than 83 per cent.

Fabric

Achieve an average rating from visitors of at least 89 per cent. on cleanliness in the parks, compared with a rating of 88 per cent. in 1999–2000. The minimum rating for a park should be no lower than 85 per cent.

Maintain an average score of 88 per cent. for soft landscape presentation, compared with a score of 87 per cent. achieved in 1999–2000. The minimum score for a park should be no lower than 82 per cent.

Complete the refurbishment works of White Lodge in Bushy Park by December 2000, with a view to the building being removed from English Heritage's "Buildings at Risk" register in 2001.

Carry out a condition survey of all the lodges in the Parks to establish maintenance requirements and future levels of refurbishment.

Sport (Funding)

Mr. Breed: To ask the Secretary of State for Culture, Media and Sport what the percentage increase in direct Exchequer funding for sport was in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland between 1999–2000 and 2000–01. [130519]

Kate Hoey: The information requested by the hon. Member is as follows:

£

	1999–2000 Exchequer funding (outturn)	*2000–01 Exchequer funding (plans)*	*Percentage increase*
England/Sport England	37,900,000	37,973,000	+0.2
Scotland/SportScotland	10,100,000	10,309,000	+2.1
Wales/Sports Council for Wales	6,799,000	7,417,000	+9.1
Northern Ireland/Sports Council for Northern Ireland	2,380,000	2,322,000	−2.4

Mr. Breed: To ask the Secretary of State for Culture, Media and Sport how much direct Exchequer funding per head was spent on supporting sport in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland in 1999–2000; and what the planned figures are for 2000–01. [130518]

Kate Hoey: The information requested by the hon. Members is as follows:

	Population (1998 Census)	*1999–2000*[1,3,4] *Exchequer funding (£)*	*Per capita*	*2000–01*[2,3,4] *Exchequer funding (£)*	*Per capita*
England/Sport England	49,495,000	37,900,000	0.77	37,973,000	0.77
Scotland/SportScotland	5,120,000	10,100,000	1.97	10,309,000	2.01
Wales/Sports Council for Wales	2,933,000	6,799,000	2.32	7,417,000	2.53
Northern Ireland/Sports Council for Northern Ireland	1,689,000	2,380,000	1.41	2,322,000	1.37

[1] Outturn
[2] Plans
[3] In 1999–2000 and 2000–01, UK Sport received Exchequer funding of £12.6 million to provide support to those sporting programmes and policies that are of benefit for the United Kingdom as a whole. It is not possible to determine the amount of benefit provided by UK Sport to sport in individual home countries. Funding of £0.9 million per annum is also provided to the Football Licensing Authority.
[4] The local authority estimated outturn on current and capital expenditure on sport and recreation activities in 1999–2000 totalled £767 million in England and £55 million in Wales. Expenditure details for 1999–2000 for Scotland and Northern Ireland and Planning figures for 2000–01 are not available.

World Cup

Mr. Robertson: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with the *(a)* officials and *(b)* members of FIFA regarding (i) the awarding of the 2006 World Cup to Germany and (ii) reported attempts to influence improperly the voting of the members of FIFA; and if he will make a statement. [131376]

Kate Hoey: Neither my right hon. Friend the Secretary of State nor I have discussed the decision to hold the 2006 World Cup in Germany, or the circumstances of the voting on 6 July, with FIFA officials or members.

Television Inquiry

Ms Rosie Winterton: To ask the Secretary of State for Culture, Media and Sport when he intends to publish the Government's response to Phase I of the Creative Industries Task Force Television Inquiry; and what Phase II will cover. [131480]

Mr. Chris Smith: I have today written to the three sub group chairs involved in Phase I of the Inquiry thanking them for their report, "UK Television Exports Inquiry", which was published in November 1999. The report makes valuable recommendations both for the industry and for Government and we have responded by drawing up a joint Action Plan. Government remain committed to working in partnership with the industry to improve the UK's export performance, not only in television but in all the creative industries.

I have also today announced the Terms of Reference for Phase II. This stage of the Inquiry will look at how the UK television programme supply market could best be adapted to realise the potential of UK creative talent to satisfy the growing audio-visual economy. We are currently tendering for a consultant to undertake this work which will feed into the Communications White Paper.

Copies of the Action Plan and Terms of Reference will be placed in the Library of the House and made available on my Department's website: www.culture.gov.uk/creative/forms—documents.html.

CABINET OFFICE

British-Irish Council

Mrs. Ewing: To ask the Minister for the Cabinet Office if she will make a statement on the establishment of the British-Irish Council, its composition, and the consultations held with the executives and presiding officers of the Scottish Parliament and Welsh Assembly prior to its establishment. [128622]

Marjorie Mowlam: The inaugural summit meeting of the British-Irish Council was held at Lancaster House, London, on Friday 17 December 1999. The next meeting is expected in the autumn of this year.

As envisaged in the Belfast Agreement, the British-Irish Council comprises representatives of the British and Irish Governments, the devolved Administrations in Northern Ireland, Scotland and Wales, together with representatives of the Isle of Man, and the Baliwicks of Jersey and Guernsey.

Special Advisers

Mrs. Virginia Bottomley: To ask the Minister for the Cabinet Office what criteria are used to distinguish between a special adviser and Civil Service appointment; and who approves an increase in numbers in either category. [128806]

Marjorie Mowlam: Recruitment into the Home Civil Service is governed by the Civil Service Order in Council. Appointments are made on merit on the basis of fair and open competition unless covered by one of the exemptions set out in the Civil Service Order in Council. Special Adviser appointments are one such exemption.

With the exception of the most senior (SASC) posts, Ministers and office holders in charge of Departments determine the number of permanent Civil Service posts within their organisation. All appointments to the SASC group are approved by the Prime Minister.

Under the terms of the Ministerial Code, the Prime Minister approves the appointment of Special Advisers.

Departmental Initiatives

Dr. Lynne Jones: To ask the Minister for the Cabinet Office if she will list each departmental initiative since May 1997 requiring bids for funding together with the total resources available, the number of successful bids and the proportion this represents of total bids received; and what data she collects on the average expenditure of organisations bidding for funding through each initiative. [131083]

Mr. Stringer: I refer my hon. Friend to the answer given by my right hon. Friend the Chief Secretary to the Treasury on 17 July 2000, *Official Report*, column 93W.

Parliamentary Questions

Mr. Stunell: To ask the Minister for the Cabinet Office on how many occasions she has deposited papers in the Library in response to parliamentary questions tabled to her Department between 19 October 1999 and 20 April. [131128]

Mr. Stringer: Between 19 October 1999 and 20 April 2000 there have been 35 parliamentary questions tabled to the Cabinet Office which received full answers including a commitment to place documents in the Libraries of the House.

Sickness Absence

Mr. Matthew Taylor: To ask the Minister for the Cabinet Office when she will publish statistics on progress towards reducing sickness absence in the civil service in 1998 and 1999; and if she will make a statement. [130715]

Mr. Stringer: The civil service is collectively working towards reducing sickness absence by 20 per cent. by 2001 and 30 per cent. by 2003, against a 1998 baseline. Details of sickness absence in the civil service for 1998 were given in the answer my right hon. Friend the Minister for the Cabinet Office gave to my hon. Friend the Member for Stevenage (Barbara Follett) on 11 May 2000, *Official Report*, columns 433–34W. Figures for 1999 will be available shortly.

LORD CHANCELLOR'S DEPARTMENT

Queen's Counsel

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make it his policy for Queen's Counsel who have not practised at the bar for five years to be examined to establish their fitness to return to practise as a Queen's Counsel; and if he will make a statement. [130629]

Mr. Lock: The Lord Chancellor recognises the need to ensure that all lawyers are competent to do the job. He has no plans, however, to introduce the policy proposed for QCs, the regulation of whose professional standards is primarily for their professional bodies.

Community Legal Service

Mr. Kidney: To ask the Parliamentary Secretary, Lord Chancellor's Department what research his Department *(a)* has commissioned and *(b)* intends to commission to assist him in evaluating the effectiveness of the introduction of (i) the new civil court rules and (ii) the Community Legal Service in widening access to justice. [130731]

Mr. Lock: Three research projects have been commissioned which fall within the first topic area: Monitoring the Rise in the Small Claims Limit; Cross-Jurisdictional Issues in Case Management; The Impact of Conditional Fees on the Selection, Handling and Outcomes of Personal Injury Cases. In addition, the Court Service conducts locally run customer satisfaction surveys at courts and tribunals in a two-year rolling cycle. The surveys identify trends and changes in customer requirements as well as providing information on delivery of service. The Department is currently discussing the possibility of commissioning a research project which might look at further improvements to case management and the use of joint experts in court proceedings.

A project to examine Local Legal Need, which aims to measure the effectiveness of the Community Legal Service, is being undertaken by Legal Services Research Centre. Currently, there are no plans to commission further research on the Community Legal Service.

The Department carries out a review of its requirements in formulating its priorities for research in its annual programme of work. This is currently under way.

Dr. Kumar: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the relationship between the community legal services and debt and money advice services. [131210]

Mr. Lock: The provision of debt and money advice will be an important part of the local networks of legal services we are developing, and which will be supported by local Community Legal Service Partnerships.

For example, there are 430 solicitors' firms and 171 not-for-profit agencies with contracts from the Legal Services Commission (LSC) to provide debt advice services. In addition, the LSC is running six pilot projects to look at alternative methods of delivering debt advice, including outreach services in Carlisle, Stoke-on-Trent and Birmingham, and telephone services in Sheffield, Norfolk and Northumberland.

Advisory Committee on Public Records

Mr. Cohen: To ask the Parliamentary Secretary, Lord Chancellor's Department what the current composition and role is of the Advisory Committee on Public Records; who appoints its members and for how long they remain on the Committee; how frequently the Committee meets and when it last met; who decides which matters are on its agenda; how its activities will be affected by the implementation of the Freedom of Information Bill; and if he will make a statement. [130686]

Mr. Lock: The current composition of the Advisory Council on Public Records is as follows:

Chairman: the Master of the Rolls (ex officio)

Miss Amanda Arrowsmith, Director of Libraries and Heritage, Suffolk county council

Professor David Cannadine, Director of the Institute of Historical Research, University of London

Sir John Chilcot GCB, retired, formerly Permanent Under-Secretary of State, Northern Ireland Office

Professor Peter Clarke, Professor of Modern British History, University of Cambridge and Fellow of St. John's College, Cambridge

Mr. Ian Coulson, teacher, schools inspector in Kent

Miss Rosemary Dunhill, County Archivist of Hampshire

Professor Ralph Griffiths, Professor of Mediaeval History, University of Wales, Swansea

Mrs. Anne Hanford, film librarian and consultant in the management of media collections

Mrs. Gillian Hughes, a professional researcher and record agent

Professor Rodney Lowe, Professor of Contemporary History, University of Bristol

Professor the Earl Russell, Professor of British History, Kings College London. Represents the Liberal Democrats on the Council

Mrs. Shahwar Sadeque, educational and information technology consultant

Mr. Andreas Whittam Smith, Journalist, former editor of *The Independent*, chairman of the Sir Winston Churchill Archive Trust and president of the British Board of Film Classification

Dr. Anne Thurston, executive director of the International Records Management Trust

Right hon. Lady Trumpington, former Baroness in Waiting, House of Lords. Represents the Conservative Party on the Council

Right hon. Alan J. Williams, Labour MP for Swansea West. Member of the Public Accounts Committee.

The role of the Council is set out in the Public Records Act 1958 s1(2), as being:

> to advise the Lord Chancellor on matters concerning public records in general and, in particular, on those aspects of the works of the Public Record Office which affect members of the public who make use of the facilities provided by the Public Record Office.

The Council's current terms of reference were set by the Lord Chancellor on 22 January 1998 and were published with the Council's annual report for 1997–98 in the Keeper's Report for that year (HC 840).

In accordance with the terms of the Public Records Act 1958, members are appointed by the Lord Chancellor. They normally serve for a three-year term, which is renewable once.

The Council meets four times a year, normally in February, June, October and December. It last met on 15 June 2000. Much of the Council's agenda is determined by the timetables for applications by Departments for the retention or extended closure of public records. Other items appear on the agenda at the request of members of the Council, of members of the public, or of the Keeper of Public Records. The agenda is approved by the Master of the Rolls.

The Freedom of Information Bill is expected to give the Council a statutory role in advising on the availability to the public of information in public records once they are more than 30 years old. This will be much the same function as it has exercised for the last 40 years in advising the Lord Chancellor on the operation of s5(1) of the Public Records Act 1958. The Bill currently before Parliament provides for extension of the Advisory Council's role by inserting S1(2A) as follows:

> The matters on which the Advisory Council on Public Records may advise the Lord Chancellor include matters relating to the application of the Freedom of Information Act 2000 to information contained in public records which are historical records within the meaning of Part VI of that Act.

The Advisory Council's involvement in the release of information in public records will be set out in some detail in Part II of the Lord Chancellor's code of practice on the management of records under Freedom of Information, a working draft of which will be published shortly.

Royal Family

Mr. Cohen: To ask the Parliamentary Secretary, Lord Chancellor's Department, what public records concerning *(a)* the Royal Family and *(b)* other matters, relating to events prior to the First World War, have not been made publicly available; and for what reasons. [130687]

Mr. Lock: There are two public records concerning the Royal Family dating from before the First World War which have not been opened. These are both Treasury records. The first concerns the taxation and property rating of members of the Royal Family for the period 1899–1904 and is due for release in 2005; the second concerns Queen Alexandra's annuity and income tax in the period 1910–1914 and is due to be opened in 2015. (They are closed in accordance with Lord Chancellor's Instruments 5 and 6 respectively.) The guidance under which these records were closed for 100 years is currently being re-examined by the Cabinet Office and Public Record Office.

Records concerning other matters dating from before the First World War and not yet opened are as follows:

The decennial censuses of 1901 and 1911 are closed for 100 years in order to protect the confidentiality of the information given by the public. They are closed in accordance with Lord Chancellor's Instrument 12. There are approximately 65 items originating from the predecessors of the Crown Estate dating from 1900–1914 which are still closed. These concern leases or other property assignments which are still current. There are three records dating from 1876–1914 concerning activities of the Secret Service in Ireland and Irish terrorist organisations which are currently retained. The sensitivity of these records is currently being reassessed.

Legal Services (Teesside)

Dr. Kumar: To ask the Parliamentary Secretary, Lord Chancellor's Department, what assessment he has made of the extent of the needs for assistance in respect of legal services in *(a)* Teesside and *(b)* Middlesbrough, South and Cleveland, East; and if he will make a statement. [131212]

Mr. Lock: The Northern Regional Legal Services Committee of the then Legal Aid Board carried out an assessment of the need for legal services in Middlesbrough, Redcar and Cleveland, Hartlepool and Stockton during the course of 1998. The results of this assessment were published by the Legal Aid Board in February 1999.

Following the launch of the Community Legal Service in April 2000, Community Legal Service Partnerships (CLSPs) have been formed in each of the four local authority areas. Further assessments of legal needs are being carried out as part of the work of these Partnerships. In Middlesbrough, the needs assessment has been completed and will be discussed by the Partnerships on 18 July 2000. In Hartlepool the needs assessment is currently underway and in Redcar and Cleveland and Stockton the needs assessment will be carried out later this year.

Dr. Kumar: To ask the Parliamentary Secretary, Lord Chancellor's Department, what plans he has to create a community legal service partnership in the Teesside Region; and if he will make a statement. [131211]

Mr. Lock: Community Legal Service (CLS) Partnerships have been formed in Middlesbrough, Stockton-on-Tees, and Hartlepool. The Legal Services Commission is also looking to establish a Community Legal Service Partnership in Redcar and Cleveland, but this is still subject to further discussions with the local authority. We hope that Redcar and Cleveland will form a CLS Partnership by Spring 2001. If it proves possible to form a CLS Partnership in this area earlier, we would be delighted.

Advocates

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the relative work load per case for *(a)* prosecution advocates and *(b)* defence advocates. [130412]

Mr. Lock: None. In developing a unified fee scheme my officials will work together with the Crown Prosecution Service; the General Council of the Bar; and the Law Society to identify areas where the work undertaken by the prosecution differs fundamentally from that undertaken by the defence.

Legal Aid

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department how many *(a)* legal practices and *(b)* solicitors in England and Wales were undertaking legal aid work in (i) 1990, (ii) 1995, (iii) 1999 and (iv) 2000. [130413]

Mr. Lock: The Legal Services Commission and its predecessor, the Legal Aid Board have always made payments to solicitors' offices, not to individual solicitors, or practices. It is therefore not possible to provide details of the numbers of individual solicitors undertaking legal aid work. The statistical information collected also relates to the financial year rather than the calendar year. The numbers of solicitors' offices receiving payment for undertaking legal aid work during the years in question were as follows:

	Number
1989–90	11,455
1994–95	11,062
1998–99	11,263
1999–2000	11,099

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department how many applications for legal aid were *(a)* accepted and *(b)* rejected in each year since 1990. [130416]

Mr. Lock: The numbers of legal aid applications granted and rejected, in each year for which information is available, were as follows:

	Civil legal aid[1]		*Assistance by way of representation*[1]	
	Accepted	*Rejected*	*Accepted*	*Rejected*
1990–91	333,444	84,347	73,948	12,284
1991–92	339,306	100,030	67,505	12,870
1992–93	349,619	126,271	49,735	10,621
1993–94	335,422	125,716	26,503	5,553
1994–95	362,591	123,453	22,276	3,329
1995–96	356,138	124,947	19,473	2,646
1996–97	315,502	133,631	18,149	2,167
1997–98	285,959	133,735	17,991	2,052
1998–99	278,709	98,122	19,918	1,034
1999–2000	227,494	65,270	16,882	644

	Criminal magistrates'		Criminal higher courts'	
	Accepted	Rejected	Accepted	Rejected
1990	n/a	n/a	7,883	3,981
1991	n/a	n/a	6,885	4,650
1992	n/a	n/a	7,579	4,569
1993	n/a	n/a	10,567	4,796
1994	n/a	n/a	12,998	5,591
1995	n/a	n/a	14,203	6,377
1996	n/a	n/a	13,795	6,710
1997	380,430	42,030	15,109	6,766
1998	423,314	42,058	15,772	5,887
1999	444,955	35,907	14,608	6,122

n/a = not available
[1] Financial years
[2] Calendar years

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department what was the total amount *(a)* paid and *(b)* received in respect of legal aid, broken down by (i) costs recouped under orders for costs, (ii) value-added tax, (iii) savings on national insurance payments and (iv) other income in the last year for which figures are available. [130414]

Mr. Lock: The Legal Aid Board (which was replaced by the Legal Services Commission on 1 April 2000) recovered costs totalling £318,366,000, overwhelmingly from matters dealt with in the civil courts. The Board paid costs to the opponents of funded clients totalling £2,229,000. It is not possible to separate out the proportion of either the receipts or payments that were paid under the orders for costs.

The Legal Aid Board was not required to account separately for VAT and some payment systems that it operated do not recognise VAT as a separate item. Since not all disbursements attract VAT, and not all solicitors and counsel are registered for VAT, it is not possible to calculate the amount of VAT that was paid out of, or into the legal aid Fund.

There are no national insurance savings that the Commission is aware of that had an effect on the Fund.

Other income to the legal aid Fund during 1999–2000 totalled £159,820,000. This includes such items as contributions paid by funded clients, moneys recovered through statutory charges placed on property gained or kept by funded clients with the benefit of legal aid, and interest on these charges.

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department for what reason the Legal Aid Board was renamed; and what estimate he has made of the costs arising from this change. [130415]

Mr. Lock: The Legal Aid Board has not been renamed. It was replaced on 1 April 2000 by a new executive non-departmental public body—the Legal Services Commission—established under Part I of the Access to Justice Act 1999. The Commission is charged with establishing, maintaining and developing two new services for the provision of publicly funded legal services—the Community Legal Service and the Criminal Defence Service. The Commission has also taken over the functions of the Legal Aid Board in relation to any cases being conducted under the provisions of the Legal Aid Act 1988. The appointments of the Chair and members of the Commission were announced on 17 December 1999 and 9 March 2000 respectively. However, costs directly attributable to the naming of the Legal Services Commission are: Design and development of logotype, including tender (£6,587.13); Regulations on usage of logotype (£6,431.95); Nameplates for Regional offices (£3,666.00); Internet domain name registration (£141.00); Corporate seal (£120.00).

Owen McMahon

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department, how many files he retains concerning activities of the RIC in Northern Ireland in 1922; for what reason files relating to the murder of Owen McMahon in March 1922 are withheld from public access; and when the last review of documents of this period was held and what its outcome was. [131380]

Mr. Lock: The Northern Ireland Court Service does not hold any records concerning the activities of the RIC or the murder of Owen McMahon in 1922. There is a Ministry of Home Affairs file on the case which is held by the Public Records (Northern Ireland) Office and which is open to the public. All records listed and indexed by the Public Records (Northern Ireland) Office for review have been completed up to 1970.

Parliamentary Questions

Mr. Stunell: To ask the Parliamentary Secretary, Lord Chancellor's Department, how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April did not receive substantive answers, citing as the reason that the information was *(a)* not held centrally, *(b)* not held in the form requested and *(c)* not available. [131198]

Mr. Lock: According to departmental records of the relevant period:

(a) four parliamentary questions did not receive substantive answers because the information was not held centrally and a further 12 received partial answers for this reason;

(b) one parliamentary question did not receive a substantive answer because the information was not held in the form requested and a further two received partial answers for this reason; and

(c) five parliamentary questions did not receive a substantive answer because the information was not available and a further four received partial answers for this reason.

HOME DEPARTMENT

Animal Experiments

Mr. Bradshaw: To ask the Secretary of State for the Home Department when his review of section 24 of the Animals (Scientific Procedures) Act 1986 will be completed. [130533]

Mr. Mike O'Brien: Section 24 of the Animals (Scientific Procedures) Act 1986 prevents the disclosure of information about the use of animals in scientific procedures that has been provided in confidence. Under the proposals for the Freedom of Information Bill, all statutory bars are being reviewed, including section 24.

The maintenance of the necessary protection for individual scientists and their research institutions from animal rights extremists is a priority in the review of section 24 and I am considering very carefully how best

it can be achieved. The extremists and the violence make openness more difficult than it would be otherwise. In view of this, a decision on whether to repeal or amend section 24 will not now be made until later this year.

Mr. Hancock: To ask the Secretary of State for the Home Department (1) if he will take steps to reduce the number of experiments on dogs conducted in UK research laboratories and breeding centres; and if he will make a statement; [130476]

(2) if he will take steps to prohibit experiments on dogs that do not provide researchers with new information; and if he will make a statement. [130483]

Mr. Mike O'Brien: Dogs are primarily used in medicinal drug research and development and in pharmaceutical safety and efficacy evaluations. They are also used, when no other species is suitable, in the evaluation of cardiovascular and cardiorespiratory problems in humans. Such work contributes to advances in human healthcare. Dogs are also used in the development of veterinary medicines and techniques.

In my replies I gave the hon. Member on 17 April 2000, *Official Report*, column 380W and on 12 July 2000, *Official Report*, column 595W, I stated that members of the public often find it particularly difficult to accept that species that are kept as domestic pets or companion animals, such as dogs, are also used in research to find cures for illnesses. Such animals must be purpose bred and supplied by designated establishments and can be used only if there is no viable alternative for that particular procedure.

Dogs are used in regulated procedures where their use is justified under the Animals (Scientific Procedures) Act 1986. There are no current plans to change the legislation. All applications to use protected animals in research are subjected to a detailed cost/benefit assessment by Home Office inspectors. The likely adverse effects on the animals concerned must be weighed against the benefit likely to accrue as a result of the proposed programme of work.

We are continuing to work to ensure that animals are only used where it is fully justified and where there are no alternatives which replace the use of animals, reduce the numbers of animals used, or refine the procedures in which they are used.

Figures in recent years reflect a downward trend in the use of dogs in research. I should emphasise that dogs are used only in about a quarter of one per cent. of all procedures.

Trafficking in Women and Girls

Mr. Cohen: To ask the Secretary of State for the Home Department what recent assessment the Government have made of the extent of trafficking in women and girls; from which areas of the world this trafficking is most extensive; and what measures Her Majesty's Government are supporting to tackle this. [130694]

Mr. Charles Clarke: The Home Office has recently published a ground-breaking study, which establishes for the first time the possible extent of trafficking in women into this country: 'Stopping Traffic: Exploring the extent of, and responses to, trafficking in women for sexual exploitation in the United Kingdom.' That study indicates that 18 trafficking cases were identified by the police during 1998, involving 71 women. The majority of those women claimed to come from Europe and the remainder from Brazil and Thailand. The study indicates that these figures do not reveal the full extent of this phenomenon and makes a number of recommendations about tackling it. These are currently being considered by the Government.

Criminal Cases (Police Conduct)

Mr. Cotter: To ask the Secretary of State for the Home Department (1) what action is taken against constabularies that are reported as failing to comply with the Criminal Procedure and Investigations Act 1996 by withholding unused material from defence lawyers in criminal cases; [130537]

(2) what steps he is taking to ensure the full implementation of the Criminal Procedure and Investigations Act 1996, with particular reference to full disclosure of evidence by police to defence lawyers; [130639]

(3) what recent representations he has received about non-disclosure of information to defence lawyers; and if he will make a statement; [130640]

(4) if the implementation of the Criminal Procedure and Investigations Act 1996 is being monitored; and if he will make a statement. [130638]

Mr. Charles Clarke: The Government are aware of concerns about the operation of the disclosure provisions of the Criminal Procedure and Investigations Act 1996. Since the beginning of this year, my right hon. Friend the Home Secretary has received three letters from Members of Parliament and one from a member of the public on this issue. Action is well underway to address these concerns.

The Director of Public Prosecutions (DPP) has made disclosure a business priority for the Crown Prosecution Service (CPS) and has initiated a programme of work focusing on the basic principles of disclosure, with a special emphasis on the prosecutor's duty to ensure a fair trial. He has asked Chief Crown Prosecutors to take up with Chief Constables any concerns that they may have with police disclosure practice in their area. Last year, the Crown Prosecution Service Inspectorate undertook a thematic review of disclosure and its report was published in March. The recommendations in that report are being considered and taken forward in the form of an action plan as part of the DPP's programme of work. The Association of Chief Police Officers has also established a working party to look into the working of the disclosure provisions in relation to the police.

The Attorney-General is developing guidelines on disclosure. In February, these were issued in draft for consultation and the responses are now being considered. The Attorney-General is aiming to issue the final version of the guidance in the summer.

In addition, as part of its general responsibility to evaluate new legislation the Government have commissioned an independent research study to evaluate all aspects of the disclosure provisions. The study will build on the CPS Inspectorate's report and draw on surveys of the legal profession carried out by the Criminal Bar Association and the Law Society. The

work began in January 2000 and is expected to be completed in 12 months. In the light of the research, we will consider what further action needs to be taken.

Cycling on Pavements

Mr. Cox: To ask the Secretary of State for the Home Department how many prosecutions there have been within the Greater London area for the offence of cycling on pavements during the last 12 months. [130536]

Mr. Charles Clarke: Available information taken from the Home Office Court Proceedings Database shows that provisionally in 1999 there were 42 prosecutions for the offence of cycling on the pavement in the Greater London area (prosecutions at courts within areas policed by the Metropolitan Police Service and the City of London police). In 1998, there were 67 prosecutions.

The fixed penalty system for this offence was introduced on 1 August 1999 and up to, and including, 31 December 1999 a combined total of 39 fixed penalty notices were issued by the Metropolitan and City of London police forces.

Asylum Seekers

Fiona Mactaggart: To ask the Secretary of State for the Home Department how many people have applied under the regularisation scheme set up under section 9 of the Immigration and Asylum Act 1999; what their nationalities are; how many applications *(a)* have been granted, *(b)* have been refused and *(c)* are still pending; and how many applicants had been in the United Kingdom (i) more than and (ii) fewer than seven years at the time of application. [130535]

Mrs. Roche: On 13 July, the number of applications received under the regularisation scheme was 1,653. Approximately 175 of these applications have been granted. Most are awaiting substantive consideration. I regret that further information could be obtained only by examination of individual case records and is, therefore, available only at disproportionate cost.

Mr. Stinchcombe: To ask the Secretary of State for the Home Department (1) in each of the last four years for which figures are available, *(a)* how many people were detained for more than 24 hours under immigration powers who (i) were and (ii) claimed to be under the age of 18 at the time of their detention, *(b)* what the average length of time was for which they were detained and *(c)* what the longest period of time was for which any such person was detained; [130734]

(2) in each of the last four years for which figures are available, *(a)* how many asylum applicants detained for more than 24 hours under immigration powers, were subsequently accepted to be under the age of 18 at the time of their detention, *(b)* what the average length of time was for which they were detained and *(c)* what the longest period was for which any such person was detained; [130735]

(3) in each of the last four years for which figures are available, *(a)* how many asylum applicants detained for more than 24 hours under immigration powers (i) were and (ii) claimed to be under the age of 18 at the time of their detention, *(b)* what was the average length of time for which they were detained and *(c)* what was the longest period of time for which any person was detained; [130738]

(4) in each of the last four years for which figures are available, *(a)* how many people were detained for more than 24 hours under immigration powers who were subsequently accepted to be under the age of 18 at the time of their detention, *(b)* what the average length of time was for which they were detained and *(c)* what the longest period was for which any such person was detained. [130733]

Mrs. Roche: Information on the age of persons detained under Immigration and Asylum Act 1999 powers is not held centrally. Nor is a central record kept of cases where age is disputed, whether or not the person is detained. The information requested is, therefore, available only at disproportionate cost.

Our policy, however, is that where we are satisfied a person is under 18 he or she should be detained only in very limited circumstances. The detention of minors using immigration powers is always regrettable. Unaccompanied children should never be detained other than in the most exceptional circumstances and then only overnight with appropriate care if they, for example, arrive alone at an airport. Where he or she cannot be cared for by responsible family or friends in the United Kingdom, an unaccompanied child should be placed in the care of the local authority while the circumstances of the case are determined.

Children are also sometimes cared for in detention facilities as part of a family unit in preference to separating them from their parents. In addition to existing facilities for detaining families, extra family accommodation has recently been made available at Oakington Reception Centre, where families may be held together for around seven days if it appears that their applications can be decided quickly. Occasionally, the detention of families is necessary to effect the removal of those who have no authority to remain in this country but who refuse to leave voluntarily. In such circumstances, detention should be planned to be effected as close to removal as possible so that families are not normally detained for more than a few days.

Mr. Stinchcombe: To ask the Secretary of State for the Home Department (1) for each of the last four years for which figures are available, *(a)* how many persons under the age of 18 years have been detained with their parents in Tinsley House Reception Centre, *(b)* what was the average length of time for which they were detained and *(c)* how many of those persons were (i) 0 to 5, (ii) 6 to 11, (iii) 12 to 16 and (iv) 17 to 18 years old; [130737]

(2) how many persons under the age of 18 have been detained with their parents in Oakington Reception Centre since 20 March; and how many of those persons were *(a)* 0 to 5, *(b)* 6 to 11, *(c)* 12 to 16 and *(d)* 17 to 18 years old. [130736]

Mrs. Roche: I regret that the information held centrally on persons detained under the Immigration and Asylum Act 1999 powers at Tinsley House Detention Centre is available only in the form of a snapshot at a point in time. Nor is it possible to identify from these data the age of detainees. The information requested is, therefore, available only at disproportionate cost.

The most recent data available for persons detained at Oakington show that up to 2 July 2000, a total of 538 principal asylum applicants and 50 dependants of asylum seekers have been detained at various times since it opened on 20 March 2000. Oakington has accommodated family groups since 10 May 2000. A total of 36 children have been accommodated with one or both of their parents in dedicated family accommodation up to 2 July 2000. Further information regarding the age ranges of the children is available only at disproportionate cost.

Police (Sick Days)

Mr. Matthew Taylor: To ask the Secretary of State for the Home Department if he will make a statement on the progress made by police forces since 1997 in reducing sick days per officer; and if he will make a statement. [130714]

Mr. Charles Clarke: The average number of days taken on sick leave per police officer in England and Wales has reduced over the last three years, as given in the table. The figures for 1999–2000 are not yet available.

	Average number of days
1996–97	12.5
1997–98	12.7
1998–99	11.7

The Comprehensive Spending Review set police a two per cent. year on year efficiency target, including the reduction of sickness absence in police forces in England and Wales and nearly all forces now have targets to reduce sickness absence as part of their efficiency plans.

Police Budgets

Mr. Lidington: To ask the Secretary of State for the Home Department if he will break down the police funding statistics used to calculate the statement in the Government's Annual report 1999–2000 that police budgets have risen on average by 3.6 per cent.; and if he will make a statement. [131367]

Mr. Charles Clarke: The figures requested are given in the table.

	Budget requirements (£ million)		*Increase in net budget requirements (£ million)*	*Increase in net budget requirements (percentage)*
	2001–01 net	*1999–2000 net*	*2000–01*	*2000–01*
Shire force authorities				
Avon and Somerset police	181.2	173.3	7.9	4.5
Bedfordshire police	66.8	63.4	3.4	5.3
Cambridgeshire police	79.5	75.2	4.3	5.8
Cheshire police	115.1	111.1	4.0	3.6
Cleveland police	86.5	83.3	3.2	3.8
Cumbria police	67.4	64.5	2.9	4.5
Derbyshire police	111.1	106.5	4.6	4.3
Devon and Cornwall police	182.4	175.9	6.5	3.7
Dorset police	81.0	77.4	3.6	4.6
Durham police	84.0	81.3	2.7	3.4
Essex police	183.1	169.5	13.6	8.1
Gloucestershire police	68.6	66.0	2.6	3.9
Hampshire police	204.7	196.5	8.2	4.1
Hertfordshire police	121.2	101.6	19.6	19.3
Humberside police	118.9	114.3	4.6	4.0
Kent police	193.1	184.2	8.9	4.8
Lancashire police	189.6	181.3	8.3	4.6
Leicestershire police	110.2	106.3	3.9	3.6
Lincolnshire police	72.6	69.7	2.9	4.1
Norfolk police	91.5	86.9	4.6	5.3
North Yorkshire police	81.0	78.0	3.0	3.8
Northamptonshire police	73.4	70.4	3.0	4.2
Nottinghamshire police	133.8	129.6	4.2	3.2
Staffordshire police	127.0	122.2	4.8	3.9
Suffolk police	72.9	69.9	3.0	4.3
Surrey	119.9	93.4	26.5	28.4
Sussex police	174.5	168.0	6.5	3.9
Thames Valley police	238.3	229.1	9.2	4.0
Warwickshire police	58.9	55.9	3.0	5.4
West Mercia police	125.7	116.5	9.2	7.9
Wiltshire police	72.0	68.9	3.1	4.4
Total	3,685.9	3,490.1	195.8	5.6

	Budget requirements (£ million) 2001–01 net	1999–2000 net	Increase in net budget requirements (£ million) 2000–01	Increase in net budget requirements (percentage) 2000–01
Metropolitan forces				
Greater Manchester police	393.6	382.5	11.1	2.9
Merseyside police	253.7	247.0	6.7	2.7
Northumbria police	218.4	212.6	5.8	2.7
South Yorkshire police	179.7	173.3	6.4	3.7
West Midlands police	394.6	380.9	13.7	3.6
West Yorkshire police	301.4	289.1	12.3	4.3
Total	1,741.4	1,685.4	56.0	3.3
City of London	57.9	57.1	0.8	1.4
Metropolitan police	1,830.0	1,836.2	–6.2	–0.3
Welsh Forces				
Dyfed Powys	59.0	55.7	3.3	5.9
Gwent	76.1	71.4	4.7	6.6
North Wales	84.0	79.6	4.4	5.6
South Wales	179.1	170.0	9.1	5.4
Total	398.2	376.7	21.5	5.7
Total	7,713.4	7,445.5	267.9	3.6

Essex, Hertfordshire, Surrey and the Metropolitan police were subject to boundary changes

Source:

English forces—Forces returns from DETR

Welsh forces—Forces returns from the Welsh Assembly

Immigration Advisers

Mr. Darvill: To ask the Secretary of State for the Home Department what progress the Immigration Service Commissioner has made in establishing the scheme of regulation for immigration advisers and service providers; and if he will make a statement. [131481]

Mrs. Roche: As I indicated in my reply to my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) on 22 May 2000, *Official Report*, column 370W, the Immigration Services Commissioner took up post on that date. The Commissioner is in the process of consulting widely within the advice sector in order to formulate the rules and standards which will govern the regulatory scheme. The Commissioner expects to have published the documents required by Part V of the Immigration and Asylum Act 1999 and to be ready to consider exemptions and applications for registration from 30 October 2000. We expect the full regulatory scheme to come into force in April 2001.

Animal Procedures Committee

Mr. Fitzpatrick: To ask the Secretary of State for the Home Department when he will publish the latest annual report of the Animal Procedures Committee. [131482]

Mr. Mike O'Brien: I have today placed a copy of the Animal Procedures Committee's annual report for 1999 in the Library. I welcome the progress the Committee has made on its extensive programme of work.

Hieratic Disqualification

Mr. Mackinlay: To ask the Secretary of State for the Home Department (1) if he will seek an early legislative opportunity to relieve priests of the Church of England and the Roman Catholic Church from disqualification as hon. Members of the House; and if he will make a statement; [130663]

(2) what assessment he has made of the compatibility of the disqualification of priests of the Church of England and the Roman Catholic Church from membership of the House with the United Kingdom's obligations under the European Convention on Human Rights. [130664]

Mr. Mike O'Brien: The disqualification of priests from standing or acting as Members of Parliament was the subject of a Private Member's Bill in June 1999. Since this measure was lost, we have been sounding out opinion of the relevant churches in England, Scotland, Wales and Northern Ireland. However, there is no immediate prospect of legislation being brought forward by the Government.

The question of compatibility with the European Convention on Human Rights would be a matter for those bringing forward a relevant Bill.

Blue Travel Documents

Ms Ward: To ask the Secretary of State for the Home Department what representations he has made to the French Government about allowing blue travel documents to be accepted at French ports. [129561]

Mrs. Roche: We are not aware of any difficulties for those using 1951 Convention travel documents (blue) when travelling to France and have not, therefore, had cause to discuss this with the French authorities. However, we are aware that a number of European Union partners will no longer accept the Certificate of Identity (CID) issued by the Immigration and Nationality Directorate. This is a brown travel document issued to

certain foreign nationals, other than refugees, who are resident in the United Kingdom and cannot obtain a national passport on which to travel. This type of document is not issued under international convention but has been widely accepted for travel in the past. It is for the authorities of each country to decide whether they will accept the CID as a valid form of travel document. However, my officials are in discussion with colleagues in the various European Union countries in order to identify their particular concerns and if possible provide any reassurance which might encourage them to accept the CID for travel.

Police Pay

Mr. Woodward: To ask the Secretary of State for the Home Department what plans he has to introduce a pay-weighting scheme for police officers in the South East of England; and what recent representations have been made to him on this matter. [131066]

Mr. Charles Clarke: I refer my hon. Friend to the reply given by my right hon. Friend the Home Secretary to the hon. Member for Guildford (Mr. St. Aubyn) during the debate on the Policing of London on 23 June 2000, *Official Report*, columns 563–64.

Written Answers to Questions

Wednesday 19 July 2000

AGRICULTURE, FISHERIES AND FOOD

Official Visits

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will list the visits outside Britain made by his Department's permanent secretary on official business since 1 January 1999, indicating the date and purpose of the visit in each case. [130491]

Mr. Morley: The MAFF permanent secretary has made 12 visits outside Britain since 1 January 1999. The date and purpose of each visit are set out in the following table.

Date	*Destination*	*Purpose*
18–19 January 1999	Brussels	Agriculture Council
16 February 1999	Brussels	Bilateral with German Presidency
22–26 February 1999	Brussels	Agriculture Council
5 March 1999	Brussels	Agriculture Council
9–11 March 1999	Brussels	Agriculture Council
17 May 1999	Brussels	Agriculture Council
30 May-1 June 1999	Dresden	Informal Agriculture Council
27–28 September 1999	Brussels	Agriculture Council
15 November 1999	Brussels	Agriculture Council
14–15 December 1999	Brussels	Agriculture Council
24–25 January 2000	Brussels	Agriculture Council
6 March 2000	Brussels	Bilateral with Commissioner Byrne

Non-food Crops

Mr. McNamara: To ask the Minister of Agriculture, Fisheries and Food what the response was to the consultation on non-food crops launched by his Department on 7 April. [132014]

Ms Quin: Thirty-seven replies were received to this consultation, and I have arranged for copies to be placed in the Libraries of the House, and also to be made available for public inspection in the Ministry library at Whitehall Place. The proposal for a Government-industry forum on non-food crops was widely welcomed. My Department is now studying the responses in detail and considering how to put the proposals into effect.

Pesticides Safety Directorate

Mr. McNamara: To ask the Minister of Agriculture, Fisheries and Food when he will publish the 1999–2000 Annual report of the Pesticides Safety Directorate. the Minister of Agriculture, Fisheries and Food, [132015]

Mr. Nick Brown: The 1999–2000 Annual Report and Accounts for the Pesticide Safety Directorate were laid before Parliament today. Copies are available in the Library of the House.

European Food Authority

Mr. Gareth Thomas: To ask the Minister of Agriculture, Fisheries and Food what recent discussions he has had with his European counterparts and the European Commission in respect of plans to establish a European Food Authority. [130926]

Ms Stuart: I have been asked to reply.

The proposal to establish a European Food Authority and associated work has been discussed in various Councils this year. Department of Health Ministers and the Chairman of the Food Standards Agency have also had informal meetings with the Commission.

SOLICITOR-GENERAL

CPS (Essex)

Mr. Bob Russell: To ask the Solicitor-General if he will order an inquiry into the handling by the Essex Crown Prosecution Service of a case of alleged careless driving in respect of a fatal accident at Colchester on 6 May 1999; and if he will make a statement. [131076]

The Solicitor-General: I shall be speaking to the Chief Crown Prosecutor for Essex to discuss the circumstances of this case and will be seeing the hon. Member within a week.

TRADE AND INDUSTRY

Inventors

Mr. Coaker: To ask the Secretary of State for Trade and Industry what specific grants are available to help inventors start up businesses. [130974]

Ms Hewitt: Last year the Government introduced the Smart Micro Project grant, worth up to £10,000, specifically to help lone inventors—including those starting up in business—and micro firms develop simple, low-cost prototypes of new products or processes which involve technological advance or novelty. Investors may also apply for other elements of the Small Business Service Smart scheme, which offer grants of up to £45,000 for technical and commercial feasibility studies into innovative technology or up to £5,000 for technology consultation.

Departmental Initiatives

Dr. Lynne Jones: To ask the Secretary of State for Trade and Industry if he will list each departmental initiative since May 1997 requiring bids for funding together with the total resources available, the number of successful bids and the proportion this represents of total bids received; and what data he collects on the average expenditure of organisations bidding for funding through each initiative. [131084]

Dr. Howells: I refer my hon. Friend to the statement made by my right hon. Friend the Chancellor of the Exchequer on 18 July 2000, *Official Report*, columns 219–29.

Universal Bank

Mr. Lilley: To ask the Secretary of State for Trade and Industry if the proposed universal bank will be expected to operate on an arm's-length commercial basis without subsidy. [130648]

Mr. Byers *[holding answer 17 July 2000]:* Until a business case has been completed and approved, it is too early to say what, if any, Government contribution may be required.

Mr. Lilley: To ask the Secretary of State for Trade and Industry if the proposed universal bank operating through sub-post offices will be competing with the Alliance and Leicester Girobank in the provision of certain services. [130649]

Mr. Byers *[holding answer 17 July 2000]:* A major strength of the Post Office is the extensive reach of the post office network and its ability to provide access to a wide range of banking products on behalf of its clients. The extent to which the universal bank may compete with certain services offered by Alliance and Leicester Girobank or other banks will depend on the range of basic banking services these banks wish to make available through the post office network.

Mr. Lilley: To ask the Secretary of State for Trade and Industry what consultations have taken place between his Department, the Post Office and Alliance and Leicester Girobank about the establishment of a universal bank operating through sub-post offices. [130695]

Mr. Byers *[holding answer 17 July 2000]:* Consultations are in progress between the Post Office and a wide range of banks including Alliance and Leicester Girobank, about the establishment of a universal bank operating through the post office network.

Electricity Pylons

Miss McIntosh: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 4 July 2000, *Official Report*, column 136W, on electricity pylons, if the replacement of trees felled as a result of the proposed construction of the Lackenby to Shipton overhead transmission line is intended *(a)* to mitigate the impact of consented development or *(b)* as an environmental measure. [131344]

Mrs. Liddell: The replacement tree planting scheme is intended to serve both purposes.

Miss McIntosh: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 4 July 2000, *Official Report*, column 136W, on electricity pylons, who is responsible for the payment of compensation to farmers and landowners affected by the tree planting scheme. [131343]

Mrs. Liddell: Compensation for [illegible] which the National Grid Company carries out on other people's land is a matter for the company.

Renewable Energy

Mr. Colman: To ask the Secretary of State for Trade and Industry what arrangements his Department has made to purchase the electricity supply from renewable energy sources for its main headquarters building; and what percentage of its electricity is supplied from such sources. [131403]

Dr. Howells: As part of the annual tendering exercise for electricity supply, energy from renewable sources was procured for one of our buildings on the London HQ estate. This supply amounts to 26 per cent. of the electricity purchased for the London HQ buildings.

Computer Disasters

Mr. Fabricant: To ask the Secretary of State for Trade and Industry what estimate he has made of the time it would take to get new computers running in the wake of a major computer disaster in his Department. [130970]

Dr. Howells: The Department and our Agencies have a range of computer systems in use to support our day-to-day work. The responsibility for support of these is in the main outsourced to the private sector. For each of them disaster arrangements are in place to enable recovery of each system appropriate to the criticality of the business it supports. This includes the basic IT infrastructure on which each of these systems operates. The arrangements include built-in resilience, aimed at minimising loss of service generally. In the event of a major disaster impacting DTI's building, priority users have also been identified so that vital services can be restored first to these key personnel in the event of such a disaster.

The Department's disaster recovery programme covers appropriate testing of arrangements and any lessons learned are applied to strengthen the supporting processes and procedures.

Postal Workers Dispute

Mr. Burstow: To ask the Secretary of State for Trade and Industry if he will make a statement on the current postal workers dispute in London. [131422]

Mr. Alan Johnson: This is an operational matter for the Post Office.

Mr. Burstow: To ask the Secretary of State for Trade and Industry what estimate he has made of the size of the backlog of delayed post caused by the current postal workers dispute in London. [131423]

Mr. Alan Johnson: None. This is an operational matter for the Post Office.

Insolvency Service

Mr. Salter: To ask the Secretary of State for Trade and Industry what targets he has set his Department's Insolvency Service Executive Agency for 2000–01. [131887]

Dr. Howells: The Insolvency Service's planning assumption is that compulsory insolvencies will total 26,500 in the year to 31 March 2001. On that basis and with the resources allocated to it, I have set the following performance targets:

To complete sufficient bankruptcy and compulsory liquidation case administrations so that the number of open current cases at 31 March 2001 are no more than 17,225 cases—that is, equivalent

to no more than eight months of new case input; with no more than 5 per cent. of those cases being more than 36 months old;

To maintain in real terms the unit cost of administering bankruptcy and compulsory liquidation cases over the period 1999–2002 at the level of 1998–99, taking account of the additional shorter-term costs of its new IT infrastructure and the delivery of improvements in its services to users;

To reduce in real terms the unit cost of its investigation of bankruptcy and liquidation cases by 10 per cent. over the period 1999–2002, also taking account of the additional shorter-term costs of its new IT;

To continue to achieve the level of disqualification proceedings and orders against unfit directors as in 1999–2000;

To continue to submit reports of criminal misconduct at a level consistent with the Service's investigative caseload and resources;

To report to creditors on assets and liabilities within eight weeks in at least 97 per cent. of all cases: and within 12 weeks in 98 per cent. of all cases;

To hold the initial meetings of creditors within 12 weeks in 96 per cent. of all appropriate cases, and within four months in 98 per cent. of all appropriate cases;

To submit reports within 10 months in at least 90 per cent. of bankruptcy cases and at least 80 per cent. of compulsory liquidation cases where there is evidence of criminality;

To submit disqualification reports within 12 months in at least 65 per cent. of cases and within 15 months in at least 80 per cent. of cases where there is evidence of unfit conduct by directors; and

To check and action at least 97 per cent. of Insolvency Services Account payment requisitions within four days or by the due date.

The Service is expected to action 100 per cent. of invoices for payment within 30 days of receipt and the Agency Chief Executive is expected to reply within 10 days to all Members of Parliament delegated to him for reply.

I have asked the Agency Chief Executive to develop for 2001–02 and beyond one or more outcome-based targets for the Service's activities; and to review its quality of service performance in the light of its experience of its new IT infrastructure and the views of its users.

Sunbeds

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry if he will take steps to ensure that the regulations relating to sunbeds and their use are reviewed; and if he will make a statement. [128334]

Yvette Cooper: I have been asked to reply.

There are no current plans to amend legislation as it applies to sunbeds and their use but the situation is kept under review.

The use of sunbeds is a matter of personal choice. However, people should be aware that their use entails exposure to ultraviolet radiation and that there is strong evidence that this is a cause of skin cancer.

HOME DEPARTMENT

Multi-agency Helpline

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if he will assess the benefits of the Audit Commission proposal for the creation of a multi-agency helpline to relieve pressure on the existing 999 emergency number; and if he will make a statement. [128533]

Mr. Mike O'Brien *[holding answer 5 July 2000]:* I have asked officials, in consultation with the Association of Chief Police Officers, to develop proposals for a new call handling strategy. Relieving pressure on the 999 service and using new technology to receive from and provide information to the public will be considered as part of that strategy.

Police Numbers

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what the total number of police officers and police civilian staff was *(a)* in England and Wales and *(b)* in each force on (i) 31 March 2000, (ii) 30 September 1999 and (iii) 31 March 1997; and if he will make a statement. [130027]

Mr. Straw: The information is set out in tables. At the end of March 2000, the total number of police officers in England and Wales was 124,418 and there were 53,227 civilian support staff in the police service. Table VI additionally compares the percentage change in police numbers over the 12 month period 31 March 1999 to 31 March 2000, against the percentage increase in police budgets for 1999–2000 in both cash and real terms.

A reduction in police numbers for March 2000 was forecast in the projections on police numbers in the reply my hon. Friend the Minister of State gave to the hon. Member on 15 March 2000, *Official Report*, columns 177–79W.

I have already announced my plans to reverse the decline in police numbers. The Crime Fighting Fund was intended to provide funding for the recruitment of 5,000 more officers—3,000 this year and 2,000 next, over and above the number that forces would have planned to recruit over the three years from April 2000. As a result of the Spending Review, we will be making funding available for the recruitment of a further 4,000 officers—making 9,000 in all. The additional 4,000 will come on stream in 2001–02 and 2002–03. So forces will be able to recruit up to a maximum of 3,000 this year, 3,000 next year and 3,000 in 2002–03.

Though numbers are important, tackling crime is more than a matter of police numbers. I am announcing today a major increase in resources for policing to boost police effectiveness. By 2003–04, annual funding will have increased by over 20 per cent.—£1.6 billion of which £1.3 billion is newly announced.

In my reply to my hon. Friend the Member for The Wrekin (Mr. Bradley) on 15 June 2000, *Official Report*, column 714W, I announced that £15 million had been earmarked from the Police Modernisation Fund this year to enhance the policing of rural areas. Allocation of this new money will be announced very shortly. This extra funding should contribute to a further increase in police numbers in the rural forces.

I am also stepping up efforts to tackle robbery with a cash boost this year from the Police Modernisation Fund. £20 million will be shared between the Metropolitan Police (£9.1 million), West Midlands Police (£3.3 million), Greater Manchester Police (£3.2 million), West Yorkshire

Police (£2.6 million) and Merseyside Police (£1.8 million). This additional funding will help these forces fund and develop additional initiatives to tackle robbery in their areas.

The Government's £400 million Crime Reduction Programme, too, has expanded rapidly. The Programme includes:

£153 million under the Closed Circuit Television Initiative;

£62 million targeted on two million homes in 500 neighbourhoods in England and Wales with high burglary rates;

£31 million for the long-term initiative "On Track" aimed at children aged between 4–12 at risk of getting involved in crime;

£30 million has been earmarked for problem-oriented or intelligence-led policing projects; and

£13 million to enable 70 Youth Inclusion schemes to be set up to prevent youth offending and the associated risk factors.

The various initiatives we have put in place will help the police and local communities work more effectively towards the reduction of crime and make our country a safer place in which to live.

The relevant tables have been placed in the Library.

Elderly Prisoners

Mr. Boswell: To ask the Secretary of State for the Home Department how many prisoners are aged over 60 years; and what arrangements are made to meet their needs. [130642]

Mr. Boateng: On 30 June 2000, there were 1,266 prisoners who were aged 60 and over. There are no separate arrangements for this group of prisoners. The Prison Service aims to assess each prisoner in order to identify their individual needs.

Integrate Services (Warrington)

Helen Jones: To ask the Secretary of State for the Home Department when the Charity Commission will publish the report of its investigation into Integrate Services in Warrington; and if he will ensure that a copy of the full report is placed in the Library. [130704]

Mr. Boateng *[holding answer 18 July 2000]:* I understand that the Charity Commissioners expect to complete their Inquiry into Integrate Services and publish a report in September. A copy of the report will be placed in the Library.

Tagging and Curfews

Mr. Lidington: To ask the Secretary of State for the Home Department what the basis is for the statement on page 35 of the Government's Annual report 1999–2000, that tagging and curfews are more effective ways of punishing offenders; to what Government initiatives this statement refers; and if he will make a statement. [131379]

Mr. Boateng *[holding answer 18 July 2000]:* The introduction of curfew orders enforced by electronic monitoring as a sentence to all courts in England and Wales on 1 December 1999 built on four years of successful trials. Home Office research has shown that the successful completion rate of 82 per cent. during the first two years of the trials of the sentence compared favourably with other community sentences (the completion rate for probation orders was also 82 per cent., while that for community service was 71 per cent.).

The evaluation of the trials found that curfew orders were more strictly enforced than other community sentences, a fact that places greater value on rate of completion. The primary reason for this is the fact that the electronic monitoring contracts leave little discretion in the enforcement of breaches. The monitoring equipment ensures that violations of curfew are detected immediately, and offenders in breach of their order are very quickly returned to court by the contractors.

Curfew orders enforced by electronic monitoring provide the courts with a flexible sentencing option for use in respect of those offences for which the sentence is not fixed by law. Firstly, as a stand-alone sentence, it provides the punitive element of restricting an offender's liberty during the period of the curfew, while enabling those who have families to support to continue to do so. A curfew order can also be used in conjunction with another community sentence to help structure the times of attendance at, for example, probation or drug rehabilitation appointments. The trials of the sentence demonstrated that in this way, electronic monitoring could help to address the chaotic lifestyle of some offenders.

Given the operational effectiveness of curfew orders enforced by electronic monitoring, the sentence can also be shown to provide a cost-effective alternative to a custodial sentence.

The operation of the sentence in England and Wales is the subject of an evaluation by the Home Office Research, Development and Statistics Directorate. The findings of the evaluation of the first two years of the trials of curfew orders enforced by electronic monitoring are published in Home Office Research Study 163 and 177.

Human Rights

Miss Widdecombe: To ask the Secretary of State for the Home Department (1) what assessment he had made of the compatibility of Government legislation enacted in the 1997–98 parliamentary session with the Human Rights Act 1998; and if he will make a statement; [131383]

(2) what estimate he has made of the number of declarations of incompatibility that will be made by the courts under the Human Rights Act 1998 *(a)* in the year from 2 October and *(b)* subsequently in each year; and if he will make a statement. [131385]

Mr. Straw: The Human Rights Act 1998 gives further effect in United Kingdom law to rights and freedoms in the European Convention on Human Rights. Successive Governments have sought to comply with the provisions of the Convention since 1951. Therefore we should not expect major changes to have to be made once the Human Rights Act is fully in force. Following its enactment, Departments have reviewed their legislation and procedures in the light of the Human Rights Act. Where changes have been judged appropriate, these have been made or are in hand.

Miss Widdecombe: To ask the Secretary of State for the Home Department what assessment he had made of the impact of the Human Rights Act 1998 on *(a)* total Government and *(b)* individual department's spending in (i) 2000–01, (ii) 2001–02 and (iii) 2002–03. [131384]

Mr. Straw: I refer the right hon. Member to the reply given by my hon. Friend the Under-Secretary to the hon. Member for New Forest, West (Mr. Swayne) on 23 May 2000, *Official Report*, column 401W.

Fire Extinguishing Sprinklers

Mr. Andrew George: To ask the Secretary of State for the Home Department (1) what assessment he has made of the potential hazards to disabled people of having domestic fire extinguishing sprinklers installed in their homes; [129023]

(2) what proposals he has to fund the installation of domestic fire extinguishing sprinklers in the homes of disabled people. [129024]

Mr. Hutton *[holding answer 4 July 2000]:* I have been asked to reply.

Local housing and social services authorities have responsibilities for funding housing adaptations for disabled people under the Housing Grants, Construction and Redevelopment Act 1996 and the Chronically Sick and Disabled Persons Act 1970. These responsibilities include making housing safe for disabled people. Decisions about the funding of adaptations in individual cases are taken at local level following an assessment of need. We have no plans to change these arrangements in respect of domestic fire extinguishing sprinklers. No specific research by either the Department of the Environment, Transport and the Regions or the Home Office has been conducted into the potential hazards to disabled people of having domestic fire extinguishing sprinklers in their homes.

DEFENCE

Presentation of Information

Mr. Hoyle: To ask the Secretary of State for Defence what changes he intends to make to the presentation of information on the strength of the armed forces. [131788]

Mr. Spellar: In order to provide a more accurate and relevant picture of the overall full-time manpower available to the Armed Forces, we plan to include in the definition of the strength of the Services all full-time personnel including Full-Time Reserve Service personnel and, in the case of the Army, Gurkhas. In view of their discrete and specialised task in a particular location the Royal Irish (Home Service) will be reported separately. This change will take effect from September 2000.

The inclusion of Full-Time Reserve Service personnel is in line with our aim to make reserve forces more relevant and usable and is a natural consequence of the Reserve Forces Act 1996 which provides for the employment of reservists in place of full-time regular personnel.

Royal Ordnance Factory, Nottingham

Mr. Coaker: To ask the Secretary of State for Defence (1) what discussions he plans to have with British Aerospace and the trade unions about the future of the Royal Ordnance factory in Nottingham; and if he will make a statement; [130508]

(2) he has had with British Aerospace and the trade unions about the future of the Royal Ordnance factory in Nottingham; and if he will make a statement. [130507]

Mr. Hoon *[holding answer 17 July 2000]:* My ministerial colleagues and I meet representatives of BAe Systems regularly to discuss a wide range of business. Most recently I met Mr. John Weston of BAe Systems on 25 May, when he briefed me on a number of matters arising from the recent acquisition of the defence business of GEC Marconi. Mr. Weston confirmed then that the future of the site at RO Nottingham was under review and I understand that work on the review continues. My noble Friend Baroness Symons, the Minister of State for Defence Procurement, met Trade Union representatives on 6 July to hear their views on the future prospects for RO Nottingham and expects to meet Trade Union representatives again shortly.

Departmental Initiatives

Dr. Lynne Jones: To ask the Secretary of State for Defence if he will list each departmental initiative since May 1997 requiring bids for funding together with the total resources available, the number of successful bids and the proportion this represents of total bids received; and what data he collects on the average expenditure of organisations bidding for funding through each initiative. [131078]

Dr. Moonie: I refer my hon. Friend to the answer given to her by my right hon. Friend the Chief Secretary to the Treasury on 17 July 2000, *Official Report*, column 93W.

Arms Sales

Mr. Cousins: To ask the Secretary of State for Defence if, pursuant to the reply given to the hon. Member for Leyton and Wanstead (Mr. Cohen) of 10 July 2000, *Official Report*, columns 375–76W, on arms sales, memoranda of understanding of the type described apply to any arms sales in the Middle East; and if Memoranda of Understanding restrict the availability to third parties for training purposes of defence material exported from Government to Government. [130803]

Mr. Hoon *[holding answer 17 July 2000]:* Not all sales of defence material to the Middle East are subject to Government to Government Memorandum of Understanding arrangements.

Where there are MOUs, restrictions on transfer would typically include transfers for training purposes.

Parliamentary Answers

Mr. Field: To ask the Secretary of State for Defence how many parliamentary answers from his Department have been amended following publication using the mechanism of a pursuant answer in the past month. [131033]

Dr. Moonie *[holding answer 17 July 2000]:* The Ministry of Defence has used the mechanism of a pursuant answer on three occasions from 13 June to 17 July 2000.

Golf Courses

Mr. Bob Russell: To ask the Secretary of State for Defence if he will list the locations of possible golf

courses which have been provisionally selected to be sited on military land; which sites will be *(a)* leased and *(b)* sold to private operators; how many other sites (i) within the Colchester Garrison estate and (ii) elsewhere were investigated but will not be proceeded with; and if all revenue obtained from leasing or selling land for such golf courses will be retained by his Department. [131074]

Dr. Moonie: The information requested is not held centrally. I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Flight Data Recorders

Mr. Martin Bell: To ask the Secretary of State for Defence what progress is being made in fitting flight data recorders to Lynx, Puma and Sea King helicopters. [130472]

Dr. Moonie: Both the Royal Navy and Army Lynx aircraft are to undergo major upgrades: for the Royal Navy aircraft this will be through the Mark 8 Enhancement package, and for the Army aircraft through the Future Lynx programme. In both of these programmes, the aircraft will be fitted with a Health and Usage Monitoring System which includes Cockpit Voice and Flight Data Recorders (CVFDR). Work has been taking place to assess how to fit the equipment to the aircraft, and we aim to place a contract in the spring of 2001.

A proposal to fit CVFDRs to our Sea King and Puma fleets is under consideration.

TREASURY

Computer Disasters

Mr. Fabricant: To ask the Chancellor of the Exchequer what discussions he has had with financial institutions regarding disaster contingency measures. [131069]

Miss Melanie Johnson: Treasury Ministers frequently discuss a wide range of issues with representatives of financial institutions. The Financial Services Authority, as financial regulator, works closely with the institutions it supervises to ensure that their risk management processes follow good practice.

Fuel Duty

Mr. Russell Brown: To ask the Chancellor of the Exchequer if he will investigate the feasibility of introducing different fuel duties in rural and urban areas. [130407]

Mr. Timms *[holding answer 13 July 2000]:* The Government have no plans to do so.

Differential fuel duties would be difficult and expensive to administer. No new arrangements for differential rates of road fuel duty have been sanctioned by the European Commission since the completion of the single market.

Endowment Mortgages

Dr. Cable: To ask the Chancellor of the Exchequer (1) how many, and what percentage of, 25 year endowment contracts *(a)* with profits and *(b)* unit linked purchased (i) one year ago, (ii) five years ago, (iii) 10 years ago, (iv) 15 years ago and (v) 20 years ago are still in force today; [129952]

(2) what research has been conducted in the last 10 years by *(a)* the Treasury and *(b)* the Financial Services Authority and its antecedent bodies, into long-term persistency rates on endowments, particularly linked to mortgages; and if he will publish figures for overall persistency for that period. [129953]

Miss Melanie Johnson: The Personal Investment Authority collects and publishes information on the persistency of endowment contracts, but only for terms of up to four years after the contract is effected. The latest figures were published in October 1999 in the Personal Investment Authority's "Fifth Survey Of The Persistency of Life And Pensions Policies", a copy of which has been placed in the House of Commons Library. Persistency data are collected on endowments generically without distinguishing endowments used to repay mortgages from endowments used for savings purposes and without distinguishing with-profits endowments from unit linked endowments. There has been no specific research commissioned into the persistency of mortgage endowments.

FOREIGN AND COMMONWEALTH AFFAIRS

Sierra Leone

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on *(a)* the Indian peacekeepers detained by the RUF in Sierra Leone and *(b)* the UN personnel surrounded by the RUF in the south east of Sierra Leone; and what the conditions for their release are. [127657]

Mr. Hain: The 21 Indian peacekeepers detained by RUF at Pendembu in Sierra Leone were released unconditionally during the last week in June. We are pleased that the 233 UN personnel surrounded by RUF in the south east of Sierra Leone at Kailahun are now safe following the successful action by UNAMSIL forces on 14–15 July.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the nature of the support offered by British officials observing the Lomé peace negotiations. [130788]

Mr. Hain: British officials were present in Lomé in order to observe the peace negotiations. They were in close touch throughout with the negotiators and other observers helping to facilitate the negotiations.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the application of Article XVIII of the Lomé Peace Agreement to the Government of Sierra Leone's helicopter support. [130831]

Mr. Hain: The application of Article XVIII of the Lomé Peace Agreement to the Government of Sierra Leone's helicopter support is a matter for the Government of Sierra Leone.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 23 June 2000, *Official Report*, column 318W, if the

Commonwealth Secretariat was used as a medium to transmit the views of Her Majesty's Government on the best method to reach a settlement in the Lomé Peace Accord; and if he will make a statement. [130853]

Mr. Hain: We remained in close touch with the Commonwealth Secretariat throughout the Lomé peace negotiations, as well as with other observers and the negotiators themselves. The decision on reaching a settlement rested with the Government of Sierra Leone and the Revolutionary United Front.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 26 June 2000, *Official Report*, column 400W, on Sierra Leone, if he will identify the *(a)* Cabinet positions and *(b)* Deputy ministerial positions occupied by RUF members; and what their present positions are. [130839]

Mr. Hain: The Cabinet positions occupied by members of the Revolutionary United Front (RUF) were the Ministry of Trade and Industry, the Ministry of Energy and Power; and the Ministry of Lands, Housing, Country Planning and the Environment. The Deputy ministerial positions occupied by members of the RUF were in the Ministry of Rural Development and Local Government; the Ministry of Transport and Communications; and the Ministry of Agriculture, Forestry and Marine Resources.

None of these positions is now occupied by members of the RUF. We have made clear our view that, after the attacks by the RUF on United Nations peacekeepers and the RUF's clear violation of the Lomé Peace Agreement, there can be no role for members of the RUF in the present Government of Sierra Leone.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 26 June 2000, *Official Report*, column 400W, on Sierra Leone, if the Government persuaded negotiators in the Lomé Accords to modify their negotiating position to *(a)* take account of the Government's position, and *(b)* to facilitate the reaching of a peace agreement. [130837]

Mr. Hain: The Lomé Peace Agreement was negotiated and entered into by the Government of Sierra Leone and the Revolutionary United Front. Negotiating positions were a matter for the parties concerned.

Observers in Lomé, including Britain, remained in close touch with the negotiators throughout, and were able to offer advice in order to help facilitate the negotiations where requested.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 26 June 2000, *Official Report*, column 401W, on Sierra Leone, for what reason the Commission for the Management for Strategic Resources, National Reconstruction and Development was not fully established by the end of April; and if all the Commission's funds are accounted for. [130838]

Mr. Hain: A number of factors hampered the establishment of the commission for the Management of Strategic Resources, National Reconstruction and Development. The United Nations Secretary-General's report dated 19 May states that the Commission, chaired by Foday Sankoh, had not produced a plan of action, and that there appeared to be a lack of political consensus on the role of the Commission vis-a-vis existing Government Ministries.

As far as we are aware, the Commission had received no direct funding, although at least one donor had indicated a willingness to provide funds to help it to become established.

Official Visits

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the visits outside Britain made by his Department's Permanent Secretary on official business since 1 January 1999, indicating the date and purpose of the visit in each case. [130492]

Mr. Robin Cook: The information is as follows:

Sir John Kerr, permanent under Secretary at the Foreign and Commonwealth Office has made the following official visits since 1 January 1999

	Date
France	
For the Franco-British Colloque in Versailles	14–16 January 1999
Nigeria	
For talks in Lagos and Abuja with senior Nigerian officials	10–13 February 1999
Korea	
For talks with the Korean Government in Seoul	9–11 March 1999
France	
To attend Club of Three conference in Paris, and for talks at the Quai D'Orsay	5–6 March 1999
Germany	
To attend the Konigswinter Conference in Cologne	18–20 March 1999
Japan and China	
Talks with senior Japanese and Chinese officials in Tokyo and Beijing	23–27 May 1999
Austria	
To attend a meeting of other EU Secretaries-General in Vienna	10–12 June 1999
Germany	
For talks with senior German officials in Bonn	16–17 May 1999
Hungary and Slovakia	
For talks with the Governments in Budapest and Bratislava	12–14 September 1999
Norway and Sweden	
For talks with senior officials in Oslo and Stockholm	16–20 September 1999
Romania and Ukraine	
To deliver the opening address at a Wilton park Conference in Romania, and for talks with the Governments in Bucharest and Kiev	26–29 September 1999

Sir John Kerr, permanent under Secretary at the Foreign and Commonwealth Office has made the following official visits since 1 January 1999

	Date
South Africa	
To attend the Commonwealth Heads of Government Meeting in Durban	9–16 November 1999
Iran	
For talks with the Iranian Government in Tehran	27–29 November 1999
Italy	
To attend a meeting of EU Secretaries—General in Venice	17–19 December 1999
Finland	
To attend the European Council meeting in Helsinki	9–11 December 1999
Ireland	
For talks with the Irish Government in Dublin	18–20 February 2000
Turkey	
For talks with the Turkish Government in Ankara	18–21 March 2000
Uzbekistan and Kazakhstan	
To Tashkent, Almaty and Astana for talks with the Uzbek and Kazakh Governments	28 March–1 April 2000
Libya	
For talks with the Libyan Government in Tripoli	15–16 April 2000
Russia	
For talks with senior Russian officials in Moscow	29–31 May 2000
South America	
To Santiago, Sao Paulo, Brasilia and Rio de Janeiro for talks with senior officials	1–6 May 2000
Slovenia	
To deliver the opening address of the Wilton Park Conference in Slovenia, and for talks with the Government in Ljubljana	7–9 May 2000
Portugal	
To attend the European Council at Feira	18–20 June 2000
South East Asia	
For talks with the Government in Bangkok, Jakarta, Kuala Lumpur and Singapore	3–8 July 2000

UN Resolution 520

Mr. Colman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on UN Resolution 520. [131171]

Mr. Hain: We welcome the withdrawal of Israeli troops from Lebanon, in compliance with UNSCRs 425 and 426, as demanded by UNSCR 520. We look forward to the Lebanese Government taking measures to assert its authority throughout its territory. We support UNSCR 520's call for the sovereignty, territorial integrity, unity and political independence of Lebanon to be respected. We also support the Resolution's reaffirmation of support for the rights of the civilian population of Lebanon.

Departmental Initiatives

Dr. Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list each departmental initiative since May 1997 requiring bids for funding together with the total resources available, the number of successful bids and the proportion this represents of total bids received; and what data he collects on the average expenditure of organisations bidding for funding through each initiative. [131086]

Mr. Hain: I refer my hon. Friend to the answer given by my right hon. Friend the Chief Secretary to the Treasury on 17 July 2000, *Official Report*, column 93W.

Israel

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the *(a)* costs and *(b)* benefits to Israel of acceding to its agreement with the European Communities, 2000/384/EC (L147, volume 43, 21.6.2000); what benefits are denied to accedants of such an agreement which are granted to EU member states; and if he will make a statement. [130782]

Mr. Vaz: It is primarily for Israel or any other third country to estimate the costs and benefits to their country of entering into agreements with the EU. The EU-Israel Association Agreement is a reciprocal agreement which confers specific benefits on both parties. It is in no way comparable to EU membership.

EU Enlargement

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what advice has been given to the countries most recently given EU candidacy status about the need to have on their statute book a process providing for *(a)* restoration of property rights and *(b)* a compensation regime which is subject to both arbitration and judicial review, in relation to property arbitrarily seized during the period of totalitarian rule, after 1945. [130662]

Mr. Vaz *[holding answer 18 July 2000]:* The EU monitors applicants' progress in meeting the political and economic criteria for membership of the EU, including issues related to the restitution of property, in the Commission's annual progress reports and the EU's regular dialogue with the applicant countries concerned. However, property restitution is a bilateral issue for the states concerned and does not fall within the scope of the accession negotiations.

We have not bilaterally offered advice to those countries recently given EU candidacy status but we have taken a particular interest in the situation in Poland, which affects a number of British nationals of Polish origin. We have continually made clear to the Polish authorities the

need for a speedy resolution of the problem. At the end of last year the Polish Government presented its proposals to Parliament, which is still discussing them.

Human Rights

Mr. Russell Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs when his Department will publish its Annual report on Human Rights. [131789]

Mr. Hain: The Foreign and Commonwealth Office annual report on human rights will be published as a Command Paper at 2.30pm on 20 July. Copies will be placed in the Libraries of both Houses and distributed throughout Parliament in the usual way. The report will be placed on the FCO websites www.fco.gov.uk and hrpd.fco.gov.uk and will be available through The Stationery Office.

UNITA (Sanctions)

Mr. Jim Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the UN Secretary-General's recent appointment of experts to look into breaches of UN sanctions against UNITA. [131486]

Mr. Hain: The UK has given full support to the ground-breaking work of Ambassador Robert Fowler, Chairman of the Angola Sanctions Committee, to ensure that UN sanctions against UNITA are made to bite. We financially supported the Angola Expert Panel to the tune of 200,000 US Dollars. The Panel investigated reports of sanctions breaking and reported to the UN Security Council on 15 March. The Security Council welcomed the Panel's report in UN Security Council resolution 1295, adopted on 18 April 2000.

The report gave a detailed analysis of the problem of sanctions breaking. It reports the alleged involvement of a number of individuals. For example, it states that the central figure in UNITA's external procurement and diamond trade operations is Marcelo Moises Dachala, known as "Karrica", based in Ougadougou and that Imad Kabir

> has been purchasing weapons for Savimbi which were being delivered to Kinshasa. From 1995–96 until the fall of Andulo in October 1999, Kabir is said to have served as UNITA's primary broker for importing arms and military equipment.

Security Council resolution 1295 (2000) requested the UN Secretary-General to establish a monitoring mechanism to collect further information and investigate relevant leads relating to allegations of violations of UN sanctions against UNITA and report to the Security Council by 18 October 2000. That mechanism has now been established. On 11 July the Secretary-General appointed five experts to serve on it.

We greatly welcome the fact that Ms Christine Gordon, a British national and independent writer, consultant and researcher, has been appointed to the monitoring mechanism, and wish her well in her important task.

Sanctions breaking must be stopped. The Expert Panel's report, the adoption of Security Council resolution 1295 (2000) and the establishment of the monitoring mechanism show that the international community will no longer tolerate sanctions breaking.

Fiji

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on *(a)* the political settlement of the recent crisis in Fiji, including its racial aspects, and *(b)* Fiji's future membership of the Commonwealth. [131413]

Mr. Battle: We are relieved that all the hostages have now been released, but dismayed that George Speight and his supporters have been allowed to overthrow Fiji's democratically elected Government at the point of a gun, and that the 1997 Constitution has been abrogated. We continue to call for the restoration of a democratic and constitutional Government which respects the rights of all Fijians. Unless Fiji's new interim administration can demonstrate a clear road map for returning Fiji to democracy, the Commonwealth may wish to consider further measures at the next meeting of the Commonwealth Ministerial Action Group (CMAG) in September.

Uganda

Mr. Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the fairness of the Ugandan referendum on the Movement System of 29 June; what discussions he has had with the Government of Uganda *(a)* during and *(b)* since the campaign; and if he will make a statement. [131414]

Mr. Hain: In its statement of 1 July, the International Donor Referendum Group, which includes the UK, concluded that although the voting had been peaceful and orderly, the Referendum campaign as a whole had not been conducted on a level playing field. While noting that it was not clear that these shortcomings were on a scale significantly to influence the result of the Referendum, the Group expressed its hope that the presidential elections scheduled for 2001 would resume momentum towards more inclusive Government.

The Group has since met with President Museveni to discuss progress towards greater pluralism, good governance and democratic accountability.

East Timor

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made with his plans to help train members of East Timor's civil and foreign service. [131467]

Mr. Battle: We are preparing to bring a group of East Timorese diplomats to the United Kingdom later this year for an intensive four-week tailor-made training course. These students will form the nucleus of East Timor's Diplomatic Service. We are also exploring other projects for East Timor's fledgling civil services, to be funded through our Support for Democracy Programme.

CABINET OFFICE

COI Trading Fund

Mr. Borrow: To ask the Minister for the Cabinet Office when she will publish the accounts of the Central Office of Information Trading Fund. [131672]

Mr. Ian McCartney: I have arranged for the accounts of the Central Office of Information Trading Fund to be laid before the House today.

Rural Issues

Mr. Breed: To ask the Minister for the Cabinet Office what work is being carried out on rural issues by *(a)* the Social Exclusion Unit, *(b)* the Performance and Innovation Unit, *(c)* the Women's Unit and *(d)* the Regulatory Impact Unit. [128046]

Marjorie Mowlam: These units often carry out work on issues that are relevant to both rural and urban areas. Their recent work specifically on rural issues, or with a rural theme, includes:

(a) the Social Exclusion Unit's recent consultation framework document on a National Strategy for Neighbourhood Renewal;

(b) the Performance and Innovation Unit's reports on Rural Economies (published December 1999) and the Post Office network (published June 2000); and

(c) the work of the Women's Unit in ensuring that the preparation of the Rural White Paper takes account of issues of importance for rural women.

Departmental Vehicles

Mr. Pearson: To ask the Minister for the Cabinet Office if she will list for her Department and its agencies the approved list of manufacturers of *(a)* cars and *(b)* commercial vehicles; and if she will make a statement on her Department's leasing and purchasing policy. [128983]

Mr. Ian McCartney: The make and model of car which the Government Car Service (GCS) can offer to Ministers, senior officials and other approved customers are set out in the Prime Minister's guidance on ministerial travel. Currently, GCS can offer the following cars:

Make	*Model*
Ford	Mondeo
Jaguar	Sovereign, Daimler
Nissan	Primera
Rover	R45
Vauxhall	Omega, Vectra

Other than for the GCS, my Department does not operate approved lists of cars or commercial vehicles. Purchase, or leasing, decisions are taken on the basis of best value for money based on while life costs.

Pesticides Tax

Mr. Alan Simpson: To ask the Minister for the Cabinet Office if she will list *(a)* the representations her Department has received and *(b)* meetings it has held on the proposed pesticides tax with the (i) UKASTA, (ii) NOAH, (iii) the National Farmers Union, (iv) the Country Landowners Association, and (v) agrochemical companies, indicating which companies; and what was the date and duration of each of the meetings. [131102]

Marjorie Mowlam: I refer my hon. Friend to the answer given by my hon. Friend the Financial Secretary on 18 July 2000, *Official Report*, column 110W.

Disaster Contingency Measures

Mr. Fabricant: To ask the Minister for the Cabinet Office (1) what representations she has received from consumer and pensioner groups about the need to have in place effective disaster contingency measures; [130965]

(2) what recommendations she has made to the principal Departments of state about disaster contingency measures. [130966]

Mr. Mike O'Brien: I have been asked to reply.

I refer the hon. Member to a reply I gave to the hon. Member for Mid-Bedfordshire (Mr. Sayeed) on 5 July 2000, *Official Report*, column 219W.

INTERNATIONAL DEVELOPMENT

Pakistan and Bangladesh

Mr. Sarwar: To ask the Secretary of State for International Development if she will make a statement on her Department's programmes in Pakistan and Bangladesh. [130961]

Clare Short: The main goal of our programmes in Pakistan and Bangladesh is systematic reduction of the unacceptably high levels of poverty which prevail in both countries. In Bangladesh, Pakistan and elsewhere we work to help them move towards the achievement of the International Development Targets. Our plans for addressing this in Bangladesh are described in our relevant Country Strategy Paper, a copy of which is in the House of Commons Library. In Pakistan, where our work was disrupted by last year's military coup, we are providing technical assistance to the Pakistani administration to support action to reduce poverty and corruption and support the development of genuine democracy.

Ilisu Dam

Dr. Tonge: To ask the Secretary of State for International Development what discussions she has held with the UK Executive Director of the World Bank since the findings of the Independent Inspection Panel's report on the Ilisu Dam became available. [131314]

Clare Short: I have had no discussions with our Executive Director about the findings of the Independent Inspection Panels on Ilisu Dam as neither my Department nor the World Bank is involved in the project.

NORTHERN IRELAND

Decommissioning

4. **Mr. Robertson:** To ask the Secretary of State for Northern Ireland if he will make a statement on recent developments regarding the inspection of paramilitary weapons dumps. [129863]

6. **Mr. Hilary Benn:** To ask the Secretary of State for Northern Ireland what recent discussions he has had with General de Chastelain regarding decommissioning. [129865]

Mr. Mandelson: Mr. Ramaphosa and Mr. Ahtisaari have reported that they have completed their first inspection of several IRA arms dumps. We welcome this development—it represents substantial progress and an honouring of commitments given at the beginning of May. I am confident the inspectors will report any further progress that has been made when they deem it appropriate to do so.

Equally significant is the renewal of contact by the IRA's representative with General de Chastelain's Decommissioning Body, and they will resume their discussions so that IRA arms are ultimately put completely and verifiably beyond use.

16. **Mrs. Betty Williams:** To ask the Secretary of State for Northern Ireland what recent discussions he has had with General de Chastelain about progress to date in decommissioning. [129875]

17. **Sir David Madel:** To ask the Secretary of State for Northern Ireland what progress has been made on the decommissioning of illegal arms and explosives in Northern Ireland. [129876]

23. **Miss McIntosh:** To ask the Secretary of State for Northern Ireland what recent representations he has received on progress towards decommissioning; and if he will make a statement. [129882]

Mr. Ingram: Under the Good Friday Agreement, the Decommissioning Commission operates as an independent body to resolve the decommissioning issue. The Commission has provided written reports on progress on a number of occasions.

20. **Mr. Grieve:** To ask the Secretary of State for Northern Ireland when he expects the decommissioning of illegal arms and explosives to begin. [129879]

Mr. Ingram: We hope decommissioning will start as soon as possible.

Oversight Commissioner

8. **Mr. Temple-Morris:** To ask the Secretary of State for Northern Ireland when he last met the Oversight Commissioner. [129867]

24. **Mr. McWalter:** To ask the Secretary of State for Northern Ireland when he last met the Oversight Commissioner. [129883]

Mr. George Howarth: The Secretary of State last met with Mr. Tom Constantine, the Oversight Commissioner, on 31 May 2000.

Parades

9. **Mr. Fabricant:** To ask the Secretary of State for Northern Ireland if he will make a statement on recent violence at parades. [129868]

Mr. George Howarth: The Government condemn the violence which occurred during the past week. The behaviour we witnessed on occasions was nothing less than pure vandalism and thuggery. We should, however, congratulate the security forces for their efforts to maintain order and uphold the lawful ruling of the Parades Commission.

19. **Mr. Gordon Prentice:** To ask the Secretary of State for Northern Ireland what recent discussions he has had with the Parades Commission concerning the criteria it uses to determine parade routes. [129878]

Mr. Ingram: The criteria used for making decisions are set out in legislation and in the guidelines and Code of Conduct produced under this legislation. It is for the Parades Commission to determine the appropriate factors to be taken into account, and to take the final decision.

Security Situation

10. **Mr. Stephen O'Brien:** To ask the Secretary of State for Northern Ireland if he will make a statement on the security situation in Northern Ireland. [129869]

11. **Mr. Soames:** To ask the Secretary of State for Northern Ireland if he will make a statement on the security situation in Northern Ireland. [129870]

Mr. George Howarth: The Government believe the main paramilitary groups are maintaining their ceasefires. There remains, however, a threat from dissident paramilitaries on both sides who are opposed to the Good Friday Agreement.

Devolved Government

12. **Dr. Palmer:** To ask the Secretary of State for Northern Ireland if he will make a statement on progress in respect of devolved Government in Northern Ireland. [129871]

Mr. Mandelson: Assembly Members resumed their positions quickly and Assembly procedures are operating efficiently. Two Bills—Appropriation and Members' Allowances—have already been passed by the Assembly and more legislation is expected to follow soon after the summer recess. The Executive Committee is now preparing its programme for Government. I have every confidence in the Assembly's continuing success and wish it well.

Young Offenders

13. **Mr. Fitzpatrick:** To ask the Secretary of State for Northern Ireland if he will make a statement on the range of schemes available to deal with young offenders. [129872]

Mr. George Howarth: The Criminal Justice Children (Northern Ireland) Order 1998 was introduced in January 1999 and brought in a new juvenile justice centre order of between six months and two years, half of which is spent in custody and half under close supervision in the community. The Community element of the sentence is delivered by the Probation Board for Northern Ireland.

A range of programmes for young people, both in custody and in the community, has been developed. Programmes such as cognitive behaviour training to tackle offending and the associated causes and problems such as drugs and alcohol misuse, car crime, aggressive behaviour and sex offending, have been developed on a multi-agency basis.

EU Structural Funds

14. **Mr. David Stewart:** To ask the Secretary of State for Northern Ireland what consultation he has had relating to the future of EU structural funds allocated to Northern Ireland. [129873]

Mr. Mandelson: I met Commissioner Barnier on 18 May during the suspension of devolution in Northern Ireland. The allocation of EU structural funds is now a matter for the Northern Ireland Executive.

Peace Process

15. **Mr. Salter:** To ask the Secretary of State for Northern Ireland when he last met the Irish Prime Minister to discuss progress towards peace. [129874]

Mr. Mandelson: I last met with the Taoiseach on 31 May in the course of a visit to Dublin to hold discussions with the Irish Foreign Minister.

Prisoners (Early Release)

18. **Mr. Clifton-Brown:** To ask the Secretary of State for Northern Ireland if he will make a statement on the early release of terrorist prisoners. [129877]

Mr. Ingram: The early release of prisoners is dependent on the continuation of the current ceasefires. The Secretary of State is in constant touch with his security advisers and keeps the security situation continually under review.

Crime Statistics

21. **Mr. Randall:** To ask the Secretary of State for Northern Ireland if he will make a statement on the current levels of recorded crime in Northern Ireland. [129880]

Mr. Ingram: I refer the hon. Member to the answer given today to the hon. Member for Epping Forest (Mrs. Laing), *Official Report*, column 363.

School Links

22. **Helen Jones:** To ask the Secretary of State for Northern Ireland what steps he is taking to encourage links between schools in Northern Ireland, the rest of the United Kingdom and the Irish Republic; and if he will make a statement. [129881]

Mr. Mandelson: Responsibility for this subject has been devolved to the Northern Ireland Assembly, and is therefore no longer a matter for the Secretary of State for Northern Ireland.

Police Ombudsman

25. **Mr. Quinn:** To ask the Secretary of State for Northern Ireland when he last met the police ombudsman. [129884]

Mr. Ingram: The Ombudsman met with the Secretary of State on 1 November 1999.

Good Friday Agreement

26. **Mr. Ivan Lewis:** To ask the Secretary of State for Northern Ireland what progress is being made on implementation of the Good Friday Agreement. [129885]

Mr. Mandelson: The Government are committed to the full implementation of the Belfast Agreement. The provisions for policing, criminal justice, equality and rights, prisoners and security are progressing with all due speed. The prospects for decommissioning are good. I am confident we will fulfil our commitment to implement the Agreement in full by June 2001.

Crimes of Violence

27. **Ms Southworth:** To ask the Secretary of State for Northern Ireland what progress he is making on tackling crimes of violence in Northern Ireland. [129886]

Mr. Ingram: Figures on violent crime for the period April 1999 to March 2000 show an increase of 12.6 per cent. on the number of offences recorded for the same period during 1998–99. The total number of violent crimes cleared during 1999–2000 increased by 25.3 per cent. compared with the previous year. Overall the clearance rate for violent crime rose from 55.7 per cent. in 1998–99 to 62 per cent. during 1999–2000. The ongoing progress being made by the RUC towards moving to 'intelligence-led policing' will, it is believed, assist in tackling the problem of violent crime.

Abortion and Contraceptive Services

28. **Fiona Mactaggart:** To ask the Secretary of State for Northern Ireland if he will make a statement on access to abortion and contraceptive services for women in Northern Ireland. [129887]

Mr. George Howarth: Responsibility for this subject has been devolved to the Northern Ireland Assembly and is therefore no longer a matter for the Secretary of State for Northern Ireland.

Royal Ulster Constabulary

29. **Mr. Evans:** To ask the Secretary of State for Northern Ireland what discussions he has had with former members of the RUC concerning the Patten report on the future of the RUC. [129888]

Mr. Ingram: During the three-month period of formal consultation on the Patten Report, and in discussions since then, Ministers have met a wide range of police representative groups to discuss the Patten Report and the future of the RUC. These have included retired officers, disabled officers, police widows and their families. Ministers have also received, and replied to, many letters from former RUC officers.

EDUCATION AND EMPLOYMENT

New Deal

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment how many people aged over 50 years are eligible for guaranteed minimum take-home pay under the New Deal for the over 50s in Shrewsbury and Atcham; and if he will make a statement. [131147]

Ms Jowell: New Deal 50 plus is a major new programme of personal advice, support and financial help for people over 50 who are looking for work. The programme is aimed at unemployed and economically inactive people in receipt of benefit for six months or

more and their dependent partners. The following table shows the number of people who are directly eligible for New Deal 50 plus. However, in addition, dependent partners of these benefit recipients may also be eligible, as will be men aged 60–65 receiving National Insurance credits automatically.

The £170 minimum income guarantee applies to those people going into full-time work and additionally receiving the Employment Credit of £60 per week. It is not possible to say how many people will be eligible for the Employment Credit, but our assumption is that about 90 per cent. of those who apply will be eligible for this important new support for people aged 50 or over.

Income Support, Jobseekers Allowance, Incapacity Benefit and Severe Disablement Allowance recipients aged 50 or over with a current claim duration of six months or more, as at February 2000

Thousand

	Shrewsbury and Atcham
Income Support	2.8
Jobseekers Allowance	0.1
Incapacity Benefit	1.4
Severe Disablement Allowance	[1]0.2

[1] Numbers are based on very few sample cases and are subject to a high degree of sampling error. These figures should be used as a guide to the current situation only.

Notes:

1. Income Support figures exclude claimants who also receive IB/SDA
2. IB figures exclude those persons receiving National Insurance Credits only
3. Jobseekers Allowance figure for June 2000

Ms Buck: To ask the Secretary of State for Education and Employment if he will make a statement on the impact of the New Deals for *(a)* 18 to 24-year-olds and *(b)* lone parents in (i) Westminster and (ii) Kensington. [130230]

Ms Jowell: The New Deal for Young people is aimed at people aged 18–24 who have been claiming unemployment benefits for six months or more. Claimant unemployment among this group has fallen by 56 per cent. since April 1998 when the New Deal was introduced. Part of this is due to the delivery of a strong and stable economy, but the New Deal for Young People has helped unemployment to fall even faster. The 56 per cent. fall in youth long-term unemployment compares with a fall of 18 per cent. in total unemployment, 23 per cent. in total youth (18–24) unemployment and 26 per cent. in the total number unemployed for six months or more. The effect of the New Deal is confirmed by independent research from the National Institute of Economic and Social Research.

It is not possible to measure the New Deal effect exactly in each area of the country. However, in Westminster and Kensington the falls in unemployment among the New Deal client group have also been substantially faster than for other groups. In Westminster in the two years since April 1998 claimant unemployment amongst those aged 18–24, unemployed for six months or more, has fallen by 43 per cent. from 418 to 238. This compares with a fall of 16 per cent. in total unemployment, 25 per cent. in total youth (18–24) unemployment, and 18 per cent. in the total number unemployed for six months or more.

In Kensington and Chelsea, over the same period, claimant unemployment among those aged 18–24, unemployed for six months or more, has fallen by 41 per cent. from 280 to 165. This compares with a fall of 23 per cent. in total unemployment, 23 per cent. in total youth (18–24) unemployment, and 28 per cent. in the total number unemployed for six months or more.

New Deal for Lone Parents aims to help lone parents in receipt of Income Support to improve their job readiness and help them take up paid work. Independent evaluation by the Institute for Employment Research suggests it has attracted substantial numbers of participants and secured very positive feedback from them. Analysis has also shown that after 18 months more people had left IS in NDLP prototype areas than in comparison areas.

It is also not possible to measure the effect of New Deal for Lone Parents exactly in each area of the country. Local information on NDLP performance is produced for parliamentary constituencies. Up to the end of April 2000, in the Cities of London and Westminster constituency, 95 lone parents had started on NDLP, of which 18 had moved into work, while in the Regent's Park and North Kensington and Kensington and Chelsea constituencies, 388 had started on the programme and 80 had moved into a job.

Mr. Cox: To ask the Secretary of State for Education and Employment how many *(a)* men and *(b)* women aged between 18–24 years have entered the New Deal within the Greater London Authority area to date. [130770]

Ms Jowell: The latest figures to April 2000 show that 47,850 young men and 24,200 young women have entered the New Deal in the Greater London area. 27,470 of these young people have gained jobs which is a significant contribution to our being on target to meet the manifesto commitment to help 250,000 young people into jobs through the New Deal. At the end of April we had reached a total of 216,200.

Youth Unemployment (Cumbria)

Mr. Martlew: To ask the Secretary of State for Education and Employment if he will make a statement on youth unemployment in *(a)* Cumbria and *(b)* Carlisle. [131409]

Ms Jowell: There are currently (June 2000) 2,037 claimant unemployed people aged 18–24 in Cumbria and 447 in Carlisle. In the three years to June 2000 unemployment among young people has fallen by 36 per cent. in Cumbria and by 37 per cent. in Carlisle. The equivalent fall in the UK as a whole over this period is 36 per cent.

Part of this improvement is due to the delivery of a strong and stable economy, but the New Deal for Young People has helped youth unemployment to fall even faster. The New Deal for young people is aimed at people aged 18–24 who have been claiming unemployment benefits for six months or more.

In both Cumbria and Carlisle the fall in unemployment among the New Deal client group has been substantially faster than for other groups. In Cumbria, in the three years to June 2000, claimant unemployment among those aged 18–24, unemployed for six months or more, has fallen by

71 per cent., from 1,397 to 402. This compares with a fall of 31 per cent. in total unemployment and 51 per cent. in the total number unemployed for six months or more.

In Carlisle, in the three years to June 2000, claimant unemployment among those aged 18–24, unemployed for six months or more, has fallen by 70 per cent., from 274 to 81. This compares with a fall of 31 per cent. in total unemployment and 46 per cent. in the total number unemployed for six months or more.

The impact of the New Deal is confirmed by independent research from the National Institute of Economic and Social Research, though it is not possible to measure the New Deal effect exactly in each area of the country.

Pre-school Places (Middlesbrough)

Dr. Kumar: To ask the Secretary of State for Education and Employment how many new pre-school places have been created in the constituency of Middlesbrough, South and Cleveland, East since May 1997; and if he will make a statement. [131205]

Ms Hodge *[holding answer 18 July 2000]:* Since this Government came to office, 120,000 new, free, early education places have been created for three and four-year-olds nationally. Data on early years education places are not available by constituency, but we have provided sufficient funding to ensure that all four-year-olds and the majority of three-year-olds in Middlesbrough South and East Cleveland receive a free, part time, early education place.

Sex and Relationship Education

Mr. Leigh: To ask the Secretary of State for Education and Employment what the meaning is of the word *(a)* inappropriate, as used in (i) paragraph 8 of the introduction, (ii) paragraph 1.8 of and (iii) paragraph 1.14 of and *(b)* research, as used in paragraph 1.7 of, the Sex and Relationship Education Guidance issued in July 2000. [131195]

Jacqui Smith *[holding answer 19 July 2000]:* We have made it clear that head teachers and governors must not use teaching and materials which are inappropriate with regard to the age and the religious and the cultural background of the pupils concerned. In making their judgments, head teachers and governors should have regard to the Personal, Social and Health Education framework, which sets out what is expected at each Key Stage in education, and to the law.

There is a variety of research that shows that effective sex and relationship education does not encourage early sexual experimentation. These are summarised in the Social Exclusion Unit's Report on Teenage Pregnancy. Copies are available in the Library.

School Science Laboratories (Middlesbrough)

Dr. Kumar: To ask the Secretary of State for Education and Employment what steps he has taken to update school science laboratories in the constituency of Middlesbrough, South and Cleveland, East; and if he will make a statement. [131206]

Jacqui Smith *[holding answer 18 July 2000]:* Under the initiative "School laboratories for the 21st Century", £60 million is being allocated from the Capital Modernisation fund to tackle deficiencies in secondary school science accommodation over the next two years. This will enable around 400 improvement projects to be carried out at those schools most in need.

In line with the Department's policy of reducing bureaucracy and paperwork, grants are being allocated to local education authorities (LEAs) by formulae. LEAs will then distribute funding to schools according to need. Middlesbrough LEA is to receive £115,109 this year and a further £115,109 in 2001–02.

Additionally, LEAs have been able to apply for funding from the New Deal for Schools (NDS) programme to improve the condition of school laboratories. So far, 151 such projects have been funded, at a cost of just under £37 million. They may also have incorporated improvements to science accommodation within larger schemes of school expansion or rationalisation.

Computer Disasters

Mr. Fabricant: To ask the Secretary of State for Education and Employment what estimate he has made of the time it would take to get new computers running in the wake of a major computer disaster in his Department. [130969]

Mr. Wills: Contingency plans exist for all of the major computer systems in the Department and they should be operational again within three working days.

Departmental Initiatives

Dr. Lynne Jones: To ask the Secretary of State for Education and Employment if he will list each departmental initiative since May 1997 requiring bids for funding together with the total resources available, the number of successful bids and the proportion this represents of total bids received; and what data he collects on the average expenditure of organisations bidding for funding through each initiative. [131080]

Mr. Wills: I refer my hon. Friend to the reply given by my right hon. Friend the Chief Secretary to the Treasury on 17 July 2000, *Official Report*, column 93W.

Health and Sex Education

Mr. Coaker: To ask the Secretary of State for Education and Employment what rights parents have to withdraw their children from the health and sex education element of National Curriculum Science at Key Stage 2 for religious reasons. [130976]

Jacqui Smith: Section 405 of the Education Act 1996 gives parents the right to withdraw their children from any or all parts of a school's programme of sex education, but not those elements of health and sex education which are required by the National Curriculum Science Order. We encourage schools and governors to consult parents over their Sex and Relationship Education policy.

Learning Support Units

Mr. Coaker: To ask the Secretary of State for Education and Employment (1) how many Learning Support Units will be established in Nottinghamshire; [131068]

(2) what the timetable is for setting up the new Learning Support Units for disruptive pupils; and if he will make a statement. [130979]

Jacqui Smith: The 223 Learning Support Units (LSUs) in the 24 Local Education Authorities (LEAs) in Phase 1 of the 'Excellence in Cities' (EiC) programme have been established progressively over the current academic year and are now operating. The LSUs in the 22 LEAs in Phase 2 of the EiC programme, which includes the City of Nottingham, will start to be set up from September 2000. Most should be operating from January 2001. We are currently assessing these LEAs' final plans. The LSUs in LEAs outside EiC areas, which includes Nottinghamshire, will be established progressively from September 2000. Most should come into operation between January and March 2001.

The City of Nottingham is planning for all of its 21 secondary schools to have an LSU. Information about Nottinghamshire LEA's plans is not yet available. The Authority was notified on 30 June of its allocation—a total of some £671,000 to cover both capital and recurrent expenditure over the financial years 2000–01 and 2001–02. It is now for the LEA in consultation with its schools to decide how many LSUs to establish within those resources and in which schools.

Learning Support Units are a proven strategy for improving behaviour and reducing exclusions, and they are cost effective. They enable schools to get disruptive pupils out of the classroom quickly while not excluding them. We aim to have over 1,000 established by 2002.

Grammar School Ballots

Mr. Dismore: To ask the Secretary of State for Education and Employment which grammar schools have not provided to Electoral Reform Ballot Services the information required to determine the number of signatures needed for a trigger ballot within the time limit provided by the relevant regulations; and if he will make a statement. [130942]

Ms Estelle Morris: One grammar school has not provided to Electoral Reform Services (ERS), within the time limit, all the information required to determine the number of signatures needed to trigger a ballot. This is the Latymer School in Enfield. The school raised queries before providing a list of feeder schools. ERS have written to the feeder schools and are processing replies.

School Organisation Committees

Mr. Willis: To ask the Secretary of State for Education and Employment what plans he has to carry out an assessment of the effectiveness of schools' organisation committees; and if he will take steps to give their role greater clarity. [131246]

Ms Estelle Morris: We shall be reviewing the issues which arise for School Organisation Committees as they increasingly become involved in complex school organisation decisions. This review will help us determine whether further guidance or changes in the procedures governing the conduct of Committees would be helpful.

School Playing Fields

Mr. Chidgey: To ask the Secretary of State for Education and Employment, pursuant to the answer of 22 June 2000, *Official Report*, columns 269–70W, how many sales of school grass areas smaller than a sports pitch he has *(a)* approved and *(b)* rejected in each month since October 1998; what the acreage is of the school grass areas smaller than a sports pitch whose disposal he has (i) approved and (ii) rejected in each month since October 1998; and what has been the total sale value of such areas whose disposal he has (A) approved and (B) rejected in each month since October 1998. [131214]

Jacqui Smith: The Department has approved the sale of 18 school grass areas smaller than a sports pitch of 2000m^2 between October 1998 and June this year. The following table shows the information requested.

Sale of grass areas smaller than a school sports pitch approved under section 77 of the School Standards and Framework Act 1998 since 1 October 1998

	Number of sales approved	*Number of sales rejected*	*Area (m^2)*	*Total sale value (£)*
1998				
October	1	—	300	5,000
November	—	—	—	—
December	—	—	—	—
1999				
January	1	—	1,250	72,000
February	—	—	—	—
March	1	—	600	115,000
April	—	—	—	—
May	2	—	1,680	3,300
June	3	—	2,100	241,000
July	—	—	—	—
August	2	—	1,870	97,250
September	—	—	—	—
October	1	—	640	50,000
November	—	—	—	—
December	—	—	—	—
2000				
January	1	—	50	3,000
February	—	—	—	—
March	—	—	—	—
April	1	—	530	20,000
May	3	—	2,985	305,000
June	2	—	910	37,500

Notes:

1. In this table a sports pitch is regarded as being an area of open grassed land equal to, or greater than, 2000m^2.
2. All sale proceeds are used to provide new or improved education or sports facilities at maintained schools.

Holy Trinity Church of England Primary School, Sunningdale

Mr. Trend: To ask the Secretary of State for Education and Employment how many children applying for places at the Holy Trinity Church of England primary school in Sunningdale have been refused on the ground that admission would breach the maximum class size of 30; how many of these have siblings in the school; and how many of those referred were new to the area. [131304]

Ms Estelle Morris: I understand from my officials, who have contacted the school, that no applications were refused on the ground that admission would breach the class size limit. Thirteen children were refused admission because there were forty-three applications for only thirty available places. The school's standard number of thirty, which indicates its capacity, pre-dates our class size legislation.

The thirty places were allocated to Sunningdale residents, thirteen of whom had siblings in the school. Of those applicants refused, four were non residents of Sunningdale with siblings in the school. The school gives priority for admission to children resident in the ecclesiastical parish of Sunningdale. A further four applications from the Sunningdale area were received after places had been allocated, and were refused.

Ministerial Code

Mr. Robathan: To ask the Secretary of State for Education and Employment (1) on how many occasions since May 1997 Ministers in his Department have made a declaration of interest to their colleagues under circumstances envisaged in Paragraph 110 of the Ministerial Code; [129146]

(2) if he will list the occasions on which ministers in his Department have sought the advice of the Permanent Secretary under the circumstances envisaged in paragraphs 118, 121 and 123 of the Ministerial Code. [129180]

Mr. Wills: Information relating to internal advice and consultation is not disclosed under Exemption II of the "Code of Practice on Access to Government Information".

PRESIDENT OF THE COUNCIL

Early-day Motions

Mr. Sayeed: To ask the President of the Council what the total cost of early-day motions was in *(a)* 1999 and *(b)* 1998. [130028]

Mr. Kirkwood: I have been asked to reply.

The printing and publication costs associated with early-day motions was *(a)* approximately £597,000 in 1999 and *(b)* approximately £750,000 in 1998. Other costs associated with early-day motions, such as editorial preparation and control and electronic publication, are not separately identifiable. I am informed that costs arising in Government Departments could be provided only at disproportionate costs.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Incineration

Mr. Pickthall: To ask the Secretary of State for the Environment, Transport and the Regions what is the Government's assessment of the relationship between rates of death and projected increases in incineration of waste. [126470]

Mr. Meacher *[holding answer 20 June 2000]:* A methodology for assessing the health impacts of air pollution (particles, sulphur dioxide and ozone) from industrial sources, including waste incinerators, is being considered by the Committee on the Medical Effects of Air Pollution (COMEAP), which advises the Department of Health, and a full statement from COMEAP is expected in due course.

Emissions from incineration are already tightly controlled, and incinerators can now be designed to meet the standards in the forthcoming Waste Incineration Directive, which will further reduce emissions, for example reducing emissions of total dust by 67 per cent. and of dioxins by 99 per cent. An assessment of the health benefits of the tighter standards in the Waste Incineration Directive has been made by my Department for the regulatory and environmental impact assessment of the proposed Directive. The relevant consultants' reports are available in the House Library.

Public Water Supply

Mr. Etherington: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the chemical compounds added to the public water supply in England and Wales, indicating which is used for *(a)* water treatment, *(b)* ingestion and *(c)* other purposes; and if he will give details of the most recent safety tests carried out by his Department on each such compound. [130203]

Mr. Mullin: The Water Supply (Water Quality) Regulations 1989 provide for the approval of products, substances and processes used in the provision of public water supplies. The Secretary of State is advised on approvals issues by the Committee on Chemicals and Materials for Use in Public Water Supply. The Secretary of State's List of Approved Products, which includes all chemicals approved for use in public water supplies, is published annually by the Drinking Water Inspectorate. The list is installed on the Inspectorate's website www.dwi.detr.gov.uk

Approved chemicals are classified according to whether they are used for water treatment or other purposes. Where residues of the chemical are likely to be ingested, a condition of approval imposes a maximum dosing concentration as a public health protection measure.

Household Waste Collection

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions what guidelines he has given local authorities about the frequency with which they should collect household waste; and if he will make a statement. [130527]

Mr. Meacher: Under section 45 of the Environmental Protection Act 1990, local authorities have a duty to collect household refuse, but the Act does not stipulate the frequency with which local authorities should collect it. We have not provided any guidance on the frequency with which collections should take place.

A30

Mrs. Browning: To ask the Secretary of State for the Environment, Transport and the Regions when the A30 Honiton to Exeter road will be resurfaced. [130540]

Mr. Hill *[holding answer 17 July 2000]:* Our 10-year Transport Strategy, which will be published shortly, will include further proposals for dealing with road noise. Those roads with the worst noise problem will be dealt with first.

Aggregates

Mr. Gill: To ask the Secretary of State for the Environment, Transport and the Regions on what grounds the Quarry Products Association's proposed preferential purchasing scheme for aggregates was considered incompatible with the green purchasing commitments set out in his Department's publication entitled "Building a better quality of life—a strategy for more sustainable construction". [131094]

Ms Beverley Hughes: The proposals in the Quarry Products Association's Q-mark scheme were carefully considered by my right hon. Friend the Chancellor in preparing his Budget Statement. However, the proposed conditions of entry to the Q-mark scheme, which would qualify suppliers for preferential purchasing of aggregate by the public sector were, on the basis of the information provided, felt to be incompatible with UK competition law and EU procurement law. The burden of meeting the Q-mark entry conditions would have borne differentially on different sizes of operators, and in particular could have been harder for the small and medium-sized enterprises in the industry, including those not in QPA membership, to meet.

Home Energy Efficiency Scheme

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many contractors he expects to use under the New Home Energy Efficiency Scheme; [131310]

(2) how many contractors used by the Home Energy Efficiency Scheme in the period up to April 2000 are not eligible for the New Home Energy Efficiency Scheme; [131311]

(3) what guidance he has issued to determine which contractors are eligible to be considered under the New Home Energy Efficiency Scheme; and if he will make a statement. [131312]

Mr. Meacher: Some 100 insulation and heating installation contractors are currently appointed to the New Home Energy Efficiency Scheme, which started in June. The two Scheme Managers for New HEES expect to appoint up to a further 45 contractors. The New HEES scheme, which started in June, provides vulnerable householders with a comprehensive package of insulation, together with efficient central heating for householders over 60 in age, through grants of up to £2,000. The previous scheme provided householders with one insulation measure per household, mainly draughtproofing, with a maximum grant of £315. Funding for the scheme has been increased from about £76 million last year to around £122 million this year and around £153 million next year.

Some 130 insulation contractors were involved in the previous scheme.

The Scheme Managers for New HEES, Eastern Energy and the EAGA Partnership Ltd., were appointed by my Department following UK Public Procurement Rules and Regulations. They are contractually required to appoint installers using the same competitive tendering process and following the same Regulations. All existing installers were eligible to tender for appointment to the new scheme. Installers have been chosen on the basis of their technical abilities to deal with the wider range of measures provided through New HEES, their ability to meet the quality standard, and the price tendered.

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many council homes in Shrewsbury and Atcham will benefit from home energy efficiency measures by the end of this year; and if he will make a statement; [131157]

(2) how many households will be helped out of fuel poverty by 2002 through energy-efficiency schemes in Shrewsbury and Atcham. [131137]

Mr. Meacher: The Government have introduced a wide range of programmes to tackle poor energy efficiency, one of the main causes of fuel poverty. These are as follows.

From 1 June, the Home Energy Efficiency Scheme provides grants of up to £2,000 for comprehensive packages of insulation and heating improvements. The scheme is aimed at those households which are most vulnerable to cold-related ill health: older people and families on low incomes, and the disabled and chronically sick. HEES has a budget of £275 million for the first two years, which is expected to help some 460,000 households. The scheme is focused on the private sector, where nearly 70 per cent. of the fuel poor in England are found. However, limited funds will still be available for social housing in the first two years.

We have released substantial additional funds to help improve our housing stock; in total some £5 billion is being made available over the lifetime of this Parliament for investment in housing. Most of the additional resources are going to local authorities and will be spent according to the needs and priorities identified in their housing strategy. We estimate that around one third of the money is likely to lead directly or indirectly to improvements in energy efficiency.

Government-funded programmes operated by the Energy Saving Trust improve the energy efficiency of both fuel poor households and others. In addition, some of the Government funded regeneration schemes will help to improve home energy efficiency in specific areas.

To support the installation of energy efficiency measures, from 1 July 1998 the Government have reduced VAT from 17.5 per cent. to 5 per cent. for the installation of energy efficiency materials through Government-funded grant schemes such as HEES. The Spring 2000 budget extended the reduced rate of VAT of 5 per cent. to include the installation of energy saving material in "all" homes and the installation of heating measures through Government funded grant schemes.

The Government are also introducing provisions to enable lessors to claim capital allowances on their investment in boilers, radiators and controls installed in residential properties under the Affordable Warmth Programme. The Programme will operate from 2000 to

2007, with the aim of helping up to 1 million low income households, primarily in the social sector, benefit from improved energy efficiency.

In addition to Government energy efficiency programmes, since 1994, public electricity suppliers have, under the Energy Efficiency Standards of Performance, been required to encourage and assist customers with energy efficiency measures. The new Director General of the Office of Gas and Electricity Markets has, from this year extended these to also include public gas suppliers and the overall size of the programme has been doubled to £50 million a year. 65 per cent. of this expenditure will be allocated to low income households.

Under the Home Energy Conservation Act (HECA) 1995, local authorities with housing responsibilities were required to prepare, publish and submit to the Secretary of State an energy conservation report identifying energy conservation measures considered to be practicable, cost-effective and likely to result in a significant improvement in the energy efficiency of all residential accommodation in their area.

In England, authorities are now reporting annually on the progress being made in implementing the measures identified. Furthermore, we have now asked local authorities to report on their policies and achievements specifically in combating fuel poverty, at the same time as they submit their HECA progress reports. The next HECA progress report from local authorities is due by 31 July 2000.

The energy conservation report prepared by Shrewsbury and Atcham Borough Council, and their most recent progress report, should be available from the Council.

North West Water

Mr. Martlew: To ask the Secretary of State for the Environment, Transport and the Regions how many successful prosecutions the Environment Agency has undertaken against North West Water; and what level of fines have been imposed. [131404]

Mr. Mullin: Listed in the table are details of the successful prosecutions carried out against North West Water by the Environment Agency since October 1991 and the fines imposed:

Date	*Court*	*Offence*	*Fine (£)*	*Cost (£)*
16 October 1991	Whitehaven magistrates court	On 19 May 1991 caused trade effluent, namely chlorinated water, to be discharged into Ben Ghyll, a tributary of the River Ehen from Ennerdale Water Treatment Plant. Contrary to Sections 107(i)(c) and 107(6) of the Water Act 1989	5,000	435
29 January 1992	Darwen magistrates court	On 28 May 1991 caused sewage effluent to be discharged into Eagley Brook from Belmont Waste Water Treatment Plant. Contrary to Sections 107(1)(c) and 106(6) of the Water Act 1989	9,000	4,815
20 May 1992	Chorley magistrates court	On 4 October 1991 caused sewage effluent to be discharged into Brook Lane Stream, Charnock Richard from Brook Lane Pumping Station. Contrary to Sections 107(i)(c) and 107(6) of the Water Act 1989	6,000	400
1 October 1991	Huyton magistrates court	On 28 January 1992 caused sewage effluent to be discharged into Court Hey Brook from surface water outfalls at Court Hey Road. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	10,000	420
3 February 1993	Ashton Under Lyne magistrates court	On 21 September 1992 caused trade effluent to be discharged from Lumb Lane Pumping Station, Droylsden. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	10,000	510
2 March 1993	Ormskirk magistrates court	On 23 April 1992 caused sewage effluent to be discharged into Hurlston Brook from Smithy Lane Pumping Station, Hurlston Green. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	3,000	250
2 March 1993	Ormskirk magistrates court	On 13 August 1992 caused sewage effluent to be discharged into Hurlston Brook from Smithy Lane Pumping Station, Hurlston Green. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	5,000	250
28 July 1993	Reedley magistrates court	On 21 May 1992 caused a discharge from the storm sewage overflow at Burnley Waste Water Treatment Works, Burnley to Walverden Water. Contrary to Sections 85(3)(a) and 85 (6) of the Water Resources Act 1991	2,000	989
14 September 1993	Leyland magistrates court	On 27 April 1992 caused sewage effluent to be discharged into the River Lostock at Lostock Hall, Bamber Bridge, Preston. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	9,000	860
3 November 1993	Oldham magistrates court	On 5 February 1993 caused trade effluent to be discharged into the River Medlock at Waterhead, Oldham. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	3,000	515

Date	Court	Offence	Fine (£)	Cost (£)
9 November 1993	Leigh magistrates court	On 9 August 1992 caused sewage effluent to be discharged into a tributary of the River Glaze from Latley Common Pumping Station at Leigh. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	1,000	719
25 January 1994	Ellesmere Port magistrates court	On 11 May 1993 caused trade effluent to be discharged into Mill Brook. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	2,000	700
25 January 1994	Ellesmere Port magistrates court	On 17 August 1993 caused trade effluent, namely reactivated sewage sludge, to be discharged into Mill Brook from Ellesmere Port Sewage Treatment Works. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	4,000	686
3 February 1994	Preston magistrates court	On 3 July 1993 caused sewage effluent to be discharged into Savick Brook, Fulwood. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	3,000	453
28 March 1994	Barrow in Furness magistrates court	On 19 September 1993 caused sewage effluent to be discharged into the River Leven Estuary from Ulverston Waste Water Treatment Works. Contrary to Section 85(6) of the Water Resources Act 1991	6,000	764
7 April 1994	Chorley magistrates court	On 31 August 1993 caused trade effluent, namely surface water containing Chlorine, to be discharged into the River Douglas from Rivington Water Treatment Plant, Bolton Road, Horwich. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	5,000	898
25 May 1994	Chorley magistrates court	On 21 September 1993 caused sewage effluent to be discharged into the River Chor diversion from Outlet 3A at Chorley Waste Water Treatment Works. Contrary to Sections 85(6) of the Water Resources Act 1991	2,000	596
7 June 1994	Leyland magistrates court	On 11 January 1994 caused sewage effluent to be discharged to the River Darwen from premises known as Blackburn Waste Water Treatment Works. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	4,000	736
26 August 1994	Lytham magistrates court	On 30 November 1993 caused polluting matter to enter Main Dyke from Western Waste Water Treatment Works. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	4,000	744
13 September 1994	Ellesmere Port magistrates court	On 31 January 1994 caused sewage effluent to be discharged into Thornton Brook at Ellesmere Port which did not comply with a Condition of the Company's Consent to Discharge. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	3,000	319
21 September 1994	Liverpool magistrates court	On 23 September 1993 caused sewage effluent to enter Courthey Brook. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	10,000	495
21 September 1994	Liverpool magistrates court	On 8 July 1993 caused sewage effluent to enter Courthey Brook. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	10,000	484
3 October 1994	Huyton magistrates court	On 9 March 1994 failed to take reasonable steps to ensure water discharge as a result of aeration tank cleaning into Knowsley Brook from Knowsley Water Treatment Works was free as reasonable possible from solids and polluting substances. Contrary to Section 165(3)(b) of the Water Industry Act 1991	500	903
18 November 1994	Penrith magistrates court	On 1 July 1994 caused sewage effluent to be discharged into Shap Beck from premises at Shap Waste Water Treatment Works. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	3,000	1,292
7 February 1995	Leyland magistrates court	On 28 May 1994 caused sewage effluent to be discharged into Black Brook at Hoghton near Blackburn. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	2,500	922
15 February 1995	Preston magistrates court	Between 8 August 1994 and 15 August 1994 caused sewage effluent to be discharged into Eaves Brook from Victoria Road CSO, Preston. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	5,000	721

Date	Court	Offence	Fine (£)	Cost (£)
18 March 1995	Oldham magistrates court	On 23 November 1994 caused sewage effluent to be discharged into Wince Brook from Brookside Business Park, Chadderton. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	5,000	699
10 November 1995	Barrow in Furness magistrates court	In the one year period from 27 July 1994 to 26 July 1995 caused sewage effluent to be discharges into Blea Beck from Askam Waste Water Treatment Works contrary to Condition C1 of Consent. Contrary to 85(6) of the Water Resources Act 1991	7,500	490
18 January 1996	Blackburn magistrates court	On 30 April 1995 caused sewage effluent to be discharged into Sheet Bridge Brook from Morris Brow Pumping Station, Tock Holes Road, Blackburn. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	5,000	1,889
7 March 1996	Windermere magistrates court	On 6 May 1995 caused sewage effluent to be discharged into the River Rothay from Ambleside Waste Water Treatment Works. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	4,000	1,931
21 January 1998	Stockport magistrates court	On or about 17 July 1997 caused polluting matter namely sewage sludge to enter Torkington Brook from land at Lower Barnfold Farm, Hawk Green near Marple. Contrary to Sections 85(1) and 85(6) of the Water Resources Act 1991	5,000	560
21 January 1998	Stockport magistrates court	On 4 August 1997 caused polluting matter namely sewage sludge run-off to enter Norbury Brook. Contrary to Section 85(1) of the Water Resources Act 1991	6,000	531
2 March 1998	Preston magistrates court	On 4 February 1997 caused sewage effluent to be discharged into the River Ribble from land at Riversway Docks. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	3,000	834
16 March 1998	Preston magistrates court	On 18 April 1997 caused polluting matter namely silt to enter Eaves Brook and Savick Brook from a water supply main at Deepdale, Fulwood. Contrary to Sections 85(3)(a) and 85(6) of the Water Resources Act 1991	1,500	1,183
1 July 1999	Leyland magistrates court	On 8 July 1998 caused polluting matter to enter Holes Brook from Blackburn Waste Water Treatment Works. Contrary to Section 85(1) of the Water Resources Act 1991	5,000	793
28 October 1999	Bury magistrates court	On 7 December 1998 caused sewage effluent to be discharges into the River Irwell. Contrary to Sections 85(3)(a) of the Water Resources Act 1991	5,000	810

CULTURE, MEDIA AND SPORT

Opinion Research

Mr. Don Foster: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 25 May 2000, *Official Report*, column 581W, if he will place copies of all unpublished results of market and opinion research relating to the work of the Millennium Commission and the operation of the Dome in the Library. [124905]

Janet Anderson *[holding answer 8 June 2000]:* The main focus of the Millennium Commission is the distribution of grants through its funding programmes. A small amount of market research has been carried out in relation to the way in which the Millennium Commission is viewed rather than the work that it has funded. The results have only internal relevance and are used by the Commission's Communications Department to assess the impact of their communications strategy. For this reason it would not be appropriate to publish or release this research. However, the Commission did undertake opinion research which looked at how MPs regard the work of the Commission. A summary of the results of this work will be placed in the Library.

The majority of market research relating to those projects funded by the Millennium Commission is undertaken by the projects themselves. As part of the application process and subsequent development and operation of projects, market research is often carried out. However, this research is the property of the projects and is provided to the Commission on a confidential basis.

Osborne Convalescent Home

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what legislative process is required to *(a)* repeal the Osborne Estates Act 1902 and *(b)* close the Osborne convalescent home. [127308]

Mr. Chris Smith *[holding answer 22 June 2000]:* An Act of Parliament is required to repeal the Osborne Estate Act 1902. Closure of the King Edward VII Convalescent Home does not require legislation. My responsibility under the 1902 Act is to devote part of Osborne house to

the benefit of members of the Armed Forces and Civil Service, but the running of a convalescent home is not a specific requirement.

Dome (Loans)

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what recent discussions he has had with interested parties concerning the loaning of public money to the Dome; and if he will make a statement. [129280]

Janet Anderson *[holding answer 6 July 2000]:* My right hon. Friend the Secretary of State has had no discussions with interested parties concerning the loaning of public money to the Dome.

New Millennium Experience Company

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport for what reason the signed-off accounts of the NMEC relating to the period ended 31 December 1999 have not been placed in the Library. [130395]

Janet Anderson *[holding answer 13 July 2000]:* The New Millennium Experience Company (NMEC) will publish its Annual Report and Financial Statement before the start of the Parliamentary recess as planned. Copies of the Report will be placed in the Libraries of the House.

Annual Reports

Mr. Rendel: To ask the Secretary of State for Culture, Media and Sport what the cost of producing the annual report of *(a)* the Arts Council of England and *(b)* the National Lottery was in each of the two most recent years in which they were published. [131121]

Kate Hoey *[holding answer 18 July 2000]:* I have asked the Arts Council of England to provide the separate costs of producing their grant-in-aid and National Lottery reports for 1998 and 1999. When this information is available, I will write to the hon. Member and place a copy in the Library of the House.

World Cup 2006

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the value for money obtained by the England bid to host the 2006 World Cup. [130844]

Mr. Chris Smith *[holding answer 17 July 2000]:* The Football Association's funding agreement with Sport England set out in detail how Lottery money could be used to support the 2006 World Cup bid—primarily the costs of staff, administration, events, exhibitions and technical studies. Sport England is fully satisfied with its monitoring arrangements for ensuring that the Lottery funding allocated to supporting the bid has been used with the maximum of economy.

The uses to which the bid's other sources of funding have been put are entirely matters for the FA, the Premier League and the bid's commercial sponsors.

World War II Commemoration

Mr. Cohen: To ask the Secretary of State for Culture, Media and Sport if he will implement the recommendation of Sir John Mortimer's Advisory Group that there should be in an open space a statue commemorating Women in World War II; and if he will make a statement. [130814]

Mr. Alan Howarth: Sir John Mortimer's advisory group considered that, rather than being placed on the vacant plinth in Trafalgar Square, the proposed memorial to Women in World War II should be located in a park or an open space where it could be more easily enjoyed. My right hon. Friend the Secretary of State agrees with the Mortimer group's recommendations. Finding an appropriate location for the memorial is a matter for the Women in World War II campaign charity. My Department is, however, currently exploring the possibility of a site in Whitehall which might be used for the proposed memorial.

Yorkshire and Humberside Regional Cultural Consortium

Mr. Denzil Davies: To ask the Secretary of State for Culture, Media and Sport what has been the total cost to public funds from its inception to the most recent date for which figures are available of administering the Yorkshire and Humberside Regional Cultural Consortium. [131243]

Janet Anderson: At 11 July 2000, the Regional Cultural Consortium for Yorkshire and the Humber had spent £15,000 from the budget allocated to it by my Department. Within that total, £12,000 has been spent on work in connection with the preparation of a regional cultural strategy, including the publication of a consultation paper "Towards a Cultural Strategy for the Yorkshire Region", while £3,000 has been spent on what might be deemed administration, for example organising and facilitating meetings and the travel and subsistence costs of Consortium members. It is not possible to cost staff time associated with the work of the Consortium for either the one staff member from my Department in the region, or for other help received from staff of the regional cultural agencies, regional partners and local authorities.

Note:

Figures have been rounded to the nearest £1,000.

ITV Nightly News

Mr. Kaufman: To ask the Secretary of State for Culture, Media and Sport if he will call for a report from the Independent Television Commission stating the deadline for compliance by ITV with the ITC's requirement to bring forward the timing of the nightly news. [130857]

Janet Anderson: I understand that the Independent Television Commission will consider the matter at their meeting on 20 July.

Hotel and Restaurant Regulation

Mr. Matthew Taylor: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the Better Regulation Task Force report entitled "Tackling the Impact of Increasing Regulation—A Case Study of Hotels and Restaurants"; and if he will make a statement. [130539]

Janet Anderson *[holding answer 17 July 2000]:* My right hon. Friend the Secretary of State and I welcome the Better Regulation Task Force's report. It recognises the key importance of hotels and restaurants to the national

economy, and the industry's concern about the possible impact of regulation on its successful development. This is something we are already addressing by improving the machinery for considering the effects of policies on hotels and restaurants—one of the outcomes of the first Tourism Summit of Ministers held earlier this year. My Department, as lead sponsor for the tourism industry, will be co-ordinating the Government's formal response to the report over the next three months. The response will be reported to the House.

PRIME MINISTER

Electronic Test Facility (Capenhurst)

Mr. Matthew Taylor: To ask the Prime Minister what representations he has received from the Irish Government with regard to the Ministry of Defence's Electronic Test Facility formerly sited at the British Nuclear Fuels Ltd. site at Capenhurst, Cheshire, since 26 July 1999; when they were received; and from which Irish Government Departments. [130494]

The Prime Minister: The Irish Foreign Minister spoke to my right hon. Friend the Foreign Secretary on 24 January about the allegations raised last year in a Channel 4 television programme about the Ministry of Defence's former Electronic Test Facility at Capenhurst.

I understand that the Irish Ambassador also raised these allegations at meetings with FCO officials on 12 October 1999 and 10 January 2000.

Kosovo

Mr. Dalyell: To ask the Prime Minister what assessment he has made of how long the presence of *(a)* the British Army and *(b)* KFOR will be required in Kosovo. [131063]

The Prime Minister: UNSCR 1244 did not set a fixed end-point for the deployment of the international security presence in Kosovo. The Government are doing all they can to encourage progress in Kosovo, but it is not possible at this stage to say when KFOR, including the British contribution to it, will be able to leave.

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Wednesday 19 July. [130795]

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I will have further such meetings later today.

LORD CHANCELLOR'S DEPARTMENT

Public Records

Mr. John M. Taylor: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 16 May 2000, *Official Report*, column 114W, about public records, if he will list the correspondence between Mr. Denis McCready and the Chairman or Secretary of the Advisory Council on Public Records during the period from 18 June 1997 to March 2000; and if he will publish the correspondence dated 14 and 17 June 1997. [130929]

Mr. Lock: There was no direct correspondence between Mr. Denis McCready and the Chairman or Secretary of the Advisory Council on Public Records during the period from 18 June 1997 to 31 March 2000. The correspondence dated 14 and 17 June was summarised in the answer given by my predecessor on 8 July 1999, *Official Report*, column 622W. It would not be appropriate to publish the correspondence in full as the letters were between the Advisory Council and a private citizen.

Mr. John M. Taylor: To ask the Parliamentary Secretary, Lord Chancellor's Department what action the Lord Chancellor will need to take in the next decade, under the provisions of the Public Records Act 1958, to release the Registrar General from his statutory duty to transfer the 1921 to 1971 census returns to the Public Record Office; and in which years that action will need to be taken. [130930]

Mr. Lock: Census returns are subject to 100 year closure, in line with section 1(3) of the Census Confidentiality Act 1991 and with the Government policy set out in the White Paper "Open Government" (Cm 2290, 1993). This is on the grounds that they consist of documents supplied in confidence, the disclosure of which would constitute a breach of good faith.

At present the census returns for 1921 to 1961 are retained by the Office for National Statistics under section 3(4) of the Public Records Act 1958. The following Lord Chancellor's Instruments (LCI) are current:

LCI (Retention of Public Records) No 23, 1992: retention of 1961 returns for 10 years (which gives authority for retention until 2003)

LCI (Retention of Public Records) No 38, 1996: retention of 1921 and 1951 returns for 10 years (which gives authority for retention until 2007).

The 1971 returns are not yet 30 years old and are therefore not due for transfer to the Public Record Office. In the next decade I would expect the Office for National Statistics to apply for further retention of these records under the Public Records Act 1958.

The Registrar General remains subject to the Public Records Act 1958 and under that legislation will continue to transfer census returns to the Public Record Office at the appropriate time.

Departmental Initiatives

Dr. Lynne Jones: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list each departmental initiative since May 1997 requiring bids for funding together with the total resources available, the number of successful bids and the proportion this represents of total bids received; and what data he collects on the average expenditure of organisations bidding for funding through each initiative. [131090]

Mr. Lock: I refer my hon. Friend to the answer given to her by my right hon. Friend the Chief Secretary to the Treasury on 17 July 2000, *Official Report*, column 93W, and to the Statement on the Spending Review made by my right hon. Friend the Chancellor of the Exchequer on 18 July 2000, *Official Report*, columns 219–44.

HEALTH

Residential Homes

Mr. Hilary Benn: To ask the Secretary of State for Health further to his written answer of 19 April 2000, *Official Report*, column 512W, when he expects to make an announcement on research into the impact on life expectancy of the closure of residential homes for the elderly. [130223]

Mr. Hutton: We are aware that when residential homes close, elderly residents may be affected. However, when such a decision is made, it is essential that there should be proper arrangements for the safe and satisfactory transfer of all residents to other suitable homes in a way which creates the minimum possible discomfort to all concerned.

We take research into life expectancy seriously. This is an issue that the Office for National Statistics tracks carefully and we are considering investing in a longitudinal study to give us information on life expectancy. However, we have concluded that research into life expectancy that focuses narrowly on the closure of residential homes cannot be a priority for public funding. It would be unlikely to have an impact on the life of elderly people or decisions about the closure of homes.

Parkinson's Disease

Jane Griffiths: To ask the Secretary of State for Health what assessment he has made of the efficacy of therapeutic cloning in the treatment of Parkinson's disease. [128877]

Yvette Cooper: The application of therapeutic cloning to human healthcare was considered by the Chief Medical Officer's Expert Group on Therapeutic Cloning. The group's report is currently being considered by Ministers.

Emergency Contraception

Ms Oona King: To ask the Secretary of State for Health if he will examine the feasibility of making the morning-after pill available on a non-prescription basis; and what recent representations he has received on making the morning-after pill available through specific certified outlets without prescription. [128764]

Yvette Cooper: The Medicines Control Agency is presently consulting on an application to reclassify levonorgestrel 0.75 milligramme for emergency contraception from prescription only to pharmacy availability for women aged 16 years and over. The consultation period ended on 29 June 2000. The responses will then be considered by the Medicines Commission and their recommendations presented to Ministers for a decision. If we decide to go ahead, an Order would be laid before the House later in the year.

Whatever is decided, emergency hormonal contraception, the morning after pill, will continue to be available, free of charge under existing National Health Service arrangements, from general practitioners, family planning clinics and some hospital accident and emergency departments.

Shona McIsaac: To ask the Secretary of State for Health (1) if he will make a statement on the availability of emergency contraception; [129944]

(2) what plans he has to make emergency contraception available over the counter at pharmacists. [129943]

Yvette Cooper: Emergency hormonal contraception is currently available on prescription through general practitioners, family planning clinics, youth services, walk in centres, and some accident and emergency departments. The Sexual Health/HIV Strategy is looking at improving access to National Health Service contraception services including emergency contraception products.

The Medicines Control Agency is presently consulting on an application to reclassify levonorgestrel 0.75 milligramme for emergency contraception from prescription only to pharmacy availability for women aged 16 years and over. The consultation period ended on 29 June 2000. The responses are to be considered by the Medicines Commission and their recommendations presented to Ministers for a decision. If it were decided to proceed, an Order would be laid before the House later in the year.

Shona McIsaac: To ask the Secretary of State for Health (1) what assessment he has made of the recent trials of over-the-counter prescribing of emergency contraception; [129942]

(2) what assessment he has made on the impact on levels of abortion in the trial areas for emergency contraception; and if he will make a statement. [129941]

Yvette Cooper: There are currently two pilot schemes run by health action zones (HAZs) in Manchester, Salford and Trafford and Lambeth, Southwark and Lewisham where emergency contraception is supplied by pharmacists, under a patient group direction. Both pilots form part of the HAZs' overall strategy to reduce the rate of unwanted pregnancies locally. Both pilots are to be fully evaluated and the results will be published.

Abortion data by health authority are published annually and provisional data for 2000 will not be available until May 2001. It is therefore too early to make any assessment on the impact on levels of abortion in the pilot areas. Fluctuations in the abortion rate may be subject to a number of different factors and it is therefore difficult to attribute any changes to one intervention or event. There have been no studies which have been able to predict the effect the availability of emergency contraception through pharmacies may have on unwanted pregnancy rates.

Mr. Gummer: To ask the Secretary of State for Health (1) for what reasons his Department encourages increased use of the morning-after pill as part of its National Sexual Health Strategy; and if he will make a statement; [130693]

(2) for what reasons his Department promotes the morning-after pill as a way to reduce the rate of teenage pregnancies; and if he will make a statement. [130692]

Yvette Cooper: Emergency contraception is a safe and effective method of preventing pregnancy when a woman has had unprotected sex or when she knows something

has gone wrong with her usual method. We therefore want to ensure the best possible access to emergency contraception for those who need it. The sexual health/HIV strategy is looking at improving access to the full range of National Health Service contraception services, including emergency contraception products. One of the aims of the strategy is to reduce the number of unintended pregnancies in all age groups, and reducing the rate of teenage pregnancy is one of my right hon. Friend the Secretary of State's key priorities.

Emergency contraception should not be seen as a replacement for regular contraception, as it is not as effective as regular hormonal contraception such as the pill and therefore should be used only as an occasional measure.

Mr. Gummer: To ask the Secretary of State for Health (1) what measures are in place to ensure that a woman's medical history is known before she is issued with the morning-after pill; and if he will make a statement; [130683]

(2) what follow-up care is available to women prescribed the morning-after pill; and if he will make a statement. [130684]

Yvette Cooper: The Faculty of Family Planning and Reproductive Health Care at the Royal College of Obstetricians and Gynaecologists have researched the available evidence and published updated Recommendations for Clinical Practice regarding emergency contraception in April of this year[1].

The Faculty recommendations advise that established pregnancy is the sole contraindication for use of hormonal emergency contraception (HEC). The Faculty considers that for all other women the benefits of HEC, particularly the progestogen-only method, generally outweigh the risks.

Regarding follow up action, the recommendations suggest that future contraception should be discussed sympathetically and, preferably arranged. Advice should be given as to when the woman can expect her next period and an appointment offered and/or arrangements made to discuss any problems including on-going contraception information/supply.

[1] Recommendations for clinical practice: emergency contraception. Faculty of Family Planning and Reproductive Health Care. April 2000 update.

Mr. Gummer: To ask the Secretary of State for Health how many prescriptions of the morning after pill there were in the last 10 years for which figures are available; and if he will provide a breakdown by age. [130727]

Yvette Cooper: The information requested is in the tables.

Table 1 shows the number of prescriptions dispensed in the community in England. A breakdown by age of the patient receiving these prescriptions is not available. Table 2 shows the number of prescriptions for hormonal emergency contraceptives prescribed at National Health Service family planning clinics in England from 1989 to 1998. Table 3 shows the number of prescriptions for hormonal emergency contraceptives prescribed at NHS family planning clinics in 1998–99, by age.

Table 1: Number of prescriptions dispensed in the community for Schering PC4 ('morning after pill'), 1989 to 1999

England	*Thousand*
Year	*Number of prescriptions*
1989	122.7
1990	189.6
1991	232.8
1992	272.2
1993	313.3
1994	363.8
1995	475.4
1996	565.6
1997	552.8
1998	559.8
1999	536.8

Notes:

1. The data for 1989 and 1990 are not strictly consistent with data from 1991 onwards.
2. Figures for 1989 and 1990 are based on fees and on a sample of 1 in 200 prescriptions dispensed by community pharmacists and appliance contractors only.
3. Figures for 1991 onwards are based on items and cover all prescriptions dispensed by community pharmacists, appliance contractors dispensing doctors and prescriptions submitted by prescribing doctors for items personally administered.

Table 2: Number of prescriptions for hormonal emergency contraceptives prescribed at NHS Family Planning Clinics in England from 1989 to 1998

Thousand

Year	*Number of prescriptions*
1989	36.9
1990	45.5
1991	63.0
1992	76.7
1993	92.2
1994	112.1
1995	157.6
1996	193.7
1997	205.1
1998	209.9

Source:
Department of Health Statistics Division SD2B
KT31

Table 3: Number of prescriptions for hormonal emergency contraceptives prescribed at NHS Family Planning Clinics in 1998–99, by age

Thousand

Age group	*Number of prescriptions*
All ages	209.9
Under 16	21.5
16–19	83.4
20–24	55.0
25–34	40.0
35 and over	10.0

Source:
Department of Health Statistics Division SD2B
KT31

Information about NHS Family Planning Clinic activity is derived from the Department of Health annual return KT31 and is published each year. The latest information is contained in the Statistical Bulletin "NHS Contraceptive Services, England: 1998–99". A copy of the bulletin is in the Library and can also be found on the Department of Health website www.gov.uk/public/sb9930.htm.

Mr. Gummer: To ask the Secretary of State for Health what discussions he has held with the All-Party Pharmacy Group on the morning-after pill; and if he will make a statement. [130688]

Yvette Cooper: There have been no discussions between Health Ministers and the All-Party Pharmacy Group on the issue of emergency contraception. However there has been correspondence between my hon. Friend the Member for Dartford (Dr. Stoate), chair of the group, and myself following the group's report on extending access to emergency contraception through community pharmacies.

Mr. Gummer: To ask the Secretary of State for Health if he defines the morning-after pill as an abortifacient; and if he will make a statement. [130691]

Yvette Cooper: The accepted legal and medical view is that emergency contraception is not a method of abortion. Emergency contraception pills work before implantation and so before a pregnancy has been established. Emergency contraceptive pills will not cause an abortion if taken after implantation.

My right hon. Friend the Attorney-General, in answering a parliamentary question in 1983, stated that medical practitioners would not be prosecuted for illegal abortion if they sought to prevent implantation by the use of the 'morning-after pill' or an inter-uterine device.

Mr. Robertson: To ask the Secretary of State for Health what advice he has issued to general practitioners on prescribing of the morning-after pill; and if he will make a statement. [131381]

Yvette Cooper *[holding answer 18 July 2000]:* None. Prescribing of emergency contraception is a matter for the clinical judgment of the practitioner concerned. The Faculty of Family Planning and Reproductive Health Care at the Royal College of Obstetricians and Gynaecologists recently researched the available evidence and published updated recommendations for clinical practice for emergency contraception in April this year.

Smoking Policy

Mr. Sarwar: To ask the Secretary of State for Health if he will make a statement on the role of Zyban in the development of the Government's policy on smoking. [128718]

Yvette Cooper: Zyban is now available on National Health Service prescription. Zyban is a non-nicotine based treatment which has been shown to be effective in helping smokers to quit in combination with motivational support. This drug is an entirely new approach to treating nicotine dependence and NHS availability will give general practitioners an effective way to help smokers.

Abortion

Mr. Amess: To ask the Secretary of State for Health what requirements abortion clinics must meet to be licensed by his Department. [129412]

Yvette Cooper: Any independent sector place wishing to carry out termination of pregnancy must first of all be registered with the local health authority under the Registered Homes Act 1984. All units are inspected and must undertake to comply with the Department's Required Standard Operating Principles (RSOP), which cover a variety of topics. The RSOPs can be found in the "Procedures For The Approval Of Independent Sector Places For The Termination Of Pregnancy". Copies are available in the Library.

Approved clinics are subject to regular unannounced inspections. Failure to comply with the RSOPs, or to maintain the standards required by my right hon. Friend the Secretary of State may lead to withdrawal of approval.

Mr. Amess: To ask the Secretary of State for Health if he will list the private sector clinics and hospitals providing abortions, indicating *(a)* the number of approved beds they contain and *(b)* whether they are approved for (i) surgical day care abortions with or without general anaesthetic and (ii) late abortions, indicating the name of the proprietor in each case. [129413]

Yvette Cooper: The number of approved beds is controlled by local health authorities under the Registered Homes Act 1984 and this information is not collated centrally. The independent sector places approved to carry out termination of pregnancy are shown in the table. All of them are approved to undertake surgical day care abortions, subject to their conditions of registration under the above Act. Clinics approved to perform abortions from 20 weeks up to 24 weeks gestation are identified in the table. No independent sector place is approved to carry out termination of pregnancy after 24 weeks gestation.

Name	*Proprietor*	*Abortion 20–24 weeks gestation*
Abbey Gisburne Park Hospital, Clitheroe	Abbey Hospitals Ltd.	—
BMI Alexandra Hospital, Cheadle	BMI Healthcare	—
BMI Bath Clinic	BMI Healthcare	—
BMI The Blackheath Hospital, London	BMI Healthcare	—
BMI The Chaucer Hospital, Canterbury	BMI Healthcare	—
BMI The Clementine Churchill Hospital, Harrow	BMI Healthcare	—
BMI The Droitwich Spa Hospital, Worcester	BMI Healthcare	—
BMI The Harbour Hospital, Poole	BMI Healthcare	—
BMI The Highfield Hospital, Rochdale	BMI Healthcare	—
BMI The Nuneaton Private Hospital	BMI Healthcare	—
BMI The Park Hospital, Nottingham	BMI Healthcare	—
BMI The Sandringham Hospital, King's Lynn	BMI Healthcare	—
BMI The Somerfield Hospital, Maidstone	BMI Healthcare	—
BMI The Winterbourne Hospital, Dorchester	BMI Healthcare	—
BPAS Blackdown Clinic, Leamington Spa	BPAS	Yes
BPAS Central London Clinic, London	BPAS	—
BPAS Danum Lodge Clinic, Doncaster	BPAS	Yes

Name	Proprietor	Abortion 20–24 weeks gestation
BPAS Dean Park Clinic, Bournemouth	BPAS	—
BPAS Leigham Clinic, London	BPAS	Yes
BPAS Merseyside Clinic, Liverpool	BPAS	—
BPAS Robert Clinic, Birmingham	BPAS	—
BPAS Rosslyn Clinic, East Twickenham	BPAS	Yes
BPAS Wistons Clinic, Brighton	BPAS	—
Bromhead Hospital, Lincoln	Bromhead Hospital Trust Ltd.	—
BUPA Alexandra Hospital, Walderslade	BUPA Hospitals Ltd.	—
BUPA Belvedere Hospital, Scarborough	BUPA Hospitals Ltd.	—
BUPA Chalybeate Hospital, Southampton	BUPA Hospitals Ltd.	—
BUPA Hospital Bristol	BUPA Hospitals Ltd.	—
BUPA Hospital Bushey, Watford	BUPA Hospitals Ltd.	—
BUPA Hospital Clare Park, Farnham	BUPA Hospitals Ltd.	—
BUPA Hospital Leicester	BUPA Hospitals Ltd.	—
BUPA Hospital Norwich	BUPA Hospitals Ltd.	—
BUPA Hospital Washington	BUPA Hospitals Ltd.	—
BUPA Hull and East Riding Hospital	BUPA Hospitals Ltd.	—
BUPA Murrayfield Hospital, Wirral	BUPA Hospitals Ltd.	—
BUPA North Cheshire Hospital, Warrington	BUPA Hospitals Ltd.	—
BUPA South Bank Hospital, Worcester	BUPA Hospitals Ltd.	—
Duchy Hospital, Truro	Community Hospitals Ltd.	—
Duchy Nuffield Hospital, Harrogate	Nuffield Nursing Homes Trust	—
Fitzwilliam Hospital, Peterborough	Community Hospitals Ltd.	—
Foscote Private Hospital, Banbury	Foscote Court (Banbury) Trust Ltd.	—
Marie Stopes Bristol Centre	Marie Stopes International	—
Marie Stopes Ealing Centre	Marie Stopes International	Yes
Marie Stopes Essex Centre	Marie Stopes International	—
Marie Stopes House	Marie Stopes International	—
Marie Stopes Leeds Centre	Marie Stopes International	—
Marie Stopes Manchester Centre	Marie Stopes International	—
Marie Stopes South London Centre	Marie Stopes International	Yes
New Hall Hospital, Salisbury	Community Hospitals Ltd.	—
New Victoria Hospital, Kingston upon Thames	Trustees of Hospital	—
Newcastle Nuffield Hospital	Nuffield Nursing Homes Trust	—
North London Nuffield Hospital, Enfield	Nuffield Nursing Homes Trust	—
Park Hill Hospital, Doncaster	Community Hospitals Group	—
Parkview Private Clinic Ltd, Wanstead	Parkview Private Clinic Ltd.	—
South Manchester Private Clinic, Stockport	Fraterdrive Ltd.	—
The Acland Nuffield Hospital, Oxford	Nuffield Nursing Homes Trust	—
The Calthorpe Clinic, Birmingham	The Calthorpe Clinic Ltd.	—
The Chesterfield Nuffield Hospital, Bristol	Nuffield Nursing Homes Trust	—
The Evelyn Hospital, Cambridge	Trustees of Hospital	—
The Exeter Nuffield Hospital	Nuffield Nursing Homes Trust	—
The Garden Hospital, Hendon	BMI Healthcare	—
The Hampshire Clinic, Basingstoke	BMI Healthcare	—
The Leicester Nuffield Hospital	Nuffield Nursing Homes Trust	—
The London Bridge Hospital, London	St. Martins Healthcare Ltd.	—
The North Staffordshire Nuffield Hospital, Newcastle under Lyme	Nuffield Nursing Homes Trust	—
The Plymouth Nuffield Hospital	Nuffield Nursing Homes Trust	—
The Portland Hospital, London	PPP/Columbia Healthcare Ltd.	Yes
The Rivers Hospital, Sawbridgeworth	Community Hospitals Ltd.	—
The Shropshire Nuffield Hospital, Shrewsbury	Nuffield Nursing Homes Trust	—
The Somerset Nuffield Hospital, Taunton	Nuffield Nursing Homes Trust	—
The Suffolk Nuffield Hospital at Christchurch Park, Ipswich	Nuffield Nursing Homes Trust	—
The Wellington Hospital, London	PPP/Columbia Healthcare Ltd.	—
The Woodland Hospital, Kettering	Community Hospitals Ltd.	—
The Wye Valley Nuffield, Hereford	Nuffield Nursing Homes Trust	—
The Yorkshire Clinic, Bingley	Community Hospitals Ltd.	—
Winfield Hospital, Gloucester	Community Hospitals Ltd.	—

Mr. Amess: To ask the Secretary of State for Health how many consent forms were signed by women in the years 1995 to 2000 permitting the use of fetal tissue from their aborted babies to be used in *(a)* research and *(b)* other purposes. [129411]

Yvette Cooper: The information requested is not available centrally.

Pregnancy Advice Bureaux

Mr. Amess: To ask the Secretary of State for Health if he will list the registered pregnancy advice bureaux. [129414]

Yvette Cooper: The following pregnancy advice bureaux are registered with the Department of Health.

BPAS Basingstoke Branch
BPAS Bath Branch
BPAS Birmingham Branch
BPAS Bournemouth Branch
BPAS Brighton Branch
BPAS Bristol Branch
BPAS Cannock Branch
BPAS Central London Branch
BPAS Chester Branch
BPAS Coventry Branch
BPAS Doncaster Branch
BPAS Finsbury Park Branch
BPAS High Wycombe Branch
BPAS Leeds Branch
BPAS Leigham Lodge, London
BPAS Liverpool Branch
BPAS Luton Branch
BPAS Manchester Branch
BPAS Milton Keynes Branch
BPAS Newcastle Branch
BPAS Peterborough Branch
BPAS Preston Branch
BPAS Richmond Branch
BPAS Sheffield Branch
BPAS Swindon Branch
BPAS Telford Branch
BPAS Torquay Branch
Choice Pregnancy Advisory Service, Bolton
Choice Pregnancy Advisory Service, Warrington
East Midlands Pregnancy Advisory Service, Nottingham
Marie Stopes Basildon Centre
Marie Stopes Bolton Centre
Marie Stopes Bradford Centre
Marie Stopes Brighton Centre
Marie Stopes Bristol Centre
Marie Stopes Canterbury Centre
Marie Stopes Chatham Centre
Marie Stopes Colchester Centre
Marie Stopes Crawley Centre
Marie Stopes Darlington Centre
Marie Stopes Ealing Centre
Marie Stopes Essex Centre
Marie Stopes Golders Green Centre
Marie Stopes House, London
Marie Stopes Leeds Centre
Marie Stopes Maidstone Centre
Marie Stopes Manchester Centre
Marie Stopes Milton Keynes Centre
Marie Stopes Newcastle Centre
Marie Stopes North London Centre
Marie Stopes Reading Centre 1
Marie Stopes Reading Centre 2
Marie Stopes Sittingbourne Centre
Marie Stopes South London Centre
Marie Stopes Staines Centre
Marie Stopes Tottenham Centre
Marie Stopes Watford Centre
Marie Stopes Woking Centre
Pregnancy Advisory Service, Blackpool
Pregnancy Advisory Service, Manchester
Pregnancy Advisory Service, Stoke
Pregnancy Advisory Service, Wolverhampton
Regents Park Clinic, London
South Manchester Pregnancy Advice Services, Stockport
The Calthorpe Clinic, Birmingham.

Bone Marrow Donors

Fiona Mactaggart: To ask the Secretary of State for Health what steps have been taken to increase the proportion of bone marrow donors of Asian ethnic origin. [129268]

Mr. Denham: The National Blood Service recruits bone marrow donors from existing blood donors and ran a campaign last year to recruit more Asian blood donors. The NBS do not collect data on the ethnic origin of donors, but estimate that 2 per cent. of donors on the British Bone Marrow Donor Registry (which covers England, Scotland and Northern Ireland) are of ethnic origin compared with the United Kingdom ethnic minority population of roughly 7 per cent. Cord blood donation is an alternative to bone marrow donation in the treatment of some illnesses, and information from the NBS's cord blood donation programme indicates that over 40 per cent. of donations are from ethnic minority groups. I have asked the National Blood Service to explore what further steps can be taken to recruit more blood and bone marrow donors from the Asian community.

Community Nurses

Dr. Cable: To ask the Secretary of State for Health what is the percentage change in the real value, adjusted for costs, of the mileage allowance awarded to community nurses since 1994; and what plans he has to grade the allowance. [129462]

Mr. Denham: Mileage allowances for staff on national contracts is determined by an agreement of the General Whitley Council. Rates have been set under an agreed formula linked to the Automobile Association schedule of motoring costs which has been reviewed annually by the Council. No increases have been made to these allowances since 1993.

Increases in mileage allowances which take account of higher fuel costs were offered to Staff Side representatives on 17 July. Trade unions are now considering this offer.

Hospital Waiting Times

Mr. Steen: To ask the Secretary of State for Health what the average waiting times are for NHS *(a)* cancer treatments, *(b)* cardiology and *(c)* transplant therapy in (i) the UK, (ii) England and (iii) Devon. [129662]

Mr. Denham *[holding answer 7 July 2000]:* The information given relates to England only. Waiting time data for Scotland, Wales and Northern Ireland are a matter for the individual Assemblies.

Waiting times for cancer treatment are recorded under the relevant specialities and are not identifiable separately. Average waiting times for cardiology and first graft transplants are given in the tables.

Average (median) waiting times for cardiology

1999–2000/Quarter	*Months*
England	
1	2.5
2	2.6
3	2.6
4	2.7
South and West Devon	
1	7.2
2	6.4
3	6.3
4	5.2
North and East Devon	
1	3.5
2	2.3
3	3.0
4	4.2

Source:
QF01 quarterly return (health authority based figures)

Average (median) waiting times for first graft transplants since 1996—England

Transplant	*Days*
Kidney[1]	245
Liver[2]	46
Heart	81
Lung	179
Heart/Lung	200

[1] Kidney transplants since 1990
[2] Excludes "super urgent"
Note:
Figures for Devon are not provided as the local unit only deals with kidney cases
Source:
United Kingdom Transplant Support Service Authority

Coronary Deaths

Mr. Hancock: To ask the Secretary of State for Health by how much deaths from heart disease and strokes have been reduced since May 1997; if Government targets for reducing the number of such deaths are being met in these areas; and if he will make a statement. [130384]

Yvette Cooper: Tackling heart disease and stroke is a top Government priority. Our target for reducing deaths in this area was set out in the White Paper "Saving Lives: Our Healthier Nation" published in July 1999. It is to reduce the death rate from heart disease, stroke and related conditions in those aged under 75 years by at least two fifths (40 per cent.) by the year 2010, from a three-year average baseline at 1995/96/97.

The target was set for the year 2010 because it will take time for interventions in this area to translate into outcomes in terms of mortality rates. Latest available data still pre-date the start of the "Our Healthier Nation" strategy, but show that the three-year average age standardised death rate from circulatory diseases in people aged under 75 fell from 139.6 per 100,000 population in 1995/96/97 to 133.8 per 100,000 population in 1996/97/98—a 4 per cent. fall.

The downward trend in death rates and the Government's "Saving Lives: Our Healthier Nation" strategy should be reinforced by the National Service Framework on Coronary Heart Disease. The Framework, which we published in March this year, sets out our plans for the development of services for the prevention and treatment of coronary heart disease over the next ten years. It will be a key strand in our strategy to reduce both mortality and morbidity from heart disease.

Cystic Fibrosis

Mr. Sheerman: To ask the Secretary of State for Health what advice his Department gives to doctors on the process of screening for cystic fibrosis. [130389]

Mr. Denham: The United Kingdom National Screening Committee (NSC) advises the Government on all aspects of screening policy. The NSC does not currently recommend antenatal screening for cystic fibrosis as there are too many gene mutations associated with early cystic fibrosis identification and too little information on their clinical severity to enable counsellors to facilitate informed choice. The UK National Screening Committee will review this approach in the light of any new evidence. As yet, there is insufficient evidence of benefit to recommend national neonatal screening. The NSC is considering how to make progress on this issue.

Prostate Cancer

Mr. Sheerman: To ask the Secretary of State for Health how much was spent on health campaigns aimed at promoting greater awareness of prostate cancer in each of the past 10 years. [130387]

Yvette Cooper: It is not possible to provide information in the form requested. A number of campaigns have covered both prostate cancer awareness and other issues and the sums spent on prostate cancer cannot be disaggregated from the total.

The Department provides information for the public, in leaflets and through health education campaigns. These encourage people to report to their general practitioner or other health professional any persistent or unusual symptoms which may indicate cancer or other disease.

We encourage early detection of prostate cancer and have announced that, by December 2000, all urgent general practitioner referrals of suspected cases should be seen by a consultant within two weeks of referral.

Little research has been carried out worldwide into prevention of prostate cancer and detection. In June, my right hon. Friend the Secretary of State announced an extra £1 million to fund two new research projects. The first of these will be examining the acceptability of the treatment and diagnosis options to men who are randomly offered testing. The second project is looking at innovative new detection and treatment techniques.

We have also invested £200,000 from the Public Health Development Fund to develop, pilot and evaluate an education programme on prostate cancer especially the risks associated with screening and testing. This money will also go towards developing other materials aimed at changing attitudes among men to facilitate early detection and prevention of cancer.

We are in the early stages of developing a prostate cancer action plan which we will consult on. The plan will set out the current position on research, diagnosis and treatment of prostate cancer and will propose recommendations for future action.

Respiratory Diseases

Mr. Blizzard: To ask the Secretary of State for Health what plans he has to produce a national service framework for lung and respiratory diseases. [130729]

Mr. Denham: We are taking forward the National Service Framework (NSF) programme with the development of one new NSF per year. We will consider the proposed service area or care group for the next NSF against the criteria set out in "A First Class Service", as well as the priorities and targets identified in the National Plan.

Mr. Blizzard: To ask the Secretary of State for Health if he will exempt patients suffering from respiratory diseases from charges for on-going prescriptions for inhalers, steroids and water tablets. [130730]

Ms Stuart: We reviewed the prescription charging arrangements as part of the Comprehensive Spending Review and concluded that the present arrangements should remain for the rest of this Parliament.

HIV

Mr. Borrow: To ask the Secretary of State for Health if he will estimate the proportion of the total number of HIV transmissions which occurred in the UK through sex between men in the last 12 months. [130474]

Yvette Cooper: Figures are not yet available for the whole of the last 12 months. 42 per cent. of HIV infections diagnosed in the United Kingdom in 1999 and reported to the end of March 2000 were probably acquired through sex between men. When diagnoses of infections probably acquired abroad are excluded, the estimated proportion of infections occurring in the UK through sex between men rises to approximately 70 per cent.

Mr. Borrow: To ask the Secretary of State for Health what proportion of HIV prevention budgets *(a)* spent by his Department and *(b)* spent through health authorities are targeted at men who have sex with men. [130473]

Yvette Cooper: In 1999–2000, of the £3 million allocated to national HIV health promotion and prevention, £1.1 million was spent on work targeting men who have sex with men. Health authorities received £53.4 million for local HIV prevention work, of which they were required to spend at least 50 per cent. on groups at increased risk of HIV, including men who have sex with men.

Pharmacies

Mr. Borrow: To ask the Secretary of State for Health what recent representations his Department has received on the regulations governing the provision of pharmacies; and if he will make a statement. [130641]

Ms Stuart: The Department regularly receives representations and suggestions from individuals and organisations about the regulations which govern the provision of National Health Service pharmaceutical services.

Asthma

Mr. Hancock: To ask the Secretary of State for Health what assessment he has made of the impact of the Government's target of reducing admissions to hospitals of people suffering from asthma on the health of asthma sufferers; and if he will make a statement. [130480]

Mr. Denham: The total number of hospital admissions where asthma was the cause has declined over the last seven years. In 1993–94 a total of 92,820 episodes were recorded for asthma, compared with 69,824 admissions in 1998–99. This reduction has taken place during a period when the total number of emergency admissions for other conditions has continued to increase.

Health Care (Suffolk)

Mr. Ruffley: To ask the Secretary of State for Health what estimate he has made of the surplus or deficit in the *(a)* Suffolk health authority and *(b)* West Suffolk NHS Trust for health care in each of the financial years (i) 1997–98, (ii) 1998–99 and (iii) 1999–2000. [130742]

Mr. Denham: The surplus and deficit positions for Suffolk health authority and West Suffolk Hospitals National Health Service Trust are shown in the table.

£

Financial year	*Suffolk health authority*	*West Suffolk Hospitals National Health Service Trust*
1997–98	178,000 (deficit)	32,000 (deficit)
1998–99	964,000 (deficit)	28,000 (surplus)
1999–2000	Information will be available when the audited annual accounts are received in the autumn	

Sources:
Suffolk Health Authority Accounts 1997–98 and 1998–99
West Suffolk Hospitals National Health Service trust summarisation schedules 1997–98 and 1998–99

Clozapine

Dr. Cable: To ask the Secretary of State for Health which district health authorities prescribe clozapine for schizophrenia; and how many schizophrenics receive the drug, broken down by health authority, in the United Kingdom. [130944]

Mr. Hutton *[holding answer 17 July 2000]:* The list shows the health authorities in England where clozapine was prescribed by general practitioners and dispensed in the community in 1999. We do not hold equivalent information for hospitals.

The number of schizophrenic patients receiving clozapine is not available.

Health authorities in England where clozapine was prescribed by general practitioners and dispensed in the community in 1999

Avon
Barking and Havering
Barnet
Bedfordshire
Berkshire
Bexley and Greenwich
Birmingham
Bradford
Brent and Harrow
Bromley
Buckinghamshire
Bury and Rochdale
Calderdale and Kirklees

Cambridgeshire
Camden and Islington
Cornwall and Isles of Scilly
County Durham and Darlington
Coventry
Croydon
Dorset
East and North Hertfordshire
East Kent
East Lancashire
East London and The City
East Riding and Hull
East Surrey
East Sussex, Brighton and Hove
Enfield and Haringey
Herefordshire
Hillingdon
Kensington, Chelsea and Westminster
Lambeth, Southwark and Lewisham
Leeds
Leicestershire
Liverpool
Manchester
Merton, Sutton and Wandsworth
Norfolk
North and East Devon
North and Mid Hampshire
North Cheshire
North Cumbria
North Derbyshire
North Essex
North Nottinghamshire
North Staffordshire
North West Lancashire
North Yorkshire
Northamptonshire
Nottingham
Oxfordshire
Portsmouth and South East Hampshire
Redbridge and Waltham Forest
Salford and Trafford
Shropshire
Somerset
South and West Devon
South Cheshire
South Humber
St. Helens and Knowsley
Stockport
Suffolk
Walsall
Warwickshire
West Hertfordshire
West Kent
West Pennine
West Surrey
West Sussex
Wiltshire
Wirral
Worcestershire.

Newcastle Hospitals Trust

Mr. Cousins: To ask the Secretary of State for Health if he has agreed to the release of conventionally financed capital expenditure to prepare the way for the Newcastle Hospitals Trust Private Finance Initiative scheme. [130829]

Mr. Denham *[holding answer 17 July 2000]:* The consultation draft of a business case relating to the enabling works was received by the National Health Service Executive on 3 July 2000 and is now under assessment alongside the business cases for the later private finance initiative schemes. The National Health Service Executive needs to undertake a full and proper review of the documents in accordance with established procedure to ensure that appropriate approval standards are met. I cannot of course pre-determine the outcome of that review.

The National Health Service Executive has consistently reported its strong support for this scheme, most notably during the approval of the original strategic outline case during 1998, and when the strategic outline case needed approval reconfirmed in 1999 following the increase in the capital cost of the scheme. The National Health Service Executive is well aware of the Newcastle upon Tyne Hospitals National Health Service Trust's recommendation publicly to fund elements of this scheme, and its justification for that approach. However, final confirmation of public funding will be determined following the assessment of the business cases, and taking into consideration the relative priority of all bids upon the capital programme.

The National Health Service Executive is in dialogue with the trust and the Newcastle and North Tyneside health authority on this scheme, and a great deal of work is being undertaken to bring this phase of the process to a conclusion as soon as possible.

Allergies

Dr. Kumar: To ask the Secretary of State for Health (1) what the average waiting time was for children requiring tests to determine whether they suffer from nut allergies in the last 12 months; and if he will make a statement; [130999]

(2) how many of those children tested for allergies, expressed in each case as a figure and a percentage of total tested, were referred by *(a)* GPs, *(b)* hospitals and *(c)* parents; and if he will make a statement; [130997]

(3) how many children are waiting to be tested to determine whether they suffer from nut allergies; and if he will make a statement. [131000]

Yvette Cooper *[holding answer 17 July 2000]:* Patients who are suspected of having a nut allergy are normally referred to a clinical immunology and allergy clinic. The outpatient waiting times data do not differentiate between reasons for referral nor between adults and children. During the year 1999–2000 there were 4,304 referrals from general practitioners and 965 from other sources. At the time of their first outpatient attendance 1,923 patients had waited less than 13 weeks; 1,069 patients waited between 13 and 25 weeks; and 508 patients waited more than 26 weeks.

Dr. Kumar: To ask the Secretary of State for Health (1) how many children were diagnosed with *(a)* asthma, *(b)* nut allergies and *(c)* other allergies in (i) the UK, (ii) Teesside Region and (iii) the constituency of Middlesbrough, South and Cleveland, East in each year from 1990 to 2000; and if he will make a statement; [131008]

(2) how many children were tested for allergies in *(a)* the UK, *(b)* Teesside Region and *(c)* the constituency of Middlesbrough, South and Cleveland, East in each year between 1990 to 2000; and if he will make a statement. [130998]

Yvette Cooper *[holding answer 17 July 2000]:* Data are not collected centrally to show the number of people who are tested and diagnosed with an allergy. Patients with suspected allergies are often referred to clinical immunology and allergy outpatient clinics where they are tested for allergy. The figures indicate the number of patients attending a clinic in England for the first time.

Year	*Number*
1992–93	44
1993–94	1,486
1994–95	2,293
1995–96	1,379
1996–97	2,382
1997–98	3,355
1998–99	3,655

Source:
DH form KH09

These figures do not show all allergy testing as some takes place in other specialities or in primary care. Age groups are not specified. Clinical Immunology and Allergy was only recognised as a medical speciality in June last year. Consequently, detailed statistical information for allergy is only now being collated and is not yet available.Key health statistics for general practice database published in 1996, demonstrated the incidence of diagnosed asthma in children aged 0–15 years per 10,000 population.

Year	*Number*
1994	1,010
1995	1,023
1996	1,012

Coronary Bypasses

Mr. Swayne: To ask the Secretary of State for Health how many coronary bypass graft operations have been carried out on the National Health Service in each of the last five years. [130505]

Yvette Cooper *[holding answer 17 July 2000]:* The numbers of coronary artery bypass graft operations carried out in National Health Service trusts in England for the past five years for which figures are available are as follows.

Year	*Number*
1994–95	22,433
1995–96	21,599
1996–97	21,462
1997–98	21,110
1998–99	22,494

Last October, we announced an investment of £50 million, which will enable a further 3,000 bypass operations to be carried out by April 2002. In March this year we also published the National Service Framework for coronary heart disease, a 10-year plan for improving the prevention, treatment and diagnosis of heart disease.

Hip Replacements

Mr. Swayne: To ask the Secretary of State for Health how many total hip replacements have been carried out on the National Health Service in each of the last five years; and how many of these were primary hip replacements. [130506]

Mr. Denham *[holding answer 17 July 2000]:* The information requested is in the table.

Total hip replacement operations—finished consultant episodes (FCE)[1] by selected operation in NHS hospitals, England, 1994–95 to 1998–99

	1994–95	*1995–96*	*1996–97*	*1997–98*	*1998–99*
Primary operation	36,506	39,387	34,256	33,843	37,189
Revision operation	3,330	3,693	3,691	3,683	4,013
Total	39,836	43,080	37,947	37,526	41,202

[1] An FCE is defined as a period of patient care under one consultant in one health care provider. The figures therefore represent the number of operations done rather than numbers treated.
Source:
Hospital Episodes Statistics (HES)—Department of Health

Training Places

Helen Jones: To ask the Secretary of State for Health how many *(a)* training places available for physiotherapists and *(b)* applicants for places there were in each of the past 10 years. [130671]

Mr. Denham *[holding answer 18 July 2000]:* These data are not collected centrally.

Data on the number of training places and the total number of applicants for places are matters for University and Colleges Admissions Service.

The number of training places funded by the National Health Service through the Non-medical Education and Training (NMET) levy is set out in the table.

Total NMET commissioned training places

Year	*Physiotherapy*
1992–93	830
1993–94	923
1994–95	915
1995–96	981
1996–97	1,093
1997–98	1,204
1998–99	1,344
1999–2000	1,586

Notes:
Data for 1998–99 and 1999–2000 are planned and may be subject to change.
These data are for each year since 1992–93. Figures are not available for years preceding 1992–93.

Helen Jones: To ask the Secretary of State for Health how many *(a)* training places available for occupational therapists and *(b)* applicants for places there were in each of the past 10 years. [130667]

Mr. Denham *[holding answer 18 July 2000]:* These data are not collected centrally.

Data on the number of training places and the total number of applicants for places are a matter for the University and Colleges Admissions Service.

The number of training places funded by the National Health Service through the Non-medical Education and Training (NMET) levy is set out in the table.

Total NMET commissioned training places

Year	*Occupational Therapy*
1992–93	831
1993–94	806
1994–95	871
1995–96	939
1996–97	958
1997–98	1,107
1998–99	1,135
1999–2000	1,349

Notes:
Data for 1998–99 and 1999–2000 are planned and may be subject to change.
These data are for each year since 1992–93. Figures are not available for years preceding 1992093.

Section 64 Grants

Helen Jones: To ask the Secretary of State for Health if he will list, for each year since 1991, those health authorities that have underwritten liabilities stemming from contracts entered into by another party in receipt of a section 64 grant, indicating in each case the total cost to the NHS. [130511]

Mr. Denham *[holding answer 18 July 2000]:* The information requested is not available centrally.

Staffing Levels

Helen Jones: To ask the Secretary of State for Health how many whole-time equivalent staff per head of the population in each of the categories *(a)* Occupational Therapists, *(b)* Physiotherapists, *(c)* Speech and Language Therapists and *(d)* Chiropodists and Podiatrists there were in each community trust in the North West region. [130666]

Mr. Denham *[holding answer 18 July 2000]:* The available information is in the table.

National Health Service Hospital and Community Health Services: Qualified Chiropodists, Occupational Therapists, Physiotherapists and Speech and Language Therapists, in community trusts, and rate per 100,000 population in the North West region as at 30 September 1999

Whole-time equivalents

	Occupational Therapists	*Physiotherapists*	*Language Therapists*	*Chiropodists*
All staff	460	330	380	340
Rate	6.93	5.03	5.82	5.15
Bay Community NHS Trust	40	30	30	20
Blackpool Wyre and Fylde Community Healthcare	80	40	30	30
Cheshire Community Healthcare NHS Trust	10	30	20	20
Chester and Halton Community NHS Trust	20	30	30	20
Communicare NHS Trust	20	0	30	20
Comm. Healthcare Bolton NHS Trust	20	20	30	30
Guild Community Healthcare NHS Trust	40	20	20	10
Mancunian Community Health NHS Trust	40	40	60	50
North Mersey Community NHS Trust	40	10	40	30
North Sefton and West Lancashire Community NHS Trust	30	20	20	20
Salford Community Healthcare NHS Trust	10	20	20	20
St. Helens and Knowsley Community NHS Trust	0	0	20	30
Tameside and Glossop Community NHS Trust	30	20	10	20
Warrington Community Healthcare NHS Trust	30	20	20	10
Wirral and West Cheshire Community NHS Trust	60	40	20	20

Number of qualified staff per 100,000 population based on 1999 projected figures
Notes:
1. Figures are rounded to the nearest 10
2. Due to rounding totals may not equal the sum of component parts
Sources:
Department of Health Non-Medical Workforce Census
Office for National Statistics (ONS)

Family Planning

Mr. Robertson: To ask the Secretary of State for Health what discussions he has had with the Family Planning Association regarding the contents of its information booklet on abortion; and if he will make a statement. [131354]

Yvette Cooper *[holding answer 18 July 2000]:* The FPA (formerly the Family Planning Association) did not discuss with the Department the contents of their booklet "Abortion—Just so you know". The FPA invited the Department's comments on the final draft to ensure that legal and medical information was accurate.

The booklet should help young people to have a better understanding of abortion. However, any young woman facing an unwanted pregnancy should seek advice from her general practitioner or family planning clinic, in order to explore all options available to her.

Severalls Hospital

Mr. Bob Russell: To ask the Secretary of State for Health when he expects the sale of the former Severalls Hospital at Colchester to be completed. [131115]

Mr. Denham: The Severalls Hospital site is not currently being marketed. My right hon. Friend the Secretary of State is currently seeking planning consent for the site, which is dependent on adjoining land and road access to be discussed with Colchester borough council. Subject to this, it is anticipated that the Severalls Hospital site will be put on the market between autumn 2001 and spring 2002.

Chronic Fatigue Syndrome

Mr. Paul Marsden: To ask the Secretary of State for Health if he will review the ALAMA guidelines for Occupational Medicine of 1996 regarding ill-health retirement for people suffering from chronic fatigue syndrome; and if he will make a statement. [124472]

Yvette Cooper: My right hon. Friend the Secretary of State for Health does not have the power to review the "Ill Health Retirement Guidelines for Occupational Physicians". The guidelines were produced by a working party of the Association of Local Authority Medical Advisers (ALAMA) to help doctors arrive at equitable decisions when assessing applications for ill health retirement.

Diabetes

Mr. Singh: To ask the Secretary of State for Health what plans he has for increasing diabetes risk awareness among the Asian and African-Caribbean population. [125956]

Yvette Cooper: We recognise the importance of raising awareness about the risk factors and symptoms of diabetes among both the public and health care professionals, including the Asian and African-Caribbean populations. We announced last year the development of a National Service Framework (NSF) for diabetes in England, to be published in 2001. The aims of the diabetes NSF are to improve health outcomes for people with diabetes by raising the quality of services and reducing variations between them. The scope of the NSF is broad and covers prevention, identification and management of diabetes and its complications, including rehabilitation and continuing care. The diabetes NSF will pay particular heed to the needs of those who are disproportionately affected by diabetes, such as people from minority ethnic groups.

Cancer Treatment Centres

Mr. Cox: To ask the Secretary of State for Health if he will list the cancer treatment centres available in NHS hospitals in the Greater London area. [127157]

Yvette Cooper: The Calman/Hine Report, "A Policy Framework for Commissioning Cancer Services", recommended that networks of care should be developed encompassing primary care, cancer units and cancer centres. The Report provided a broad service model framework for the development of cancer units and cancer centres, but did not set national standards. The first stage of Calman/Hine has reflected early implementation of the Calman/Hine recommendations, reflected the different starting points across the county, and allowed an evaluation of services by health authorities and regional offices, based on general Calman/Hine principles, to fit local needs.

The London Regional Office has identified five cancer networks in London and the Cancer centres in each network as follows:

South East London

Joint Cancer Centre: Guy's and St. Thomas' Hospital NHS Trust

King's Healthcare NHS Trust (known as GKT)

South West London

Joint Cancer Centre: Royal Marsden NHS Trust (Sutton/Fulham)

St. George's Healthcare NHS Trust

North West London

Hammersmith Hospitals NHS Trust

(Charing Cross and Hammersmith sites)

North Central London

Joint Cancer Centre: University College London Hospitals NHS Trust

Royal Free Hampstead NHS Trust

Linked with North Middlesex Hospital NHS Trust as a radiotherapy provider

North East London

Joint Cancer Centre: St. Bartholomew's and The London NHS Trust

Havering Hospitals NHS Trust (Oldchurch).

In addition, the cancer centre at West Hertfordshire Hospitals NHS Trust, located in the Eastern Region provides cancer centre services to some of the population of the London Region especially Hillingdon Health Authority, Brent and Harrow Health Authority and Barnet Health Authority.

Health and Social Care (Rural Areas)

Mr. Hancock: To ask the Secretary of State for Health what plans he has to address health and social care problems of rural areas in the United Kingdom; and if he will make a statement. [127299]

Mr. Denham: The National Plan for the National Health Service, due to be published later this month, will address the issue of how to improve partnership between health and social care throughout the country. Our plans to improve services across the board in rural areas will be addressed in the forthcoming Rural White Paper.

Children's Services

Mr. Gareth R. Thomas: To ask the Secretary of State for Health what assessment he has made of local councils' plans to improve children's services; and if he will make a statement. [131790]

Mr. Hutton: I have today placed in the Library a copy of the report "Tracking Progress in Children's Services: An Evaluation of Local Responses to the Quality Protects Programme Year 2".

When we launched the Quality Protects programme in September 1998, we required local authorities to submit annual Management Action Plans to show how they were intending to improve the management and delivery of children's social services. This report presents the key

messages and findings from the second round of Management Actions Plans (MAPs) which were received in January 2000.

Councils have made a good start over the past year in implementing the Quality Protects programme. For example we have seen:

more corporate working across councils and more partnership working with voluntary organisations

an increase in the proportion of children looked after in foster care or placed for adoption

a reduction in re-registrations on the child protection register

more support being given to care leavers

an increase in education support being given to looked after children

more councils listening to children and young people in their care

improvements in the collecting and using of management information.

But if there are to be real and lasting gains for children, these early improvements must be built on and further substantial progress made in 2000–01. The Government's determination to support this change is demonstrated by the significant increase in special grant available for funding this year (from £75 million to £120 million). We will expect progress in 2000–01 to be commensurate with this increase in funding.

Ambulance Services

Mr. Chidgey: To ask the Secretary of State for Health in the consultation on the delivery of modern ambulance services in the South East Region of the NHS, what assessment he has made of the cost to fundholders of reorganisation *(a)* in total and *(b)* for each of the eight ambulance service trusts; what provision he has made to meet these costs through additional funding; when the allocations made to these trusts to help reach new standards will be dispensed to them in full from the £21 million allocated for this purpose by his Department; what measures he is proposing to ensure that adequate resources are safeguarded for rural services; and if he will make a statement. [131215]

Ms Stuart: We have invested an extra £21 million to help ambulance services speed up response times. Of this, the South East Region received a total of £4.2 million.

All eight ambulance services in the south east have developed and agreed a vision to ensure that the region's population have speedy access to high quality, modern and dependable ambulance services which are integrated with care provided by local National Health Service partners and other agencies.

Further work is currently being undertaken before final proposals are subject to full public consultation.

Health Action Zones

Mr. Swayne: To ask the Secretary of State for Health if he will list the budget allocation for each health action zone in each year since their introduction and for next year. [130512]

Mr. Hutton: The information requested for 1998–99 to 2000–01 is given in the table. Decisions on funding for 2001–02 have not yet been made.

Health action zone funding: 1998–99 to 2000–01

£000

HAZ	*1998–99*	*1999–00*	*2000–01*	*Total*
1st wave				
Lambeth, Southwark and Lewisham	1,206	6,137	7,415	14,758
East London	777	5,535	6,339	12,661
Plymouth	410	2,043	2,258	4,711
Luton	309	1,300	2,622	3,871
Sandwell	501	2,302	2,794	5,597
South Yorkshire Coalfields	820	5,539	6,484	12,843
Manchester, Salford and Trafford	992	7,050	8,496	16,538
Bradford	502	3,822	4,705	9,029
Tyne and Wear	906	8,709	9,815	19,500
Northumberland	292	2,395	2,773	5,460
North Cumbria	447	2,298	2,515	5,260
1st wave total	7,162	47,141	55,856	110,228
2nd Wave				
Tees	20	3,232	5,381	8,633
Wakefield	20	1,666	2,620	4,306
Leeds	20	3,610	5,863	9,492
Hull and East Riding	20	2,824	4,727	7,571
Merseyside	20	7,445	12,246	19,711
Bury and Rochdale	20	2,004	3,263	5,287
Nottingham	20	3,105	5,047	8,172
Sheffield	20	2,923	4,599	7,542
Leicester City	20	1,502	2,510	4,032
Wolverhampton	20	1,388	2,320	3,728
Walsall	20	1,376	2,345	5,741
North Staffordshire	20	2,056	3,189	5,265
Cornwall and Isles of Scilly	20	2,288	3,641	5,949
Camden and Islington	20	2,372	3,734	6,126
Brent	20	1,294	1,996	3,310
2nd wave total	300	39,085	63,480	101,064
Central and other innovations	364	1,700	1,517	3,581
Total	7,826	87,926	120,853	216,673

Notes:

HAZ funding comes from a number of sources:

1. The HAZ central budget comprising three elements:

programme funding for joint projects with other agencies (1998–99 to 2000–01);

innovations funding (1999–2000 and 2000–01);

central and other innovations (1998–99 to 2000–01).

In 1998–99 a small part of the purchaser development budget was used to provide some start up costs for HAZs;

2. Funding for smoking cessation for 1999–2000 and 2000–01.

3. Funding for drugs prevention services in 1998–99 and 1999–2000. In 1998–99 and 1999–2000 1st wave HAZs received the allocation and in 2000–01 2nd wave HAZs receive the money.

4. Targeted funds for deprived areas. This is allocated to health authorities which include HAZs within their boundaries.

SOCIAL SECURITY

Postal Service (Benefits)

Mr. Willetts: To ask the Secretary of State for Social Security (1) how many claims process errors have been identified by local authorities using the "do not re-direct" postal service for benefit-related envelopes; [131355]

(2) how many local authorities using the "do not re-direct" postal service for benefit-related envelopes have received *(a)* no returned mail and *(b)* returned mail, indicating the volume returned in each case; [131386]

(3) how many cases of benefit fraud have been discovered by local authorities as a result of the "do not re-direct" postal service for benefit-related envelopes. [131356]

Angela Eagle: The information requested is not available. However, from 2000–01, local authorities are asked to provide details of the number of cases where fraud has been established as a result of using the "do not re-direct" service.

The recent Local Authority Omnibus Survey, published in April 2000, showed that of those authorities surveyed and operating "do not re-direct", around three-quarters said that it had enhanced their ability to protect the system against fraud, and more than half believed that it led to the identification of fraudulent activity. The deterrent effect of the scheme is less easy to quantify.

Mr. Willetts: To ask the Secretary of State for Social Security which local authorities have yet to implement fully the "do not re-direct" postal service for benefit-related envelopes; and what reasons they have given for the delays. [131357]

Angela Eagle: According to information we have received from the Royal Mail, there are currently 57 local authorities who have not joined the "do not re-direct" postal service.

The following list shows the authorities that have not joined, or contacted their local Royal Mail sales centre to join, the scheme to date. The Royal Mail, in turn, depends on their local sales centres to keep them informed as authorities join up.

Some of these authorities have in place arrangements with their local sorting office which fall outside of the national scheme. Others are proposing to join.

Argyll and Bute
Blaenau Gwent
Bolsover
Bromley
Broxbourne
Caradon
Charnwood
Chelmsford
Dartford
Daventry
Derby
Dumfries and Galloway
East Ayrshire
East Dorset
East Dunbartonshire
East Hertfordshire
Easington
Ellesmere Port and Neston
Enfield
Exeter
Falkirk
Fenland
Flintshire
Gateshead
Great Yarmouth
Harborough
Inverclyde
Isles of Scilly
Kettering
Maidstone
Malvern
Mid Devon
Mid Suffolk
Milton Keynes
North Norfolk
North Somerset
North Warwickshire
Newport
Norwich
North West Leicestershire
Perth and Kinross
South Gloucestershire
South Holland
South Kesteven
Scottish Homes
Southwark
Sutton
Swindon
Torfaen
West Dorset
West Dunbartonshire
West Somerset
Wandsworth
Wansbeck
Watford
Western Isles
Weymouth and Portland.

NIRS2

Mr. Fraser: To ask the Secretary of State for Social Security how many pensioners from Dorset are suffering a loss of income as a result of the NIRS2 computer problems. [130835]

Mr. Rooker: It is not possible to give an accurate answer to this question. I can, however, confirm that the maximum number of pensioners in Dorset whose Retirement Pension will be subject to review is 1,041. We expect to make benefit adjustments to around 600 of these cases. We expect to complete work on these cases by October 2000.

Lone Parents

Mr. Brady: To ask the Secretary of State for Social Security how many people have moved to sustained unsubsidised employment from the New Deal for Lone Parents; and what percentage he estimates would have found employment without the New Deal for Lone Parents. [130682]

Angela Eagle: Up to the end of April, 54,241 lone parents had obtained jobs following participation in the New Deal for Lone Parents programme. All NDLP jobs are unsubsidised.

The evaluation of the programme's prototype phase, which ran from July 1997 to October 1998, estimates how many jobs gained were additional to those that would have occurred without the programme. Copies of the evaluation reports are available in the Library. This estimated that NDLP virtually paid for itself.

Comprehensive evaluation of the national phase of the NDLP programme is being conducted and will report in 2002.

Pensioner Benefits

Mr. Nigel Jones: To ask the Secretary of State for Social Security what estimate he has made of the administration cost of processing applications for *(a)* winter fuel allowance and *(b)* concessionary television licences in the (i) last and (ii) current financial year. [130434]

Angela Eagle: In the last financial year (1999–2000), Winter Fuel Payments accounted for around 0.35 per cent. of the total departmental running costs. There were no costs paid in respect of concessionary TV licences for people over 75.

In the current financial year, administering these two important initiatives to improve the income of older people will account for around 1.7 per cent. of the total departmental running costs (0.93 per cent. in respect of the Winter Fuel Payment scheme and 0.75 per cent. for the concessionary television licence scheme).

Notes:

Winter Fuel Payments

For 1999–2000 (as well as the first two years of the scheme) two of the main conditions of entitlement to Winter Fuel Payments were both age and receipt of a qualifying benefit; those who were entitled were identified through the relevant computer benefit systems and paid automatically. Following a ruling by the European Court of Justice in December 1999, the Winter Fuel Payment scheme was extended to men as well as women from age 60 from the beginning of the scheme (1997–98). The majority of people who are now eligible for a Winter Fuel Payment because of the changes to the scheme are not receiving a Social Security benefit and will have to make a claim.

The current year's estimates include the one-off costs of developing a claims process and IT systems to enable the correct amount of payment made to the right person for both future and past winters, as well as the continuation of the automatic payment process.

Concessionary TV licences

The concessionary television licence scheme for over 75s was announced in this year's Budget and will take effect from 1 November 2000. Estimated set-up costs are included in the costs for this financial year.

Written Answers to Questions

Thursday 20 July 2000

DEFENCE

HMS Cambridge

Mr. Caplin: To ask the Secretary of State for Defence if he will make a statement on the closure of HMS Cambridge. [132232]

Mr. Spellar: I refer my hon. Friend to the answer I gave on 8 June 2000, *Official Report*, column 338W, to the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith). The investment appraisal concluded that the establishment's residual training activities could be delivered more cost-effectively elsewhere and the matter was subject to a period of formal consultation with the MOD trade unions. No representations have been received and consultation on this matter is now complete.

I have, therefore, endorsed the proposal that HMS Cambridge should close and that plans for decommissioning and site vacation should proceed accordingly.

Consultation will continue on matters affecting staff.

Duke of York's Royal Military School

Mr. Best: To ask the Secretary of State for Defence what Key Targets have been set for the Duke of York's Royal Military School for the financial year 2000–01. [132238]

Dr. Moonie: The chief executive of The Duke of York's Royal Military School has been set the following Key Targets for 2000–01.

Key Target 1

To achieve 100 per cent. of GCSE passes at grades A* to G.

Key Target 2

To achieve five or more GCSE passes at grades A* to C; 2000–01 target is 88 per cent.

Key Target 3

To achieve 90 per cent. of A level passes at grades A to E.

Key Target 4

To achieve three or more A level passes at grades A to E; 2000–01 target is 84 per cent.

Key Target 5

To achieve 36.5 per cent. of A level passes at Grades A and B.

Key Target 6

To achieve 100 per cent. award rate for GNVQ Advanced and BTEC National Diploma courses.

Key Target 7

To achieve places in higher education for at least 82 per cent. of sixth form leavers.

Key Target 8

To achieve a pupil per capita cost of no more than £13,064.

Key Target 9

To generate income of at least £500,000.

Key Target 10

To achieve at least 280 applications for September 2001 intake.

Defence Estates Agency

Mr. Leslie: To ask the Secretary of State for Defence what Key Targets have been set for the Defence Estates Agency for the financial year 2000–01. [132239]

Dr. Moonie: The following key targets have been set for Defence Estates for 2000–01:

Key Target 1

To demonstrate an improvement of 5 per cent. (over the figure for 1999–2000) in the levels of satisfaction expressed by the agency's customers both with customer service and effectiveness of communication, as measured by the 2000–01 customer survey.

Key Target 2

To achieve net disposal receipts of £155 million by 31 March 2001.

Key Target 3

To launch the procurement phase of three 'one stop shop' prime contracts by 31 March 2001.

Key Target 4

To publish an interim stewardship report on performance against the strategy for the defence estate by 31 December 2000.

Key Target 5

To achieve 90 per cent. of all agreed project milestones during 2000–01.

Key Target 6

To launch an improved guide to public access to the defence estate supported by an internet website during 2000–01.

Low Flying

Mr. Gordon Prentice: To ask the Secretary of State for Defence if he will make a statement on the pattern of military low flying activity in the United Kingdom during the training year 1999–2000. [132240]

Dr. Moonie: The ability to fly fast and low continues to be an essential skill in our armoury of tactics. Training for aircrew to achieve and maintain these skills is vital.

The amount of low flying training carried out in the UK Low Flying System during the training year April 1999 to March 2000 was the minimum necessary for aircrew to reach and maintain these skills. Hours booked for low flying training during this period amounted to some 15 per cent. less than for 1998. Some of this reduction can be attributed to the number of aircraft and crews committed to overseas deployments. Since detailed records of hours booked began in 1995, the total overall has reduced by 36 per cent. (some 24,200 hours) with fixed-wing activity showing the greatest reduction of 42 per cent. (19,800 hours).

The distribution of low flying training across the UK has not changed significantly. We continue to try and spread it as widely as practicable, but for a variety of operational, geographical and climatic constraints some parts of the country will see more than others.

The paper published for 1998 (see the answer given to my hon. Friend the Member for Brent, North (Mr. Gardiner) 28 April 1999, *Official Report*, column 147W), made clear that for the future this information

would be published on a financial year basis. I have today placed in the Library of the House a paper giving a detailed account of low flying training in the UK Low Flying System. It provides information for the transitional period January 1999 to March 2000.

Further copies of the paper, and the video and leaflet mentioned in the text, can be obtained from the following address:

Secretariat (Air Staff) 2
Ministry of Defence
Room 8247
Main Building
Whitehall
London SW1A 2HB.

Gulf Veterans

Mr. Miller: To ask the Secretary of State for Defence what are the most recent figures for deaths among *(a)* Gulf veterans and *(b)* the comparison group. [132241]

Mr. Spellar: Peer reviewed scientific data comparing the mortality of UK Gulf veterans to an era group of service personnel who did not deploy to the Gulf was published for the first time in "The Lancet" on 1 July 2000. The Ministry of Defence will now continue to monitor the mortality of both Gulf veterans and the era group and will publish updated figures on a regular basis. The figures as at 30 June 2000 are shown in the table. Overall, in the period 1 April 1991 to 30 June 2000 the mortality of UK Gulf veterans was only slightly greater than that of the comparison group. The number of Gulf veterans dying from disease-related causes is rather less than for the comparison group, whereas the number of Gulf veterans dying of external causes is rather higher than for the comparison group.

The Ministry of Defence will conduct a more detailed analysis of road traffic accidents, to establish whether there are any underlying tends that might help explain this excess.

Deaths of UK Gulf veterans[1] April 1991–30 June 2000—Causes (coded to ICD-9)[2]

ICD Chapter	*Cause of death*	*Gulf*	*Era*	*Mortality rate*
	All deaths	452	439	1.03
	All cause coded deaths	445	429	1.04
	Disease-related causes	156	190	0.82
I	Infectious and parasitic diseases	3	2	1.50
II	Cancers	64	68	0.94
III	Endocrine and immune disorders	1	4	0.25
V	Mental disorders	8	11	0.73
VI	Diseases of the nervous system and sense organs	7	4	1.75
VII	Diseases of the circulatory system	57	76	0.75
VIII	Diseases of the respiratory system	7	4	1.75
IX	Diseases of the digestive system	6	11	0.55
IV, X-XVI	All other disease-related causes	3	10	0.30
EXVII	*External causes of injury and poisoning*	289	239	1.21
	Railway accidents	4	1	4.00
	Motor vehicle accidents	103	80	1.29
	Water transport accidents	3	1	3.00
	Air and space accidents	25	16	1.56
	Other vehicle accidents	0	2	0.00
	Accidental poisoning	9	12	0.75
	Accidental falls	7	6	1.17
	Accidents due to fire/flames	0	1	0.00
	Accidents due to natural environmental factors	2	2	1.00
	Accidents due to submersion/suffocation/foreign bodies	15	6	2.50
	Other accidents	31	24	1.29
	Late effects of accident/injury	0	1	0.00
	Suicide and injury undetermined whether accidental	83	79	1.05
	Homicide	4	4	1.00
	Injury resulting from the operations of war	3	4	0.75
	Other deaths for which coded cause data are not yet available	4	5	—
	Overseas deaths for which cause data are not available	3	5	—

[1] Service and ex-Service personnel only
[2] World Health Organisation's International Classification of Diseases 9th revision 1977

Mrs. Humble: To ask the Secretary of State for Defence what data he has collated on the general pattern of chemical warfare agent alerts during the Gulf conflict. [132242]

Mr. Spellar: Our 1997 policy statement "Gulf Veterans' Illnesses: A New Beginning" set out a number of commitments to help address the health concerns of Gulf Veterans. One of these commitments was to review specific incidents of suggested biological or chemical warfare exposures. As part of this commitment I am today publishing the third paper looking at incidents where veterans have suggested they were exposed to chemical warfare agents. This paper is entitled "A Review of UK Forces Chemical Warfare Agent Alerts During the 1990–1991 Gulf Conflict". I am placing a copy in the Library of the House.

This paper looks at the general pattern of chemical alarms during the conflict. The review has shown that

there was usually a straightforward explanation given at the time for chemical warfare agent detection equipment alarming. There is no evidence to suggest Iraqi use of chemical weapons, or the presence of chemical weapons in any of the UK alarms.

The paper reviews in detail two specific incidents: Dhahran on the night of 20 January 1991 when a Scud was destroyed by a Patriot missile close to the airfield there, and Al Jubayl on the morning of 16 February 1991 when a Scud landed in the water in the port area. On both occasions there is no evidence to suggest that the Scuds carried anything other than a conventional warhead.

Military Bases (Ministerial Visits)

Mr. Baker: To ask the Secretary of State for Defence how many of the *(a)* RAF, *(b)* Royal Naval, *(c)* Army and *(d)* other military bases in the United Kingdom where US personnel outnumber UK personnel have been visited by Ministers from his Department since 1 May 1997; and what percentage this represents of the total number of each such base in the United Kingdom. [131330]

Dr. Moonie: Of the bases, all RAF, in the UK where US personnel outnumber UK personnel, two have been visited by Ministers from this Department since 1 May 1997. These are RAF Fairford and RAF Menwith Hill. This represents 25 per cent. of the total number of such bases.

Chinook Crash

Mr. Key: To ask the Secretary of State for Defence (1) if the simulation undertaken by the Defence Research Agency as part of the Board of Inquiry investigation into the crash of RAF Chinook ZD576 was able to determine the *(a)* precise indicated airspeed and *(b)* height of the aircraft 40 seconds prior to impact; [131525]

(2) if DERA at Boscombe Down considered the FADEC system for the Chinook MKII to be flight safety critical at the time of the Mull of Kintyre crash in 1994. [131524]

Mr. Spellar: I will write to the hon. Member, and a copy of my letter will be placed in the Library of the House.

Mr. Key: To ask the Secretary of State for Defence if the Air Accident Investigation Branch were given unrestricted access to all personnel and all information during the investigation into the crash of RAF Chinook ZD576. [131526]

Mr. Spellar: Yes.

Royal Irish Regiment

Mr. McNamara: To ask the Secretary of State for Defence if he will describe the deployment of each home unit of the Royal Irish Regiment on each day from 2 to 13 July. [130465]

Mr. Spellar: During the period in question, the six Home Service Battalions of the Royal Irish Regiment were deployed at various locations around the Province on security duties in support of the RUC. Information about the specific deployment of each unit within each Battalion for each day in the period 2–13 July is not held centrally and could be provided only at disproportionate cost.

Mr. McNamara: To ask the Secretary of State for Defence how many soldiers of the Royal Irish Regiment in each unit *(a)* applied to take and *(b)* took leave from their duties on (i) 25 June, (ii) 2 July and (iii) 9 July. [130466]

Mr. Spellar: The dates mentioned fell within a period during which the Royal Irish Regiment were either preparing for, or actually engaged in, operations to support the RUC over the Marching Season. This precludes the taking of leave.

Special Investigations Branch

Mr. McNamara: To ask the Secretary of State for Defence, pursuant to his answer of 12 June 2000, *Official Report*, column 449W, *(a)* in what circumstances this photograph was taken, what interpretation he puts on this photo-shoot and what assessment has he made of the impact of this upon community relations in the area, *(b)* what formal administrative action procedures have been initiated and what stage they are at now, *(c)* what body or rank of officer was responsible for considering whether to initiate disciplinary action against (i) the major and (ii) the warrant officer who took photographs, *(d)* what instructions have been issued subsequent to this inquiry concerning soldiers agreeing to pose for photographs with sectarian displays, *(e)* if the soldiers were under orders to pose for these photographs, *(f)* how many refused, *(g)* what attempts have been made to seek the return and destruction of these photographs, *(h)* if the flag was obtained with the consent of the Loyal Orange Lodge, *(i)* how the flag was transported to the Royal Irish Regiment barracks, *(j)* what the cost of printing 40 copies of the photograph was, *(k)* who paid this bill, *(l)* who owned the camera with which the photograph was taken, *(m)* how many companies of the Royal Irish Regiment have posed for regimental photographs with sectarian flags or banners in the current year and *(n)* if he will place a copy of the Special Investigations report in the Library. [130467]

Mr. Spellar: I will write to my hon. Friend, and a copy of my letter will be placed in the Library of the House.

Loyal Orange Order

Mr. McNamara: To ask the Secretary of State for Defence further to his answer of 15 March 2000, *Official Report*, column 204W, if he will review his decision not to deem the Loyal Orange Order a secretive organisation within the scope of the Joint Service Defence Council Instruction (JS DCI 75/99) on Membership of Societies such as Freemasons. [130468]

Mr. Spellar: I have no plans to review my decision.

Type 45 Destroyers (Procurement)

Mr. Ben Chapman: To ask the Secretary of State for Defence if he will quantify the amount of work potentially available to yards other than those of BAE Systems and Vosper Thornycroft under the modular procurement system to be used for the purchase of Type 45 destroyers. [130632]

Mr. Hoon: This is a matter for the chief executive of the Defence Procurement Agency. I have asked the chief executive to write to my hon. Friend.

Letter from G. Beaven to Mr. Ben Chapman, dated 20 July 2000:

I am writing in response to your question to the Secretary of State for Defence with regard to the amount of Type 45 work potentially available to yards other than those of BAE SYSTEMS and Vosper Thornycroft. This falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

Subject to the completion of satisfactory negotiations, the order for the first three Type 45 destroyers is planned for placement later this year with BAE SYSTEMS, the Prime Contractor for the Programme. The first and third ship are planned to be assembled by BAE SYSTEMS Marine and the second by Vosper Thornycroft.

The intended construction method distinguishes between 'assembly' and the 'manufacture' of modules which can be constructed at a number of different locations and brought together at a shipyard for final assembly. We intend that BAE SYSTEMS Marine and Vosper Thornycroft will, between them, undertake as a minimum about 50 per cent. of the manufacture of the first three ships with the remainder being competed widely within UK industry. This provides the opportunity for shipyards around the UK such as Cammell Laird to bid for work in this programme. If they wish to do so, it is important that they contact the Prime Contractor and register their interest.

I expect an order to be placed around 2004 for the second batch of three Type 45 ships and we anticipate that the competition for sub-contracts to manufacture the modules for these vessels will rise to 100 per cent.

INTERNATIONAL DEVELOPMENT

Expenditure

Dr. Tonge: To ask the Secretary of State for International Development what amounts were *(a)* budgeted for by her Department, *(b)* expended and *(c)* not spent in (i) 1997–98, (ii) 1998–99 and (iii) 1999–2000; and if the funds not spent in each of those years were carried forward. [130864]

Clare Short: Expenditure compared with Departmental Expenditure Limits (DEL) for the period in question is as follows:

£ million

	Total DEL	*Total expenditure*	*Balance carried forward*
1997–98	1,595	1,592	3
1998–99	1,777	1,740	37
1999–2000	1,943	[1]1,938	5

[1] Estimated, subject to confirmation by the National Audit Office.

TRADE AND INDUSTRY

BNFL

Mr. Chaytor: To ask the Secretary of State for Trade and Industry if he will request from BNFL copies of technical papers on the subject of the dry storage of previously wet stored magnox fuel and place them in the Library. [131364]

Mrs. Liddell: I understand that BNFL does hold technical papers which deal with this issue. These are the property of either BNFL or other companies. I have, therefore, asked the Chairman of BNFL to write to my hon. Friend directly in response to his request.

Mr. Chaytor: To ask the Secretary of State for Trade and Industry what assessment he has made of the implications of the agreement at the June 2000 OSPAR conference for BNFL's future business plan. [130866]

Mrs. Liddell: In planning its future business, BNFL will need to take account of the UK's commitments to OSPAR and in particular of the draft National Discharge Strategy published by DETR in June. BNFL has already stated that it welcomes that strategy document and has expressed its commitment to helping to achieve its aims.

Bereavement

Mr. Coaker: To ask the Secretary of State for Trade and Industry what assistance the Government provide to people who have recently suffered a bereavement or who are considering funeral arrangements. [132231]

Dr. Howells: In conjunction with his ongoing inquires into consumer issues related to at-need funerals, the Director General of the Office of Fair Trading has published online advice to help anyone who is in the daunting position of planning a funeral. The website is at www.oft.gov.uk

E-commerce

Mr. Sawford: To ask the Secretary of State for Trade and Industry if he will make a statement on his plans to assist firms to develop e-commerce capacity. [130166]

Ms Hewitt: I refer my hon. Friend to the answer given to my hon. Friend the Member for Morecambe and Lunesdale (Miss Smith) on 27 June 2000, *Official Report*, column 457W, which described plans to support firms to develop e-commerce capacity.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Trade and Industry how many parliamentary questions were tabled to his Department between 19 October 1999 and 20 April which requested information, pursuant to his previous answers. [131227]

Mr. Byers: Of the 1,552 parliamentary questions tabled during the period, 56 requested information pursuant to previous answers.

ENVIRONMENT, TRANSPORT AND THE REGIONS

GM Crops

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the oral statement by the Minister of Agriculture, Fisheries and Food of 8 June 2000, *Official Report*, column 501, if he will list the *(a)* dates on which meetings took place between Advanta Seeds and officials from his Department between 17 April and 17 May, *(b)* names and functions of the officials attending those meetings, *(c)* subjects discussed, *(d)* conclusions reached and *(e)* advice given by his officials to Advanta Seeds. [128467]

Mr. Meacher: Officials from my Department met with representatives from Advanta Seeds Ltd. on 17 April. A note of that meeting, which gives the information requested, is available in the House Library. There were no subsequent meetings.

Genetically Modified Organisms

Jackie Ballard: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made on evaluating research commissioned by him on the effect of GMOs in the human and animal food chain; and what representations he has received on such research. [128595]

Mr. Meacher: My Department has not commissioned any research on the effect of the GMOs in the human and animal food chain. Responsibility for this lies with the Food Standards Agency.

MOT Centres

Mr. Win Griffiths: To ask the Secretary of State for the Environment, Transport and the Regions if he will list by administrative region for each of the last five years the number of *(a)* MOT centres that have lost their certification, *(b)* nominated testers that have lost their accreditation in these centres, *(c)* nominated testers that have lost their accreditation in centres that have not closed, *(d)* complaints investigated about MOT centres and the percentage which led to the withdrawal of (i) MOT centre certification and (ii) nominated tester accreditation and *(e)* routine inspections carried out and the percentage which have led to the withdrawal of (i) MOT centre certification and (ii) nominated tester accreditation. [130021]

Mr. Hill *[holding answer 13 July 2000]:* The premises at which MOT testing is carried out are known as vehicle testing stations (VTS), operated by an Authorised Examiner (AE), which may be an individual, a partnership or a company. If an examiner's authorisation is withdrawn, the premises can no longer be used as a Vehicle Testing Station and identity as such ceases. Nominated Testers (NT) work under the direction of the Authorised Examiner.

The number of Authorised Examiners that have had their authorisation withdrawn and nominated testers disqualified from testing in the last five years, by region, is shown in the table.

The number of authorisations withdrawn or testers disqualified, following complaint to, or targeted check by the Vehicle Inspectorate, or following a routine check, is not collated by region and could be supplied only at disproportionate cost; the tables show the figures nationally.

The number of nominated testers disqualified from testing at VTS where the authorised examiner's authorisation has not been withdrawn is not held centrally.

Summary of authorised examiners withdrawn and nominated testers disqualified following a check by VI

	1999–2000		*1998–99*		*1997–98*		*1996–97*		*1995–96*	
Area	*AEs withdrawn*	*Testers disqualified*	*AEs withdrawn*	*Testers disqualified*	*AEs withdrawn*	*Testers disqualified*	*AEs withdrawn*	*Testers disqualified*	*AEs withdrawn*	*Testers disqualified*
Scotland	13	23	7	18	10	25	18	35	17	30
North Eastern	13	60	19	44	31	55	25	73	37	67
North Western	13	23	19	27	14	28	17	68	15	53
West Midlands	10	25	32	34	17	37	19	45	12	21
Eastern	8	32	19	31	26	34	21	25	17	28
South Eastern	12	33	15	65	13	64	53	87	35	53
Western	9	24	17	51	17	50	21	66	24	75
South Wales	15	22	15	19	13	7	7	9	10	9
National	93	242	143	289	141	300	181	407	167	336
Total checks	55,561		57,913		74,742		73,642		72,202	
As percentage of checks	0.17	0.44	0.25	0.50	0.19	0.40	0.25	0.55	0.23	0.47

Note:
Total checks includes routine visits, targeted checks and inspections following a complaint

Summary of authorised examiners withdrawn and nominated testers disqualified following a targeted check or complaint

	Number	*Targeted checks and complaints*	*As percentage of checks*
1999–2000			
Authorised Examiners	67	16,176	0.41
Nominated Testers	232		1.43
1998–99			
Authorised Examiners	127	19,567	0.65
Nominated Testers	274		1.40
1997–98			
Authorised Examiners	133	25,668	0.52
Nominated Testers	286		1.11
1996–97			
Authorised Examiners	145	26,024	0.56
Nominated Testers	381		1.46
1995–96			
Authorised Examiners	140	26,888	0.52
Nominated Testers	330		1.23

Summary of authorised examiners withdrawn and nominated testers disqualified following a routine check by VI

	Number	*Routine checks*	*As percentage of checks*
1999–2000			
Authorised Examiners	26	39,385	0.07
Nominated Testers	10		0.03
1998–99			
Authorised Examiners	16	38,346	0.04
Nominated Testers	15		0.04
1997–98			
Authorised Examiners	8	49,074	0.02
Nominated Testers	14		0.03
1996–97			
Authorised Examiners	36	47,618	0.08
Nominated Testers	26		0.05
1995–96			
Authorised Examiners	27	45,314	0.06
Nominated Testers	6		0.01

Vehicle Ownership (Registration)

Mr. Pollard: To ask the Secretary of State for the Environment, Transport and the Regions what plans his Department has to *(a)* strengthen and *(b)* enforce the legal requirement for changes of vehicle ownership to be registered; and if he will make a statement. [130644]

Mr. Hill: The Vehicle Crime Reduction Action Team (VCRAT) has drawn up a number of proposals, which will strengthen vehicle registration requirements. The Government are seeking a suitable opportunity to introduce the necessary legislation.

Both the buyer and seller are required to tell the Secretary of State of a vehicle transfer. DVLA already takes enforcement action against vehicle keepers who do not comply with the requirements to notify acquisition and disposal. Around 39,000 cases were dealt with last year. In addition, a further 12,000 cases were actioned following failure to undertake Statutory Off-Road Notification (SORN).

Mr. Pollard: To ask the Secretary of State for the Environment, Transport and the Regions what assistance his Department is giving to councils which, because changes of vehicle ownership have not been registered, are *(a)* unable to recover the cost of removing abandoned vehicles and *(b)* cannot take action to prosecute; and if he will make a statement. [130645]

Mr. Hill: No assistance is being given at this time. The existing arrangements with local authorities will be reviewed as we develop proposals for implementing the proposed European End-of-Life Vehicles Directive in the UK.

Former Railway Land

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions if RDAs are notified by the British Railways Board of its intention to dispose of former railway land; if their consent for disposal is needed; and if he will make a statement. [130627]

Mr. Hill: Before the British Railways Board disposes of former railway land, the marketing process requires the Board to notify rail industry parties, local authorities, local transport operators and Passenger Transport Executives of its intention. The British Railways Board has confirmed that it includes Regional Development Agencies (RDAs) in this notification process. The consent of RDAs is not a prerequisite for disposal but their views are taken into account before a final decision is taken.

London Tramways

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to encourage the development of a tramway system in the Greater London area. [131161]

Mr. Hill: This is a matter for the Mayor of London. However, as the Government's 10 year plan for transport indicates, the Government will provide resources which could deliver at least two new tram/guided bus schemes in London.

Regional Planning Guidance

Mr. Flight: To ask the Secretary of State for the Environment, Transport and the Regions what his reasons were for delegating to the Government Office of the South East the response to Horsham District Council's letter of 31 May regarding regional planning guidance. [130793]

Ms Beverley Hughes: The Government Office for the South East, who lead on the work on Regional Planning Guidance, have received over 900 responses to consultation on the draft Regional Planning Guidance for the South East (RPG9). In the case of such consultation exercises it is normal practice for the Secretary of State to delegate to officials the task of collating, analysing and acknowledging responses.

Rural Bus Services

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on measures to increase rural bus services in Shrewsbury and Atcham. [131158]

Mr. Hill: Shropshire County Council was allocated £630,354 of Rural Bus Subsidy Grant in 1998–99, with the same amount allocated to the Council for 1999–2000 and 2000–01.

In 1999–2000 the Council used its allocation to fund 58 services, of which 28 served Shrewsbury. Of the services serving Shrewsbury, 10 were entirely new and 18 were improvements to existing services. The County Council have also introduced a bike bus between Ellesmere and Shrewsbury, funded through the 1999 Rural Bus Challenge Competition, and on 11 July we invited bids for the 2000 Rural Bus Challenge Competition.

Nuclear Waste

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what reports he has received on the hearing held by the European Parliament's Transport Committee in June on the transport of nuclear waste and other radioactive materials. [130847]

Mr. Hill: I have not received any reports of the public hearings held by the European Parliament's Committee on Regional policy, Transport and Tourism on 21 June into the Transport of Radioactive Material in the European Union at this time. I understand that information on these hearings, including any reports, will be made available on the internet website http://www.europarl.eu.int/ when they are published.

Ports

Mr. Mackinlay: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will request from the European Commission more time for the European Transport Workers' Federation to consult its members on the Commission's proposals on Access to the Port Service Market; [R] [130858]

(2) what assessment he has made of the implications for the Port of London Authority of the proposals of the European Commissioner for Energy and Transport made on 26 May in respect of state aid and port services; and if he will make a statement; [R] [130860]

(3) if Ministers will meet dock and maritime trade union representatives prior to formulating the United Kingdom response to the proposals of the European Commissioner for Energy and Transport made on 26 May in respect of ports competition and which are now the subject of consultation; and if he will make a statement. [R] [130861]

Mr. Hill *[holding answer 18 July 2000]:* The European Commission has not yet published formal proposals on port services and state aid, but we understand that proposals are planned for later this year. Officials are continuing to keep in touch with the Commission on these issues. We shall consult widely on any specific proposals that the Commission brings forward, and I would be happy to meet representatives of the dock and maritime trade unions in due course.

Power Stations (Carlisle)

Mr. Martlew: To ask the Secretary of State for the Environment, Transport and the Regions when his officials last met representatives of Border Biofuels; and what discussions they had concerning the construction of a power station at Carlisle. [131411]

Ms Beverley Hughes: There have been no meetings between the Secretary of State's officials and Border Biofuels to discuss their planning application, but I understand that the company has been in discussion with the Environment Agency about related (IPPC) authorisations.

Port Waste Reception Facilities

Mrs. Ray Michie: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the Scottish port authorities consulted by his Department regarding the inclusion of indirect fees for port waste management facilities into the harbour dues, proposed by the European Parliament in the Draft Directive on Port Waste Reception Facilities; and if he will make a statement. [131013]

Mr. Hill *[holding answer 19 July 2000]:* Throughout the process of working up the Government's policy on port waste management planning, we developed our proposals through consultation with the Marine Pollution Advisory Group, which includes representatives of central and local government, the ports, shipping and waste industries and environmental non-governmental organisations. Because the provision of adequate port waste reception facilities is an international obligation under the MARPOL Convention, we need a national strategy. That strategy takes account of the interests of ports in all parts of the UK.

The EC Directive substantially mirrors the UK's own port waste management legislation and practice. The UK has been involved at every stage of the Directive, and—while we have not consulted, or received representations from, any individual ports—we have consulted closely with the representative bodies of the UK ports industry on specific issues associated with the Directive.

Building Regulations

Mr. Robertson: To ask the Secretary of State for the Environment, Transport and the Regions (1) how he monitors the application of building regulations; and if he will make a statement; [131575]

(2) which organisation is responsible for ensuring that building regulations are complied with; and if he will make a statement. [131573]

Ms Beverley Hughes: Under the Building Act 1984, local authorities are responsible for enforcing building regulations in the areas, subject to provisions in the Act for private sector approved inspectors to carry out building control in cases where the person carrying out the work opts for this alternative. Local authorities' building control services are subject to the duty of Best Value, and are periodically inspected by the Audit Commission.

Under the approved inspectors regulations persons or bodies wishing to become approved inspectors must apply to the Construction Industry Council which is the body designated by the Secretary of State for the purpose of approving inspectors. The CIC carefully scrutinises applicants' qualifications and experience. Approved inspectors' terms of approval last for five years, and those wishing to continue must apply to the CIC for re-approval.

OSPAR Conference

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the outcome of the June 2000 OSPAR conference. [130867]

Mr. Meacher: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Blaenau Gwent (Mr. Smith) on 10 July 2000, *Official Report*, columns 397–98W.

Sellafield

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what written guidance he has given to BNFL on ensuring its commitments under the OSPAR Sintra agreement are met in respect of discharges from Sellafield. [130868]

Mr. Meacher: BNFL is aware of the Government's policy that there should be progressive reductions in radioactive discharges. The Government will shortly publish for consultation a draft of the statutory guidance that it proposes to issue to the Environment Agency on the setting of radioactive discharge authorisations under the Radioactive Substances Act. The draft guidance will reiterate the requirement that there should be progressive reductions in radioactive discharges. The guidance will also ensure that discharge authorisations granted by the Agency are consistent with the Government's radioactive discharges strategy, a draft of which was published for consultation on 21 June. The strategy sets out how the Government are going to meet the commitments entered into at the OSPAR meeting in Sintra in 1998 to reduce radioactive discharges.

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions if he has received a copy of the resolution passed by the Isle of Man Tynwald on 21 June in respect of the OSPAR convention and Sellafield; and if he will place a copy in the Library. [130869]

Mr. Meacher: Yes. I understand that the text of the resolution can be found in the Tynwald Votes and Proceedings on the Tynwald website www.tynwald.isle-of-man.org.im. I will place a copy in the Library.

Fuel Duty Rebate

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions if he will extend the fuel duty rebate to electrically-operated vehicles which perform taxi duties. [131531]

Mr. Hill: Under current legislation operators of local bus services are rebated part of the duty they have paid on the fuel used in providing those services. We have no plans to pay fuel duty rebate to the operators of taxi services or to extend it so that it provides a grant to operators of vehicles to which fuel duty is not applicable.

The Commission for Integrated Transport is currently examining possible changes to the fuel duty rebate scheme as part of its study of all aspects of public funding for bus services. We will carefully consider the Commission's recommendations which are due later this year.

Regional Planning Guidance (South West)

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions when the public examination of the draft Regional Planning Guidance for the South West will be completed; when the Inspector's report on the draft Regional Planning Guidance for the South West will be issued; when the final Regional Planning Guidance for the South West will be issued for material consideration by planning authorities; and if he will make a statement. [131580]

Ms Beverley Hughes: The Public Examination of the draft Regional Planning Guidance for the South West took place in March 2000. The report of the Panel for the Public Examination has not yet been received, but is expected shortly. Arrangements will be made for its publication on receipt of it. The Secretary of State's proposals for change to the draft Regional Planning Guidance will be made in the light of the Panel's report and recommendations, and other consultation comments received by the Panel in autumn 1999 but not addressed at the Public Examination. These proposals for change should be available for consultation in the autumn, and the final revised Regional Planning Guidance for the South West published early in 2001.

Birmingham Northern Relief Road

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what the net present cost is of the Birmingham Northern Relief Road project under the Private Finance Initiative; what the value is of the public sector comparators in *(a)* pre-risk and *(b)* risk adjusted terms; what risks are identified as having been transferred; and if he will make a statement. [131585]

Mr. Hill: The Birmingham Northern Relief Road is to be built, financed, operated and maintained by the concessionaire Midland Expressway Ltd. at its own cost and risk and without recourse to Government Funds or to Government guarantees. A cost benefit analysis carried out in 1991 showed the scheme proposed by Midland Expressway having a benefit: cost ratio of more than 2:1.

Pollution

Mr. Quinn: To ask the Secretary of State for the Environment, Transport and the Regions when the Government Response to the Royal Commission on Environmental Pollution's 21 report (Setting Environmental Standards) will be published. [132371]

Mr. Meacher: The Government's Response to the Commission's Report on Setting Environmental Standards has been published today. I wish to express my thanks to the previous Chairman of the Commission, Sir John Houghton, the current Chairman, Sir Tom Blundell, and their colleagues for their continued commitment to issues which are of equal importance to the public as to the Government.

The Government are responding positively to many of the points made by the Commission in its report on Setting Environmental Standards;

On the significance of environmental standards the Government agree with the Commission that the nature of environmental standards has significantly changed over the last 30 years. There are more numerical standards, more standards set internationally and more formal techniques to aid decision-making. There is also increased recognition that environmental standards need to be seen more broadly, hence the emphasis the Government are putting on sustainable development.

On procedures for setting standards the Government agree with the Commission that policy analysis needs to identify various components, such as scientific assessment, risk and economic appraisal. There is a need for transparency in the decision-making process and public values need to be articulated and considered.

On scientific understanding the Government agree with the Commission that limitations and uncertainties in scientific understanding must be openly acknowledged, and that social and ethical considerations must be accounted for.

On technological options the Government agree with the importance the Commission accords life cycle assessment as a tool for managing environmental impacts, and wishes to point out that they are actively addressing particular concerns on chemicals following the Chemicals Strategy.

On risk and uncertainty the Government recognise the importance of transparent risk assessment and would like to point out that much work is in hand by the HSE and the Environment Agency, among others.

On economic appraisal the Government agree with the Commission that economic appraisal is a part of all policy-making, although this can pose particular challenges as many environmental goods cannot be valued in money terms. As part of the "Modernising Government" work on good policy-making, the Cabinet Office has developed a "Toolkit for Policy-makers". The aim of this Toolkit is to ensure that policy makers take into account the impact of policy proposals on environment, business, charities and the voluntary sector, health, race, gender, the disabled, etc.

On implementing environmental policies the Government agree that different instruments should be used in combination to achieve the best result; economic instruments and voluntary agreements are complementary to direct regulation and not alternatives.

On articulating values the Government recognise that traditional methods of consultation are not always adequate, and are making a real effort to give attention to new, more open, participation methods.

The full Response will be available on the Department website (www.detr.gov.uk) and I am placing copies in the Library.

Road Traffic Offences

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to implement the proposal in his White Paper, entitled "Tomorrow's Roads, a Review of Penalties for Road Traffic Offences". [130304]

Mr. Charles Clarke: I have been asked to reply.

The work of the review of penalties for road traffic offences is almost complete. The Government hope to publish a consultation document, setting out the proposals of the review, shortly.

PRIME MINISTER

House of Lords

Mr. Bercow: To ask the Prime Minister if he will break down the appointments to the House of Lords, by party affiliation, since 1 May 1997; and if he will make a statement. [123626]

The Prime Minister: The information requested is as follows:

Appointments to the House of Lords since 1 May 1997[1]

Party	*New life peerages*[2]	*Hereditaries who became life peers on 2 November 1999*[3]	*Law Lords*
Conservative	30	7	—
Labour[4]	98	2	—
Lib. Dem.	31	0	—
Crossbench	27	1	4
Other	1	—	—

[1] Appointment is taken to mean the date on which a peerage was publicly announced

[2] Includes the right hon. Member for Huntingdon's (Mr. Major) Resignation Honours (10 Conservative, announced on 2 August 1997), but not his Dissolution Honours which were announced before 1 May 1997

[3] Four Hereditaries of first creation who accepted life peerages and six Hereditaries who were former Leaders of the House

[4] Includes Baroness Lester, now deceased

The current position is that there are 233 Conservative peers, compared to 199 Labour peers and 63 Liberal Democrats. The remainder are 164 Crossbenchers, 26 archbishops and bishops and 10 others.

From 1979 to 1997 the last Conservative Government created 365 peers (excluding Law Lords). Despite retaining an almost 4 to 1 advantage over Labour in the House of Lords the number of Conservative peers created was nearly double that of Labour peers. The party breakdown of these was as follows: Conservative 173, Labour 96, Liberal/SDP/Liberal Democrats 27 and Independent/Crossbencher 69.

SOLICITOR-GENERAL

Serious Fraud Office

Helen Jones: To ask the Solicitor-General when the Director of the Serious Fraud Office intends to publish her annual report. [132237]

The Solicitor-General: I can confirm that I have today placed copies of the annual report in the Libraries of the House.

AGRICULTURE, FISHERIES AND FOOD

GM Seeds

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food when Ministers in *(a)* his Department, *(b)* the DETR, *(c)* the Scotland Office, *(d)* the Wales Office, *(e)* the Northern Ireland Office and *(f)* the Cabinet Office were first informed of the contamination of Advanta rapeseed with GM varieties. [126859]

Mr. Nick Brown *[holding answer 19 June 2000]:* MAFF Ministers were informed on 18 April. The co-ordination of Government policy in this area falls outside my ministerial responsibilities.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food when the Government first informed *(a)* the Food Standards Agency, *(b)* English Nature, *(c)* the Scottish Executive, *(d)* the Welsh Assembly, *(e)* the Advisory Commission on Releases into the Environment and *(f)* the Advisory Committee on Novel Foods and Processes that Advanta rapeseed had become contaminated with GM varieties. [126820]

Mr. Nick Brown *[holding answer 19 June 2000]:* The co-ordination of Government policy in this area is not part of my ministerial responsibility.

Agricultural Aid

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the administration costs of paying agricultural aid. [128304]

Mr. Nick Brown [holding answer 29 June 2000]: The administration costs of paying agricultural aid was approximately £67.5 million in the last financial year. This figure covers the payment of some £2.2 billion under CAP and agri-environment schemes, and BSE emergency measures, by the Ministry's regional organisation and the Intervention Board. It also includes the cost of support work carried out by the Farming and Rural Conservation Agency and ADAS on the agri-environment schemes.

Fallen Stock

Sir Nicholas Lyell: To ask the Minister of Agriculture, Fisheries and Food what recent estimate he has made of the proportion of the national herds of cattle and national flocks of sheep which die each year and have to be disposed of as fallen stock; what estimates he has made of the costs involved; and to what extent such work is currently performed by hunts. [130264]

Ms Quin: This Department has made no estimates of the proportion of the cattle and sheep populations which have to be disposed of as fallen stock, or of the costs involved. However, the Meat and Livestock Commission estimates that for all livestock production, the proportion is between 2 and 4 per cent. For cattle, the Licensed Animal Slaughterers and Salvage Association has estimated the proportions as 7.5 per cent. (dairy) 3.5 per cent. (beef) and 5.5 per cent. (other cattle). A small-scale and limited survey carried out by this Department suggested that, of these

fallen stock, around 40 per cent. of calves, 32 per cent. of adult bovines and 15 per cent. of sheep were disposed of to hunt kennels in 1999.

Food Distribution Industry

Mr. Gareth Thomas: To ask the Minister of Agriculture, Fisheries and Food what representations he has received from the Institute of Grocery Distribution in respect of a code of practice for buyers and sellers in the food chain. [130925]

Ms Quin: We have encouraged the major retailers to draw up a code of good practice covering business relationships throughout the food chain. The Institute of Grocery Distribution is facilitating this exercise and is keeping us informed of progress.

Fisheries

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the level of quota swap which has occurred between sand eels and Baltic cod. [131252]

Mr. Morley: None. There have been no recent exchanges of quota between member states involving sand eels and Baltic cod.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food if the Government support the National Federation of Fishermen's Organisations and the Scottish Fishermen's Federation policy document, "Zonal management; a new vision of Europe's fisheries". [131352]

Mr. Morley: The Government welcome this document which makes a useful and constructive contribution to the debate on how to secure an improved regional dimension to the Common Fisheries Policy and greater involvement by fishermen in fisheries management.

Mr. Bercow: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on expenditure in the UK in the past three years from EU budget line B2–903A. [130786]

Mr. Morley: This is a new budget line established in 2000. I would refer the hon. Member to the reply I gave to him on 28 June 2000, *Official Report*, column 497W, which explained its purpose and that it does not cover funding of national projects.

Mr. Bercow: To ask the Minister of Agriculture, Fisheries and Food how many vessels, broken down by nationality, fish for sand eels within the six and 12 mile limits. [130789]

Mr. Morley: Only UK vessels are able to fish for sand eels within the six to 12 mile limits. However, our records do not enable us to identify how many do so.

Specified Risk Material

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if any specified risk material has been imported for destruction in this country. [131378]

Mr. Nick Brown *[holding answer 18 July 2000]:* The Specified Risk Material Order 1997 and the Specified Risk Material (Northern Ireland) Order 1997, in force since 1 January 1998, do not permit the importation of SRM into the UK for destruction.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will list the applications he has received seeking permission to import specified risk material into this country, indicating in each case the *(a)* name of the applicant, *(b)* date of the application and *(c)* outcome of the application. [131377]

Mr. Nick Brown *[holding answer 18 July 2000]:* Since the introduction of the Specified Risk Material Order 1997 and the Specified Risk Material (Northern Ireland) Order 1977 on 1 January 1998, eight applications have been received to import SRM into the UK, all of which were approved. Details of the names of the applicants are commercially confidential.

Central Science Laboratory

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food when he will publish the 1999–2000 Annual Report for the Central Science Laboratory. [132367]

Mr. Nick Brown: The 1999–2000 Annual Report and Accounts for the Central Science Laboratory were laid before Parliament today. Copies are available in the Library of the House.

Pig Industry Restructuring Scheme

Mr. Ruffley: To ask the Minister of Agriculture, Fisheries and Food how many applications for resources allocated under the outgoers element of the Pig Industry Restructuring Scheme have been made by pig producers *(a)* nationally, *(b)* in the Bury St. Edmunds parliamentary constituency and *(c)* in Suffolk. [131134]

Ms Quin: None; under state aid rules, we must await European Commission clearance of the Pig Industry Restructuring Scheme before opening the outgoers element for applications.

Abattoirs

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food how many abattoirs have closed in each of the past 18 months. [131097]

Ms Stuart: I have been asked to reply.

The number of abattoirs in Great Britain which ceased operating in each month from January 1999 to June 2000 is in the table.

	Fresh meat		*Poultry meat, farmed game meat and rabbit meat*	
	Full throughput	*Low throughput*	*Full throughput*	*Low throughput*
1999				
January	—	—	1	2
February	—	2	—	1
March	—	3	—	1
April	—	3	—	2
May	2	—	—	—
June	—	2	—	—
July	—	3	—	1
August	—	—	—	—
September	—	1	—	—
October	—	2	—	—
November	1	1	—	1
December	—	2	1	—

	Fresh meat		Poultry meat, farmed game meat and rabbit meat	
	Full throughput	Low throughput	Full throughput	Low throughput
2000				
January	—	—	—	1
February	1	—	—	—
March	3	4	1	—
April	1	—	—	—
May	2	2	—	—
June	—	1	—	—
Total for Period	10	26	3	9

WALES

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Wales if he will list for his Department and its agencies the approved list of manufacturers of *(a)* cars and *(b)* commercial vehicles; and if he will make a statement on his Department's leasing and purchasing policy. [128995]

Mr. Paul Murphy: The only cars used by the Wales Office are provided for ministerial use by the Government Car Service, and no commercial vehicles are used. My Department does not have any agencies, and neither leases nor buys vehicles.

The answer given by my right hon. Friend the Minister for the Cabinet Office on 19 July 2000, *Official Report*, column 191W, gives details for cars provided for the use of Ministers by the Government Car Service.

New Deal

Mr. Evans: To ask the Secretary of State for Wales how many people in Wales who have completed the New Deal once have *(a)* re-entered the gateway to New Deal for a second time and *(b)* progressed onto a second New Deal option. [130987]

Mr. Paul Murphy: To the end of April 2000, 2,560 young people in Wales entered the gateway for a second time. Of these, 873 progressed onto a New Deal option.

Mr. Evans: To ask the Secretary of State for Wales how many people in Wales who have been participants in *(a)* the New Deal for 18 to 24-year-olds, *(b)* the New Deal for those aged 25 and over and *(c)* the New Deal for older workers have subsequently enrolled on the New Deal for a second time. [130989]

Mr. Paul Murphy: To the end of April 2000, 3,030 young people in Wales and 4,100 people aged 25+ entered the New Deal for a second time. Similar information is not available for the 50+ New Deal programme.

Assembly

Mr. Evans: To ask the Secretary of State for Wales what procedures are in place to monitor the effectiveness of the concordats between the Government and the Welsh Assembly. [131042]

Mr. Paul Murphy: My Office has responsibility for ensuring that the devolution settlement for Wales continues to be implemented as effectively as possible. This includes monitoring the mechanisms and procedures which have been put in place to deliver devolution.

The concordats are informal and flexible agreements to which both parties commit themselves. The overarching and bilateral concordats provide for a review by the parties to them after one year of operation and thereafter at regular intervals.

The Joint Ministerial Committee also keeps the broad operation of the settlement under review and looks at the effectiveness of concordats and bilateral relations in general.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Wales how many parliamentary questions were tabled to his Department between 19 October 1999 and 20 April which requested information, pursuant to his previous answers. [131226]

Mr. Paul Murphy: Between 19 October 1999 and 20 April 2000 there were three parliamentary questions tabled to my Department which requested information pursuant to previous answers.

FOREIGN AND COMMONWEALTH AFFAIRS

Ministerial Visits

Mr. Oaten: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans his Department has for ministerial visits in *(a)* the rest of 2000 and *(b)* 2001 to (i) Bulgaria, (ii) Cyprus, (iii) the Czech Republic, (iv) Estonia, (v) Hungary, (vi) Latvia, (vii) Lithuania, (viii) Malta, (ix) Poland, (x) Romania, (xi) the Slovak Republic, (xii) Slovenia and (xiii) Turkey; and if he will make a statement. [130855]

Mr. Vaz: The ministerial visits programme for 2001 has not yet been agreed. For the remainder of 2000 the visits programme is as follows:

(i) Bulgaria

I intend to visit later this year.

(ii) Cyprus

I intend to visit later this year.

(iii) Czech Republic

My right hon. Friend the Foreign Secretary will visit on 25–26 July. I intend to visit later this year.

(iv) Estonia

I intend to visit next year. My right hon. Friend the Foreign Secretary visited last year and President Meri visited the UK in March this year.

(v) Hungary

My right hon. Friend the Foreign Secretary will visit on 24–25 July.

(vi) Latvia

I intend to visit later this year.

(vii) Lithuania

I intend to visit later this year.

(viii) Malta

I visited earlier this month.

(ix) Poland

The Parliamentary Under-Secretary of State Baroness Scotland attended the 'Community of Democracies' conference from 25–27 June.

(x) Romania

President Constantinescu and Foreign Minister Roman have both visited the UK this year. I do not intend to visit this year but hope to do so in early 2001 after the Romanian general elections.

(xi) Slovak Republic

My right hon. Friend the Foreign Secretary visited in March. I intend to visit later this year.

(xii) Slovenia

I intend to visit later this year.

(xiii) Turkey

The Minister of State my hon. Friend the Member for Leeds, West (Mr. Battle) intends to visit in November. I also intend to visit later this year.

Mr. Oaten: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the occasions in each year from 1995 to 2000 when *(a)* Bulgaria, *(b)* Cyprus, *(c)* the Czech Republic, *(d)* Estonia, *(e)* Hungary, *(f)* Latvia, *(g)* Lithuania, *(h)* Malta, *(i)* Poland, *(j)* Romania, *(k)* the Slovak Republic, *(l)* Slovenia and *(m)* Turkey received ministerial visits from his Department; in each instance indicating the (i) head of the UK delegation and (ii) length of stay; and if he will make a statement. [130854]

Mr. Vaz: It will take some time to collate all the information requested by the hon. Member. I will write to him once it is available and place a copy of my letter in the Library.

Sanctions (Yugoslavia)

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he plans to take following the admission by Romania that it broke United Nations sanctions against Yugoslavia. [130948]

Mr. Hain: The UK has consistently urged all states to comply fully with their obligations to implement and enforce mandatory United Nations sanctions. We understand that the Romanian Government is conducting an inquiry into allegations concerning violations of the UN sanctions against the Federal Republic of Yugoslavia during the previous Romanian Administration.

Middle East

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the latest Middle East talks chaired by President Clinton. [130951]

Mr. Hain: We welcome the summit at Camp David between the Israelis and Palestinians, called by President Clinton. It is an important event in the progress towards a Permanent Status Agreement. We encourage all participants to show the courage needed to reach an agreement which is just and lasting.

Indonesia

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy is on the ethnic conflict in Indonesia. [130953]

Mr. Battle: We have been deeply disturbed by reports of escalating violence in Maluku. Diplomatic efforts are focused on bringing pressure to bear on the Indonesian government to take effective action and bring the perpetrators of violence to justice. I discussed this with the Indonesian Ambassador on 3 July. The head of the Diplomatic Service raised our concerns directly with President Wahid on 4 July and EU Ambassadors reinforced this at a further meeting with the President on 17 July. There is an urgent need to respond to the growing humanitarian crisis. We are pressing the Indonesians to ensure guaranteed safe access and acceptance of a humanitarian response by UN agencies and Indonesian NGOs. The United Nations Development Programme (UNDP) is working closely with the Indonesians on humanitarian co-ordination.

Iran

Mr. Stephen Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received of assassinations of Christian leaders in Iran in the past five years. [130773]

Mr. Hain: None, however I refer my hon. Friend to my answer today to his question UIN 130772, *Official Report* column 269W.

Mr. Stephen Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to encourage religious tolerance in Iran. [130771]

Mr. Hain: Human Rights are a high priority in our dealings with the Iranian Government. We and our EU partners take every appropriate opportunity to press the Iranian authorities over our concerns about their treatment of religious minorities in Iran, particularly the Bahai and Jewish communities. The Iranian authorities are well aware that we and our EU partners view persecution on religious grounds as totally unacceptable.

Mr. Stephen Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent reports he has received concerning religious liberty in Iran. [130792]

Mr. Hain: We receive reports from a number of sources on a wide range of human rights issues in Iran including religious liberty. These sources include among others our Embassy in Tehran, the UK and Iranian media, Amnesty International and the United Nations Commission of Human Rights Special Representative's annual reports. Most of these sources recognise that there have been a number of improvements in Iran since the election of President Khatami in 1997, but that a number of concerns remain. Our policy of engagement allows us to raise our concerns with the Iranian authorities.

Mr. Stephen Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received concerning the activities of the Ministry of Islamic Guidance in Iran. [130790]

Mr. Hain: Our Embassy in Tehran has reported that the Ministry of Culture and Islamic Guidance is responsible for issuing licences and control of all printed material, music, film and other cultural and touristic activities. It also has responsibility for maintaining religious standards.

Mr. Stephen Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Iranian authorities concerning the assassination of Christian pastors. [130772]

Mr. Hain: There have recently been a number of calls in Iran for further investigation into the appalling killings of four Christian clerics in 1994. We and our EU partners continue to hope that those responsible for these crimes will be brought to justice.

Mr. Stephen Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Iranian authorities concerning *(a)* equality of access to education for all religions, *(b)* freedom of the press and *(c)* the death sentence for apostasy. [130791]

Mr. Hain: *(a)* and *(c)* are most relevant in the context of Iranian treatment of the Baha'i community. We and our EU partners regularly raise our concerns about Iranian treatment of the Baha'is. We do so bilaterally through our Embassy in Tehran, and the Iranian Ambassador to London. We also do so multilaterally through the twice yearly UN resolutions on Human Rights in Iran, which we sponsor in conjunction with our EU partners, the most recent of which was adopted in April.

We also raise our concerns through the EU/Iran dialogue. On *(b)*, at the last meeting in Tehran in June, the EU presidency, on behalf of all EU partners, pressed the Iranian authorities over our concern about the recent suppression of freedom of the press in Iran.

Ministers' Spouses (Hospitality)

Mr. Nicholls: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those spouses of Ministers who within the last year have stayed as guests at the British *(a)* Embassy and *(b)* Residence in Lisbon when not accompanied by their Minister spouses; and if he will give the duration of the stay in each case. [131260]

Mr. Vaz *[holding answer 18 July 2000]:* The only unaccompanied ministerial spouse to stay at the Residence in Lisbon during the last year was my wife, Maria Fernandes, who stayed for one night on 26 June before the EU-India Business Summit on 27 June. As Minister for Europe, I had planned to attend the Summit but was forced to cancel owing to other ministerial duties. Ms Fernandes attended the Summit in her own right as a Member of the Council of the Law Society for Ethnic Minorities and met her own travel expenses to and from the Summit.

TV Licence Discounts

Mr. Pike: To ask the Secretary of State for Foreign and Commonwealth Affairs what action the Government have taken to ensure that people who are partially sighted claim their entitled discount on their TV licence; and if he will make a statement. [130289]

Janet Anderson: I have been asked to reply.

The 50 per cent. reduction in the television licence fee which the Government introduced on 1 April this year is available to all registered blind people. Statutory responsibility for the administration of the television licensing system, including concessions, rests with the BBC. I understand that the BBC's agent, TV Licensing, is including details of the concession in letters that are being sent to every household about free television licences for the over-75s. Additional leaflets have also been produced, with audio and Braille versions. Other promotional activity includes local radio trails, information on the BBC's Website and liaison with community links and outreach centres. The BBC has liaised with the Royal National Institute for the Blind on the subject of this concession and Post Office Counters staff have been informed of it.

SOCIAL SECURITY

Winter Fuel Payments

Mr. Martlew: To ask the Secretary of State for Social Security how many pensioners in the Carlisle constituency received Winter Fuel Payments in *(a)* 1998–99 and *(b)* 1999–2000; and how much was paid in total in each of those years. [127807]

Angela Eagle: The administration of Winter Fuel Payments is a matter for Alexis Cleveland, the Chief Executive of the Benefits Agency. She will write to my hon. Friend.

Letter from Alexis Cleveland to Mr. Eric Martlew, dated 20 July 2000:

The Secretary of State has asked me to reply to your recent Parliamentary Question asking how many pensioners in the Carlisle constituency received Winter Fuel Payments (WFPs) in *(a)* 1998–99 and *(b)* 1999–2000; and how much was paid in total in each of those years.

In 1998/99, there were 13,157 WFPs made in the Carlisle constituency totalling £283,210. In 1999–00, there were 14,938 payments totalling £1,138,350.

I hope this is helpful.

Helen Jones: To ask the Secretary of State for Social Security what is the total amount spent on Cold Weather Payments and Winter Fuel Payments to pensioners in Warrington, North constituency for each year since 1979. [127316]

Angela Eagle *[holding answer 26 June 2000]:* The administration of Cold Weather and Winter Fuel Payments is a matter for Alexis Cleveland, the Chief Executive of the Benefits Agency. She will write to my hon. Friend.

Letter from Alexis Cleveland to Helen Jones, dated 20 July 2000:

The Secretary of State has asked me to reply to your recent Parliamentary Question asking for the total amount spent on Cold Weather Payments (CWPs) and Winter Fuel Payments (WFPs) to pensioners in the Warrington North constituency for each year since 1979.

The information requested on CWPs is not available. CWP information is collected on the estimated number of qualifying customers, which include non-pensioners, and by weather station area rather than by Benefits Agency district or MP constituency areas. There are no details held of CWPs before 1995/96. The information that is available is provided in the attached table.

The Warrington North constituency was served by the Manchester Airport (Ringway) weather station until the winter of 1995/96 and by Crosby weather station since 1996. These weather stations also cover postcodes outside of the Warrington North constituency.

WFPs were introduced in the winter of 1997/98. In 1997/98, WFP expenditure for Warrington North constituency was £258,170; in 1998/99 it was £239,780; and in 1999/00 it was £963,700.

I hope this is helpful.

Estimated qualifiers and total expenditure on Cold Weather Payments since the winter of 1995–96 at the weather stations linked to Warrington, North constituency

	Estimated number of qualifiers		Total expenditure (£)	
Weather station	1995–96	1996–97	1995–96	1996–97
Ringway	244,000	—	[1]6,213,000	—
Crosby	—	232,000	—	[2]1,971,000

[1] Three periods of cold weather were triggered at Ringway weather station in 1995–96

[2] One period of cold weather triggered at Crosby weather station in 1996–97

Notes:

1. The figures provided are rounded to the nearest £1,000
2. No data are held for periods prior to 1995–96
3. Figures for estimated qualifiers include non-pensioners.
4. An estimate of the number of pensioners among the estimated qualifiers is not available.
5. No periods of cold weather have triggered at either station since 1996–97.
6. All Postcode areas served by the weather stations are detailed in Schedule 1 of the Social Fund Cold Weather payments (General) Regulations.

Mr. Clifton-Brown: To ask the Secretary of State for Social Security how many valid Winter Fuel Payment claims for the years *(a)* 1997, *(b)* 1998 and *(c)* 1999 are outstanding; and when he expects all these payments to be completed. [130125]

Angela Eagle: Under the original Winter Fuel Payment scheme, before changes in light of the European Court of Justice ruling on 'Taylor', Winter Fuel Payments were made automatically to those entitled. Claims were not required. All payments for last winter were made before Christmas 1999.

However, in light of the changes, those who are now eligible to Winter Fuel Payments must make a claim for payments for any of the past winters if they think they are eligible (1997–98, 1998–99 and 1999–2000).

We are currently processing these claims and payments for past winters are being made just as soon as the claims are determined. The first payments were issued in the week commencing 26 June 2000 and our current plan is that all payments should be issued by the end of September.

Mr. Clifton-Brown: To ask the Secretary of State for Social Security, pursuant to his answer of 25 May 2000, *Official Report*, column 618W, how many people were denied Winter Fuel Payments because they were in temporary respite care from 20 to 26 September 1999; what the cost would be of paying them Winter Fuel Payments; and for what reason the revisions to regulations were not applied in respect of such people. [130126]

Angela Eagle: The information is not available in the format requested. Under the original Winter Fuel Payment scheme people living in residential care or nursing homes who received Income Support or income-based Jobseeker's Allowance were not eligible for a Winter Fuel Payment (unless they were a member of a couple admitted temporarily while their partner remained in the family home). This provision was made on the basis that people in such situations were already receiving public assistance with their care costs—which includes heating.

However, in the light of representations highlighting some difficult cases, we changed the eligibility conditions of the scheme. The new provision means that people getting Income Support or income-based Jobseeker's Allowance and living in residential care or nursing homes for a temporary period[1] are eligible for a Winter Fuel Payment based on their usual household circumstances.

The Social Fund legislation was amended in time to take effect for this coming winter's payments. We have no power to make regulations retrospectively therefore the changes cannot apply to previous winters.

[1] 'temporary' for the purposes of the Winter Fuel Payment scheme is less than 13 weeks by the end of the qualifying week.

Pensioner Incomes

Mr. Cohen: To ask the Secretary of State for Social Security what, in each European Union country, the *(a)* average pensioner income and *(b)* average state pension, is on a comparable basis; and what each of these figures was at the beginning of 1997. [130690]

Mr. Rooker: The information is not available in the format requested. Information in relation to Great Britain pensioner income is set out in The Pensioners' Incomes Series.

PFI Contracts

Mr. Matthew Taylor: To ask the Secretary of State for Social Security what the estimated rate of return on capital is to the contractors under the PFI contracts in his Department. [131348]

Angela Eagle: We currently have only one PFI contract, the Private Sector Resource Initiative for Management of the Estate (PRIME), and this information is commercially confidential to the contractor, Trillium.

Child Support Agency

Mr. Gerald Howarth: To ask the Secretary of State for Social Security what was the total paid in 1999 by fathers to their children via the CSA; and what was the total unpaid liability. [131108]

Angela Eagle: The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

Letter from Mrs. Faith Boardman to Mr. Gerald Howarth, dated 20 July 2000:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the Child Support Agency.

During 1999/2000, CSA collected and arranged almost £731m in child maintenance. Of this money, over £492m was passed via the Agency's collection service and the remainder arranged by the Agency but passed directly between the Non-resident parent (NRP) and the Parent with Care (PWC). The figure of £731m represents an 11% increase over the previous year and is nearly double the figure (£400m) for 96/97. A small part of the money collected will have represented arrears owed from previous years but paid during 1999/00.

Unfortunately, figures are not available to say exactly how much liability was not met, but the Department's statistical division has estimated that just under £210m was unpaid in 1999/00. This does not include interim assessments set deliberately high in order to encourage non-compliant NRP's to co-operate and provide the details to make a full assessment.

I hope this is helpful.

Minimum Income Guarantee

Mr. Cox: To ask the Secretary of State for Social Security how many pensioners receive the Minimum Income Guarantee and live in the London Borough of Wandsworth. [131472]

Mr. Rooker: There are around 7,400 pensioners benefiting from the Minimum Income Guarantee in the local authority area of Wandsworth.

Source:

Data drawn from Income Support Quarterly Statistical Enquiry, February 2000

Pensions

Mr. Gardiner: To ask the Secretary of State for Social Security if he will provide a breakdown of his calculation of the estimated total spending on pensions during the life of this Parliament. [131488]

Mr. Rooker: Information on actual and forecast Social Security expenditure on people aged 60 or over during the life of this Parliament is shown in Table 3 of the Social Security Departmental Report (Cm 4614) as Objective 4, "Support for people over working age".

Households Below Average Income

Mr. Field: To ask the Secretary of State for Social Security where the 1998–99 Households Below Average Income Statistics was available to *(a)* hon. Members and *(b)* the public on the day it was published. [131523]

Mr. Bayley: On 13 July, copies of "Households Below Average Income" were placed in the library. Copies of all departmental publications are available to hon. Members on request.

Copies were on sale to the public directly from the publisher. Volumes were also available for reference in the library of the Office for National Statistics.

Mr. Webb: To ask the Secretary of State for Social Security, pursuant to his oral answer of 17 July 2000, *Official Report*, column 7–8, if he will identify the specific results from his Department's Households Below Average Income report on which he based his statement that the proportion of pensioners living in poverty was the same in 1998–99 as in the last year of the previous Parliament. [131582]

Mr. Bayley: I refer the hon. Member to the table on Page 135 of "Households Below Average Income 1994–95 to 1998–99". This shows that the proportion of pensioners living below a threshold of 60 per cent. of median income, after housing costs, remained static at 27 per cent. between 1996–97 and 1998–99.

Disability Living Allowance (Multiple Sclerosis)

Mr. Tynan: To ask the Secretary of State for Social Security if he will make a statement on the difficulties facing individuals who suffer from relapsing-remitting multiple sclerosis in seeking to qualify for Disability Living Allowance. [131219]

Mr. Bayley: Entitlement to Disability Living Allowance (DLA) is based on a person's needs, and not in recognition of their specific medical condition. People with multiple sclerosis, as with other potentially disabling conditions, are therefore asked to state their care and mobility needs arising from their condition when completing a DLA claim form. Decision makers are given information on the needs arising from disabilities, including multiple sclerosis, in the "Disability Handbook", which is compiled by senior doctors in the Department and approved and monitored by the Disability Living Allowance Advisory Board.

With conditions such as remitting-relapsing multiple sclerosis, decision makers must consider the help required over a period of time. Due to the variable nature of this condition, the Disability Handbook advises decision makers that a medical report may be helpful where a person's needs over a period of time are unclear.

If someone claiming DLA is dissatisfied with the decision on their application (including on the grounds that the decision does not adequately recognise a fluctuating condition), they can ask for it to be looked at again or they can appeal the decision to an independent tribunal.

We are exploring alternatives to the current tests for DLA. Following discussions with groups representing disabled people, we have developed a possible approach based on an assessment of activities involved in managing life. We plan to commence trialling this early next year, to see if it would lead to a better system.

Fraud

Mr. Ruffley: To ask the Secretary of State for Social Security what discussions his Department has had with the Benefit Fraud Inspectorate in respect of *(a)* St. Edmundsbury borough council and *(b)* Mid Suffolk district council; and if he will make a statement. [131133]

Mr. Rooker: None.

Mr. Field: To ask the Secretary of State for Social Security if his Department has a target to reduce fraud and error in income support and jobseeker's allowance by 10 per cent. by 2002. [131605]

Mr. Rooker: We have now raised our targets with a view to reducing losses from fraud and error in Income Support and Jobseeker's Allowance by 25 per cent. by March 2004 and by 50 per cent. by March 2006. The expectation is that by March 2002 at least 10 per cent. will have been saved.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Social Security how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April 2000 have not received substantive answers, citing as the reason that the information is *(a)* not held centrally, *(b)* not held in the form requested and *(c)* not available. [131233]

Mr. Rooker: Of the 1,815 questions we received during this period, we answered two questions where the information was not held centrally[1], 108 questions where the information was not available in the form requested and 25 questions where the information was not available.

[1] These were answers where the information was not held centrally and could be obtained only at disproportionate cost.

CULTURE, MEDIA AND SPORT

Tourism

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what per capita Government spending on tourism was in *(a)* England, *(b)* Scotland, *(c)* Wales and *(d)* Northern Ireland in this last financial year; and what the planned figures are for the current year. [129724]

Mr. Chris Smith *[holding answer 7 July 2000]:* Grant-in-aid to the national tourist boards and per capita spend for the last financial year as well as planned figures for the current year are set out in the table.

	GIA (£ million)	*Population (million)*	*£ per head (£/pence)*
BTA			
1999–2000	34.5	57.78	0.60
2000–01	35.5	58.01	0.61
ETC			
1999–2000	10	49.73	0.20
2000–01	10	49.96	0.20
STB			
1999–2000	19.6	5.12	3.82
2000–01	24.3	5.11	4.76
WTB			
1999–2000	15.436	2.94	5.25
2000–01	15.436	2.95	5.23
NITB			
1999–2000	13.9	1.70	8.18
2000–01	13.9	1.70	8.18

Notes:
1. An additional £2.8 million was made available to the ETC over 2 years for the transition costs of transforming the English Tourist Board to the more strategic English Tourism Council
2. All population figures are BTA's estimates based on the 'Annual Abstract of Statistics—2000 Edition'
3. The population of Britain under BTA excludes Northern Ireland
4. BTA grant-in-aid excludes Focus London grant (£1.5 million in 1999–2000 and 2000–01)
5. STB 2000–01 grant-in-aid includes additional "special projects" funding

Departmental Initiatives

Dr. Lynne Jones: To ask the Secretary of State for Culture, Media and Sport if he will list each departmental initiative since May 1997 requiring bids for funding together with the total resources available, the number of successful bids and the proportion this represents of total bids received; and what data he collects on the average expenditure of organisations bidding for funding through each initiative. [131081]

Mr. Chris Smith: New spending plans for the years 2001–02 and 2003–04 were considered in the current Spending Review. The outcome of the Review was announced on 18 July.

Lottery Funding

Mr. Paul Marsden: To ask the Secretary of State for Culture, Media and Sport how much Lottery funding has been awarded by *(a)* the Arts Council of England, *(b)* the Millennium Commission, *(c)* the National Lotteries Charities Board, *(d)* the New Opportunities Fund, *(e)* Sport England and *(f)* UK Sport to organisations and individuals in Shrewsbury and Atcham in each year since 1997; and if he will make a statement. [131135]

Kate Hoey: The table shows the amount of Lottery funding, according to my Department's National Lottery Awards Database, for each of the six distributors requested for each year since 1997.

Distributor	*1997*	*1998*	*1999*	*2000*
Arts Council of England	3,111,553	168,688	57,790	14,732
Millennium Commission	0	945,947	0	0
National Lottery Charities Board	463,455	927,072	2,052,365	264,205
New Opportunities Fund	0	0	1,056,702	213,967
Sport England	35,098	49,771	13,360	9,209
UK Sport	0	0	0	0

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Culture, Media and Sport how many parliamentary questions were tabled to his Department between 19 October 1999 and 20 April 2000 which requested information pursuant to his previous answers. [131189]

Mr. Chris Smith *[holding answer 18 July 2000]:* Thirty four such questions were tabled to my Department.

HEALTH

Acute Hospital Beds

Mr. Luff: To ask the Secretary of State for Health how many acute hospital beds there are per 1,000 of local populations in each health authority area of England and Wales; and how many such beds there will be in the Worcestershire health authority area per 1,000 of population after the complete implementation of the authority's Investing in Excellence strategy. [125457]

Yvette Cooper *[holding answer 12 June 2000]:* We are committed to ensuring more beds in the whole care system. The average daily number of acute beds in 1998–99 by National Health Service trusts in England aggregated to health authority location, per 1,000 population, is given in the table. Figures for Wales are a matter for the devolved administration. There are no acute beds in this health authority because patients are treated within acute trusts in the neighbouring Birmingham health authority area, which, as a result, has a higher than average figure.

The important issue for the health service in Worcestershire is the number of patients who need to be treated and the appropriateness of their care. In line with this, the current estimate is that following hospital reorganisation there will be approximately 1,400 acute and

community based beds available across Worcestershire. There will be more high dependency unit and intensive care unit beds in the new acute hospital for Worcester due to the investment the Government have made to modernise services in Worcestershire. The Government have awarded Worcestershire health authority a special allocation over the last two years to help with the re-configuration of their health services, amounting to £3.5 million in 1998–99 and £4.5 million in 1999–2000.

The report of the Government's National Beds Inquiry, set up to review assumptions about the demand for inpatient care and the implications for hospital bed numbers, was published for consultation on 10 February 2000. The consultation, which completed on 15 May, focused on how health services, and specifically hospital beds, should be developed over the next 10–20 years. The aim of the consultation is to enable us to get the right number of the right sort of beds in the right places. Our response to the consultation will be published in the summer.

Average daily number of available acute beds per 1,000 population, wards open overnight (ie 24 hours), by NHS trusts aggregated to health authority location, 1998–99

Health authority	*Acute beds per 1,000 population*
Avon	2.12
Barking and Havering	1.81
Barnet	1.23
Barnsley	2.28
Bedfordshire	1.11
Berkshire	1.48
Bexley and Greenwich	1.53
Birmingham	3.38
Bradford	2.19
Brent and Harrow	1.50
Bromley	1.17
Buckinghamshire	1.75
Bury and Rochdale	2.41
Calderdale and Kirklees	1.61
Cambridge and Huntingdon	2.68
Camden and Islington	6.32
Cornwall and Isles of Scilly	1.78
County Durham	1.95
Coventry	3.74
Croydon	1.47
Doncaster	2.39
Dorset	2.24
Dudley	2.48
Ealing, Hammersmith and Hounslow	2.47
East Kent	1.83
East Lancashire	2.42
East London and The City	3.13
East Norfolk	2.28
East Riding	2.07
East Surrey	0.72
East Sussex	1.86
Enfield and Haringey	1.49
Gateshead and South Tyneside	2.36
Gloucester	2.08
Herefordshire	1.81
Hillingdon	1.13
Isle of Wight	1.86
Kensington, Chelsea and Westminster	4.31
Kingston and Richmond	1.32
Lambeth, Southwark and Lewisham	3.13
Leeds	2.98
Leicestershire	2.02
Lincolnshire	2.04
Liverpool	3.18
Manchester	5.39
Merton, Sutton and Wandsworth	2.00
Morecambe Bay	2.32
Newcastle and North Tyneside	3.27
North and East Devon	2.64
North and East Hertfordshire	1.33
North and Mid Hampshire	1.21
North Cheshire	1.78
North Cumbria	2.09
North Derbyshire	1.42
North Essex	1.56
North Nottinghamshire	2.25
North Staffordshire	2.42
North West Anglia	2.08
North West Lancashire	3.07
North Yorkshire	1.88
Northamptonshire	1.73
Northumberland	2.75
Nottingham	2.75
Oxfordshire	2.39
Portsmouth and South East Hampshire	1.73
Redbridge and Waltham Forest	1.77
Rotherham	1.88
Salford and Trafford	2.60
Sandwell	1.86
Sefton	4.05
Sheffield	3.73
Shropshire	1.86
Solihull	0.00
Somerset	2.01
South and West Devon	2.78
South Cheshire	1.75
South Derbyshire	1.87
South Essex	1.30
South Humber	2.28
South Lancashire	2.07
South Staffordshire	1.34
Southampton and South West Hampshire	2.43
St. Helens and Knowsley	1.93
Stockport	1.92
Suffolk	1.53
Sunderland	2.27
Tees	2.87
Wakefield	2.82
Walsall	1.76
Warwickshire	1.46
West Hertfordshire	1.42
West Kent	1.63
West Pennine	2.11
West Surrey	2.23
West Sussex	1.83
Wigan and Bolton	1.95
Wiltshire	3.05
Wirral	2.85
Wolverhampton	2.55
Worcester	1.52

Source:
DH form KH03

The figures in the table have been created by aggregating data from NHS trusts to health authorities determined by the location of the NHS Trust's main site. Therefore, where NHS trusts have hospital sites which cross health authority boundaries (e.g. Birmingham Heartlands and Solihull) the figures do not reflect the actual number of beds located within those health authorities.

The latest figures are for 1998–99 and are available in the annual publication 'Bed Availability and Occupancy, England', copies of which are in the Library.

NDPBs (Appointments)

Mr. Allan: To ask the Secretary of State for Health how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which he has made to non-departmental public bodies since 1 May 1997 were women. [129840]

Ms Stuart *[holding answer 11 July 2000]:* A total of 429 appointments have been made to non-departmental public bodies since 1 May 1997. 289 of these were paid appointments, of which 105 (36.3 per cent.) were women. 140 were unpaid appointments, of which 51 (36.4 per cent.) were women. In addition, a total of 3,400 appointments have been made to the boards of National Health Service Trusts, health authorities and primary care trusts since 1 May 1997. All these posts are paid, and 1,695 (49.8 per cent.) of those appointed were women.

We are committed to increasing the representation of women in public life. In support of this the Department has drawn up an action plan for increasing the number of women and people from the ethnic minorities holding public appointments. The latest plans, together with the Government's overall plan, were published on 24 May 2000 in "Quangos: Opening up Public Appointments 2000–2003", copies of which are available in the Library.

Ambulance Service (Tees, East and North Yorkshire)

Mr. McNamara: To ask the Secretary of State for Health what proposals he has made to TENYAS for additional funding to enable it to meet the ORCON standards. [130423]

Ms Stuart: On 16 May 2000 we announced an additional £21 million to achieve ORCON standards, of which the Tees, East and North Yorkshire Ambulance Service National Health Service Trust (TENYAS) received £720,390.

Glyphosates

Dr. Kumar: To ask the Secretary of State for Health what the maximum safe level is of glyphosates for daily intake, per kilogram of body weight per day. [131005]

Ms Quin *[holding answer 17 July 2000]:* I have been asked to reply.

The World Health Organisation has established an Acceptable Daily Intake (ADI) for glyphosate of a maximum of 0.3 milligrams per kilogram of body weight. The ADI is the amount of a chemical which can be consumed every day of an individual's entire lifetime in the practical certainty, on the basis of all known facts, that no harm will result.

E.coli

Sir Teddy Taylor: To ask the Secretary of State for Health how many persons suffered from the E.coli bacterium during the most recent 12 months for which figures are available; and what assessment he has made of the trends in the frequency of such outbreaks. [131419]

Ms Stuart: Provisional figures indicate there were 1,084 confirmed isolations of verocytotoxin-producing "E.coli" O157 (VTEC O157) from humans in England and Wales in 1999.

There has been a rising trend in laboratory reports of VTEC O157 from humans in England and Wales during the 1990s.

Midwifery

Ms Drown: To ask the Secretary of State for Health when the consultation process for his draft orders on regulation of midwives and other professions will commence. [131313]

Mr. Paul Marsden: To ask the Secretary of State for Health if he will make a statement on the timescale for consulting with the Stakeholder Reference Group on midwifery regulations. [130817]

Mrs. Spelman: To ask the Secretary of State for Health what progress the Government are making on consultation prior to introducing legislation required for the regulation of midwives and midwifery. [131308]

Mr. Denham: Consultation on the new legislation will begin shortly.

NHS Contracts

Ms Kelly: To ask the Secretary of State for Health if he will list the NHS contracts, with their annual value, undertaken by private sector companies for the provision of goods and services for the financial years *(a)* 1998–99 and *(b)* 1999–2000. [131156]

Mr. Denham: The information requested is not held centrally.

PFI Contracts

Mr. Matthew Taylor: To ask the Secretary of State for Health, pursuant to his answer to my hon. Friend the Member for North Devon (Mr. Harvey) of 3 July 2000, *Official Report*, column 46W, which major private finance initiative new hospital scheme has had a penalty clause invoked; what the nature of the breach of contract was; and what the penalty was under that clause. [130840]

Mr. Denham: The only instance to date of a penalty clause being invoked on a new major private finance initiative hospital scheme has been for the failure of the electrical power supply system at South Buckinghamshire National Health Service Trust. The exact value of the penalty has yet to be finalised.

Mr. Matthew Taylor: To ask the Secretary of State for Health how many *(a)* acute and *(b)* immediate case beds are included in hospital projects currently being pursued under the PFI in (i) the outline business case and (ii) the final contract. [131347]

Mr. Denham: Figures for bed numbers are provided for all the major private finance initiative hospital schemes (capital value £25 million or over) which have a

signed final contract. 'Acute' beds is interpreted as meaning all staffed in-patient beds excluding day case beds. In addition to providing the indicative requirement as identified in the outline business case and those to be provided under the PFI solution we have also provided the current number of staffed in-patient beds.

Trust	*Current number of in-patient beds*	*Number of in-patient beds proposed in the OBC*	*Number of in-patient beds in PFI scheme*
Dartford and Gravesham NHS Trust	453	400	402
Carlisle Hospitals NHS Trust	—	474	444
South Buckinghamshire NHS Trust	550	537	537
Norfolk and Norwich NHS Trust	955	809	953
North Durham Health Care NHS Trust	544	565	476
Greenwich Healthcare NHS Trust	588	621	571
Calderdale Healthcare NHS Trust	704	569	569
South Manchester University Hospitals NHS Trust	882	881	910
Bromley Healthcare NHS Trust	621	540	525
Barnet and Chase Farm Hospitals NHS Trust	437	406	426
Worcester Royal Infirmary NHS Trust	483	390	474
Hereford Hospitals NHS Trust	379	340	340
South Durham Healthcare NHS Trust	334	304	304
South Tees Acute Hospitals NHS Trust	1,033	955	1,010
Swindon and Marlborough NHS Trust	540	516	463
King's Healthcare NHS Trust	903	895	902
St. George's Hospital NHS Trust	1,026	1,017	1,050
University College London Hospitals NHS Trust (UCLH)	660	619	664

New PFI hospital now fully open

All of these schemes apart from UCLH reached financial close before the publication of the National Beds Inquiry (NBI) report. NHS trusts and health authorities were not required to specifically identify intermediate care bed provision as part of their service planning strategies.

UCLH revised its general and acute bed numbers in the light of the NBI report. Also following from the NBI report, all PFI and publicly funded hospital schemes under construction and which involve reductions in bed numbers have been instructed to ensure that parallel plans, for example for expanding intermediate care, should be established as quickly as possible.

Muslim Patients

Mr. Sarwar: To ask the Secretary of State for Health if he will make a statement on his policy on caring for Muslim patients. [130949]

Yvette Cooper: The Department's strategy for meeting the needs of minority ethnic communities, including Muslims, is to mainstream race equality issues into all aspects of its work, including policy development, NHS and social care service delivery and workforce issues. This approach was set out in the race equality agenda of the Department, published in January, and copies have been placed in the Library.

Primary Care Groups and Trusts

Sir Teddy Taylor: To ask the Secretary of State for Health if he will make a statement on the reasons for setting up *(a)* primary care groups and *(b)* primary care trusts; and what estimate he has made of the overall impact of the establishment of groups and trusts on the numbers employed in the administration of the Health Service. [131306]

Mr. Denham: Primary care groups and trusts are already making real differences to the way services are being provided to benefit patients across the country. They have begun to integrate the delivery of primary and community services and have started to build real partnerships with social services.

That is why they are a key part of our programme for improving care, through empowering clinicians to deliver accessible, convenient local services for patients.

In September 1999 the numbers employed in administration and estates in the health service was 204,620 (an increase of 3 per cent.). It is estimated that the real terms savings in year on total National Health Service management costs for the financial year 1998–99 were in excess of £65 million.

Drug Addiction

Mrs. Ann Winterton: To ask the Secretary of State for Health if he will list the number of places currently available for in-patient treatment for drug addiction in each county in England. [131315]

Ms Stuart: The information requested is not collected centrally. The number of hospital admissions in 1998–99 of National Health Service and private patients for diagnoses relating to drug misuse are shown in the table, by health authority of treatment. The data do not include treatment in private hospitals.

Number of drug addiction related admissions to NHS hospitals of NHS and private patients by health authority of treatment, England 1998–99

Health authority	*Number of admissions*
England	9,282
QA2 Hillingdon	43
QA3 Kensington Chelsea and Westminster	134
QA4 Enfield and Haringey	60
QA5 Redbridge and Waltham Forest	80
QA6 Bedfordshire	40

Number of drug addiction related admissions to NHS hospitals of NHS and private patients by health authority of treatment. England 1998–99

Health authority	Number of admissions
QA7 Berkshire	42
QA8 Buckinghamshire	39
QA9 Cambridge and Huntingdon	187
QAA Bexley and Greenwich	55
QAC Bromley	455
QAD Croydon	4
QAE East Kent	44
QAF West Kent	116
QAG Kingston and Richmond	28
QAH Lambeth Southwark and Lewisham	45
QAJ Merton Sutton and Wandsworth	211
QAK East Surrey	29
QAL West Surrey	138
QAM East Sussex Brighton and Hove	150
QAN West Sussex	11
QAP Barking and Havering	29
QAQ Barnet	1
QAR Brent and Harrow	55
QAT Camden and Islington	132
QAV Ealing Hammersmith and Hounslow	175
QAW East London and The City	94
QAX North Essex	90
QAY South Essex	126
QC1 South Lancashire	57
QC2 Liverpool	316
QC3 Manchester	103
QC4 Morecambe Bay	55
QC5 St. Helens and Knowsley	51
QC6 Salford and Trafford	467
QC7 Sefton	73
QC8 Stockport	17
QC9 West Pennine	134
QCA East Norfolk	97
QCC Northamptonshire	33
QCD North West Anglia	36
QCE Oxfordshire	83
QCF Suffolk	53
QCG Barnsley	253
QCH North Derbyshire	24
QCJ South Derbyshire	49
QCK Doncaster	63
QCL Leicestershire	127
QCM Lincolnshire	142
QCN North Nottingamshire	45
QCP Nottingham	253
QCQ Rotherham	118
QCR Sheffield	168
QCT Bury and Rochdale	61
QCV North Cheshire	73
QCW South Cheshire	92
QCX East Lancashire	81
QCY North West Lancashire	68
QD1 North and Mid Hampshire	38
QD2 Portsmouth and South East Hampshire	304
QD3 Southampton and South West Hampshire	44
QD4 Isle of Wight	33
QD5 Somerset	67
QD6 South and West Devon	97
QD7 Wiltshire	76
QD8 Avon	112
QD9 Birmingham	85
QDA Wigan and Bolton	111
QDC Wirral	150
QDD Bradford	51
QDE County Durham	96
QDF East Riding	37
QDG Gateshead and South Tyneside	49
QDH Leeds	68

Number of drug addiction related admissions to NHS hospitals of NHS and private patients by health authority of treatment. England 1998–99

Health authority	Number of admissions
QDJ Newcastle and North Tyneside	110
QDK North Cumbria	48
QDL South Humber	46
QDM Northumberland	53
QDN Sunderland	59
QDP Tees	222
QDQ Wakefield	61
QDR North Yorkshire	43
QDT Calderdale and Kirlees	70
QDV Cornwall and Isles of Scilly	61
QDW Dorset	186
QDX North and East Devon	97
QDY Gloucestershire	122
QEA Coventry	86
QEC Dudley	59
QED Herefordshire	3
QEE Sandwell	2
QEF Shropshire	155
QEG Solihull	11
QEH North Staffordshire	139
QEJ South Staffordshire	174
QEK Walsall	43
QEL Warwickshire	60
QEM Wolverhampton	36
QEN Worcestershire	47
QEP East and North Hertfordshire	26
QEQ West Hertfordshire	40

Notes:

1. The data relate to admissions where the primary condition is shown as belonging to one of the following International Classification Diseases (ICD revision 10) diseases—Mental and behavioural disorders due to use of: opioids (F11); cannabinoids (F12), sedatives or hypnotics (F13); cocaine (F14); other stimulants, including caffeine (F15); hallucinogens (F16); volatile solvents (F18); multiple drug use and use of other psychoactive substances (F19).

2. Data in this table are grossed for both coverage and unknown/ invalid clinical data.

Contractual Liabilities

Helen Jones: To ask the Secretary of State for Health (1) how many health authorities, NHS trusts or social services departments engaged Mrs. Jenny Upshall as a consultant or trainer or in any other capacity during the time she worked for Integrate Services in Warrington; and if he will estimate the cost of these services to the NHS; [130670]

(2) what advice was given to the North Cheshire Health Authority on the use of NHS funds to underwrite redundancy payments to Mr. T. Upshall and Mrs. J. Upshall of Integrate Services by *(a)* his Department, *(b)* the North-west Regional Office and *(c)* other public bodies; and if he will place copies of that advice in the Library. [130705]

Mr. Hutton *[holding answer 18 July 2000]:* Full details of Mrs. Upshall's employment history are not held by the Department. North Cheshire Health Authority took legal advice about underwriting redundancy payments; neither the Department centrally or regionally, nor any other public body as far as I can ascertain, were approached for guidance.

Pregnancy and Sexually Transmitted Diseases (Young People in Care)

Mr. Gerald Howarth: To ask the Secretary of State for Health for what reason his Department does not collect data on the incidence of pregnancy and sexually-transmitted diseases among young people who are in the care of the state; and if he will make a statement. [131416]

Yvette Cooper *[holding answer 19 July 2000]:* The Department does not collect data through social care systems on the incidence of pregnancy and sexually transmitted diseases among young people who are in the care of the state. Young people over 16 and those under 16 who are deemed to be Gillick-competent have the right to seek medical advice for pregnancy or sexually transmitted diseases without the consent or knowledge of parents or carers.

Within the Quality Protects programme, the Department does require councils to draw up proposals for assessing and reducing rates of teenage pregnancy in their areas, especially among those young people for whom they have parenting responsibilities.

CJD

Mr. David Taylor: To ask the Secretary of State for Health how many of the cases of confirmed or probable new variant CJD in the UK have been individuals who have lived in Leicestershire; what assessment he has made of whether this constitutes a cluster which is unlikely to have occurred by chance; what investigation into this problem in Leicestershire is planned; and if he will make a statement. [131213]

Yvette Cooper *[holding answer 19 July 2000]:* I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Stockport (Ms Coffey) on 17 July 2000, *Official Report*, column 78W.

Radiographers

Mr. Allan: To ask the Secretary of State for Health if he will make it his policy to publish annually the decisions of the Radiographers Board in relation to applications from foreign qualified radiographers to work as diagnostic radiographers in the UK, indicating the number who *(a)* apply by country, *(b)* are rejected by country, *(c)* appeal successfully and *(d)* after an adaptation period are accepted by the Board, stating the length of adaptation period. [131217]

Mr. Denham: I understand that decisions of the Radiographers Board relating to applications from radiographers qualified in other member states of the European Economic Area are provided biennially to my right hon. Friend the Secretary of State for Trade and Industry, together with decisions made by all other competent authorities in the member states. The combined figures for all member states are published biennially by the European Commission. The figures for 1997–98 were published on 1 May 2000 and are available from the European Commission Rue de la Loi 200, B, 1049, Brussels, Belgium under reference number MARKT/D4/8550/2-EN. Information about applications from other foreign qualified radiographers is available from the Radiographers Board on request.

Mr. Tynan: To ask the Secretary of State for Health for what reasons German-trained radiographers are not accepted by the Radiographers Board for work in the United Kingdom until they have completed a period of adaptation. [131218]

Mr. Denham: This is a matter for the Radiographers Board of the Council for Professions Supplementary to Medicine. The Board may require applicants from member states of the European Economic Area to complete an adaptation period or take an aptitude test where the education and training they have received differs substantially from those required for registration in the United Kingdom.

Mr. Tynan: To ask the Secretary of State for Health how many radiographers qualified in Germany, who applied to the Radiographers Board for registration in the UK as diagnostic radiographers and have been rejected until they have completed a period of adaptation, have successfully appealed against the decision in the last three years. [131220]

Mr. Denham: This is a matter for the Radiographers Board of the Council of Professions Supplementary to Medicine, but I understand that there have been no successful appeals against a Board decision.

Mr. Tynan: To ask the Secretary of State for Health how many radiographers who qualified in Germany and have applied for registration as a diagnostic radiographer to the Radiographers Board have been registered in each of the last three years. [131221]

Mr. Denham: The Radiographers Board has informed me that in 1997 there were two applications from German-trained radiographers of whom one was registered and one was given a period of 12 months adaptation; in 1998, there were no applications; and in 1999 there was one application which resulted in a 12 month period of adaptation. Both have successfully completed the period of adaptation and have been registered.

"Protecting Children, Supporting Parents"

Mr. Dawson: To ask the Secretary of State for Health how many responses have been received to his Department's consultative paper entitled "Protecting Children, Supporting Parents" which organisations and individuals responded to the consultation; if he will place copies of the responses in the Library; and when he plans to publish the Government's proposals. [131236]

Mr. Hutton: Responses to the consultation document "Protecting Children, Supporting Parents" are still being logged, but over 865 responses had been received by the end of April 2000.

This substantial set of responses is currently being analysed and once this is complete, a summary of the views will be published, together with our proposals. We expect this to be available in the autumn.

It is not normal practice to list the names of all those who have responded, nor to place copies of responses in the Library, and we have no plans to do so. It is of course open to individuals and organisations to make their responses public, should they wish to do so.

HC1 Forms

Mr. Nicholls: To ask the Secretary of State for Health what steps he will take to simplify the HC1 form in order to reduce the number of forms which are incorrectly filled in. [130972]

Ms Stuart: The HC1 claim form has to collect all the information needed to calculate entitlement to help with health costs under the National Health Service Low Income Scheme. The options for making it simpler are therefore limited. It is already written in plain english, set out in sections and is fully "signposted" to guide people through it. It has been amended recently and the effectiveness of the latest version will be monitored closely.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Health how many written parliamentary questions were tabled to his Department between 19 October 1999 and 20 April; and how many have not received substantive answers, with disproportionate cost cited as the reason. [131223]

Ms Stuart: Of the 2,797 Questions tabled to the Department in the period between 19 October 1999 and 20 April 2000, we were unable to answer nine questions wholly or partially without incurring disproportionate costs.

"Fit for the Future?"

Helen Jones: To ask the Secretary of State for Health when he expects to announce his conclusions based on the responses received to "Fit For The Future?"; and if he will make a statement. [132064]

Mr. Hutton: I am today announcing the conclusions the Government have reached in relation to the physical standards in residential and nursing homes based on the responses to the consultation process on "Fit for the Future?". These are:

the standard for single rooms in existing care homes will be 10 sq m from 2007;

the standard for single rooms in new care homes will be 12 sq m from 2002;

wheelchair users should have rooms of 12 sq m and door widths of 800 mm for their own accommodation and communal rooms;

each resident should, in addition to the above, have a minimum of 4.1 sq m of communal day space within the care home;

shared rooms in existing homes may constitute no more than 20 per cent. of overall resident places from 2002.

To ensure flexibility for existing provision that does not meet all of these standards but is otherwise of good quality, specific criteria will be set out over the standard relating to room sizes to allow some rooms which do not currently meet the 10 sq m standard to remain in use. These criteria will include:

an expectation that no room should fall below 9.3 sq m (equivalent to 100 sq ft) provided compensatory space either in the form of en-suite facilities or additional communal day space which residents can use individually if they wish, is made available;

homes which provide spacious individual rooms, but do not currently meet the standard of 4.1 sq m communal space per resident will be allowed to meet a lower minimum of 3.7 sq m.

The net result should be that a total space of 14.1 sq m per resident is provided, with some flexibility about how it is deployed.

The standards for nine out of the 11 topic areas that we consulted upon in "Fit for the Future?" received overwhelming support and these will form the basis for the full set of national minimum standards which the Government will publish later this year.

I have today written to hon. and right hon. Members, as well as to the residential and nursing home organisations and other relevant bodies who have made representations on these issues.

Medicines Control Agency

Ms Moran: To ask the Secretary of State for Health if he will publish the annual report and accounts of the Medicines Control Agency. [132235]

Yvette Cooper: We have received the report and copies have today been laid before both Houses of Parliament in accordance with the requirements of sections 5(2) and 5(3) of the Exchequer and Audit Departments Act 1921. Copies have also been placed in the Library.

Medical Devices Agency

Ms Buck: To ask the Secretary of State for Health if he will publish the 1999–2000 annual report and accounts of the Medical Devices Agency. [132233]

Yvette Cooper: We have received the Report and Accounts of the Medical Devices Agency and copies have today been laid before both Houses of Parliament in accordance with the requirements of sections 5(2) and 5(3) of the Exchequer and Audit Departments Act 1921. Copies have also been placed in the Library.

Medicines Commission

Ms Walley: To ask the Secretary of State for Health when he will receive the annual report of the Medicines Commission for 1999; and if he will publish it. [132234]

Yvette Cooper: We have received the report, and copies have been laid before both Houses of Parliament today in accordance with the requirements of section 5(2) of the Medicines Act 1968. Copies have also been placed in the Library.

Bound volumes have been placed in the Library containing the 1999 reports of the Medicines Commission, the Committee on Safety of Medicines, the Advisory Board on the Registration of Homoeopathic Products, the British Pharmacopoeia Commission and the Veterinary Products Committee.

We are glad to acknowledge the valuable work done by the distinguished members of the Medicines Act Advisory Bodies and thank them for the time and effort dedicated in the public interest to this important work.

NORTHERN IRELAND

Drumcree

Mr. Pound: To ask the Secretary of State for Northern Ireland when he last met the Parades Commission to discuss the Drumcree marches. [125472]

Mr. Mandelson: The Parades Commission is an independent body responsible for making binding determinations on contentious parades like Drumcree. I have not met them to discuss how they carry out their function.

Departmental Payments

Mr. Chope: To ask the Secretary of State for Northern Ireland what percentage of correctly presented bills were paid by his Department in *(a)* 1998–99 and *(b)* 1999–2000 within 30 days of receipt of (i) goods and services, (ii) a valid invoice and (iii) other agreed payment terms. [130045]

Mr. Mandelson: The information is as follows:

(a) I refer the hon. Member to the answer given to my hon. Friend the Member for Elmet (Mr. Burgon) on 23 July 1999, *Official Report*, columns 677–78W.

(b) Departments and their Agencies are currently collating this information for 1999–2000 and this will be made available to the House shortly.

Departmental Initiatives

Dr. Lynne Jones: To ask the Secretary of State for Northern Ireland if he will list each departmental initiative requiring bids for funding together with the total resources available, the number of successful bids and the proportion this represents of total bids received; and what data he collects on the average expenditure of organisations bidding for funding through each initiative. [131087]

Mr. Mandelson: I refer my hon. Friend to the answer given by the Chief Secretary to the Treasury on 17 July 2000, *Official Report*, column 93W.

Ulster Freedom Fighters

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many persons participated in protest actions in Portadown on 2 July wearing T-shirts soliciting support for the Ulster Freedom Fighters; how many persons carried the banner with the inscription Shankill Road UFF 2 Battalion C Company; how many photographs were taken of this parade by the police; how many participants have now been identified; what actions against these persons are being taken by the police; how many have been charged with criminal offences; and if police have identified the organisers of the event. [130464]

Mr. Ingram: The investigations into this incident on 3 July are still at an early stage. However, the Royal Ulster Constabulary have advised that approximately 50 persons were dressed wearing the T-shirts referred to. Two persons carried the flag. Video tape has not yet been fully processed and the number of still photographs from it has yet to be quantified. There is an investigatory process relating to the use of video evidence and at 14 July no controlled viewings have taken place because of the demand on resources. When evidence has been fully collated and analysed, and offences and offenders identified, files will be sent to the Director of Public Prosecutions for directions. As a result of this no persons have yet been charged to date and no formal identifications yet made.

SCOTLAND

Secondments

Mr. Don Foster: To ask the Secretary of State for Scotland, pursuant to his answer to the hon. Member for Harrogate and Knaresborough (Mr. Willis) of 10 February 2000, *Official Report*, column 279W, on secondments, if he will give the names, grades and job titles of the staff seconded into his Department from each organisation mentioned, stating in each case the name of the section they were seconded to and a summary of the work that they were involved with. [128245]

Dr. Reid *[holding answer 29 June 2000]:* Secondments and attachments are part of the Interchange Initiative which promotes the exchange of people and good practice between the civil service and other organisations. Before an Interchange can occur all parties must be satisfied that no conflict of interest arises.

Further information on the inward secondments to the Scotland Office referred to in my previous answer is provided as follows:

Company	*Responsibilities within the Department*
Balfour and Manson	Solicitor's Office—Motorway Development
Balfour and Manson	Solicitor's Office—Motorway Development
Bank of Scotland	Health Department—Private Finance
BP	Personnel Division—Devolution Planning
Fife Careers Ltd.	Education Department—Skills and Life Long Learning
Project Management International plc	Parliament Building Division
Shepherd and Wedderburn	Solicitor's Office—Reciprocal Trainee Scheme

New Deal

Mr. Brady: To ask the Secretary of State for Scotland how many employees of his Department and its agencies have been recruited from the New Deal; and what percentage this represents of total staff. [129092]

Dr. Reid: My Department has one member of staff from the New Deal and this represents 1 per cent. of total staff.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Scotland (1) how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April have not received substantive answers, excluding those not answered citing disproportionate cost, stating that the information is *(a)* not available, *(b)* not held centrally, *(c)* not held in the form requested and *(d)* citing commercial or other confidentiality; [131235]

(2) how many written parliamentary questions tabled to his Department between 19 October 1999 and 20 April did not receive substantive answers, citing as the reason commercial or other confidentiality. [131169]

Dr. Reid: The information requested is set out in the table:

Where answer states that the information is:	*In respect of part of the information requested*	*In respect of all information requested*
(a) Not available	1	1
(b) Not held centrally	4	2
(c) Not held in the form requested	0	0
(d) Citing commercial or other confidentiality	0	2

EDUCATION AND EMPLOYMENT

Private Finance Initiative

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what the net present cost is of each project undertaken in his Department under the private finance initiative; what the value is of their public sector comparators in *(a)* pre-risk and *(b)* risk-adjusted terms; what risks have been identified as having been transferred; and if he will place information on other relevant costs for each private finance initiative project in the Library. [130251]

Mr. Wicks *[holding answer 13 July 2000]:* Net present costs of the Department's PFI projects are as follows:

£ million

		PFI contract	
	ESCOM	*IT Partnership*	*HR Partnership*
Net present cost of contract	5.5	289.0	30.4
Net present cost—public sector comparator (pre risk)	24.6	353.0	38.4
Net present cost—public sector comparator (risk adjusted)	—	392.0	41.4

[1] Not calculated

The ESCOM contractor's major risk relates to the demand for the service. Both the IT Partnership and the HR Partnership contracts have transferred the risks relating to service availability and performance, which are seen as critical in the delivery of services under the contract.

The bids made during the competition to select the successful private finance initiative contractor, in particular any financial information, are commercially confidential as is any subsequent documentation directly referring to the bids. I am therefore unfortunately unable to place information on costs in the Library.

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what estimate he has made of the cost of the Birmingham LEA grouped school refurbishment PFI project at each stage of its development; if he will list the causes of significant change in costs; and if he will make a statement. [131586]

Jacqui Smith: Birmingham local education authority's outline business case for the school rebuilds package PFI scheme was approved by the Treasury-chaired Project Review Group in December 1998 at an estimated cost in net present value (NPV) terms of £61.2 million. A contract was signed in February 2000 on the basis of a final business case which estimated the cost of the scheme, in NPV terms, at £78 million. The main causes of the increase were:

(a) improvements to the output specification—for example, to accommodate children with special needs in mainstream schools and to improve sports facilities;

(b) technical changes to the calculation of the cost of the scheme—for example, the fall in the local authority rate of discount from 8.9 per cent. to 8.4 per cent.;

(c) an underestimate in the outline business case of the cost of operation of the new and refurbished schools over the 30 year life of the contract.

The local authority has confirmed that this PFI scheme provides better value for money than would have been achieved through conventional procurement.

Vocational Training Courses

Mr. Pollard: To ask the Secretary of State for Education and Employment what action his Department is taking to provide vocational training courses in building and allied trades for non-academic school leavers; and if he will make a statement. [130643]

Mr. Wicks: The Government have made a substantial investment in vocational training for young people who have decided not to continue in learning through the academic route. Foundation and Advanced Modern Apprenticeships provide young people with a high quality work-based route to learning in over 80 sectors of industry and business. Construction is one of the more popular with some 9,200 Advanced and 4,200 Foundation Modern Apprentices in training. In order to build on the strong foundations that Modern Apprenticeships have developed we are currently consulting on how to introduce further measures which will create an apprenticeship framework which better meets the needs of the individuals and businesses; is broader and more coherent than before; offers even greater opportunities for progression including HE; secures the highest possible standards; and is part of a coherent vocational learning system.

Students in schools and colleges can take Foundation, Intermediate and Advanced GNVQs (to be known as vocational A levels) in subjects such as Art and Design, Business, Construction and the Built Environment, and Health and Social Care. These qualifications can lead on to employment, higher education or further study such as Modern Apprenticeships.

From 2002 "vocational GCSEs" will replace the current Foundation, Intermediate and Part One GNVQs and will be available for 14 to 16-year-olds in schools, as well as students in colleges, to study.

Assaults (Teachers)

Mr. Coaker: To ask the Secretary of State for Education and Employment how many teachers have been assaulted by *(a)* pupils and *(b)* others in school in each of the last six years; and if he will make a statement. [130978]

Ms Estelle Morris: This information is not available centrally.

Reports by Her Majesty's Chief Inspector of Schools have shown that most schools are orderly places, and Ofsted inspections show that violent or exceptionally malicious behaviour by pupils is fortunately rare.

My Department's Circular "Social Inclusion: Pupil Support" provides detailed guidance to schools on managing pupil behaviour and we have made clear that we support headteachers who permanently exclude violent pupils. In addition, our Circular on "The use of force to control or restrain pupils" makes clear that teachers have the right to defend themselves against an attack provided they do not use a disproportionate degree of force. We have also issued joint guidance with the Home Office on "School Security: Dealing with Troublemakers", which offers advice about, among other things, dealing with any assaults on teachers.

Teachers (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment how many additional teachers have been employed since 1997 in schools in Shrewsbury and Atcham. [131143]

Ms Estelle Morris: Information on the numbers of full-time equivalent qualified teachers[1] employed within maintained primary and secondary schools in the Shrewsbury and Atcham parliamentary constituency is shown in the following table.

There was a growth of 6,900 full-time equivalent regular teachers[2] in service in the maintained sector between January 1998 and January 2000.

[1] Excludes all unqualified teachers and teachers providing short term cover as well as teachers absent for a term or more but including the latter's qualified replacements, if any—Source: Annual Census of schools.

[2] Teachers in service includes both qualified teachers (including those not in school) and teachers without qualified teacher status—Source: 618a. Regular teachers are teachers either on a permanent contract or who have a temporary contract of one month or more.

Full-time equivalent[1,2] number of qualified teachers in maintained Primary and Secondary schools in the parliamentary constituency area of Shrewsbury and Atcham: 1997 to 2000[3]

Position at January each year	*Number of full-time equivalent qualified teachers*
2000[3]	614
1999	607
1998	607
1997	603

[1] Excludes all unqualified teachers and teachers providing short term cover.

[2] The Schools Teachers' Pay and Conditions Document has, since 1987, required a full-time teacher to be available to undertake the professional duties assigned to him or her by the headteacher for 1,265 hours allocated reasonably throughout a working year of 195 days. The 'directed' hours per week of part-time teachers are converted to full-time equivalent teacher numbers by dividing by 32.5. This conversion factor is derived by dividing 1,265 (directed hours per year) by 195 (working days per year) and multiplying by 5 (working days per week).

[3] Provisional.

School Statistics

Mr. Willis: To ask the Secretary of State for Education and Employment, pursuant to his answer to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) of 20 June 2000, *Official Report*, column 168W, on statistics, if he will list *(a)* in total and *(b)* by parliamentary constituency of the school, the number of unauthorised absences for 1998–99. [131190]

Ms Estelle Morris *[holding answer 18 July 2000]:* The number and percentage of half days missed due to unauthorised absence for 1998–99, analysed by *(a)* England and *(b)* by parliamentary constituency is shown in the following table.

Percentage of half days missed due to unauthorised absences—England 1998–99 analysed by parliamentary constituency

Parliamentary constituency	*Number of half days missed (thousand)*	*Percentage of half days missed*
England	14,964.8	0.7
Aldershot	19.1	0.4
Aldridge-Brownhills	16.2	0.4
Altrincham and Sale, West	9.0	0.2
Amber Valley	28.9	0.7
Arundel and South Downs	12.6	0.4
Ashfield	33.2	0.8
Ashford	24.0	0.6
Ashton-upon-Lyne	38.4	0.8
Aylesbury	17.2	0.3
Banbury	45.3	1.1
Barking	42.1	1.5
Barnsley, Central	44.4	1.3
Barnsley, East and Mexborough	49.8	1.3
Barnsley, West and Penistone	34.5	1.1
Barrow and Furness	15.7	0.4
Basildon	53.1	1.1
Basingstoke	31.4	0.7
Bassetlaw	40.7	1.2
Bath	16.7	0.5
Batley and Spen	72.3	1.7
Battersea	15.6	0.8
Beaconsfield	6.9	0.2
Beckenham	19.3	0.5
Bedford	21.7	0.6
Berwick-upon-Tweed	10.7	0.4
Bethnal Green and Bow	85.7	1.7
Beverley and Holderness	35.0	0.8
Bexhill and Battle	10.2	0.3
Bexleyheath and Crayford	21.3	0.6
Billericay	32.6	0.8
Birkenhead	34.3	0.9
Birmingham, Edgbaston	28.3	0.9
Birmingham, Erdington	41.1	1.2
Birmingham, Hall Green	22.7	0.7
Birmingham, Hodge Hill	65.0	1.5
Birmingham, Ladywood	87.2	1.7
Birmingham, Northfield	45.6	1.3
Birmingham, Perry Barr	53.3	1.1
Birmingham, Selly Oak	28.6	0.6
Birmingham, Sparkbrook and Small Heath	91.9	1.5
Birmingham, Yardley	28.0	1.1
Bishop Auckland	22.0	0.6
Blaby	11.9	0.3
Blackburn	55.2	1.0
Blackpool, North and Fleetwood	25.1	0.7
Blackpool, South	44.5	1.2
Blaydon	16.0	0.5

Percentage of half days missed due to unauthorised absences—England 1998–99 analysed by parliamentary constituency

Parliamentary constituency	Number of half days missed (thousand)	Percentage of half days missed
Blyth Valley	12.8	0.4
Bognor Regis and Littlehampton	19.4	0.7
Bolsover	33.2	1.0
Bolton, North-East	36.8	0.9
Bolton, South-East	36.3	0.8
Bolton, West	33.3	1.0
Bootle	29.4	0.8
Boston and Skegness	32.4	1.0
Bosworth	28.8	0.7
Bournemouth, East	22.5	0.7
Bournemouth, West	17.7	0.7
Bracknell	23.7	0.5
Bradford, North	96.6	2.1
Bradford, South	80.3	1.9
Bradford, West	84.4	1.8
Braintree	21.6	0.5
Brent, East	19.7	0.8
Brent, North	15.9	0.5
Brent, South	32.1	1.0
Brentford and Isleworth	48.1	1.0
Brentwood and Ongar	12.9	0.3
Bridgwater	19.6	0.6
Brigg and Goole	14.0	0.4
Brighton, Kemptown	26.8	1.0
Brighton, Pavilion	13.8	0.6
Bristol, East	43.0	1.4
Bristol, North-West	55.1	1.2
Bristol, South	67.4	1.6
Bristol, West	16.8	0.7
Bromley and Chislehurst	15.8	0.4
Bromsgrove	16.9	0.4
Broxbourne	16.3	0.4
Broxtowe	25.8	0.7
Buckingham	3.2	0.1
Burnley	45.7	1.0
Burton	18.7	0.4
Bury, North	21.5	0.4
Bury, South	20.0	0.5
Bury St. Edmunds	8.2	0.2
Calder Valley	15.1	0.3
Camberwell and Peckham	47.0	1.6
Cambridge	23.3	1.0
Cannock Chase	17.3	0.4
Canterbury	30.0	0.7
Carlisle	21.1	0.6
Carshalton and Wallington	19.3	0.5
Castle Point	21.3	0.5
Central Suffolk and Ipswich, North	13.0	0.4
Charnwood	12.8	0.3
Chatham and Aylesford	18.8	0.4
Cheadle	25.5	0.6
Cheltenham	12.3	0.4
Chesham and Amersham	11.0	0.3
Chesterfield	29.1	0.8
Chichester	15.6	0.4
Chingford and Woodford Green	27.5	0.7
Chipping Barnet	24.4	0.6
Chorley	18.5	0.4
Christchurch	13.7	0.4
Cities of London and Westminster	29.5	1.4
City of Chester	29.4	0.8
City of Durham	15.0	0.5
City of York	26.5	0.8
Cleethorpes	34.5	0.7
Colchester	28.8	0.6
Colne Valley	15.2	0.4
Congleton	10.7	0.3
Copeland	12.7	0.4
Corby	24.2	0.6
Cotswold	4.9	0.1
Coventry, North-East	46.9	1.0
Coventry, North-West	33.5	0.8
Coventry, South	30.2	0.8

Percentage of half days missed due to unauthorised absences—England 1998–99 analysed by parliamentary constituency

Parliamentary constituency	Number of half days missed (thousand)	Percentage of half days missed
Crawley	18.2	0.4
Crewe and Nantwich	23.1	0.6
Crosby	4.3	0.1
Croydon, Central	39.0	0.9
Croydon, North	33.3	0.8
Croydon, South	13.4	0.4
Dagenham	76.4	1.8
Darlington	25.5	0.7
Dartford	12.9	0.3
Daventry	15.7	0.3
Denton and Reddish	21.8	0.5
Derby, North	20.1	0.5
Derby, South	36.3	0.8
Devizes	23.5	0.5
Dewsbury	54.1	1.2
Doncaster, Central	51.1	1.2
Doncaster, North	60.8	1.7
Don Valley	41.0	1.0
Dover	18.0	0.5
Dudley, North	25.3	0.6
Dudley, South	21.8	0.7
Dulwich and West Norwood	41.7	1.7
Ealing, Acton and Shepherd's Bush	57.7	1.9
Ealing, North	22.8	0.6
Ealing, Southall	36.7	0.8
Easington	28.8	0.8
East Devon	18.1	0.7
East Ham	111.1	2.2
East Hampshire	20.9	0.5
East Surrey	7.9	0.2
East Worthing and Shoreham	19.4	0.5
East Yorkshire	27.2	0.8
Eastbourne	22.0	0.7
Eastleigh	17.2	0.4
Eccles	44.0	1.0
Eddisbury	12.9	0.4
Edmonton	65.1	1.6
Ellesmere Port and Neston	16.7	0.5
Elmet	9.1	0.2
Eltham	49.3	1.5
Enfield, North	51.9	1.1
Enfield, Southgate	22.0	0.7
Epping Forest	15.4	0.5
Epsom and Ewell	15.1	0.4
Erewash	22.3	0.5
Erith and Thamesmead	48.3	1.1
Esher and Walton	11.3	0.5
Exeter	36.4	1.0
Falmouth and Camborne	20.0	0.5
Fareham	18.1	0.5
Faversham and Mid Kent	8.8	0.3
Feltham and Heston	37.0	0.9
Finchley and Golders Green	26.2	0.7
Folkestone and Hythe	22.0	0.6
Forest of Dean	8.0	0.3
Fylde	11.3	0.3
Gainsborough	15.0	0.4
Gateshead, East and Washington, West	37.6	0.9
Gedling	34.8	0.9
Gillingham	42.9	0.9
Gloucester	36.1	0.7
Gosport	35.0	0.9
Grantham and Stamford	11.3	0.3
Gravesham	35.5	0.8
Great Grimsby	44.6	1.3
Great Yarmouth	28.8	0.8
Greenwich and Woolwich	74.5	2.1
Guildford	15.4	0.4
Hackney, North and Stoke Newington	57.9	2.2
Hackney, South and Shoreditch	59.7	1.6
Halesowen and Rowley Regis	27.8	0.7
Halifax	31.8	0.7
Haltemprice and Howden	17.4	0.4

Percentage of half days missed due to unauthorised absences—England 1998–99 analysed by parliamentary constituency

Parliamentary constituency	*Number of half days missed (thousand)*	*Percentage of half days missed*
Halton	42.3	1.0
Hammersmith and Fulham	42.6	1.4
Hampstead and Highgate	27.5	1.2
Harborough	26.2	0.5
Harlow	28.8	0.8
Harrogate and Knaresborough	9.5	0.2
Harrow, East	20.2	0.5
Harrow, West	18.2	0.5
Hartlepool	54.9	1.2
Harwich	38.6	1.1
Hastings and Rye	58.9	1.5
Havant	36.6	0.9
Hayes and Harlington	42.0	1.4
Hazel Grove	27.9	0.8
Hemel Hempstead	27.1	0.7
Hemsworth	27.3	0.6
Hendon	32.1	0.8
Henley	20.2	0.6
Hereford	18.2	0.5
Hertford and Stortford	14.5	0.3
Hertsmere	31.0	0.8
Hexham	5.0	0.2
Heywood and Middleton	37.0	0.8
High Peak	17.8	0.4
Hitchin and Harpenden	9.8	0.3
Holborn and St. Pancras	53.1	1.7
Hornchurch	11.8	0.3
Hornsey and Wood Green	61.1	1.5
Horsham	9.3	0.3
Houghton and Washington, East	18.9	0.6
Hove	16.2	0.5
Huddersfield	55.8	1.5
Huntingdon	26.3	0.6
Hyndburn	37.9	0.9
Ilford, North	21.0	0.5
Ilford, South	36.3	0.9
Ipswich	19.7	0.5
Isle of Wight	23.6	0.5
Islington, North	49.5	1.6
Islington, South and Finsbury	52.4	1.9
Jarrow	12.0	0.3
Keighley	41.1	1.1
Kensington and Chelsea	28.9	1.8
Kettering	26.2	0.5
Kingston and Surbiton	19.9	0.6
Kingston upon Hull, East	77.2	1.7
Kingston upon Hull, North	81.1	2.0
Kingston upon Hull, West and Hessle	38.3	1.6
Kingswood	35.6	0.9
Knowsley, North and Sefton, East	48.5	1.0
Knowsley, South	74.8	1.6
Lancaster and Wyre	13.0	0.3
Leeds, Central	100.5	2.4
Leeds, East	47.3	1.5
Leeds, North-East	48.9	1.3
Leeds, North-West	22.2	0.8
Leeds, West	47.4	1.6
Leicester, East	42.2	0.8
Leicester, South	39.5	1.0
Leicester, West	74.6	1.8
Leigh	39.3	1.0
Leominster	12.5	0.4
Lewes	15.3	0.5
Lewisham, Deptford	41.6	1.6
Lewisham, East	45.4	1.6
Lewisham, West	59.8	2.0
Leyton and Wanstead	36.1	1.0
Lichfield	10.3	0.3
Lincoln	43.9	1.3
Liverpool, Garston	57.1	1.3
Liverpool, Riverside	32.8	1.0
Liverpool, Walton	48.1	1.2
Liverpool, Wavertree	46.0	1.0
Liverpool, West Derby	48.3	1.2
Loughborough	34.7	0.8
Louth and Horncastle	21.3	0.6
Ludlow	10.2	0.3
Luton, North	34.2	0.7
Luton, South	24.3	0.6
Macclesfield	14.7	0.4
Maidenhead	10.5	0.3
Maidstone and The Weald	18.4	0.4
Makerfield	28.3	0.6
Maldon and East Chelmsford	13.8	0.4
Manchester, Blackley	58.0	1.3
Manchester, Central	51.2	1.6
Manchester, Gorton	54.6	1.7
Manchester, Withington	35.6	1.0
Mansfield	52.4	1.3
Medway	23.5	0.5
Meriden	28.1	0.6
Mid Bedfordshire	13.9	0.3
Mid Dorset and North Pool	18.2	0.4
Mid Norfolk	7.2	0.2
Mid Sussex	9.7	0.2
Mid Worcestershire	14.4	0.4
Middlesbrough	45.4	0.9
Middlesbrough, South and Cleveland, East	20.4	0.5
Milton Keynes, South-West	24.6	0.5
Milton Keynes, North-East	13.9	0.4
Mitcham and Morden	50.0	1.6
Mole Valley	7.2	0.3
Morecambe and Lunesdale	25.1	0.7
Morley and Rothwell	50.4	1.1
New Forest, East	20.3	0.6
New Forest, West	7.7	0.3
Newark	39.4	0.9
Newbury	11.5	0.3
Newcastle upon Tyne, Central	24.1	0.8
Newcastle upon Tyne, East and Wallsend	33.3	1.0
Newcastle upon Tyne, North	18.8	0.6
Newcastle-under-Lyme	16.6	0.5
Normanton	19.8	0.5
North Cornwall	19.6	0.4
North Devon	16.1	0.4
North Dorset	10.6	0.3
North Durham	21.3	0.6
North-East Bedfordshire	14.6	0.4
North-East Cambridgeshire	43.0	1.2
North-East Derbyshire	31.6	0.8
North-East Hampshire	15.5	0.4
North-East Hertfordshire	12.2	0.3
North Essex	11.3	0.4
North Norfolk	15.7	0.5
North Shropshire	13.2	0.4
North Swindon	18.4	0.5
North Thanet	26.8	0.9
North Tyneside	12.1	0.4
North Warwickshire	16.0	0.4
North-West Cambridgeshire	24.9	0.6
North-West Durham	18.6	0.6
North-West Hampshire	23.0	0.6
North-West Leicestershire	22.0	0.6
North-West Norfolk	38.1	1.0
North Wiltshire	11.4	0.2
Northampton, North	39.2	0.9
Northampton, South	22.9	0.6
Northavon	14.4	0.3
Norwich, North	32.4	0.8
Norwich, South	19.8	0.7
Nottingham, East	45.9	1.7
Nottingham, North	109.2	2.2
Nottingham, South	36.3	1.2
Nuneaton	19.2	0.5
Old Bexley and Sidcup	12.9	0.3
Oldham, East and Saddleworth	43.6	0.9

Percentage of half days missed due to unauthorised absences—England 1998–99 analysed by parliamentary constituency

Parliamentary constituency	*Number of half days missed (thousand)*	*Percentage of half days missed*
Oldham, West and Royton	66.9	1.3
Orpington	19.5	0.5
Oxford, East	58.3	1.8
Oxford, West and Abingdon	28.0	0.8
Pendle	36.5	0.8
Penrith and The Border	7.2	0.2
Peterborough	40.0	0.8
Plymouth, Devonport	25.0	0.5
Plymouth, Sutton	23.3	0.7
Pontefract and Castleford	40.7	1.1
Poole	17.0	0.7
Poplar and Canning Town	92.3	2.0
Portsmouth, North	45.2	1.2
Portsmouth, South	28.4	0.9
Preston	39.5	1.1
Pudsey	22.4	0.5
Putney	20.5	1.0
Rayleigh	10.2	0.3
Reading, East	20.5	0.7
Reading, West	37.1	0.8
Redcar	41.8	0.9
Redditch	26.6	0.7
Regent's Park and Kensington, North	98.0	3.0
Reigate	7.3	0.3
Ribble Valley	9.6	0.2
Richmond, Yorks	9.9	0.3
Richmond Park	15.4	0.5
Rochdale	36.3	0.8
Rochford and Southend, East	39.5	1.0
Romford	10.0	0.3
Romsey	12.1	0.3
Rossendale and Darwen	35.1	0.7
Rother Valley	47.1	1.0
Rotherham	30.4	0.8
Rugby and Kenilworth	16.7	0.4
Ruislip-Northwood	21.4	0.7
Runnymede and Weybridge	9.2	0.3
Rushcliffe	23.9	0.6
Rutland and Melton	12.0	0.3
Ryedale	7.0	0.2
Saffron Walden	14.3	0.4
St. Albans	16.7	0.4
St. Helens, North	7.5	0.2
St. Helens, South	21.9	0.6
St. Ives	15.0	0.4
Salford	44.1	1.4
Salisbury	19.5	0.5
Scarborough and Whitby	24.4	0.6
Scunthorpe	29.5	0.7
Sedgefield	28.7	0.8
Selby	10.0	0.2
Sevenoaks	10.8	0.5
Sheffield, Attercliffe	30.6	0.9
Sheffield, Brightside	99.5	2.8
Sheffield, Central	52.4	2.5
Sheffield, Hallam	15.9	0.4
Sheffield, Heeley	42.7	1.3
Sheffield, Hillsborough	25.0	0.7
Sherwood	25.7	0.6
Shipley	42.7	1.1
Shrewsbury and Atcham	11.8	0.3
Sittingbourne and Sheppey	18.0	0.4
Skipton and Ripon	11.4	0.3
Sleaford and North, Hykeham	8.4	0.2
Slough	43.8	0.9
Solihull	13.1	0.3
Somerton and Frome	12.3	0.3
South Cambridgeshire	6.4	0.2
South Derbyshire	23.0	0.5
South Dorset	13.7	0.5
South-East Cambridgeshire	14.0	0.3
South-East Cornwall	12.8	0.3
South Holland and The Deepings	19.9	0.5
South Norfolk	14.1	0.3
South Ribble	14.3	0.3
South Shields	8.7	0.2
South Staffordshire	13.7	0.4
South Suffolk	10.4	0.3
South Swindon	24.1	0.6
South Thanet	17.9	0.5
South-West Bedfordshire	18.4	0.4
South-West Devon	9.4	0.2
South-West Hertfordshire	14.5	0.4
South-West Norfolk	25.8	0.6
South-West Surrey	9.4	0.3
Southampton, Itchen	44.6	1.0
Southampton, Test	37.4	1.1
Southend, West	26.7	0.8
Southport	8.4	0.3
Southwark, North and Bermondsey	80.4	2.1
Spelthorne	16.0	0.5
Stafford	17.2	0.5
Staffordshire Moorlands	9.9	0.3
Stalybridge and Hyde	38.1	0.9
Stevenage	24.8	0.5
Stockport	29.8	1.0
Stockton, North	20.7	0.5
Stockton, South	20.5	0.4
Stoke-on-Trent, Central	27.1	0.9
Stoke-on-Trent, North	31.3	0.9
Stoke-on-Trent, South	26.7	0.7
Stone	6.2	0.2
Stourbridge	5.7	0.2
Stratford-on-Avon	9.1	0.2
Streatham	23.7	0.8
Stretford and Urmston	45.8	1.1
Stroud	5.6	0.2
Suffolk Coastal	9.7	0.3
Sunderland, North	15.4	0.5
Sunderland, South	41.2	0.9
Surrey Heath	13.8	0.4
Sutton and Cheam	9.5	0.3
Sutton Coldfield	16.7	0.4
Tamworth	23.2	0.6
Tatton	10.1	0.4
Taunton	10.2	0.3
Teignbridge	15.8	0.4
Telford	23.9	0.6
Tewkesbury	9.0	0.2
The Wrekin	21.4	0.6
Thurrock	52.3	1.2
Tiverton and Honiton	17.2	0.4
Tonbridge and Malling	12.2	0.3
Tooting	19.4	0.7
Torbay	23.5	0.6
Torridge and West Devon	24.1	0.6
Totnes	13.0	0.4
Tottenham	71.0	1.9
Truro and St. Austell	15.8	0.4
Tunbridge Wells	9.2	0.3
Twickenham	30.5	0.8
Tyne Bridge	26.0	1.2
Tynemouth	11.7	0.3
Upminster	13.6	0.4
Uxbridge	48.5	1.3
Vale of York	5.5	0.2
Vauxhall	34.7	1.2
Wakefield	28.5	0.9
Wallasey	27.8	0.7
Walsall, North	35.7	0.9
Walsall, South	39.5	1.0
Walthamstow	44.1	1.2
Wansbeck	23.8	0.6
Wansdyke	24.1	0.5
Wantage	17.5	0.5
Warley	32.6	0.9

Percentage of half days missed due to unauthorised absences—England 1998–99 analysed by parliamentary constituency

Parliamentary constituency	*Number of half days missed (thousand)*	*Percentage of half days missed*
Warrington, North	20.2	0.5
Warrington, South	12.0	0.3
Warwick and Leamington	16.5	0.4
Watford	19.8	0.5
Waveney	14.4	0.3
Wealden	16.3	0.4
Weaver Vale	36.3	0.8
Wellingborough	33.0	0.8
Wells	12.8	0.3
Welwyn Hatfield	18.4	0.5
Wentworth	33.5	0.8
West Bromwich, East	34.8	0.9
West Bromwich, West	40.5	1.1
West Chelmsford	13.4	0.3
West Derbyshire	14.4	0.4
West Dorset	13.7	0.4
West Ham	135.6	2.5
West Lancashire	22.8	0.5
West Suffolk	12.4	0.4
West Worcestershire	16.8	0.5
Westbury	17.2	0.4
Westmorland and Lonsdale	5.4	0.2
Weston-super-Mare	30.7	0.8
Wigan	23.9	0.6
Wimbledon	31.1	1.1
Winchester	11.5	0.3
Windsor	10.4	0.4
Wirral, South	6.7	0.2
Wirral, West	15.0	0.4
Witney	14.6	0.4
Woking	13.5	0.4
Wokingham	13.5	0.3
Wolverhampton, North-East	53.1	1.3
Wolverhampton, South-East	42.3	1.4
Wolverhampton, South-West	16.7	0.5
Woodspring	12.3	0.3
Worcester	28.4	0.9
Workington	7.0	0.2
Worsley	31.9	0.7
Worthing, West	11.0	0.4
Wycombe	16.1	0.4
Wyre Forest	19.9	0.5
Wythenshawe and Sale, East	58.5	1.3
Yeovil	10.4	0.3

Individual Learning Accounts

Dr. Kumar: To ask the Secretary of State for Education and Employment how many people have taken advantage of individual learning accounts in *(a)* the UK, *(b)* Teesside Region and *(c)* the constituency of Middlesbrough, South and Cleveland, East; and if he will make a statement. [131209]

Mr. Wicks *[holding answer 18 July 2000]:* From April 1999 to the end of April 2000 a total of 125,992 accounts had been opened through Training and Enterprise Councils (TECs). The national framework for Individual Learning Accounts became partly operational on 12 June 2000 since when an additional 8,000 Individual Learning Accounts have been opened with the national Individual Learning Accounts Centre. Tees Valley TEC have opened 4,682 Individual Learning Accounts of which 840 are held by people in the Middlesbrough, South and Cleveland, East constituency.

By April 2001 we aim to have 500,000 Individual Learning Accounts opened rising to a million by April 2002.

Dr. Kumar: To ask the Secretary of State for Education and Employment what steps he has taken to promote Individual Learning Accounts; and if he will make a statement. [131208]

Mr. Wicks *[holding answer 18 July 2000]:* Individual Learning Accounts (ILAs) have been available locally through Training and Enterprise Councils (TECs) in England and Wales since April 1999 and have therefore been promoted locally. A national framework for learning accounts has now been developed and a part service, where individuals and learning providers can register for the initiative, has been available since 12 June 2000. The national framework, operating a full service in England, will replace local accounts with effect from 4 September 2000. A total of 125,992 accounts have been opened through TECs by the end of April 2000 with a further 8,000 under national arrangements.

Since April this year officials from my Department have held more than 30 events with public and private learning providers to promote the introduction of the national framework. In addition, more than 750,000 leaflets setting out details of the national framework have been distributed since the part-service became operational in June. The leaflets have been sent to public and private learning providers, advice centres, partner organisations and members of the public. The Individual Learning Account website also provides our partners with regular updates and marketing information. We will build on this initial promotional work over the coming months by working, for example, with employers and trade unions, to ensure that those people who will benefit most from Individual Learning Accounts get the information they need.

Adult Education (Middlesbrough)

Dr. Kumar: To ask the Secretary of State for Education and Employment what funding plans he has made to improve *(a)* levels of literacy and numeracy and *(b)* IT skills among the adult population of Middlesbrough, South and Cleveland, East; and if he will make a statement. [131207]

Mr. Wicks *[holding answer 18 July 2000]:* Government support to improve adult basic skills in Middlesbrough, South and Cleveland, East includes funding for family learning, which supports programmes like 'Story Teller' and 'Computers Together'. Additional funding for family literacy and numeracy announced by my right hon. Friend the Secretary of State for Education and Employment in May will mean that Middlesbrough LEA will receive funding for an additional 41 'Keeping up with the Children' courses, five 'Family Numeracy' courses, five 'Family Literacy' courses and 13 'Family Numeracy' workshops.

We recognise the importance of ensuring that there are opportunities for people of all ages to develop IT skills in areas such as Middlesbrough, South and Cleveland, East.

That is why we have provided £252 million nationally to fund ICT Learning Centres. Within the Middlesbrough, South and Cleveland, East areas we have received one full application to establish two centres in the Skinningrove area, and three expressions of interest for later phases of the initiative.

The Government have already announced an additional £37 million nationally for improvements in the quality and range of adult basic skills provision, including family literacy and numeracy, over the past year. My right hon. Friend the Secretary of State for Education and Employment plans to announce later this year the Government's full strategy to help adults with poor basic skills.

Truancy

Mr. Cox: To ask the Secretary of State for Education and Employment what recent discussions he has had with London education departments on truancy of school children within their boroughs. [131470]

Jacqui Smith: We are in regular contact with many local education authorities in London about truancy, and the disruption it has on continuity of learning and the wider social and community costs.

We have in place a range of measures to tackle truancy and improve attendance in our schools. Our Social Inclusion: Pupil Support Grant—worth over £500 million in three years—is providing practical support to local education authorities and schools. For 2000–01, London local education authorities will receive just over £26.5 million out of the grant to support local projects. Projects include electronic equipment to monitor attendance, additional staff to chase-up truants and reward schemes for acknowledging regular attendance.

We are also encouraging local education authorities to undertake regular "Truancy Sweeps" in conjunction with the police. During these sweeps, truants are picked up from the streets during school hours and are taken back either to their schools or a designated place. Several effective sweeps have been undertaken in London with our support.

In addition, I recently announced the pilot areas to test the devolvement of Education Welfare Services to secondary schools. The aim is to see whether attendance officers employed directly by schools would make it easier to deal with truancy quickly. Of the 15 local education authorities selected, five are from London—Barnet, Camden, Haringey, Havering and Westminster. I am pleased that the pilot will be fully tested in London, in a variety of boroughs. We will be in regular contact with these authorities as the pilot progresses.

Windfall Tax (New Deal)

Mr. Allan: To ask the Secretary of State for Education and Employment what *(a)* amount and *(b)* percentage of the proceeds of the Windfall Tax allocated in the 1999 Budget to (i) the New Deal for 18 to 24-year-olds, (ii) the New Deal for the long-term unemployed, (iii) the New Deal for lone parents and (iv) the New Deal for the sick and disabled, for expenditure during the 1999–2000 financial year was (1) spent during that year and (2) carried forward for future years, indicating the reasons for underspend. [131216]

Mr. Blunkett: The following table shows the amount of windfall tax set out in the 1999 Budget Report allocated to the Department for Education and Employment, for the New Deal programmes shown, in 1999–2000 together with provisional expenditure estimates and carry forward.

£ million

Programme	*1999–2000 allocation*	*Provisional expenditure*		
		Amount	*Percentage*	*Carry forward*
New Deal for young people	775	287	37	488
New Deal for long-term unemployed	222	80	36	142
New Deal for lone parents	51	34	67	17
New Deal for disabled	12	9	75	3
Total	1,060	410	38	650

[1] Expenditure figures, while unlikely to change significantly, remain provisional until end year accounts are finalised and exclude a total of £86 million spent out of existing departmental provision

[2] New Deals for lone parents and the disabled are programmes operating jointly between the DfEE and DSS and figures given are those for DfEE only

[3] Underspends are either carried forward to cover anticipated expenditure for respective New Deals into future years or made available to support the Welfare to Work programme

The numbers of people entering New Deal programmes were lower than had earlier been projected on the basis of the Government's unemployment assumption at the time. That is one major reason why expenditure in 1999–2000 was considerably below the level of the original allocation. A second reason is the success of the New Deal for young people itself which also contributed to the level of expenditure being much lower than the original allocations.

The programme aims to help as many people as possible to leave its Gateway for jobs. The original planning assumption was that 60 per cent. would need to move on from the New Deal Gateway into one of the four options. Because of the effective performance of the Gateway in 1998–99, only some 45 per cent. of entrant were in fact moving into an option. The New Deal for young people did better still in 1999–2000, when this figure reduced to some 40 per cent. Fewer young people into options has the effect of reducing expenditure on option provision, allowances and Follow-Through.

Expenditure on the Government's Welfare to Work programme is, of course, planned over the medium term and unspent resources in any single year are available for spending in future years. Revised estimates were

calculated at the time of Budget 2000, to reflect our latest assumptions about unemployment and what we have now learned from experience about the way the New Deal operates.

Further Education Funding

Mr. Tony Lloyd: To ask the Secretary of State for Education and Employment what representations he has received about the consistency of the allocation process of funds by the Further Education Funding Council to further education colleges in Manchester, as part of the national settlement; and if he will make a statement. [131415]

Mr. Wicks *[holding answer 19 July 2000]:* My right hon. Friend has received a number of representations about the allocation of funds by the Further Education Funding Council (FEFC) to further education colleges in Manchester. The representations raise a series of complex technical points which the FEFC is now pursuing urgently. I will write to my hon. Friend when the FEFC has responded to the concerns raised.

Mr. Chidgey: To ask the Secretary of State for Education and Employment what assessment he has made of the possibility of legal liability arising from the overruling and reversal of advice given by officers acting for the Further Education Funding Council. [131359]

Mr. Wicks *[holding answer 19 July 2000]:* Any potential liability arising in the circumstances described in the question would be an issue between the Further Education Funding Council and any colleges affected.

Mr. Chidgey: To ask the Secretary of State for Education and Employment if he will list those colleges of further education which are in dispute with the Further Education Funding Council over the interpretation of the Council's two per cent. tolerance policy based on the 1996–97 funding agreement; and what assessment he has made of the impact on those colleges' financial planning and policies of advice on interpretation of the two per cent. tolerance policy given by the Council's officers. [131358]

Mr. Wicks *[holding answer 19 July 2000]:* One college, Eastleigh, has lodged a formal complaint with the Further Education Funding Council and others are in discussion with the Council. A college which had assumed it could write off a 2 per cent. shortfall should now aim to make up the difference either by repaying the funds or absorbing some unfunded growth. The Council has offered flexible terms to assist any college in this position.

Performance Tables

Mr. Chaytor: To ask the Secretary of State for Education and Employment if he will make it his policy to include the publication of pupil achievements at entry and foundation level in the annual publication of the school performance league tables. [130870]

Jacqui Smith: The achievements of pupils at foundation level are already included in the annual secondary school performance tables. The first results in Entry Level qualifications are available this year, following accreditation of courses from 1998. We have recently sought advice from the Qualifications and Curriculum Authority on the suitability of Entry Level qualifications for inclusion in the calculation of measures of value added for publication in the performance tables. Doing so would ensure increased coverage of the achievements of pupils with special educational needs in our measurement of pupils' progress in schools from one stage of education to another, in line with our overall policy of inclusion for these pupils.

Mr. Ronnie Campbell: To ask the Secretary of State for Education and Employment what plans he has to adjust the reporting of data in the school performance tables to provide a more accurate picture of schools which take in pupils from overseas with English language difficulties. [132063]

Jacqui Smith: The Government have considered very carefully the representations they have received from schools which take in significant numbers of pupils form overseas, including refugee and asylum seeker children, who have difficulties with the English language. Until they have had an opportunity to improve their language skills and to become familiar with the English curriculum, such pupils will not do their best in National Curriculum tests and in public examinations.

We have therefore decided that pupils recently arrived from overseas, with English language difficulties, should not be counted as being on school rolls when performance is calculated for the purpose of producing the primary and secondary school performance tables. This change will apply with effect from this year's performance tables, which will be published towards the end of the year. It will apply to all pupils from overseas whose first language is not English and who were admitted to an English school for the first time on or after the start of Year 5 (for the primary school tables) or Year 10 (for the secondary school tables).

Schools will be invited in the autumn to provide officials in the Department for Education and Employment with information about those pupils who fall into the category described above and who should not be counted as being on the school roll for performance tables purposes. Further details will be made available to schools early in the autumn term.

This change will apply only to school and local educational authority level data in the performance tables. National data will continue to be reported on the same basis as in previous years, with overseas pupils included.

TREASURY

National Health Service

10. **Ms Drown:** To ask the Chancellor of the Exchequer if he will make a statement on the changes made to the level of NHS spending as a result of his Budget announcements. [130137]

Mr. Andrew Smith: In Budget 2000, the Chancellor of the Exchequer announced the biggest, most sustained growth in funding of any 4-year period in the history of the NHS, with annual average real terms growth of 6.1 per cent. in the UK, over double the rate achieved under the last Government. Table 5.1 in the Economic and Financial Strategy Report gives NHS spending plans.

Children's Tax Credit

15. **Mr. Browne:** To ask the Chancellor of the Exchequer how many families in Scotland will benefit from the Children's Tax Credit when it is introduced next April. [130142]

Dawn Primarolo: We estimate that 400,000 families in Scotland could benefit from the Children's Tax Credit.

24. **Mr. Jenkins:** To ask the Chancellor of the Exchequer how many families in the West Midlands region will benefit from the Children's Tax Credit. [130152]

Dawn Primarolo: We estimate that 450,000 families in the West Midlands region could benefit from the Children's Tax Credit.

30. **Mr. Ian Stewart:** To ask the Chancellor of the Exchequer how many families in the North-west region will benefit from the Children's Tax Credit when it is introduced in April 2001. [130158]

Dawn Primarolo: We estimate that 625,000 families in the North-west region could benefit from the Children's Tax Credit.

Financial Products (Mis-selling)

16. **Dr. Cable:** To ask the Chancellor of the Exchequer if he will make a statement on the Financial Services Authority's role in respect of the mis-selling of endowment mortgages. [130143]

Mr. Timms: Where mortgage borrowers have been mis-sold an endowment, the regulators have powers to take disciplinary action which can result in firms being directed to make compensation. Lower inflation has meant that the proceeds of an endowment may be lower than initially hoped for, but that does not necessarily mean that there has been mis-selling. The borrower will also of course have benefited from lower mortgage interest payments.

22. **Mr. Flynn:** To ask the Chancellor of the Exchequer what proposals he has to reduce the mis-selling of financial products. [130150]

Miss Melanie Johnson: The Financial Services and Markets Act puts in place a single regulator, with statutory objectives to maintain market confidence, protect customers, promote consumer awareness and reduce financial crime.

Single Currency

17. **Dr. Julian Lewis:** To ask the Chancellor of the Exchequer what steps he has taken to measure public opinion on the question of the United Kingdom joining the single European currency. [130144]

Mr. Timms: The Government receive a large number of letters from members of the public expressing their views about UK membership of the single currency. The Government also have access to independent surveys of public opinion on UK membership, which are in the public domain.

The Government's policy on membership of the single currency remains as set out by the Chancellor of the Exchequer in his statement to the house in October 1997 and restated recently in his speech at the Mansion House.

25. **Miss McIntosh:** To ask the Chancellor of the Exchequer what recent discussions he has had with the Foreign and Commonwealth Secretary about the UK's eventual membership of a European single currency. [130153]

Miss Melanie Johnson: My right hon. Friend the Chancellor of the Exchequer meets Cabinet colleagues to discuss a range of issues. The Government's policy towards the single currency has not changed and will not change. We will only recommend joining a successful single currency if it is in our national economic interest to do so, and if the economic case for the UK joining is clear and unambiguous. The Treasury will make another assessment of the five economic tests early in the next Parliament.

29. **Mr. Brooke:** To ask the Chancellor of the Exchequer what recent discussions he has had with ministerial colleagues concerning his policy on the euro. [130157]

Mr. Timms: The Chancellor meets with his colleagues to discuss a range of issues.

35. **Tony Wright:** To ask the Chancellor of the Exchequer if he will commission an independent assessment at the appropriate time of whether the five economic tests for entry into the single currency have been met. [130163]

Miss Melanie Johnson: I refer my hon. Friend to the answer I gave him on 5 July 2000, *Official Report*, column 200W.

36. **Mr. Fallon:** To ask the Chancellor of the Exchequer what recent representations he has received on his policy on the euro. [130164]

Mr. Timms: I frequently receive representations on a range of Government policies including the Government's policy on the euro.

Business Taxation

18. **Mr. Sayeed:** To ask the Chancellor of the Exchequer what recent representations he has received concerning business taxes introduced since May 1997. [130146]

Mr. Timms: The Treasury has received a number of representations from business, including comments from the Institute of Directors that the Budget shows that the Government believe in the enterprise culture.

Third-world Debt

19. **Mrs. Betty Williams:** To ask the Chancellor of the Exchequer if he will make a statement on the IMF's role in reducing the debts of third-world countries. [130147]

Miss Melanie Johnson: The IMF has committed to providing $2.3 billion of debt relief (in net present value terms) under the enhanced HIPC initiative. In the context of assisting countries to prepare their Poverty Reduction Strategies and ensuring progress on delivering the enhanced debt relief, the IMF will work together with the World bank and the HIPC countries themselves to ensure that the benefits of this debt relief go to reducing poverty.

Education (Investment)

20. **Mr. Jim Cunningham:** To ask the Chancellor of the Exchequer what the estimated cost is to public funds of his plans for investment in education in each of the next four years. [130148]

Mr. Andrew Smith: Plans for expenditure on education and training were set out by my right hon. Friend the Chancellor of the Exchequer on 18 July in the Spending Review White Paper. Expenditure on education and training in England will rise from £38.8 billion this year to £42.1 billion in 2001–02, £45.6 billion in 2002–03 and £49.2 billion in 2003–04—an average real increase of 5.6 per cent. across the three years.

E-commerce

21. **Mr. Pearson:** To ask the Chancellor of the Exchequer what assessment he has made of the effect his tax relief on computer and IT investments will have on e-commerce in the UK. [130149]

Mr. Timms: The new 100 per cent. capital allowances on computer and IT investments will encourage small businesses to acquire the means to exploit the opportunities offered by e-commerce. These opportunities include access to markets that were previously inaccessible and potentially lower business transaction costs. Small businesses are targeted because they are less prepared for e-commerce than larger businesses. This measure complements other Government initiatives to encourage e-commerce, including investing £60 million to provide advice and planning to help small and medium-sized businesses get on line.

Tax Changes

23. **Mr. Tyrie:** To ask the Chancellor of the Exchequer what representations he has received on the tax changes he has made since May 1997. [130151]

Dawn Primarolo: The Government keep all taxes under review and receive representations on a range of issues.

28. **Mr. Bercow:** To ask the Chancellor of the Exchequer what assessment he has made of the effect on the finances of an average-income family of changes to indirect taxation since May 1997. [130156]

Dawn Primarolo: Information on changes in indirect taxes and the effect on typical amounts can be found in the Financial Statement and Budget Report.

Tax and National Insurance

26. **Mr. Baldry:** To ask the Chancellor of the Exchequer if he will make a statement on the percentage of GDP which was accounted for by net taxes and social security contributions in *(a)* 1996–97 and *(b)* 1999–2000. [130154]

Mr. Andrew Smith: The Treasury updates its fiscal and economic forecasts, and the ratio of tax receipts to GDP, twice a year in the Budget and Pre-Budget Report, and most recently in the Budget Red Book, where it shows the share falling from 37 per cent. of GDP last year to 36.9 per cent. of GDP this year and 36.7 per cent. of GDP in 2003–04.

As the Chancellor said on Tuesday, the combination of a stronger economy leading to higher revenues and £4.5 billion lower spending meant that the net debt repayment last year was not £11.9 billion, as we said at the time of the Budget, but £18.1 billion.

Small and Medium-sized Enterprises

27. **Mr. Casale:** To ask the Chancellor of the Exchequer what steps he is taking to promote the competitiveness of small and medium-sized enterprises. [130155]

Mr. Timms: Since 1997, the Government have cut the average corporation tax bill for small companies by nearly 25 per cent., transformed the capital gains tax system and introduced enhanced capital allowances, including 100 per cent. capital allowances for investment by small companies in ICT equipment.

The Spending Review builds on this by substantially increasing the resources available to the Small Business Service and Regional Development Agencies. This represents a comprehensive approach to improving the climate for enterprise and innovation.

Taxpayer Confidentiality

31. **Mr. Jack:** To ask the Chancellor of the Exchequer if he will make a statement on the effectiveness of current measures to ensure the security of taxpayers' information. [130159]

Dawn Primarolo: The Inland Revenue issues a range of guidance material to staff which emphasises the need to be extremely vigilant when dealing with people over the telephone. They also issue periodic reminders to reinforce this message.

Employment

32. **Angela Smith:** To ask the Chancellor of the Exchequer what assessment he has made of the effect his Department's policies have had on levels of employment in the eastern region since May 1997. [130160]

Miss Melanie Johnson: In the east, as in the rest of the UK, we have created a sound and credible platform of economic stability that will help us attain our objective of high and stable levels of growth and employment. Since the election, employment in the east has risen by 134,000 and unemployment has fallen by 59,000.

33. **Ms Bridget Prentice:** To ask the Chancellor of the Exchequer if he will make a statement on the policies announced in the Budget to increase employment. [130161]

Miss Melanie Johnson: The Chancellor announced a range of measures in Budget 2000 which build on existing employment programmes. These policies are all set out in Chapter 4 of the Economic and Fiscal Strategy Report, which outlines progress made towards the Government's aim of providing employment opportunity for all—the modern definition of full employment.

Macroeconomic stability is a prerequisite for achieving this aim, and the microeconomic policies announced, reinforced by reforms in the tax and benefits systems, are designed to help people move from welfare into work, and to ensure that employment is rewarding, that there is

a secure transition into work, and that there is the chance to gain skills which will help progression up the earnings ladder.

One of the new measures in the Budget was the introduction of Action Teams. These will work to match long term unemployed people in areas with high unemployment to nearby vacancies. As revealed last week, Lewisham is to be an Action Team area.

Married Persons Tax Allowance

34. **Mr. Bill O'Brien:** To ask the Chancellor of the Exchequer what representations he has received following the abolition of the Married Persons Tax Allowance; and if he will make a statement. [130162]

Dawn Primarolo: Treasury Ministers regularly receive representations about all aspects of the tax system.

The abolition of the Married Couples Allowance for couples aged under 65, and associated reliefs, was part of a package of reforms designed to focus more support on families with children. By April 2001, we will be spending an extra £7 billion a year on support for children. As a result of all our measures, families with children will on average be £850 a year better off.

Inflation Forecasts

37. **Mr. Derek Twigg:** To ask the Chancellor of the Exchequer if he will make a statement on the inflation forecasts set out in the Red Book. [130165]

Miss Melanie Johnson: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Hastings and Rye (Mr. Foster) on 22 June 2000, *Official Report*, column 286W.

Bank Closures

Mr. Ruane: To ask the Chancellor of the Exchequer (1) what assessment he has made of the impact of bank closures on financial activities and investment levels in communities that have experienced bank closures; and if he will make a statement; [129663]

(2) what steps he has taken to encourage banks to make social impact assessments before announcing branch closures. [129712]

Miss Melanie Johnson *[holding answer 7 July 2000]:* The Government have challenged banks to develop new products and delivery channels—including working closely with the Post Office on its plans for a Universal bank—to meet the financial services needs of deprived communities.

Former Civil Servants

Mr. Lansley: To ask the Chancellor of the Exchequer on what date Mike Burt *(a)* ceased to be the head of procurement practice and development at HM Treasury and *(b)* became Chief Executive of Cityjobs.com plc. [130054]

Ms Beverley Hughes: I have been asked to reply.

Mike Burt was an employee of my Department on loan to HM Treasury at the time of his resignation. I understand that he ceased to be the head of procurement practice and development at HM Treasury on 26 May 2000 and became Chief Executive of Cityjobs.com plc on 5 June 2000.

Cross-departmental Initiatives

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will list the cross-departmental initiatives that his Department leads; and if he will make a statement. [130266]

Mr. Andrew Smith *[holding answer 12 July 2000]:* The Treasury is involved in a wide range of cross-departmental initiatives. Fifteen cross-departmental reviews were conducted as part of Spending Review 2000 and are listed on page 101 of the Spending Review 2000 White Paper. Each review was conducted by an interdepartmental team, including Treasury officials.

I refer the hon. Member to the statement made by the Chancellor of the Exchequer on the Spending Review 2000 on Tuesday 18 July.

PFI Contracts

Mr. Swayne: To ask the Chancellor of the Exchequer how much has been spent on consultants in respect of private finance initiative projects in each of the last five years. [130504]

Mr. Andrew Smith *[holding answer 17 July 2000]:* The information sought is not held centrally.

Technical Note No. 3, "How to Appoint and Manage Advisers", issued by the former Treasury taskforce, sets out best practice in this area. It suggests that accounting officers may wish to take the guidance into account in accordance with their responsibilities on value for money.

Procurement Guidance No. 3, "Appointment of Consultants and Contractors", issued by the former procurement group of HM Treasury, provides advice on how to achieve value for money in the appointment of consultants and contractors.

Both publications are now the responsibility of the Office of Government Commerce.

I am today placing copies of both publications in the Library.

Working Families Tax Credit

Mr. Salmond: To ask the Chancellor of the Exchequer what recent discussions he has had with representatives of the small business community in Scotland regarding the additional responsibilities placed on small businesses through Government fiscal policy, with special reference to the Working Families Tax Credit. [130547]

Dawn Primarolo *[holding answer 17 July 2000]:* The Inland Revenue has been consulting employer representatives, including those from the small business community, since May 1998 with the aim of minimising any additional costs to employers who pay tax credits through the payroll. This consultation process is ongoing.

The regulations relating to employer's involvement in Working Families Tax Credit reflect many of the comments received from the representative bodies and others during the consultation period.

Labour Statistics

Dr. Kumar: To ask the Chancellor of the Exchequer if he will estimate the number of 16 and 17-year-olds who work full-time *(a)* in the UK, *(b)* in Teesside Region and *(c)* in the constituency of Middlesbrough, South and Cleveland, East. [131011]

Miss Melanie Johnson *[holding answer 17 July 2000]:* The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Dr. Ashok Kumar, dated 17 July 2000:

As National Statistician, I have been asked to reply to your recent question about 16 and 17 year olds in full-time employment in the UK, Teesside and the constituency of Middlesbrough South and East Cleveland.

The latest available non-seasonally adjusted data from the Labour Force Survey (LFS), which is National Statistics' main source of labour market data on individuals, show that there were 182,000 16 and 17 year olds in full-time employment in the UK in the spring (March-May) quarter of 2000.

The LFS is able to provide estimates at local or small area levels but as with any sample survey these are subject to sampling variability. The smaller the estimate, the larger the variability relative to the size of the estimate. Unfortunately, analyses of employment among 16 & 17 year olds for both the Teesside area and the Middlesbrough South and East Cleveland constituency do not provide reliable estimates.

People aged 16 or over are classed as in employment by the LFS if they have done at least one hour of paid work (as an employee or self-employed) in the week prior to their LFS interview or if they have a job that they are temporarily away from. People who do unpaid work in a family business and people on Government-supported training and employment programmes are also included according to the International Labour Organisation convention.

Financial Services and Markets Act 2000

Mr. Love: To ask the Chancellor of the Exchequer if he will publish the timetable for implementation of the Financial Services and Markets Act 2000; and if he will make a statement. [131530]

Miss Melanie Johnson: I refer my hon. Friend to my answer of 18 July 2000, *Official Report*, column 109W.

Parliamentary Questions

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 11 July 2000, *Official Report*, column 508W, concerning targets for answering parliamentary questions, if he will list the performance of his Department in financial year 1999–2000 against each of the targets; and if he will make a statement. [131642]

Mr. Timms: The Treasury's targets for answering parliamentary questions relate to parliamentary sessions not financial years. We are on track to meet our targets in the 1999–2000 session: 62 per cent. of named day questions have been answered on time; 75 per cent. of ordinary written questions; and 93 per cent. of House of Lords written questions.

Economic Growth Rates

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 13 July 2000, *Official Report*, column 689W, what estimate he has made of the correlation coefficient of the UK against the growth rates of *(a)* the USA, *(b)* France and *(c)* Germany; and if he will make a statement. [131618]

Dawn Primarolo: I refer the hon. Member to the answer the Economic Secretary gave him on 3 February 2000, *Official Report*, column 685W.

Economic and Financial Strategy Report

Mr. Russell Brown: To ask the Chancellor of the Exchequer if he will make a statement about Table 2.4 in the Economic and Financial Strategy report of March 2000. [132236]

Mr. Andrew Smith: There were some minor errors in this table affecting the decomposition of changes between projects. A corrected version is printed as follows:

Table 2.4: Changes in the surplus on current budget and net borrowing since Budget 99[1]

£ billion

	Outturn[2] *1998–99*	*Estimate 1999–2000*	*2000–01*	*2001–02*	*Projections 2002–03*	*2003–04*	*2004–05*
Surplus on current budget[1,3]							
Budget 99	4.1	2	4	8	9	11	—
Effect of revision/forecasting changes	3.1	7	8	6	4	1	—
Effect of policy measures	—	—	–1	–1	–1	–1	—
PBR 99	7.2	9.5	11	13	13	12	11
Effect of revision/forecasting changes	0.3	7.5	6	11	10	8	9
Effect of policy measures	—	—	–3	–9	–10	–12	–12
Net borrowing[1,3]							
Budget 99	–1.0	3	3	1	3	4	—
Effect of revision/forecasting changes	–1.5	–6	–7	–5	–3	0	—
Effect of policy measures	—	—	1	1	1	1	—
PBR 99	–2.5	–3.5	–3	–3	1	4	6
Effect of revision/forecasting changes	–0.3	–8.4	–6	–13	–10	–8	–9
Effect of policy measures	—	—	4	12	13	16	16
Budget 2000		–2.8	–11.9	–6	–5	3	1113

[1] Excluding windfall tax receipts and associated spending

[2] The 1998–99 figures were estimates in Budget 99

[3] Figures may not sum due to rounding

Barnett Formula

Mr. Alasdair Morgan: To ask the Chancellor of the Exchequer if EU funds for transport improvements in Scotland have been *(a)* paid in addition to or *(b)* included in, the Barnett Formula settlement in each year since 1997. [129800]

Dr. Reid: I have been asked to reply:

Public expenditure funded by the European Union for transport improvements in Scotland has been provided for in the Scottish Block (now the Scottish Assigned Budget). The level of provision is determined with regard to plans agreed with the Commission and to the submission of claims by project sponsors.

The Barnett Formula is a mechanism for determining aggregate expenditure provision for the Assigned Budget, by providing an increase in total provision over current plans equivalent to a population-based share of increases in England on comparable programmes.

CABINET OFFICE

Government Cars

Mr. Burden: To ask the Minister for the Cabinet Office if she will list by Department the numbers of cars in the Government car fleet, broken down by make of car and country of manufacture. [126550]

Mr. Ian McCartney: Information for cars operated by the Government Car and Despatch Agency, on behalf of the Government as a whole, and the Cabinet Office is set out in the table. Some Departments, such as the Department of Social Security and the Inland Revenue, operate cars in addition to those on the list but details of the make and the country of origin are not held centrally.

As at 13 July 2000

	Rover			Jaguar			Ford	
Department	*800 UK*	*400 UK*	*R45 UK*	*Discovery UK*	*Jag/Daimler UK*	*Limousine UK*	*Mondeo Belgium*	*Galaxy Portugal*	*Sierra Belgium*
Cabinet Office	1	—	—	—	2	—	3	2	—
Crown Prosecution Service	—	—	—	—	—	—	1	—	—
Department for Culture, Media and Sport	—	—	—	—	—	—	3	—	—
Department of the Environment, Transport and the Regions	—	—	—	—	1	—	5	—	—
Department for Education and Employment	—	2	1	—	1	—	4	—	—
Department for International Development	—	—	—	—	—	—	1	—	—
Department of Social Security	1	—	—	—	—	—	4	—	—
Department for Trade and Industry	1	1	—	—	—	—	1	—	—
Export Credit Guarantee Department	—	—	—	—	—	—	—	—	—
Foreign and Commonwealth Office	—	—	—	—	—	—	3	—	—
Department of Health	—	—	1	—	—	—	3	—	—
HM Treasury	2	—	—	—	—	—	1	—	—
Home Office	—	—	—	—	—	—	2	—	—
Law Officer's Department	1	—	—	—	—	—	—	—	—
Lord Chancellor's Department	1	—	—	—	—		3	—	—
Ministry of Agriculture, Fisheries and Food	—	—	—	—	—	—	3	—	—
Ministry of Defence	—	—	—	—	—	—	—	—	—
Northern Ireland Office	—	—	—	—	1	—	1	—	—
Office of the Rail Regulator	—	—	—	—	—	—	—	—	—
Office of Government Commerce	—	—	—	—	—	—	1	—	—
Privy Council Office	2	—	—	—	—	—	1	—	—
Scotland Office	1	1	—	—	—	—	—	—	—
Treasury Solicitor	—	1	—	—	—	—	—	—	—
Wales Office	—	—	—	—	—	—	1	—	—
Sub total	10	5	2	0	5	0	41	2	0
GCDA[1]	25	0	0	2	6	1	14	1	1
Total	35	5	2	2	11	1	55	3	1

[1] Includes security vehicles

As at 13 July 2000

			Vauxhall			Nissan	
Department	*Omega Germany*	*Vectra Germany*	*Vectra UK*	*Astra Germany*	*Cavalier UK*	*Primera UK*	*Total*
Cabinet Office	5	1	2	4	—	—	20
Crown Prosecution Service	—	—	—	—	—	—	1
Department for Culture, Media and Sport	1	1	—	—	—	—	5
Department of the Environment, Transport and the Regions	1	1	—	—	—	1	9
Department for Education and Employment	—	1	—	—	—	—	9
Department for International Development	1	1	—	—	—	—	3
Department of Social Security	—	1	—	—	—	—	6
Department for Trade and Industry	—	2	—	—	—	2	7
Export Crédit Guarantee Department	1	—	—	—	—	—	1
Foreign and Commonwealth Office	1	—	—	—	—	1	5
Department of Health	1	2	—		—	1	8
HM Treasury	—	3	—	—	—	—	6

As at 13 July 2000

Department	*Omega Germany*	*Vectra Germany*	*Vauxhall Vectra UK*	*Astra Germany*	*Cavalier UK*	*Nissan Primera UK*	*Total*
Home Office	—	3	—	—	—	—	5
Law Officer's Department	—	—	—	—	—	—	1
Lord Chancellor's Department	—	—	—	—	—	—	4
Ministry of Agriculture, Fisheries and Food	1	—	—	—	—	1	5
Ministry of Defence	1	—	—	—	—	—	1
Northern Ireland Office	—	2	—	—	—	—	4
Office of the Rail Regulator	1	—	—	—	—	—	1
Office of Government Commerce	—	—	—	—	—	—	1
Privy Council Office	—	—	—	—	—	—	3
Scotland Office	—	—	—	—	—	—	2
Treasury Solicitor	—	—	—	—	—	—	1
Wales Office	1	—	—	—	—	—	2
Sub total	15	18	2	4	0	6	110
GCDA[1]	20	8	1	0	1	0	80
Total	35	26	3	4	1	6	190

[1] Includes security vehicles

Agenda Computer System

Mr. Baker: To ask the Minister for the Cabinet Office, pursuant to her answer of 23 June 2000, *Official Report*, column 306W, regarding the Agenda computer system, what the non-IT costs were with regard to the Agenda computer system in each year since it became operational in February 1998. [129721]

Mr. Ian McCartney: The non-IT costs incurred by my Department in supporting the Agenda system since it became operational in February 1998 are summarised in the table:

Financial year	*£*
1997–98	4,750
1998–99	30,636
1999–2000	37,014
2000 to date	9,621

Civil Servants (Television Appearances)

Mr. Redwood: To ask the Minister for the Cabinet Office what rules govern the appearance of civil servants on television programmes about politics. [130720]

Marjorie Mowlam: Civil servants appearing on the radio or on television must comply with the requirements of the Civil Service Code and the Civil Service Management Code.

Mileage Rates

Mr. Efford: To ask the Minister for the Cabinet Office what plans she has to review the mileage rates paid to civil service staff who use their own cars to carry out contractual duties, with particular reference to bringing these rates in line with the Inland Revenue's fixed profit car scheme. [131345]

Mr. Stringer: Motor mileage rates for civil servants who use their own cars on official business are not set centrally. Departments and agencies have delegated authority to reimburse the expenses incurred by their own staff in connection with their employment.

LORD CHANCELLOR'S DEPARTMENT

Gavin Mellor

Mr. Evans: To ask the Parliamentary Secretary, Lord Chancellor's Department how much has been spent on legal aid to date in respect of the case of Gavin Mellor. [131307]

Mr. Lock: Mr. Mellor was granted a legal aid certificate on 1 February 1999, to bring judicial review proceedings against the Home Secretary's decision not to allow him and his wife access to artificial insemination facilities.

In a complex legal matter such as this, it is the practice of the Legal Services Commission to carry out periodic reviews of the case to ensure that the criteria for public funding continue to be met. It would be unusual to fund a case of this type unless a favourable counsel's opinion had been received.

As at 14 July 2000, the total amount that had been paid on the certificate was a disbursement of £277. No other bills have so far been submitted by Mr. Mellor's solicitors.

Nuisance Actions

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department what estimate she has made of the number of actions for nuisance brought in the last 12 months by local authorities for which figures are available where professional witnesses of fact were involved. [131170]

Jane Kennedy: The Court Service does not collect statistics on the reasons for the issue of possession actions such as nuisance, nor the type of witnesses involved in such cases. This information is not held centrally and could be provided only at disproportionate cost to the Department.

Freedom of Information Bill

Maria Eagle: To ask the Parliamentary Secretary, Lord Chancellor's Department when he proposes to publish a

draft code of practice on the management of records under the proposals contained in the Freedom of Information Bill. [132305]

Mr. Lock: I am delighted to publish today a working draft of the Code of Practice on the management of records under Freedom of Information. Copies of the draft have been placed in the Libraries of both Houses. The report will also be available on the internet.

The aims of the Code are twofold. The first is to set out practices which bodies subject to the Freedom of Information Act should follow in relation to the creation, keeping, management and destruction of their records. The second is to provide guidance on the review and transfer of public records to the Public Record Office, to places of deposit for public records appointed under the Public Records Act 1958, and to the Public Record Office of Northern Ireland. The Code covers records in all technical or physical formats.

Any freedom of information legislation is only as good as the quality of the records to which it provides access. Such rights are of little use if reliable records are not created in the first place, if they cannot be found when needed or if the arrangements for their eventual archiving or destruction are inadequate. Consequently all public authorities are encouraged to pay heed to the guidance in the Code. Authorities should note that if they fail to comply with the Code, they may be in breach of their statutory obligations.

The Code would satisfy a duty proposed in the Freedom of Information Bill.

Electronic Records

Maria Eagle: To ask the Parliamentary Secretary, Lord Chancellor's Department when he intends to publish a policy statement on electronic records management. [132306]

Mr. Lock: The Government's policy on electronic records management was published in April. It is called the "Framework for Information Age Government: Electronic Records Management, an Annex to e-government, A strategic framework for public services in the Information Age". Copies of the report have been placed in the Libraries of both Houses. The report is also available on the internet.

Effective management of electronic records is essential to the Information Age Government programme. The replacement of manual and paper based processes with electronic processes requires the development of effective records management, covering existing as well as new electronic records. In government such records must be managed so as to retain their integrity, authenticity and accessibility through migrations as hardware and software change and to conform with the relevant Data Protection and Freedom of Information regulations.

Any electronic government record is potentially a public record and for this reason all such records will be subject to additional controls including retention and disposal scheduling and prevention of content alteration.

The development of a common system of electronic records management will facilitate collaboration between Government Departments and agencies.

Parliamentary Questions

Mr. Stunell: To ask the Parliamentary Secretary, Lord Chancellor's Department how many parliamentary questions were tabled to his Department between 19 October 1999 and 20 April which requested information, pursuant to his previous answers. [131225]

Mr. Lock: According to departmental records covering the relevant period, six parliamentary questions were tabled to the Lord Chancellor's Department requesting information pursuant to previous answers.

HOME DEPARTMENT

Rural Police Forces

Mr. Miller: To ask the Secretary of State for the Home Department how he intends to allocate in the current year the money recently agreed for police forces in rural areas. [132066]

Mr. Charles Clarke: My right hon. Friend the Home Secretary, in his reply to my hon. Friend the Member for The Wrekin (Mr. Bradley) of 15 June 2000, *Official Report*, column 714W, announced provision of £15 million, made available in the Budget, for assistance to police forces in rural areas this year.

The allocations for 2000–01 are shown in the table.

Police authority	£
Avon and Somerset	494,892
Bedfordshire	81,390
Cambridgeshire	561,585
Cheshire	115,058
City of London	0
Cleveland	0
Cumbria	690,613
Derbyshire	208,347
Devon and Cornwall	1,554,673
Dorset	221,858
Durham	124,270
Dyfed Powys	1,297,570
Essex	251,315
Gloucestershire	387,093
Greater Manchester	0
Gwent	102,895
Hampshire	110,175
Hertfordshire	0
Humberside	357,640
Kent	298,863
Lancashire	32,228
Leicestershire	216,758
Lincolnshire	985,951
Merseyside	0
Metropolitan	0
Norfolk	1,036,848
North Wales	770,617
North Yorkshire	1,005,224
Northamptonshire	350,892
Northumbria	0
Nottinghamshire	0
South Wales	0
South Yorkshire	0
Staffordshire	138,358
Suffolk	711,353
Surrey	5,463
Sussex	273,834
Thames Valley	629,559
Warwickshire	282,108
West Mercia	1,157,670

Police authority	£
West Midlands	0
West Yorkshire	0
Wiltshire	544,900
All police authorities	15,000,000

The sums have been apportioned on the basis of population weighted by a sparsity score. Payment will be made shortly.

Financial provision for future years has been included in the Spending Review 2000 settlement.

Leave to Remain Application Forms

Dr. Palmer: To ask the Secretary of State for the Home Department what plans he has to replace the current application forms for foreign nationals wishing to apply for leave to remain in the United Kingdom. [132067]

Mrs. Roche: The current application forms are valid for use only until 14 October 2000. Revised forms will be prescribed before then. It is planned to make them available before the end of September. From the time they are issued until 14 October 2000, applications may be made on either the newly prescribed forms or the present versions. Only the new forms may be used for applications made on or after 15 October 2000. Copies will be placed in the Library as soon as they are available.

Criminal Records Bureau

Ms Coffey: To ask the Secretary of State for the Home Department when he will announce the outcome of the invitation to tender for the Criminal Records Bureau Information Systems and Services; and if he will make a statement. [132068]

Mr. Charles Clarke: The Criminal Records Bureau issued an invitation to tender on 12 June 2000, for the provision of information systems and services through a public private sector partnership. Three firms had previously been shortlisted, and they provided their submissions in response to the invitation to tender on 28 June.

Following a thorough evaluation against separate qualitative and financial criteria, Bernard Herdan, chief executive of the Criminal Records Bureau, has accepted the recommendation of the tender evaluation board that the tender from Capita should be selected as the one which is the most economically advantageous based on the best combination of technical design, customer service, quality, schedule, risk transfer and cost. The Criminal Records Bureau and Capita will now commence preferred supplier negotiations with a view to awarding a contract in the near future, subject to completion of a satisfactory appraisal and business case.

National Probation Service

Mr. Pond: To ask the Secretary of State for the Home Department how he plans to meet urgent expenditure relating to the new National Probation Service for England and Wales prior to the enactment of the Criminal Justice and Court Service Bill. [132069]

Mr. Boateng: Parliamentary approval for expenditure on the new National Probation Service for England and Wales will be sought in a Supplementary Estimate for the Home Office Vote (Class IV Vote 1). Pending that approval, urgent expenditure estimated at £670,000 will be met by repayable advances from the Contingencies Fund. This expenditure is required to ensure that the National Probation Service would be able to come into effect on 1 April 2001, subject to the successful passage of the Criminal Justice and Court Services Bill.

Reform of the Probation Service is key to the Government's crime reduction and effective punishment strategy. Current plans envisage a vesting date of 1 April 2001 for the new National Probation Service. This date is key for delivering operational effectiveness gains, which would otherwise be lost or significantly delayed. Two critical ingredients of reform are changes in governance and leadership of the new service and it is in these areas that urgent expenditure would be incurred. The critical path for achieving the target date is dependent upon starting the process of selection to the 42 new probation boards, and the recruitment of chief officers for the eight amalgamated services, by July.

New Deal

Mr. Brady: To ask the Secretary of State for the Home Department how many employees of his Department and its agencies have been recruited from the New Deal; and what percentage of total staff this represents. [129143]

Mr. Straw: I refer the hon. Member to the reply I gave the hon. Member for Buckingham (Mr. Bercow) on 22 July 1999, *Official Report*, column 618W, and also the reply given by my right hon. Friend the Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (Marjorie Mowlam) to my hon. Friend the Member for Bradford, North (Mr. Rooney) on 6 July 2000, *Official Report*, column 286W.

Since my reply of 22 July 1999 the number of people recruited to the Home Office and its agencies under New Deal has increased to 25. This represents 0.71 per cent. of the total number of administrative assistants and equivalent grades (the grade at which New Dealers are engaged) in the Home Office.

In addition, a further 39 people on New Deal have secured employment with the Prison Service through normal recruitment channels. This brings the percentage up to 1.83 per cent. of the total number of staff in the grade.

Police Numbers (Suffolk)

Mr. Ruffley: To ask the Secretary of State for the Home Department if he will list the number of serving police constables in the Suffolk Constabulary in *(a)* 1996–97, *(b)* 1997–98, *(c)* 1998–99 and *(d)* 1999–2000. [130761]

Mr. Charles Clarke: The number of constables in the Suffolk Constabulary is set out in the table and is for 31 March of each year.

Suffolk Constabulary

Financial year (as at 31 March)	*Number of constables*[1]
1996–97: at 31 March 1997	932
1997–98: at 31 March 1998	927
1998–99: at 31 March 2000	935
1999–2000: at 13 March 2000	890

[1] Full-time equivalents

Road Safety (Cyclists)

Mr. Ben Chapman: To ask the Secretary of State for the Home Department how many people have been prosecuted under section 30 of the Road Traffic Act 1988 for being drunk in charge of a bicycle. [131244]

Mr. Charles Clarke: Information for 1989 to 1999 taken from the Home Office Court Proceedings Database is given in the table.

Number of defendants prosecuted for the offence of riding a pedal cycle under the influence of drink or drugs, England and Wales, 1989–99

Year	*Number of defendants prosecuted*
1989	261
1990	211
1991	191
1992	108
1993	105
1994	71
1995	75
1996	85
1997	103
1998	98
1999	84

[1] 1999 data are provisional

Mr. Bob Russell: To ask the Secretary of State for the Home Department when on-the-spot fines for cyclists riding on the pavement were introduced; and how many have been imposed. [131062]

Mr. Charles Clarke: Cycling on the pavement was made a fixed penalty offence on 1 August 1999. The fixed penalty is not an on-the-spot fine: payment is not required on-the-spot and the person receiving it can challenge its issue in court. In the period August to December 1999, 39 police forces in England and Wales issued 570 fixed penalty notices for the offence of cycling on the pavement; figures for the other four are not available.

Asylum Seekers

Mr. Bercow: To ask the Secretary of State for the Home Department, pursuant to his answer of 4 July 2000, *Official Report*, column 166W, ref. 128237, how many asylum seekers were supported in 1999–2000. [130841]

Mrs. Roche: In 1999–2000, asylum seekers were supported by either the Department of Social Security or local authorities. The available information shows that in the final quarter of 1999–2000, there were estimated to be 49,660 asylum seeker principal applicants being supported by the Department of Social Security each month. In the week ending 31 March 2000, 35,815 asylum seeker principal applicants were being supported by local authorities in London.

Information on asylum seeker principal applicants supported by local authorities outside of London is not held centrally.

Mr. Bercow: To ask the Secretary of State for the Home Department, pursuant to his answer of 4 July 2000, *Official Report*, column 166W, on asylum seekers, for what reason information on average decision times was not available; and if he will make a statement. [130843]

Mrs. Roche: Average times for initial decisions were calculated until the end of 1999. In December 1999 the average time taken to reach initial decisions was 13 months. The Immigration and Nationality Directorate (IND) are setting in place new systems, which will enable average decision times to be calculated and to report the percentage of applications receiving an initial decision within two months.

Details of the time to final resolution, as previously requested, are not available as there is no source from which to obtain this information. IND and the Lord Chancellor's Department are working together to enable such information to be available in future.

Mr. Gordon Marsden: To ask the Secretary of State for the Home Department how many staff have been allocated to the performance monitoring inspections team for asylum seeker accommodation providers; how many of these staff will be engaged on personally inspecting accommodation and support arrangements; and what targets have been set for the proportion of asylum seeker accommodation to be inspected by the performance monitoring inspections team. [131424]

Mrs. Roche: It is currently anticipated that the performance monitoring section of the National Asylum Support Service (NASS) will comprise of around 83 staff. About 20 of these will be involved in personally inspecting accommodation. Inspections will also be carried out by the property advisers to the civil estate. The remaining staff in the performance monitoring section will be engaged in carrying out investigations into complaints and allegations of fraud. Final targets have not yet been set but the accommodation inspection team is required to have inspected all NASS contracted houses of multiple occupancy of 20 bed spaces or more by 31 March 2001.

Regulation of Investigatory Powers Bill

Mr. Beith: To ask the Secretary of State for the Home Department if the Regulation of Investigatory Powers Bill implements the recommendation in paragraph 65 of the 1999 report of the Commissioner for the Interception of Communications relating to sections 6 and 7 of the Official Secrets Act 1989. [130945]

Mr. Straw: Clause 18 of the Regulation of Investigatory Powers Bill implements the recommendation in paragraph 65 of the report. It imposes a duty on all those involved in the interception of communications in obedience to a warrant to keep secret the existence and contents of a warrant and anything done in pursuance to it. It also creates a criminal offence where a person makes a disclosure to another of anything that he is required to keep secret, and sets out certain statutory defences.

Football (Disorder)

Sir Nicholas Lyell: To ask the Secretary of State for the Home Department if he will list the nature of the several offences committed by the 390 UK citizens arrested at Charleroi in Belgium during Euro 2000, indicating how many had committed each such offence. [131401]

Mr. Straw: As I told the House in my Statement on 4 July 2000, *Official Report*, columns 170–183, 965 England supporters were arrested or detained during Euro 2000. Of these, 391 had previously been convicted of a criminal offence. The National Criminal Intelligence Service advise that these people had between them: 133 convictions for violence, 200 for disorder, 38 for the possession of an offensive weapon, 122 for criminal damage and 250 for other offences. Some supporters will have been convicted of more than one type of offence.

Sir Nicholas Lyell: To ask the Secretary of State for the Home Department if he will list in relation to each of the past five years the periods which would have been control periods in relation to external tournaments, pursuant to paragraph 14(6) of the Football Spectators Act 1989 as amended by the Football (Disorder) Bill. [131402]

Mr. Straw: The Football (Disorder) Bill defines the term "control period" in respect of an external tournament. It relates to any period beginning five days before the day of the first match of the tournament. If this was applied to external tournaments involving England and Wales within the last five years, the designated control periods would be: Friday 5 June—Friday 17 July 1998 (World Cup—France 98) and Monday 5 June—Friday 7 July 2000 (Euro 2000—Holland/Belgium).

Rape

Mr. Cox: To ask the Secretary of State for the Home Department how many cases of alleged rape were reported in England and Wales in 1999 which resulted in charges being brought against the alleged perpetrators. [131164]

Mr. Charles Clarke: The number of cases reported to the police and persons charged for rape offences are not available centrally.

The number of rape offences recorded by the police, and the number of cautions, prosecutions and convictions for rape offences[1] are as follows:

	Number
Rape offences recorded in 1999–2000	8,409
Cautions for offences of rape 1999[2]	33
Prosecutions for offences of rape 1999[2]	2,157
of which:	
Convictions	634

[1] Includes offences of rape and attempted rape
[2] Provisional

It should be noted that as the recorded crime figures relate to offences, and the number of cautions, prosecutions and convictions relate to defendants, the two types of data are not directly comparable.

Armed Police Officers

Mr. Cox: To ask the Secretary of State for the Home Department on how many occasions armed police officers were called to incidents in the Greater London area during the last 12 months. [130766]

Mr. Charles Clarke: Over the period 1 July 1999 to 30 June 2000, armed officers were called to a total of 26,743 incidents in the Greater London area. Of these, armed officers were actually deployed in 1,494 incidents. Deployment is defined as the use of armed officers to resolve the incident.

Departmental Initiatives

Dr. Lynne Jones: To ask the Secretary of State for the Home Department if he will list each departmental initiative since May 1997 requiring bids for funding together with the total resources available, the number of successful bids and the proportion this represents of total bids received; and what data he collects on the average expenditure of organisations bidding for funding through each initiative. [131089]

Mr. Straw: The information requested for Home Office initiatives for which grants are given, including those subject to a competitive bidding process, for the four financial years from May 1997 to 2000–01 is provided in the table.

Initiatives	*May 1997–98 (£000)*	*1998–99 (£000)*	*1999–2000 (£000)*	*2000–01 (£000)*	*Successful bids*	*Percentage of total bids*
Crime Reduction Programme						
Crime Reduction Partnership Training and Support	0	0	800	5,642	—[1]	—[1]
Reducing Burglary	0	0	600	20,200	161	93
Targeted Policing	0	0	600	13,000	27	16
On Track	0	0	200	12,500	24	32
Work With Offenders	0	0	900	8,000	—[2]	—[2]
Intervention in Schools	0	0	600	6,000	—[2]	—[2]
Youth Inclusion Schemes	0	0	100	4,250	—[1]	—[1]
Sentencing and Restorative Justice	0	0	200	500	1	100
Design Against Crime	0	0	400	1,500	—[1]	—[1]
Drug Arrest Referral Schemes	0	0	700	9,000	—[2]	—[2]
CCTV	15,000	1,500	3,600	60,000	—[2]	—[2]
Violence against Women	0	0	0	5,000	34	16
Neighbourhood Wardens	0	0	0	1,500	—[2]	—[2]
Crime Fighting Fund[3]	0	0	0	59,000	43	100
Support After Murder and Manslaughter	0	43	100	100	—[1]	—[1]

Initiatives	May 1997–98 (£000)	1998–99 (£000)	1999–2000 (£000)	2000–01 (£000)	Successful bids	Percentage of total bids
Community Support Grants						
Active Community Initiatives	0	0	700	1,311	5	45
Older Volunteers Initiative	0	0	788	416	27	93
Regional Voluntary Sector Networks	0	0	573	1,060	18	100
Support for Community Self-Help	0	0	420	820	2	100
Business Partnerships	0	0	137	220	3	100
Family Support Grant						
National Family and Parenting Institute	0	0	200	2,205	—[2]	—[2]
Family Support Grant	0	0	1,000	3,000	64	30
Parent Line	0	0	333	333	—[2]	—[2]
Fire Service Youth Training Association	0	0	25	58	—[2]	—[2]
Reception and Resettlement of Refugees						
Montserrat	723	511	537	0	—[1]	—[1]
Kosovo	0	0	14,400	20,200	43	94
Voluntary Bodies to Support Kosovan Refugees	0	0	8,900	5,500	6	100
National Asylum Support Services (NASS)[4]						
Hard Cases Grant	0	0	0	7,011	—[1]	—[1]
Refugee Council	0	0	930	6,532	—[1]	—[1]
Central Services Team	0	0	160	294	—[1]	—[1]
Refugee Council Offices	0	0	54	68	—[1]	—[1]
Migrant Helpline	0	0	294	2,070	—[1]	—[1]
Refugee Arrivals Project	0	0	293	1,802	—[1]	—[1]
Refugee Action	0	0	304	2,024	—[1]	—[1]
Scottish Refugee Council	0	0	128	651	—[1]	—[1]
Welsh Refugee Council	0	0	0	537	—[1]	—[1]
Prison Service Initiatives						
Partners of Prisoners' Support Groups	0	27	3	0	0	0
Federation of Prisoners' Families Support Groups	0	19	20	0	0	0
Institute of Linguists Educational Trust	0	3	0	0	0	0
Prisoners' Community Liaison	0	9	0	0	0	0
Female Prisoners' Welfare Project	0	20	0	0	0	0
The New Bridge to support rehabilitative projects	0	20	20	20	—[1]	—[1]
Prisons' Video Trust	0	0	70	70	—[1]	—[1]
Literacy and Black Incarceration Project	0	0	7	0	0	0
Race Equality Grant	0	0	0	2,200	0	0
Research						
Innovative Research Fund	0	0	840	200	—	—

[1] Initiatives not subject to a competitive bidding process.

[2] Initiatives for which the bidding process is still in progress, as the total and successful number of bids are not yet known.

[3] The Crime Fighting Fund was set up to enable recruitment of 3,000 police officers over and above current levels. All 43 police authorities bid for funding and all were successful in at least part of their bid.

[4] Grant funding arrangements for NASS arose out of an existing relationship with the refugee voluntary sector. There are no plans to put bids for these initiatives out to competitive tender until after 31 March 2000. The existing organisations receiving funds will be notified of such a move by 31 March 2001.

Note:

1. The figures for 2000–01 are estimates and could be subject to in-year changes. The figures do not take account of any locally funded initiatives undertaken by individual prisons nor all those funded by the Home Office's non-departmental public bodies, as such detail could be obtained only at disproportionate cost.

The figures for "successful bids" and "proportion of total bids" are for 2000–01 only, as figures for the three previous years could also be obtained only at disproportionate cost.

The table does not include specific grants to bodies where these were initiated before May 1997. Nor does the table include the Capital Modernisation Fund and the Invest to Save Budget, which are not Home Office specific initiatives.

The data collected on average expenditure of organisations bidding for funding through each initiative is dependent on the type of grants and size of payment. The minimum requirements are that an organisation provides:

either, a copy of the receipts and payments accounts and Assets and Liabilities Statement (or, if one is produced, an Income and Expenditure account),

or, in the case of charities or organisations with a turnover in excess of £1,000,000, a copy of the Income and Expenditure account, balance sheet, external audit report or independent accountants' opinion.

New Year's Eve 2000–01

Mr. Pike: To ask the Secretary of State for the Home Department what steps he plans in respect of extending licensing hours on new year's eve 2000–01. [130946]

Mr. Mike O'Brien: We still hope to have made a deregulation order under the Deregulation and Contracting Out Act 1994 to reduce the present restrictions on Sunday dancing in time to be of benefit for the coming new year's eve. Such an order, as well as removing the statutory ban on commercial dancing, would give licensing justices the power in appropriate cases to extend permitted drinking hours on Sunday nights on licensed premises providing entertainment in the form of music or dancing.

So far as other licensed premises are concerned, any extension of permitted hours nationally would need a separate deregulation order under the 1994 Act. The timescales for statutory public consultation and the subsequent parliamentary process are dictated by the 1994 Act, and it is now unlikely that the process could be completed in time for next new year.

Under existing licensing law, it remains the case that any holder of a justices' on-licence may apply to the licensing justices in his or her area for a special order of exemption extending permitted hours during a special occasion such as new year's eve.

Computer Disasters

Mr. Fabricant: To ask the Secretary of State for the Home Department what estimate he has made of the time it would take to get new computers running in the wake of a major computer disaster in his Department. [130971]

Mr. Straw *[holding answer 19 July 2000]:* Each computer system used by my Department has contingency arrangements in accordance with its operational needs. The timing of recovery to normal working depends on the nature of the system and the extent of the disaster, but would be planned to be commensurate with importance of the business process concerned.

These arrangements are part of wider business continuity plans, which were reviewed recently as part of preparations for the year 2000 date change.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for the Home Department (1) how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April have not received substantive answers, excluding those not answered citing *(a)* disproportionate cost, *(b)* that the information is not available, not held centrally, or not held in the form requested and *(c)* commercial or other confidentiality; [131124]

(2) how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April have not received substantive answers, excluding those not answered citing *(a)* disproportionate cost, *(b)* that the information is not available, not held centrally, or not held in the form requested and *(c)* commercial confidentiality or other confidentiality. [131122]

Mr. Straw *[holding answer 18 July 2000]:* My Department answered a total of 2,751 written parliamentary questions between 19 October-20 April 2000. Other than for the reasons set out in my replies to the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) on 23 June 2000, *Official Report*, columns 339–40W, and on 4 July 2000, *Official Report*, columns 165–66W respectively, there were no other occasions when I gave non-substantive replies.

Clay Pigeon Shooting

Sir Teddy Taylor: To ask the Secretary of State for the Home Department what estimate he has made of the number of persons involved in clay pigeon shooting, both as *(a)* participants in the sport and *(b)* employees of the organisations providing the facilities. [131305]

Kate Hoey: I have been asked to reply.

My Department has contacted Sport England, UK Sport and the Clay Pigeon Shooting Association to request the information required, and I will write to the hon. Member as soon as it is available, placing copies of my letter in the Library of the House.

Written Answers to Questions

Friday 21 July 2000

EDUCATION AND EMPLOYMENT

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Education and Employment how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April have not received substantive answers, excluding those not answered citing disproportionate cost, stating that the information is *(a)* not available, *(b)* not held centrally, *(c)* not held in the form requested and *(d)* citing commercial or other confidentiality. [131234]

Mr. Wills *[holding answer 20 July 2000]:* Of replies to parliamentary questions tabled to the Department during the period citing commercial or other confidentiality, I refer the hon. Member to the reply I gave on 29 June 2000, *Official Report*, column 575W.

In addition, five replies stated that the information was not available, 27 replies stated that information was not held centrally and 20 replies stated that the information was not held in the form requested.

Holiday Absences

Mr. Pickthall: To ask the Secretary of State for Education and Employment what discussions he has had with travel companies about the differential costs of holidays that encourage holiday absences in schools. [131468]

Jacqui Smith *[holding answer 20 July 2000]:* We are engaged in on-going discussions with the Association of British Travel Agents (ABTA) to see what we can do together to reduce the number of family holidays taken during term time.

As a result of earlier discussions, ABTA wrote to all its members on 15 December 1999, asking them to remind parents of the implications of taking holidays in term time. ABTA members were also requested to remind parents of the importance of discussing their plans with the school before making any firm commitment.

Our recent guidance to all schools, "Social Inclusion: Pupil Support" underlines this approach. The guidance makes clear that while parents should not normally take children out of school for holidays, each request for absence should be considered individually, taking into account factors such as the time of the year proposed for the holiday and the overall attendance pattern of the pupil.

We will continue to talk to ABTA about the issue of family holidays during school term time, and to get the message across to parents that they must consider the impact of absence from school during term time on children's education.

Public-Private Partnership Initiatives

Mr. Steen: To ask the Secretary of State for Education and Employment what money has been provided for Public-Private Partnership initiatives to all South West local education authorities in each of the last two years. [131581]

Jacqui Smith: In 1998–99, local education authorities in the South West bid successfully for a total of £4.12 million New Deal for Schools funding to support Public-Private Partnerships. In 1999–2000, South West local education authorities received £3.28 million from the same source for Public-Private Partnerships, plus £14.2 million in PFI credits for a schools Private Finance Initiative scheme.

Mr. Steen: To ask the Secretary of State for Education and Employment if he will list those schools that have received money for Public-Private Partnership initiatives in each of the last two years. [131606]

Jacqui Smith: 120 and twenty schools in 1998–99, and 230 schools in 1999–2000, are benefiting from projects supported by the Private Finance Initiative. In addition, we are supporting a number of Public-Private Partnership schemes through the New Deal for Schools, in which the following schools are benefiting:

1998–99

Canterbury High School
Foxton Primary School, Cambridgeshire
Hartsbourne JMI School, Hertfordshire
Homelands Primary School, Torquay
Weald of Kent Girl's Grammar School
Westlands Bilateral School, Torquay

1999–2000

Brays Grove School, Harlow
Collegiate High School, Blackpool
Cooper Perry Primary School, Staffordshire
Culloden Primary School, Tower Hamlets
Downview Primary School, West Sussex
East Wittering Primary School, West Sussex
Ferndown School, Dorset
Highweek Primary School, Newton Abbot
Hreod Parkway Schools, Swindon
Littlehampton Community School
Mark Hall School, Harlow
Passmores School, Harlow
Sir Graham Balfour Secondary School, Staffordshire
Stewards School, Harlow
Whitehall Junior School, Hillingdon
William Beaumont High School, Warrington.

Teachers' PRP

Mrs. May: To ask the Secretary of State for Education and Employment if he will set out the terms of contract for external assessors under the teachers' performance-related pay scheme, with particular reference to the length of term of such contracts; and what additional costs will be incurred as a result of the High Court judgment of 14 July. [131752]

Ms Estelle Morris: Cambridge Education Associates (CEA) have been contracted by DfEE to recruit, deploy and quality assure external assessors. In turn CEA contract with individuals to work as threshold assessors. The terms of this contract are a matter between the individual and CEA. The length of the contract depends on the individual assessor's availability to work for CEA. It is not yet clear what, if any, additional costs will be incurred as a result of the High Court Judgment of the 14 July.

Mrs. May: To ask the Secretary of State for Education and Employment what estimate he has made of the costs which will be incurred if the School Teachers' Pay Review Body recommends changes to the standards set for teachers to meet the threshold requirements under performance-related pay and all applications have to be re-submitted. [131753]

Ms Estelle Morris: The Department has asked the School Teacher Review Body to start the process of consulting formally on the threshold standards. At this time it is not possible to say whether the Review Body will recommend any changes. Therefore the Department cannot estimate the costs that will be incurred at this stage.

Mrs. May: To ask the Secretary of State for Education and Employment what advice he received prior to the recent court ruling on teachers' performance-related pay concerning how the *(a)* determination and *(b)* imposition of threshold standards under the teachers' performance-related pay scheme should be dealt with, with particular reference to his statutory powers. [131974]

Ms Estelle Morris: My right hon. Friend receives advice as appropriate before he takes decisions.

Sheffield Education Action Zone

Mrs. May: To ask the Secretary of State for Education and Employment if he will publish the HMI report on the Sheffield Education Action Zone. [131754]

Ms Estelle Morris: Ofsted intends to publish reports on those Education Action Zones which are formally inspected. A report on the Education Action Zones in Sheffield will be published if these zones are selected for inspection.

Employment Service

Ms Ryan: To ask the Secretary of State for Education and Employment what customer service level for employers target will be set for the Employment Service in 2000–01. [132477]

Mr. Blunkett: In a first for executive agencies, I have set the Employment Service a customer service target for employers. ES is committed to working closely with employers to help them to fill their vacancies and in doing so encourage them to open up more opportunities to disadvantaged jobseekers. The setting of such a target reinforces the ES's commitment to achieving the highest standards of customer service. In addition to the challenging goals that I have already announced, the setting of a stretching but realistic target level for employer service will help the ES to achieve the high level of performance that I expect of it in 2000–01.

I am today announcing the target level that I have set the Employment Service for 2000–01 which relates to customer service for employers.

The new target is contained in Objective C of the annual performance agreement text which follows.

PA Text

Vision and Purpose

"The Employment Service aims to make a major contributions to an efficient and flexible labour market and to the Government's objectives of high and stable employment and growth, equality of opportunity and social inclusion. ES works closely with employers and with its private, voluntary and public sector partners to provide a quality service for all people without a job and to promote employment opportunities for all who can work. It aims to attract a diverse range of vacancies and to fill those vacancies quickly by matching the right people and skills with the right jobs. Its chief priority is to help individuals facing particular difficulty in the labour market to move from welfare and economic inactivity into sustainable employment. It does this through correct application of the JSA regime, delivery of the New Deals and the pilot ONE service, and provision of appropriate information, advice, training and support. The Agency has achieved much over the past three years. The challenge and opportunity now facing it is to sustain continuous improvement in its services to jobseekers and employers and to make those services more accessible and relevant to customer needs, through effective use of modern technology and close working with a wide range of partners".

Aim

To help people without jobs to find work and employers to fill their vacancies.

Objective A

To help all people without jobs, and particularly those on welfare and at a disadvantage in the labour market, to find and keep work by providing appropriate information, advice, training and support and by encouraging employers to open more opportunities to them.

Targets

1. To help 178,000 participants in the New Deals and all Employment Zones into work, directly or in partnership with others.
2. To help 100,000 people with disabilities into work, directly or in partnership with others.
3. To help 295,000 disadvantaged jobseekers into work, directly or in partnership with others.
4. To help 735,000 people from welfare into work, directly or in partnership with others.
5. To help 1,325,000 jobless people into work, directly or in partnership with others.

Objective B

To ensure that the rights and relevant labour market responsibilities of people on JSA and other benefits are fulfilled, while helping to combat fraud and abuse of the benefit system.

Target

To ensure that the relevant labour market responsibilities of people on JSA are fulfilled in 90 per cent. of cases checked.

Objective C

To harness new technology, the pursuit of excellence and continuous improvement to deliver effective, efficient and accessible services to all people without jobs and to employers in Jobcentres and, increasingly through other locations and means of communication.

Targets

1. To achieve a 90 per cent. customer service level for jobseekers.
2. To achieve an 80 per cent. customer service level for employers.

Milestone Targets

1. To introduce the Learning and Work Bank, new Labour Market System, touch-screen kiosks and a single national telephone number for employers by March 2001.

2. To achieve a successful transfer of Work Based Learning for Adults to ES in England by April 2001.

Objective D

To deliver services to all ES customers in a way which respects individual differences, helps to overcome disadvantages due to ethnicity, gender, age or disability and achieves the best possible outcome for each of them.

INTERNATIONAL DEVELOPMENT

South and West Asia Drought

Ms Kingham: To ask the Secretary of State for International Development what the humanitarian impact is of the drought affecting south and west Asia; and how the Government are responding. [132627]

Clare Short: The drought is part of a regional system affecting a belt of countries across west and south Asia. Its effect on the population is particularly acute in southern Afghanistan, western India, southern and central Pakistan, and to a lesser extent parts of Iran and Iraq. Water shortages have been exacerbated in many areas by poor management of limited sources. The principal effects of the drought include reduced crop production, sharp drops in household income, death of livestock and weakening of remaining herds, and health problems associated with reduced food intake and scarcity of water.

We have committed over £3.2 million for relief projects in response to the drought regionally. This support has been channelled through the World Food Programme for food distribution and food for work programmes; and through NGOs for schemes that target the more remote and vulnerable communities unlikely to be benefiting from Government schemes. We have also seconded a five-person team of specialists to support the UN in their assessment of the drought in Pakistan. We are monitoring the situation carefully and currently considering what further assistance to provide.

Zimbabwe

Mrs. Gillan: To ask the Secretary of State for International Development what reports she has received of delays in the payment of pensions to former civil servants in Zimbabwe; if she will make representations to the Government of Zimbabwe calling for the timely payment of such pensions; and if she will make a statement. [131971]

Mr. Hain: I have been asked to reply.

We are well aware of the delays in the payment of pensions by the Zimbabwe Government. We believe that the main cause for this has been a lack of foreign exchange. The British High Commission in Harare has lobbied the Pensions Department and the Reserve Bank. We will continue to press for timely payment.

DEFENCE

Combat Gloves

Mr. Duncan Smith: To ask the Secretary of State for Defence (1) what complaints have been made by the Defence Clothing and Textiles Agency to Feuchter in relation to the fitness for purpose of the Mark II combat gloves they have delivered; [129727]

(2) what experience Feuchter had in the manufacture of gloves prior to being awarded the contract for manufacture of the Mark II combat glove in 1998; [129726]

(3) how many Mark III combat gloves were manufactured in the UK by Feuchter; and how many Mark II combat gloves manufactured *(a)* by Feuchter and *(b)* by other companies have been (i) held to be unusable and (ii) rejected as unfit for their purpose; [129728]

(4) how many gloves were manufactured by Zova before expert glove cutting training was given to its staff; [129730]

(5) pursuant to his answer of 19 June 2000, *Official Report*, column 30W, on visits to Zova, what capabilities for glove making, as distinct from other leather working, this company demonstrated. [129729]

Mr. Spellar *[holding answer 7 July 2000]:* The pre-production sample of Mark II Combat Gloves provided by Feuchter was found to be unacceptable. Feuchter took the necessary action to improve their production process and, as a result, all gloves subsequently delivered under the terms of the contract proved to be acceptable. No gloves manufactured by Feuchter were therefore formally rejected under the terms of the contract. Following inspection by DCTA staff, a total of 3,260 pairs of Mark II Combat Gloves manufactured by other companies were, however, rejected as being unfit for purpose.

Feuchter held five other DCTA contracts for the manufacture of mittens (extreme cold weather—inners, outers and liners), prior to the award of the contact for the manufacture of Mark II Combat Gloves in 1998. For the duration of the contract for the manufacture of the Mark II Combat Gloves, Feuchter sub-contracted the manufacturing operation to Zova in Poland; no gloves were manufactured in the UK by Feuchter. During their visits to view the manufacturing operation, DCTA staff were satisfied that Zova possessed the necessary capabilities for the manufacture of leather gloves, although a requirement for some additional training on the table cutting operation was identified. Some 47,000 pairs of gloves had been manufactured by Zova before this additional training was provided. No other leather working was being undertaken at the time of the visits, as Zova's manufacturing capacity was fully committed to fulfilling DCTA contracts.

Army (Clothing Orders)

Mr. Duncan Smith: To ask the Secretary of State for Defence, pursuant to his oral answer of 3 July 2000, *Official Report*, column 11, concerning the proportion of

the Army's clothing orders which go to British firms, what percentage of these orders was made up by clothing manufactured in the United Kingdom. [130441]

Mr. Spellar *[holding answer 13 July 2000]:* The Defence Clothing and Textiles Agency (DCTA) procures clothing for all three Armed Services, with many items common to all three. To separate the cost of clothing destined specifically for the Army could be provided only at disproportionate cost. However, during the financial year 1999–2000, of the 83 per cent. of clothing contracts placed by the DCTA with British-based companies, and referred to in my answer of 3 July 2000, *Official Report*, column 11, 48.9 per cent. by value will be manufactured in the United Kingdom.

PFI Contracts

Mr. Alan Williams: To ask the Secretary of State for Defence if he will list the PFI contracts entered into by his Department, indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if his Department has a clawback entitlement to share in savings arising from refinancing. [129046]

Mr. Spellar: Details of the PFI deals signed by the Ministry of Defence up to 10 July 2000 are shown. To date one of these has involved refinancing. Nine of the contracts have provision for sharing benefits shown in the form of clawback. In other contracts, alternative means of protecting the Department's interests are available.

Signed deals (up to 10 July 2000)	*Start date*	*Value (£ million)*	*Clawback*
Support vehicles for the RAF	February 1996	35	No
Support vehicles in Germany	February 1996	52	No
Logistics Information Systems Army	March 1996	30	No
Provision of storage facilities	April 1996	30	No
TAFMIS (Army Training Management IS)	August 1996	14	No
Materials Handling Services	September 1996	8	No
Defence Helicopter Flying School	November 1996	118	No
Hazardous Stores Information Systems	February 1997	1	No
Armymail	April 1997	11	No
Defence Fixed Telecommunications Service	July 1997	70	No
Medium Support Helicopter Training Facility	October 1997	100	Yes
Armed Forces Personnel Administration Agency IT Systems	November 1997	150	No
Hawk Aircraft Simulator Training Facility	December 1997	10	Yes
Tidworth Garrison Water and Sewerage	February 1998	6	No
Joint Services Command and Staff College	June 1998	68	No
RAF Lossiemouth Family Quarters	June 1998	24	No
Attack Helicopter Training Service	July 1998	165	Yes
Yeovilton Family Quarters	July 1998	8	No
RAF Lyneham Sewage Treatment	August 1998	5	No
RAF Mail	November 1998	12	No
Fylingdales Power Supply	December 1998	7	No
Fire Fighting Training at NRTA	December 1998	35	Yes
Light Aircraft Flying Task	January 1999	30	No
RAF Cosford/Shawbury Family Quarters	March 1999	13	Yes
Tornado GR4 Training Service	June 1999	65	Yes
Central Scotland Family Quarters	August 1999	13	No
Army Foundation College	February 2000	33	Yes
Main Building Refurbishment	May 2000	350	Yes
Tri-Service Materials Handling	May 2000	32	No
Naval Communications	June 2000	55	Yes

Note:
Capital value based on the public sector option (Public Sector Comparator)

Mr. Matthew Taylor: To ask the Secretary of State for Defence what the average period of time is between the completion of a full business case and signing of the final contracts for private finance initiative contracts in his Department; and if he will make a statement. [130276]

Mr. Spellar *[holding answer 13 July 2000]:* I refer the hon. Member to the answer I gave him on 18 July 2000, *Official Report*, column 101W.

Foreign Military Personnel

Mr. Cox: To ask the Secretary of State for Defence how many foreign military personnel and from which countries have been involved in military training in the UK during the last 12 months. [131251]

Mr. Spellar: The numbers of foreign military personnel who have been involved in military training in the UK in the year to 31 March 2000 are listed. This is the latest period for which statistics are available. They include all overseas military personnel trained by UK military personnel, or contracted civilian instructors, on UK military establishments or ships (or Royal Fleet Auxiliary ships). They also include some overseas military personnel studying at academic institutions in the UK.

Country	*Total*
Albania	7
Algeria	11
Antigua	2
Argentina	7
Armenia	1

Country	Total
Australia	79
Austria	5
Bahamas	5
Bahrain	21
Bangladesh	5
Barbados	4
Belgium	101
Belize	23
Bermuda	13
Bosnia	30
Botswana	8
Brazil	27
Brunei	168
Bulgaria	10
Canada	361
Cayman Islands	1
Chile	2
China	5
Czech Republic	38
Denmark	28
Egypt	13
El Salvador	3
Estonia	13
Fiji	6
Finland	6
France	154
Georgia	6
Germany	99
Ghana	3
Greece	34
Guatemala	4
Guyana	6
Honduras	1
Hong Kong	2
Hungary	22
Iceland	2
India	9
Indonesia	2
Ireland	68
Israel	49
Italy	78
Jamaica	26
Japan	4
Jordan	81
Kenya	4
Korea	16
Kuwait	480
Latvia	11
Lebanon	5
Lithuania	13
Macedonia	8
Malawi	4
Malaysia	337
Maldives	2
Malta	6
Mauritius	4
Moldova	2
Morocco	5
Namibia	2
Nepal	25
Netherlands	302
New Zealand	54
Nicaragua	1
Nigeria	12
Norway	205
Oman	183
Pakistan	30
Papua New Guinea	2
Paraguay	2
Philippines	4
Poland	31
Portugal	34
Qatar	47
Romania	27
Russia	6
Saudi Arabia	229
Senegal	7
Sierra Leone	2
Singapore	69
Slovakia	22
Slovenia	11
South Africa	19
Spain	17
Sri Lanka	64
St. Christopher/Nevis	2
St. Lucia	2
St. Vincent	1
Sweden	19
Switzerland	2
Syria	1
Tanzania	2
Thailand	26
Trinidad and Tobago	1
Turkey	52
Uganda	5
Ukraine	27
United Arab Emirates	177
Uruguay	6
USA	154
Venezuela	1
Yemen	3
Zambia	2
Zimbabwe	6
Total	4,446

Defence Evaluation and Research Agency

Mr. Alasdair Morgan: To ask the Secretary of State for Defence, pursuant to his answer of 29 June 2000, *Official Report*, column 593W, on the Defence Evaluation and Research Agency Base, West Freugh, if he will specify the employees included under the item 16 others. [131461]

Mr. Hoon: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Alasdair Morgan, dated 21 July 2000:

As Chief Executive of the Defence Evaluation and Research Agency (DERA), I am replying to your further parliamentary question about staff at our site at West Freugh.

In addition to DERA, MOD and SERCO staff, there are 16 contractors employed by SDS Thorn involved in the operation of DERA's satellite reception and control station located at West Freugh. This facility is part of our space department and is not related to the test and evaluation activities conducted on the range.

I hope this is helpful.

Former Yugoslavia

Mr. Robathan: To ask the Secretary of State for Defence how many reservists in total have served in Former Yugoslavia since 1992. [129933]

Mr. Spellar: The number of Royal Navy and Royal Marines reservists who have served in the Former Yugoslavia since 1992 is 49. In addition, seven officers have served in support of operations in the Former Yugoslavia. They have been employed in the UK, elsewhere in Europe, and at sea.

At least 5,581 Territorial Army and Army Reserve personnel have served in the Former Yugoslavia since 1992. I will write to the hon. Member once the complete data become available and a copy of my letter will be placed in the Library of the House.

The Royal Air Force no longer holds any records relating to reserve personnel called out prior to 1997–98. Since 1997–98, 308 members of the Reserve Air Forces have been mobilised. This figure includes those called out in support of operations in the Former Yugoslavia as well as those who have served in country.

Service Personnel

Mr. Cox: To ask the Secretary of State for Defence how many *(a)* men and *(b)* women who are serving in the armed forces are under the age of 18 years. [130774]

Mr. Spellar: As at 1 June 2000, there were 5,228 men and 569 women under the age of 18 in the armed forces.

Troop Deployment

Dr. Kumar: To ask the Secretary of State for Defence how many British troops are serving in *(a)* Kosovo and *(b)* Sierra Leone; how many of these are from the Teesside region; and if he will make a statement. [130497]

Mr. Spellar *[holding answer 17 July 2000]:* We currently have some 3,300 troops committed to operations in Kosovo and around 500 committed to operations in Sierra Leone. Information on the geographical origin of individual troops involved in these operations is not held centrally and could be provided only at disproportionate cost.

RAF Boards of Inquiry

Mr. Field: To ask the Secretary of State for Defence if he will list the occasions in the last 10 years when the conclusions of the president of an RAF board of inquiry have been over-ruled by reviewing officers. [131256]

Mr. Spellar *[holding answer 18 July 2000]:* I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Chinook

Mr. Field: To ask the Secretary of State for Defence if he will preserve all files and papers relating to the procurement and introduction of the FADEC system for the Chinook Mk2. [131257]

Mr. Spellar *[holding answer 18 July 2000]:* We are not aware that any files or papers relating to the procurement and introduction of the FADEC system for the Chinook Mk2 have been destroyed and have no intention of destroying them while public interest in this matter continues. However work on the FADEC system for the Chinook Mk2 began in 1988 and it is possible that some of the earlier papers have been destroyed.

RAF Pilots

Mr. Martlew: To ask the Secretary of State for Defence what the establishment of pilots is in the RAF; how many are in post; and if he will make a statement. [131408]

Mr. Spellar: The position on 1 June 2000 was as follows:

	Requirement[1]	*Trained strength*	*Surplus/ deficit*
Pilots-All Ranks	2,338	2,210	−128
Junior Officer Pilot[2]	1,496	1,404	−92

[1] The requirement figure is the usual baseline against which the RAF measures shortfalls or surpluses and includes non-flying posts for which aircrew experience and knowledge are required. The majority of these non-flying posts require senior officers.
[2] Flight Lieutenant (and Squadron Leader specialist aircrew) and below, included in the all ranks total. Junior Officer Pilot is the RAF's most critical manning category.

MOD Police

Mr. Martlew: To ask the Secretary of State for Defence what plans he has to review the age of retirement for MOD police. [131406]

Mr. Spellar: My officials are currently reviewing age retirement policy for all departmental employees including the Ministry of Defence Police.

RAF Fairford

Mr. Drew: To ask the Secretary of State for Defence if he will make a statement on proposed future uses for RAF Fairford. [131532]

Mr. Spellar *[holding answer 20 July 2000]:* There are no plans to change the current status of RAF Fairford.

Mr. Drew: To ask the Secretary of State for Defence if he will make a statement on the proposal to introduce US airforce stealth bombers to RAF Fairford. [131561]

Mr. Spellar *[holding answer 20 July 2000]:* The US are examining an operational concept in which in a crisis aircraft would be deployed to forward operating locations. This concept would not involve any permanent stationing of aircraft at these locations, but some equipment would be pre-positioned. However, the concept is still being studied and no request to use RAF Fairford, or any other UK base, has yet been made. RAF Fairford has of course been used as a standby operating location in the past, most recently during the Kosovo campaign.

TRADE AND INDUSTRY

Communications White Paper

Angela Smith: To ask the Secretary of State for Trade and Industry what progress is being made towards preparation of the Communications White Paper. [132481]

Mr. Byers: As announced on 17 May 2000, *Official Report*, columns 130–31W, we invited a number of experts to prepare papers which they have now presented at a seminar held on 3 July. We asked them to examine a range of policy issues against some guiding objectives for the Communications White Paper. These are:

(i) The creation of the most dynamic market possible for communications services, especially in the light of the growth of the e-economy;

(ii) Ensuring universal access to diverse services of the highest quality;

(iii) Guarding consumer interests—protection, choice and value for money.

A report on the seminar has been prepared by the chair of the event, Sir Quentin Thomas. Copies of all the papers, which represent the personal views of the authors, have been placed in the Library and also on the Communications White Paper website http://www.communicationswhitepaper.gov.uk. They offer an important contribution to the debate.

We have also received 139 submissions, which are also being placed on the website, and are currently analysing those alongside the issues discussed at the seminar, with a view to publication of the White Paper later this year.

Action Plan for Farming

Mr. Breed: To ask the Secretary of State for Trade and Industry (1) if he will make a statement on the tendering process for consultants supplying business information to farmers under the Action Plan for Farming; [131806]

(2) if he will estimate how many farmers will benefit from the business advice announced in the Action Plan for Farming; and if he will make a statement; [131804]

(3) if he will estimate the cost per consultant of supplying advice to farmers through the Small Business Service; [131807]

(4) how many consultants will be employed by the Small Business Service to provide advice specifically to farmers as a result of the announcement in the Action Plan for Farming. [131805]

Ms Hewitt: MAFF's budget for the Farm Business Advice Service in 2000–01 should enable up to 5,000 farmers and growers in England to be helped. It will be for Business Links, which will deliver the service, to decide in the light of local circumstances how many consultants to engage, at what rates and by what tendering process.

Small Business Service

Mr. Breed: To ask the Secretary of State for Trade and Industry how many rural businesses have received advice from the Small Business Service in the last 12 months. [131902]

Ms Hewitt: The Small Business Service (SBS) provides advice to all SMEs but data collected on users do not differentiate between rural and urban location.

Personal Computers

Dr. Palmer: To ask the Secretary of State for Trade and Industry if the Office of Fair Trading will publish its research, undertaken last year, into the retail market for home personal computers. [131682]

Dr. Howells: The Office of Fair Trading is currently considering with the providers of the research data the copyright and confidentiality implications of disclosure of some or all of the information to a complainant.

Dr. Palmer: To ask the Secretary of State for Trade and Industry what plans the Office of Fair Trading has to meet representatives of Dixons, Compaq and Packard Bell in the next three months in relation to the market for home personal computers. [131683]

Dr. Howells: The Office of Fair Trading will meet representatives of Dixons, Compaq and Packard Bell in relation to the market for home personal computers, if and when necessary.

Dr. Palmer: To ask the Secretary of State for Trade and Industry if the Office of Fair Trading has met representatives of Dixons, Compaq and Packard Bell in the last three months in relation to the market for home personal computers. [131681]

Dr. Howells: The Office of Fair Trading has not met representatives of Dixons, Compaq or Packard Bell in the last three months in relation to the market for home personal computers, but has had correspondence with some of these companies.

Dr. Palmer: To ask the Secretary of State for Trade and Industry if the Office of Fair Trading will reopen its inquiry into the competitiveness of the retail market for home personal computers. [131684]

Dr. Howells: The Office of Fair Trading is actively considering a complaint in this area.

Coal Industry

Mr. Redwood: To ask the Secretary of State for Trade and Industry on what date he expects to start paying the recently announced grants to the coal industry. [131821]

Mr. Byers: As I indicated to the House on 17 April 2000, *Official Report*, columns 697–712, we expect funds to be made available during the course of this financial year.

Shipbuilding

Mr. Robathan: To ask the Secretary of State for Trade and Industry if he will list those who attended the meeting he held on 13 July to discuss shipbuilding. [131192]

Mr. Byers *[holding answer 18 July 2000]:* Those attending the Shipbuilding Meeting on 13 July were:

Name	*Company*
Industry	
Brownell, Norman	Commercial Director, Swan Hunter (Tyneside) Ltd.
Bunney, Andrew	Managing Director Shipbuilding, Vosper Thorneycroft (UK) Ltd.
Cameron, Sam	Vice President, SSA/Marketing Director BAE Systems
Dickinson, Alan	Chairman, Pallion Engineering
Dunnett, Alan	Chief Executive & Managing Director Ferguson Marine Plc
Granger, Nick	Director, SSA
Harrison, Terry	President Shipbuilders and Shiprepairers Association
Jeffrey, David	Director BMEC
Kroese, Jaap	Chairman Swan Hunter Shipyards Ltd.
Leggetter, Rod	Group Managing Director (Operations) BAE Systems
MacPherson, Allan	Director of Nuclear Safety BESD International
Martin, Brett	Deputy Chief Executive, Cammell Laird Plc

Name	*Company*
Mugaas, Brynjulv	Chief Executive Office Harland & Wolff Holdings Plc
Rigby, Dr. Rob	Managing Director BAE Systems Marine, Barrow
Ring, David	Chief Executive A&P Holdings Ltd.
Slade, Brian	A&P, Director
Stafford, John	Chief Executive Cammell Laird Plc
Walton, Jonathan	Director Government Programmes Naval, BAE Systems Marine
Wilson, Jim	Managing Director Appledore Shipbuilders Ltd.
Trade Unions	
Booth, Peter	National Organiser for Manufacturing Transport & General Workers' Union
Cooper, Tony	General Secretary Engineers' & Managers' Association
Curran, Kevin	Regional Secretary GMB, Northern Region
Edmonds, John	General Secretary, GMB
MacGregor, Donald	Chairman of the Shipyards Negotiating Committee, CSEU
Quigley, John	National Secretary Amalgamated Engineering and Electricians Union
Robson, Alan	General Secretary Confederation of Shipbuilding & Engineering Unions
Wall, John	National Secretary for Shipbuilding, MSF
Government Ministers	
Byers, Stephen	Secretary of State for Trade and Industry
Empey, Sir Reg MLA	Minister for Enterprise, Trade and Investment, Northern Ireland
Hoon, Geoff	Secretary of State for Defence
Johnson, Alan	Minister for Competitiveness, DTI
Prescott, John	Deputy Prime Minister
Stephen, Nicol	Deputy Minister Enterprise and Life Long Learning Scottish Executive
Symons, Baroness	Minister of State for Defence Procurement
Wilson, Brian	Minister of State, Scotland Office

Officials from the respective Departments also attended.

TREASURY

Personal Data

Mr. Cohen: To ask the Chancellor of the Exchequer, pursuant to his answer of 19 April 2000, *Official Report*, column 582W, how many licence applicants, grant applicants and other data subjects described in his answer the Revenue had obtained personal data about from the London Borough of Waltham Forest; what steps his Department has taken to inform applicants for licences and grants and recipients of payments of this disclosure to the Revenue; and if the arrangements for the London Borough of Waltham Forest apply to all local authorities within London. [129188]

Dawn Primarolo: The personal data supplied by the London Borough of Waltham Forest to the Inland Revenue are supplied under legal obligations. These obligations arise from the issue of statutory notices which require the Borough to make returns. The Inland Revenue does not normally disclose information about the returns made by a person or a body. Whether the London Borough of Waltham Forest is prepared to make this information public in response to a direct request is a matter for the Borough.

The Inland Revenues does not inform data subjects individually about any disclosure of their personal data. It complies with its obligations under the Data Protection Act 1998 to process personal data fairly and lawfully by publishing a Data Protection Act statement which is widely reproduced on its forms and guidance notes.

All London Boroughs are required to produce similar information.

Employment Tax Credit

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 19 April 2000, *Official Report*, column 588W, what estimate he has made of total expenditure on the Employment Tax Credit under the illustrative system outlined in the Treasury paper, Supporting Work Through an Employment Tax Credit, including that part which is currently included in the Working Families Tax Credit; and if he will make a statement. [130647]

Dawn Primarolo: The illustrative employment tax credit outlined in the Treasury paper "Tackling Poverty and Making Work Pay—Tax Credits for the 21st Century" includes an estimate of around £300 million a year as the cost of extending support to people without children. This is based on extending the adult credit in the Working Families Tax Credit under certain specified assumptions. These assumptions, and the modelling involved, apply only to people without children.

As noted in paragraph 3.22 of the paper, details of eligibility and the relative size of the credits for singles and couples do not have to be the same for parents and non-parents. The precise design parameters are under consideration and will not be finalised until nearer the time of the introduction of the new credits.

Children's Tax Credit

Mr. Sarwar: To ask the Chancellor of the Exchequer if he will outline the measures taken by his Department to publicise the new Children's Tax Credit in *(a)* Scotland and *(b)* the United Kingdom. [130957]

Dawn Primarolo: The campaign to publicise the new Children's Tax Credit began on 19 June 2000 and ran throughout both *(a)* Scotland and *(b)* the United Kingdom

for a total of four weeks. The measures taken comprised national, ethnic and women's press, local radio, and direct mail.

Working Families Tax Credit

Mr. Sarwar: To ask the Chancellor of the Exchequer what proposals he has to improve the method by which the Working Families Tax Credit is calculated. [130958]

Dawn Primarolo: The findings from the current evaluation of the Working Families Tax Credit and the Disabled Person's Tax Credit will inform the design of the employment tax credit and the integrated child credit which will be introduced from 2003.

Land Settlement Association

Mr. Gummer: To ask the Chancellor of the Exchequer when *(a)* he and *(b)* his Ministers consulted with the Board of Inland Revenue on the Land Settlement Association's compensation arrangements. [131474]

Dawn Primarolo: Treasury Ministers have received representations about the raising of tax changes by the Inland Revenue in respect of out of court compensation paid by MAFF to a number of former tenants of the Land Settlement Association. However, Ministers do not intervene in individual cases. The Inland Revenue's independence from Treasury Ministers in the handling of individuals' tax affairs and the application of the tax law must be scrupulously observed.

Capital Allocations

Mr. Kidney: To ask the Chancellor of the Exchequer what action he intends to take to monitor the spending by Departments of their capital allocations. [130145]

Mr. Andrew Smith *[holding answer 20 July 2000]:* Capital spending is monitored by monthly returns from Departments to the Treasury. In addition, as part of the 2000 Spending Review, each Department has been asked to prepare Departmental Investment Strategies setting out their plans for allocating and managing future investment. These will be published in the autumn.

PRIME MINISTER

Office Costs

Mr. Baker: To ask the Prime Minister what has been the cost of his Office for each year from 1997 to date; and what is the estimated expenditure for 2000–01. [126504]

The Prime Minister *[holding answer 20 June 2000]:* Before coming to office the Government clearly set out its aim to have a strong strategic centre of government.

Since May 1997, some of the administrative burdens on my office have greatly increased. For example, extra staff have had to be employed to deal with over 500,000 items of correspondence received by my office in the last year—an 84 per cent. increase over the previous year. This compares with an estimated 25,000 items received annually five years ago.

The actual costs of my office were £6.9 million from 1 May 1997 to 31 March 1998; £8.7 million in 1998–99 and £10.4 million in 1999–2000.

SOCIAL SECURITY

Pensions Ombudsman

Mr. Paul Clark: To ask the Secretary of State for Social Security if he has undertaken a quinquennial review of the Pensions Ombudsman. [132478]

Mr. Rooker: The quinquennial review of the Pensions Ombudsman has been undertaken in accordance with the Government's modernising agenda. Copies of the report have been placed in the Library.

Social Security Leaflets

Mr. Rendel: To ask the Secretary of State for Social Security what omissions and ambiguities were found during the systematic review of the social security leaflets conducted between 1996 and 1999; and what changes were made to the leaflets in consequence. [131903]

Angela Eagle: We have carried out more than one systematic review of Social Security leaflets since 1996.

Between 1996–99, the Benefits Agency undertook a wholesale review of its customer information leaflets with the aim of making them much more customer focused. This piece of work involved primary research and continuous product testing, as well as consultation with key stakeholders. The leaflets were redesigned and the information within them laid out differently, but the core information was not altered.

In June 1999 a further review was commissioned to identify any erroneous information that needed to be removed or any information which was missing from our leaflets.

This exercise was completed in August 1999 and no major amendments were identified. There were a few minor changes made due to a combination of minor omissions and lack of cross-referencing. Revisions and future changes were also identified around JSA leaflets. These future changes being incorporated later in the year.

The Benefits Agency review resulted in the roll-out of a new suite of leaflets; fewer in number by a third, better targeted to client groups and easier for customers to negotiate their way around. Full evaluation of these new leaflets is in progress; all the early indications are positive.

Insurance Policies (Redemption)

Mr. Miller: To ask the Secretary of State for Social Security if he will list the circumstances in which his Department requires insurance companies to divulge redemption values of policies held by claimants. [132022]

Mr. Bayley: A person claiming an income-related benefit may be asked to provide evidence of the value of any capital asset. Depending on the type of asset this may be the face value, the market value or the surrender value. However, evidence would not normally be sought if it was clear that the value would be disregarded. For example, the surrender value of life insurance policies is fully disregarded. No evidence of surrender value would be needed in this case.

ENVIRONMENT, TRANSPORT AND THE REGIONS

West Coast Main Line

Mr. Pollard: To ask the Secretary of State for the Environment, Transport and the Regions what action his Department is taking to ensure that Railtrack's plans for the West Coast Mainline upgrade provide sufficient train paths to make possible an expansion of existing commuter and freight services; and if he will make a statement. [130232]

Mr. Hill: The Rail Regulator and the Franchising Director are ensuring that the needs of all train operators using the West Coast Main Line (WCML) are met by Railtrack's plans for the provision of train paths. The Rail Regulator has issued an order requiring Railtrack to produce final plans and options for the WCML upgrade. In particular, he is seeking information about the extent to which these plans would meet the capacity commitments which Railtrack gave to the Rail Regulator in April 1998. The Rail Regulator also issued a consultation document on 20 June about reviewing the increased costs associated with the WCML upgrade as part of his periodic review of Railtrack's access charges. He is consulting widely on these costs, which have risen from the original estimate of £2.3 billion to a new figure in the region of £5.85 billion. These figures will be subjected to considerable scrutiny and discussion with the Franchising Director before the Rail Regulator announces his draft conclusions later this month.

Housing Investment

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what projection he has made of the level of housing investment in 2001–02; what the figure was in 1996–97; and if he will make a statement. [130484]

Mr. Mullin: Capital resources for housing investment in 1996–97 were £2.1 billion. Following the 1998 Comprehensive Spending Review, plans for 2001–02 were £3.1 billion and my right hon. Friend the Chancellor of the Exchequer announced on Tuesday that housing investment in 2003–04 will be £1.6 billion higher than now. Full details of the new spending plans for housing in 2001–02 to 2003–04 will be announced in the next few days.

Fuel Taxation

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the environmental impact of the relative costs of and levels of taxation on fuel products transported by *(a)* pipeline, *(b)* rail and *(c)* road; and if he will make a statement. [130716]

Mr. Hill: The Government have not undertaken a specific assessment of the environmental impacts or cost implications of the transportation of fuel products by different modes of transport. All fuel products are distributed from the refinery to the final consumer in the UK through a combination of pipeline, rail, road or ship, although the exact modes of transport used vary depending on where the fuel is refined and consumed.

Lifecycle environmental analysis indicates that, regardless of the mode of transportation, the distribution of fuel products is only a small element of the overall lifecycle environmental impacts from fuel products, and the extraction, production and especially consumption of the fuel causes far greater environmental damage. The cost of distributing fuel products is also relatively low in comparison with underlying fuel prices, although the cost of distribution increases the further the consumer if away from a major fuel terminal which can be supplied by ship or pipeline.

London Underground

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 3 July 2000, *Official Report*, column 84W, if he will specify the problems with the final trainborne element of the Automatic Train Operation signalling system; and if he will make a statement. [131366]

Mr. Hill: There are two faults which have developed: stopping inaccuracy and overrunning platforms. Almost all station stops are now to specification. Minor stopping inaccuracy no longer causes significant service delay.

The problems with ATO arise from the train failing to register the station properly and overrunning the station platform. Although this creates no safety risk, it causes disruption for customers and the timetable.

The Central Line should be fully ATO operational by the end of the year subject to HMRI approval.

Departmental Initiatives

Dr. Lynne Jones: To ask the Secretary of State for the Environment, Transport and the Regions if he will list each departmental initiative since May 1997 requiring bids for funding together with the total resources available, the number of successful bids and the proportion this represents of total bids received; and what data he collects on the average expenditure of organisations bidding for funding through each initiative. [131082]

Ms Beverley Hughes: I refer my hon. Friend to my right hon. Friend the Chief Secretary's reply of 17 July 2000, *Official Report*, column 93W.

Roadworks

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce legislation to make provision for compensation for loss of business caused by roadworks carried out by highway authorities. [131250]

Mr. Hill: Highway works ultimately benefit the whole community. Occupies of premises may be entitled to compensation if something is done improperly (for example, the blocking of access without authority) but not otherwise. Businesses have no right in law to any given level of passing trade, and may suffer temporary loss owing to disruption of traffic flows. Trade may fluctuate for a variety of reasons, and accurately assessing the losses directly attributable to works in the highway can be difficult. There is, too, an element of 'windfall' profit and loss: often when one trader suffers a rival business in the neighbourhood stands to gain custom as a direct result of the same works. There are therefore no plans to

introduce legislation to create legal liability to compensate anyone for loss of trade when a highway authority properly executes road works under its statutory powers.

Roads (PFI Contracts)

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what the estimated rate of return on capital is to the contractors under the PFI contracts for roads. [131351]

Mr. Hill: The internal rates of return for the eight trunk road DBFO projects in England were estimated at the time of contract award to lie between 9.5 and 13.9 per cent.

Departmental Press Office

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the Cabinet Office memorandum of 16 June 1998 to the Select Committee on Public Administration, published in its report on the Government Information and Communication Service, Session 1997–98, HC 770, and using the same methodology, if he will calculate *(a)* the total cost of his Department's press office, including salary and running costs, in (i) 1998–99, (ii) 1999–2000 and (iii) 2000–01 and the estimated cost for 2001–02 and *(b)* the total number of people employed in the press office (excluding staff providing general administrative support) in 1999–2000, and the projected estimates for (1) 2000–01 and (2) 2001–02. [130802]

Ms Beverley Hughes *[holding answer 17 July 2000]:* The costs of the Department's media centre (formerly press office) from 1995–96 are as shown in the table:

	Staff numbers	*Total running costs (£ million)*
1995–96	36.0	[1]—
1996–97	26.1	1.09
1997–98	26.3	1.04
1998–99	30.2	1.29
1999–2000	38.3	1.55
2000–01	38.2	1.61
2001–02	37.0	[2]1.61

[1] Costs are not available
[2] Estimate

The costs (staff salaries only) are consistent with those for 1996–97 and 1997–98 given for the Department, and former Departments of Environment and Transport, in the memorandum dated 16 June 1998 to the Select Committee on Public Administration and published in its report on the Government Information and Communication Service (HC 770) in July 1998.

The figures are based on the average staff in post (up to and including 1999–2000) and projected average staff in post for the subsequent years.

The increase in staff from 1998–99 to 1999–2000 reflects the filling of vacancies at that time and the need to respond to the recommendations of the Mountfield report on the Government Information and Communication Service (1997).

Rail Investment

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on how the planned increase in rail investment will benefit Shrewsbury and Atcham. [131159]

Mr. Hill: The planned increase in rail investment, provided for in the 10-year Plan for Transport, will enable progress to be made on a number of initiatives of benefit to Shrewsbury and Atcham, for example, modernisation of the West Coast Main Line and the Midland Capacity Study of congestion blackspots in the West Midlands. Improvements in local service patterns will result from changes in franchise boundaries in line with the indicative map of likely franchises published by the Shadow Strategic Rail Authority on 20 June. Improvements in journey quality will result from investment in new rolling stock by Virgin Trains and by operators of local train services. The planned increase in rail investment also involves a continuation of the Rail Passenger Partnership scheme, which provides funding for worthwhile projects put forward by local stakeholders.

Port Waste Reception Facilities

Mr. Salmond: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received concerning the indirect fee proposal regarding the EU Draft Directive on port waste reception facilities; if he intends to support the proposal; and if he will make a statement. [130557]

Mr. Hill *[holding answer 17 July 2000]:* The UK has been involved at every stage of the Directive on port waste reception facilities and strongly supports the principles which it embodies. The European Parliament and the Council, meeting at the Conciliation Committee, agreed the Directive on 28 June.

During the negotiation of the Directive, my Department consulted closely with a range of bodies—including those representing the UK shipping, ports and waste industries and environmental non-governmental organisations—on the practicalities of the proposal that ships calling into a port of an EC member state contribute to the costs of waste reception facilities, irrespective of actual use of the facilities. The consensus was that ease of use and meeting the operational needs of the ships regularly using the ports were the key factors. Latterly, I have received representations from the Kommunenes Internasjonale Miljøorganisasjon (KIMO) supporting the principle of a charge being levied irrespective of use. I have also received representations from the North Sea Commission and the Wadden Sea Cooperation which have focused on the manner in which the charge should be calculated.

The Directive substantially mirrors current UK port waste management legislation and practice (the merits of which have also been recognised by the International Maritime Organization, which agreed guidelines, earlier this year, which are based on the UK model).

M6

Mr. Martlew: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to invite tenders for the construction of the M6 between Carlisle and the Scottish border. [131410]

Mr. Hill: As this is an operational matter for the Highways Agency I have asked Peter Nutt, the Acting Chief Executive, to write to my hon. Friend.

Letter from Peter Nutt to Mr. Eric Martlew, dated 22 July 2000:

The Transport Minister, Keith Hill, has asked me to reply to your recent question about the timing of the tender invitations for the construction of the M6 extension to the M74.

We are in the process of appointing design agents with the aim of holding public consultation next year. Progress thereafter will depend on how quickly we can complete the statutory procedures. As with all schemes in the Targeted Programme of Improvements announced in 1998, the aim is to start work within seven years, although we will better that if we can.

Cross-ticketing

Mrs. Anne Campbell: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with the Strategic Rail Authority to ensure that, following the new rail franchises affecting services between Cambridge and London, steps will be taken to ensure the facility exists for cross ticketing across the two train operating companies. [131520]

Mr. Hill: At least one type of ticket between any two points on the network is regulated by the Franchising Director. Regulated tickets must be inter-available, that is for use on the trains of any operator. This does not and will not necessarily apply to unregulated ticket types. Operators may choose to restrict the availability of these tickets in order to offer the passenger the option of a lower fare in return for giving up some flexibility. Where restrictions apply to the use of any tickets, this has to be made clear at the point of sale.

Kelda Group

Mr. Willis: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received concerning the proposal by Kelda Group to mutualise the assets of the former Yorkshire Water company. [131464]

Mr. Meacher *[holding answer 19 July 2000]:* My Department has received several written representations on this proposal from customers and others.

The Director General of Water Services issued a public consultation document on the issues raised, inviting comments by 17 July. The Director General has received written representations in response. The proposals were also discussed at a meeting in Leeds on 6 July, arranged by the Yorkshire Customer Service Committee, to which the public were invited, addressed by representatives of Kelda, the proposed Yorkshire Water Mutual, the Drinking Water Inspectorate, the Environment Agency and Ofwat.

Mr. Willis: To ask the Secretary of State for the Environment, Transport and the Regions what powers he has to stop the Kelda Group from selling the assets of Yorkshire Water. [131466]

Mr. Meacher *[holding answer 19 July 2000]:* Under the Water Industry Act 1991 the Director General of Water Services has a duty to act in the manner he considers best calculated to secure that the interests of customers are protected. The Director General has powers to modify the conditions of appointment of Yorkshire Water Services as a statutory undertaker by agreement with the company. If agreement cannot be reached between the Director General and the company he can refer the case to the Competition Commission. The Secretary of State can also require the case to be referred to the Competition Commission, which would consider whether modification of the licence were needed in the public interest.

Mr. Willis: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to order Kelda Group to extend the period of consultation over its plans to mutualise the assets of the former Yorkshire Water. [131465]

Mr. Meacher *[holding answer 19 July 2000]:* The Director General of Water Services has said that he considers that more consultation with customers is necessary before the proposal by Kelda could go ahead. Following receipt of responses to his earlier consultation paper, he intends to publish a position paper on the issues raised by Kelda's proposal before 31 July, including how best such further consultation should be conducted.

Federation of Master Builders

Mr. Robertson: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with the Federation of Master Builders in the last 12 months; and if he will make a statement. [131574]

Ms Beverley Hughes: My Department has regular discussions with the Federation of Master Builders, as with other construction trade associations, on a range of policy issues.

Freightliners

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 11 July 2000, *Official Report*, column 505W, if the Government are considering applications for grant aid for track access charges from Freightliner's competitors. [132017]

Mr. Hill: The Department's Freight Grants Unit is currently considering applications for track access grant from English Welsh and Scottish Railway, and Mendip Rail.

Inter-tidal Wetlands

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what steps he has taken to improve the protection of inter-tidal wetlands. [131991]

Mr. Mullin: The Countryside and Rights of Way Bill, currently before Parliament, contains provisions to enhance the protection given to Sites of Special Scientific Interest (SSSIs), including those designated for wetland interests in the inter-tidal area. The Bill will provide for, among other things, for a more structured approach to management advice and a new power to refuse consent for damaging activities, the development of management schemes to help combat neglect, the introduction of management notices, increased penalties for deliberate damage, a new court power to order restoration of the damaged special interest, where this is practicable; and a new general offence to apply to damage by any person.

In addition, public bodies will be under a statutory duty to further the conservation and enhancement of SSSIs, both in carrying out their operations and exercising their decision-making functions.

My Department has also set up a review to evaluate the success of previous statutory and voluntary marine nature conservation measures and to put forward proposals for improving marine nature conservation in England. Among other things, this involves looking at the protection currently afforded to inter-tidal areas. The Review may also inform separate proposals for marine conservation in Wales.

Farmers' Markets

Mr. Breed: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to relax the planning regulations with regard to the establishment of farmers' markets. [131811]

Ms Beverley Hughes: Part 4 of the Town and Country Planning (General Permitted Development) Order 1995 (GPDO) SI 1995 No. 418 grants a general planning permission for the temporary use of land for up to 28 days in any calendar year, subject to a number of restrictions and conditions. In the case of markets, the permitted use is limited to a total of 14 days in recognition of the parking, litter and noise problems that often arise from such uses. We have no current plans to relax these provisions.

Air Agreements

Sir Sydney Chapman: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 9 May 2000, *Official Report*, column 360W, concerning fifth freedom rights, for what reason the UK Government have rejected applications from Singapore for fifth freedom transatlantic rights. [131907]

Mr. Mullin: I refer the hon. Member to the reply I gave to the hon. Member for Chesham and Amersham (Mrs. Gillan) on 13 June 2000, *Official Report*, column 557W.

Planning (South-east)

Mrs. Gillan: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 3 July 2000, *Official Report*, column 83W, if he will provide a breakdown of the cost to date met by his Department and the Government Office for the South-east of distributing copies of draft regional planning guidance for the South-east; and if he will make a statement. [131972]

Ms Beverley Hughes: The costs to date met by my Department were for the initial despatch of draft regional planning guidance for the South-east, from the Department's distribution contractor. The cost incurred by the Government Office for the South-east, covered postal distribution from the Government Office and included a small amount for courier distribution.

Joint Nature Conservative Committee

Mr. Hinchliffe: To ask the Secretary of State for the Environment, Transport and the Regions if a quinquennial review of the Joint Nature Conservation Committee is due; and if he will make a statement. [132373]

Mr. Meacher: A review of the Joint Nature Conservation Committee (JNCC) will begin shortly. In accordance with standard practice, the review will begin by examining the functions and structure of JNCC before moving on, if appropriate, to look at performance issues. Detailed terms of reference are being drawn up. I expect the review to be completed by the early summer of 2001.

Queries or comments about the review may be made to Roger Pritchard, head of the European Wildlife Division in DETR at Room 907, Tollgate House, Houlton Street, Bristol, BS2 9DJ.

A339 (Newbury)

Mr. Rendel: To ask the Secretary of State for the Environment, Transport and the Regions when the detrunking of the A339 through Newbury will be completed. [131904]

Mr. Hill: I have asked the Chief Executive of the Highways Agency, Mr. Peter Nutt, to write to the hon. Member.

Letter from Peter Nutt to Mr. David Rendel, dated 21 July 2000:

The Secretary of State for the Environment, Transport and the Regions has asked me to reply to your recent question about when the detrunking of the A339 through Newbury will be completed.

It is not possible to say when detrunking of the A339 through Newbury will be completed but I can assure you that we intend to do this as soon as we can. It is, of course, dependent upon the satisfactory completion of legislative procedures and we are continuing our discussions with West Berkshire Council. We will need to carry out some work to the road prior to detrunking and that work will have to be co-ordinated with other planned work on the local road network to minimise inconvenience to motorists and local residents.

If you would like to discuss this matter further, John Timms, the Highways Agency's Route Manager for the A339 (telephone 01306 878208), would be happy to talk to you.

EU Structural Funds

Sir Teddy Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what assistance will be provided to local councils in England which have had areas classified as having Objective 2 status following the spending review. [131913]

Ms Beverley Hughes: When the guidelines for the Objective 2 programmes were drawn up, it was agreed that any funds provided by the EU would have to be "matched" by corresponding funds drawn from the public and private sector of the member state.

In England it was decided that to emphasise the fact that the drawing up and implementing of these programmes rested with the local partnerships, they should be responsible for securing the match funding.

This approach to match funding is designed to ensure that there is local commitment to pursue the projects that are to be funded and that an innovative approach is taken to securing the funding.

The role of the central Government in the framework of the structural funds is to provide advice, guidance and monitoring. In terms of match funding, its role is to guide partnerships toward the many sources of potential funding, both private and public.

While the Government make no guarantee of direct match funding, the spending review has increased funding available in the regions for those programmes which local partners can look to for match funding. This is obviously good news for those areas with EU Structural Funds.

National Bus Company Pensioners

Ms Rosie Winterton: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on progress on the distribution to National Bus Company pensioners of the settlement sum paid over last July. [132479]

Mr. Hill: Distribution of the settlement is the responsibility of the National Bus Company pension trustees. We recognise this is a complex and substantial task but we have made clear to the trustees that we expect it to be completed as quickly as possible.

I am pleased to note that interim payments were made in April to 8,000 pensioners who began receiving their Standard Life pension before April 1986 and that there will be interim payments from 1 August for post-1986 Standard Life pensioners who were members of the NBPF or who are widows of BEST or NBPF members.

I understand that there will be a court hearing next week which the trustees hope will clear the way for further interim payments to be made as soon as possible.

The Government hope that all concerned will do their utmost to remove any remaining obstacles to completion of the distribution without any unnecessary delay. We will remain in close touch with the trustees.

Rent Assessment Panels

Angela Smith: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to publish the report on the Financial Management and Policy Review of Rent Assessment Panels in England. [132557]

Mr. Mullin: I have today published a report on a review of Rent Assessment Panels in England, recommending a range of measures for improving the quality and effectiveness of the Panel service.

We want to retain the Rent Assessment Panels as independent and expert bodies to deal with fair rent appeals and resolve disputes between leaseholders and landlords. However, there are a number of areas where the Panels, and the committees and tribunals drawn from them, need to improve their performance and make themselves more accessible to parties who use them.

The report lays the foundation for raising standards of expertise and ensuring best practice across the Panels. A flexible, more simplified process for all parties and changes to the way in which the Panels are managed and organised will reduce the time taken for decisions to be reached by committees and tribunals. We are looking to implement the report recommendations as soon as possible.

Copies of the report have been placed in the Library of the House.

Local Government

Mr. Coaker: To ask the Secretary of State for the Environment, Transport and the Regions what responses he has received to the consultation papers, "The Local Government Bill 2 Consultative Draft of Proposed Guidance and Regulations on New Constitutions for Councils", and "The Local Government Bill; The Conduct of Referendums and Elections for Directly-Elected Mayors". [132626]

Ms Armstrong: To date we have received 122 written responses to "The Local Government Bill 2nd Consultative Draft of Proposed Guidance and Regulations on New Constitutions for Councils" and 28 responses to "The Local Government Bill; The Conduct of Referendums and Elections for Directly Elected Mayors". The responses, which we are now considering carefully, contain a wide range of helpful comments and suggestions, with clear support for many of the amendments made after the first consultation round.

A list of all the responses has today been placed in the Library of the House and full copies of the responses are available from my Department's library.

CULTURE, MEDIA AND SPORT

Welsh Soccer

Mr. Öpik: To ask the Secretary of State for Culture, Media and Sport what representations he has made to the BBC calling for increased coverage of Welsh soccer and Welsh soccer league results; and if he will make a statement. [130927]

Janet Anderson: My right hon. Friend the Secretary of State has made no such representations to the BBC.

It is a well established principle of the Government's approach to broadcasting that we do not seek to intervene or comment on detailed issues of programming content or scheduling. These matters are properly for broadcasters' editorial judgment subject to independent regulation.

Millennium Dome

Mr. Llew Smith: To ask the Secretary of State for Culture, Media and Sport what plans he has to allocate the revenue from the sale of the Millennium Dome *(a)* towards the running costs of the NMEC Exhibition at the Dome and *(b)* to English Partnerships for regeneration programmes. [130848]

Janet Anderson: I refer my hon. Friend to the answer I gave on 11 July 2000, *Official Report*, columns 481–82W, to the hon. Member for East Surrey (Mr. Ainsworth).

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if stamp duty will be payable on the disposal of the Dome. [131372]

Janet Anderson *[holding answer 18 July 2000]:* As in all acquisitions of assets, stamp duty will become payable in accordance with the Stamp Acts.

New Millennium Experience Company

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport (1) what the value is of net

VAT payments made by the New Millennium Experience Company *(a)* prior to and *(b)* since 31 December 1999; and if he will make a statement; [131375]

(2) what estimate he has made of net VAT *(a)* payments by and *(b)* receipts from the New Millennium Experience Company in *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–2000 and *(d)* 2000–01; [131374]

(3) what VAT liability applies to payments and receipt of sponsorship funds to the New Millennium Experience Company; [131370]

(4) if he will list by category, the sources of income and expenditure of the New Millennium Experience Company to which VAT applies. [131371]

Janet Anderson *[holding answer 18 July 2000]:* We have contacted the New Millennium Experience Company (NMEC) to request the information required, and I will write to the hon. Member as soon as it is available, placing copies of my letters in the Library of the House.

Mr. Casale: To ask the Secretary of State for Culture, Media and Sport when he will make available to the House the Annual report and financial statement for the period ended 31 December 1999 of the New Millennium Experience Company. [132564]

Mr. Chris Smith: I have today placed copies of the New Millennium Experience Company's Annual Report and Financial Statements for the period ending 31 December 1999 in the Libraries of the House.

Osborne Estate

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport when he will reply to the question tabled by the hon. Member for East Surrey on 19 June concerning the Osborne Estate (reference 127308). [131973]

Mr. Chris Smith: I answered the hon. Member's question on 19 July 2000, *Official Report*, columns 212–13W.

Grace and Favour Accommodation

Mr. Alan Williams: To ask the Secretary of State for Culture, Media and Sport (1) what self-contained accommodation in the occupied Royal Palaces is occupied by employees of the Royal Collection Department; what rental is paid; and how the rentable values are calculated; [132021]

(2) if he will update the information provided by the Department of National Heritage to the Committee of Public Accounts in Annexe 1 of its report on Property Services in the English Occupied Royal Palaces, Session 1994–95; which of the officials referred to pay rent; and on what basis rent is calculated. [132023]

Mr. Alan Howarth: We have contacted the Royal Household to request the information required. I shall write to my right hon. Friend as soon as it is available, placing copies of my letter in the Library of the House.

Hospitality

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport what sporting occasions his Permanent Secretary has been invited to this year; how many such invitations he has accepted; and at what cost to the public purse. [131759]

Mr. Chris Smith: My Permanent Secretary has been invited to three sporting occasions which have taken place this year: the London Marathon, the Wimbledon Lawn Tennis championships and the Davis Cup match against Ecuador. He accepted and attended the second only. There was no cost to the public purse.

Communications White Paper

Mr. Woolas: To ask the Secretary of State for Culture, Media and Sport what progress is being made towards preparation of the Communications White Paper. [132563]

Mr. Chris Smith: As announced on 17 May 2000, *Official Report*, columns 130–31W, we invited a number of experts to prepare papers which they have now presented at a seminar held on 3 July. We asked them to examine a range of policy issues against some guiding objectives for the Communications White Paper.

These are:

(i) The creation of the most dynamic market possible for communications services, especially in the light of the growth of the e-economy;

(ii) Ensuring universal access to diverse services of the highest quality;

(iii) Guarding consumer interests—protection, choice and value for money.

A report on the seminar has been prepared by the chair of the event, Sir Quentin Thomas. Copies of all the papers, which represent the personal views of the authors, have been placed in the Library and also on the Communications White Paper website http://www.communicationswhitepaper.gov.uk. They offer an important contribution to the debate.

We have also received 139 submissions, which are also being placed on the website, and are currently analysing those alongside the issues discussed at the seminar, with a view to publication of the White Paper later this year.

HOME DEPARTMENT

Asylum Seekers

Mr. Hope: To ask the Secretary of State for the Home Department if he will make a statement on the current arrangements for asylum claims to be made by post. [132556]

Mrs. Roche: We are at present receiving about 700 postal applications for asylum a month and estimate that about half come from applicants living in London. We take the view that asylum applications should normally be made in person so that the proper checks, including fingerprinting, can be made to establish identity and prevent fraudulent or multiple applications. From 31 July, postal applications received from persons living in any of the London boroughs will be required to attend for screening at Croydon before their claim is recorded and processed. We will be seeking to extend similar arrangements to other parts of the country as soon as possible.

Road Safety (Cyclists)

Mr. Bob Russell: To ask the Secretary of State for the Home Department how many pedestrians have been *(a)* killed and *(b)* injured as a result of being hit by cyclists riding on the pavement in each of the last three years for which figures are available; and if he will make a statement. [131107]

Mr. Hill: I have been asked to reply.

The information requested is shown in the table:

Pedestrian casualties from accidents between pedal cycles and pedestrians on a footway or verge[1]: Great Britain 1996–98

Severity of casualty	*1996*	*1997*	*1998*
Fatal	—	1	1
Injured	89	111	76
Total	89	112	77

[1] Footway or verge comprises footways for use by pedestrians only, which form part of the highway but are separate from the main carriageway, including grass verges

Criminal Injuries Compensation Authority

Mr. Charles Kennedy: To ask the Secretary of State for the Home Department what the length of time is within which the Criminal Injuries Compensation Authority is under an obligation to *(a)* respond to and *(b)* settle claims inquiries; and if he will make a statement. [131476]

Mr. Charles Clarke: The Authority's key performance indicator for dealing with applications is to issue a first decision in 90 per cent. of cases within 12 months of receipt of the application. This target recognises that, because of their complexity, a substantial proportion of cases will unavoidably take longer to settle.

The Authority's service aims include responding within two weeks to any written inquiry about an application and to respond to any formal complaint within one month.

Police Stations

Mr. Kidney: To ask the Secretary of State for the Home Department (1) what guidance he gives to police forces regarding *(a)* the provision of services from and *(b)* the location of, police stations; [130072]

(2) what guidance he gives to police forces on the management of fixed assets *(a)* generally and *(b)* relating to police stations. [130071]

Mr. Charles Clarke: The Government are committed to ensuring the police have the resources they need to tackle crime and disorder, but the disposition of police force resources is a matter for each police authority and chief constable.

Welsh Assembly

Mr. Öpik: To ask the Secretary of State for the Home Department when he plans to introduce legislation to enable the Welsh Assembly to implement the recommendations of the Neill Committee; and if he will make a statement. [131421]

Mr. Mike O'Brien: The Political Parties, Elections and Referendums Bill, which was introduced in the House of Commons on 20 December 1999 and in the House of Lords on 16 March 2000, will implement the recommendations of the Neill Committee's fifth report on the funding of political parties. The funding of political parties is a reserved matter and the controls on political parties' income and expenditure set out in the Bill will apply throughout the United Kingdom. The Bill, however, contains a number of provisions which relate specifically to the National Assembly. In particular, the Bill enables the Electoral Commission, at the request of the Assembly, to prepare a report on the administration of a poll held under section 36 of the Government of Wales Act 1998 (clause 4(3)); empowers the Assembly to transfer the functions of the Local Government Boundary Commission for Wales to the Electoral Commission (clause 18); and amends the Government of Wales Act so as to enable the Assembly to make payments to groups of Assembly members to assist them in performing their functions as Assembly members (Paragraph 10(4) of schedule 20). The Government are giving consideration to a request from the First Minister to expedite the commencement of the last of these provisions once the Bill receives Royal Assent.

Alcohol

Mr. Ben Chapman: To ask the Secretary of State for the Home Department (1) what plans he has to increase the supervision of off-licences and other alcohol retailers, with particular reference to marketing and shop displays which promote the sale of high percentage volume beers, lagers and ciders; [131897]

(2) what plans he has to encourage the brewing industry, off-licence trade and other alcohol retailers to reduce the attractiveness of high percentage volume beers, lagers and ciders to under-age drinkers. [131934]

Mr. Mike O'Brien: In May 1997, a Ministerial Group, working closely with the Portman Group, was set up to examine problems surrounding the marketing of "alcopops" and other alcoholic drinks to people under 18. A statement of the Group's conclusions was published in July 1997, and placed in the Library. A range of new controls were added to the industry's Code of Practice, and these have had a significant impact on the merchandising and packaging of alcoholic drinks. The additional controls included:

- appropriate names, packaging and promotion of alcoholic products;
- avoiding artificially bright colours in either the product or the packaging;
- ensuring that the taste and texture of products do not mislead about their true alcoholic nature;
- ensuring that steps are taken to remind sales staff of their responsibilities;
- ensuring that alcohol is made less accessible to children in shops;
- ensuring proper staff training;
- including suitable sanctions for breaches of the Code;
- arranging pre-launch clearance of relevant products;
- ensuring swift compliance with decisions of the independent panel; and
- requiring compliance with the spirit as well as the letter of the Code.

We have monitored progress on the industry's approach to protecting young people. The number of complaints made under the new Code has continued to reduce. Where complaints have been made and upheld, swift compliance with the independent panel's decisions has become the norm. We shall continue to monitor progress both in respect of all alcoholic drinks, including those of high strength.

In addition, the White Paper "Time for Reform: Proposals for the Modernisation of Our Licensing Laws" published on 10 April this year, set out proposals for a new positive duty on licensees not to sell to minors, arrangements for test purchasing and tougher sanctions against those who breach these laws.

Mr. Ben Chapman: To ask the Secretary of State for the Home Department what measures *(a)* are currently in place and *(b)* his Department is evaluating to prevent adults purchasing alcoholic drinks for consumption by under-18s. [131936]

Mr. Mike O'Brien: It is an offence under section 169(3) of the Licensing Act 1964 for any person to buy, or attempt to buy, intoxicating liquor for consumption in a bar in licensed premises by a person under 18. This offence does not extend to purchases made by adults in off-licences on behalf of minors. The Private Member's Bill introduced by my hon. Friend the Member for Pudsey (Mr. Truswell), the Licensing (Young Persons) Bill, which was successful at Second Reading in the House of Lords on 14 July, would create a new offence of buying alcohol in off-licences on behalf of minors. The Government have given their full support to this Bill. In the White Paper, "Time for Reform: Proposals for the Modernisation of our Licensing Laws" published on 10 April this year, we have made clear that if my hon. Friend's Bill is not successful, we shall introduce this measure in a Bill reforming licensing law generally.

Schengen Agreement

Mr. Bercow: To ask the Secretary of State for the Home Department, pursuant to his answer of 4 July 2000, *Official Report*, column 166W, on the Schengen Agreement, if it his practice to assess the requirement to modify legislation resulting from accession to agreements with other countries prior to negotiating such agreements; what timescale is envisaged in the case of the Schengen acquis; and if he will make a statement. [130834]

Mrs. Roche: The Government's approach to agreements is taken on a case-by-case basis. In the case of partial participation in the Schengen acquis, the Government's objective was to benefit as far as possible from European Union co-operation on policing and judicial matters, commensurate with our Frontiers Protocol. We therefore accepted that legislation might be necessary and would be justified if better European Union co-operation was achieved as a result. As indicated in my reply to the hon. Member on 4 July 2000, *Official Report*, column 166W, the need to legislate was already implicit in the United Kingdom's agreement to a number of European Union instruments providing for judicial co-operation. Work on Schengen implementation has only recently begun and the timescale will be dependent in part on the Government's legislative timetable, in addition to the time which will be required for the practical implementation of other items, such as the Schengen Information System.

Visas (Overseas Teachers)

Mr. Willis: To ask the Secretary of State for the Home Department what plans he has to amend the working holiday visa scheme to allow greater flexibility in respect of the employment of overseas teachers; and if he will make a statement. [130778]

Mrs. Roche: We have no plans to relax the working holidaymakers rules. Flexibility already exists for working holidaymakers in the teaching profession in that they are not precluded from continuing their career in the United Kingdom and may work as supply teachers.

The purpose of the working holidaymaker scheme is not to enable overseas teachers to secure employment. As the title implies, any work is to be incidental to an extended holiday here and participants are not expected to work for the whole of their time. There are already a number of existing mechanisms under the Immigration Rules to facilitate the employment of overseas teachers, including the work permit scheme and the approved exchange scheme for teachers and language assistants.

Mr. Willis: To ask the Secretary of State for the Home Department (1) how many working holidaymaker visas were issued to overseas teachers in the last three years for which figures are available; [130779]

(2) how many working holidaymaker visas have been issued to overseas teachers and have not yet expired; and how many such teachers are known to be in *(a)* London and *(b)* the rest of the United Kingdom [130780]

Mrs. Roche: I regret that the available information—on working holidaymakers admitted to the United Kingdom—does not separately identify those who are teachers nor their place of residence in this country.

HEALTH

Angiograms

Miss Widdecombe: To ask the Secretary of State for Health how many and which hospitals in the NHS provide angiogram facilities; and how long the waiting times are in each of them. [129191]

Mr. Denham: 92 National Health Service trusts performed at least one coronary angiogram during 1998–99. The table lists these trusts and gives their related average waiting times.

We recognise that some patients may have to wait some time for this diagnostic procedure and that there is unacceptable variation in access to this service. This is why we have made the prevention and treatment of coronary heart disease one of this Government's priorities.

The National Service Framework for coronary heart disease will address these inequalities over the 10-year period of the strategy. It sets clear long-term targets for waiting times at every stage of the patient journey, including waits for angiography, and progress towards

these targets will be monitored by the NHS Executive through performance management and by the Commission for Health Improvement.

Number of admissions for selected operations (ordinary admissions and day cases combined). Waiting list and booked admissions method only, by trust in NHS hospitals, England 1998–99

	Days
	Median waiting time
K63 Contrast radiology of heart	
RA2 Royal Surrey County Hospital	36
RA4 East Somerset NHS Trust	122
RA5 East Gloucestershire NHS Trust	5
RA7 The United Bristol Healthcare	105
RA9 South Devon Healthcare NHS Trust	75
RAE Bradford Hospitals NHS Trust	43
RAF Northern General Hospital NHS	126
RAG Doncaster Royal Infirmary	183
RAJ Southend Hospital NHS Trust	136
RAL The Royal Free Hampstead	34
RAP North Middlesex Hospital NHS Trust	62
RBA Taunton and Somerset NHS Trust	102
RBK Walsall Hospitals NHS Trust	89
RBL Wirral Hospital NHS Trust	99
RBQ The Cardiothoracic Centre	37
RBS Royal Liverpool Childrens NHS Trust	49
RBU Central Manchester Healthcare	100
RC3 Ealing Hospital NHS Trust	3
RCB York Health Services NHS Trust	[1]
RCF Airedale NHS Trust	[1]
RCJ South Tees Acute Hospitals NHS	35
RCS Nottingham City Hospital NHS Trust	58
RDD Basildon and Thurrock General Hospital	125
RDL Eastbourne Hospitals NHS Trust	27
RDM Hastings and Rother NHS Trust	13
RDU Frimley Park Hospital NHS Trust	6
RDZ Royal Bournemouth and Christchurch	67
RE7 West Cumbria Health Care NHS Trust	180
REF Royal Cornwall Hospitals	117
REZ Rochdale Healthcare NHS Trust	35
RF2 Royal Hull Hospitals NHS Trust	91
RF3 East Yorkshire Hospitals NHS Trust	83
RF6 North East Lincolnshire NHS Trust	[1]
RFK Nottingham University Hospital	28
RFL Glenfield Hospital NHS Trust	25
RFZ Northwick Park and St. Marks NHS Trust	45
RG2 Greenwich Healthcare NHS Trust	15
RGA Calderdale Healthcare NHS Trust	63
RGB Huddersfield NHS Trust	47
RGM Papworth Hospital NHS Trust	122
RGU Brighton Health Care NHS Trust	40
RGZ Queen Mary's Sidcup NHS Trust	11
RG6 Gloucestershire Royal NHS Trust	30
RH8 Royal Devon and Exeter Healthcare Trust	109
RHE Crawley Horsham NHS Trust	46
RHH East Surrey Hospital and Community Trust	[1]
RHM Southampton University Hospital	88
RHU Portsmouth Hospitals NHS Trust	155
RHW Royal Berkshire and Battle Hospital	[1]
RJ1 Guy's and St. Thomas' NHS Trust	79
RJ5 St. Mary's Hospital NHS Trust	54
RJ6 Mayday Healthcare NHS Trust	118
RJ7 St. George's Healthcare NHS Trust	76
RJE North Staffordshire Hospital	79
RJZ King's Healthcare NHS Trust	24
RK9 Plymouth Hospitals NHS Trust	149
RKB Walsgrave Hospitals NHS Trust	76
RKF The Princess Royal Hospital	1
RL4 The Royal Wolverhampton Hospital	1
RLG Carlisle Hospitals NHS Trust	215
RLN City Hospitals Sunderland	4
RLQ Hereford Hospitals NHS Trust	83

Number of admissions for selected operations (ordinary admissions and day cases combined). Waiting list and booked admissions method only, by trust in NHS hospitals, England 1998–99

	Days
	Median waiting time
RLW City Hospital NHS Trust	60
RLZ Royal Shrewsbury Hospitals	9
RM1 Norfolk and Norwich Healthcare	40
RM2 South Manchester University Hospital	45
RMR Blackpool Victoria Hospital	106
RMW Dewsbury Health Care NHS Trust	217
RN3 Swindon and Marlborough NHS Trust	85
RN5 North Hampshire Hospitals NHS Trust	[1]
RNA Dudley Group of Hospitals NHS Trust	74
RNE Sandwell Healthcare NHS Trust	61
RNJ The Royal Hospitals NHS Trust	89
RNS Northampton General Hospital	7
RP4 The Great Ormond Street Hospital	28
RPF South Kent Hospitals NHS Trust	[1]
RQ3 Birmingham Children's Hospital	85
RQ6 Royal Liverpool and Broadgreen	163
RQ7 The Manchester Children's Hospital	93
RQM Chelsea and Westminster Healthcare	[1]
RQN The Hammersmith Hospitals	97
RR1 Birmingham Heartlands and Solihul	48
RR4 Pinderfields and Pontefract Hospital	106
RR7 Gateshead Health NHS Trust	59
RR8 Leeds Teaching Hospitals NHS Trust	57
RRK University Hospital Birmingham	76
RRV University College London Hospital	16
RT3 Royal Brompton and Harefield NHS Trust	58
RTD The Newcastle upon Tyne Hospital	70
RTF Northumbria Health Care NHS Trust	7
RTG Southern Derbyshire Acute Hospital	28
RTH Oxford Radcliffe Hospital NHS Trust	42
England	63

[1] Data quality insufficient to calculate median waiting time

Notes:

1. This table is derived from ungrossed HES data.

2. Waiting time statistics from HES are not the same as the published waiting list statistics. HES provides counts and waiting times for all patients admitted to hospital within a given period whereas the published waiting list statistics count those waiting for treatment at a given point in time and how long they have been on the waiting list. Also, HES calculates the waiting time as the difference between the admission and decision to admit dates. Unlike published waiting list statistics, this is not adjusted for self-deferrals or periods of medical/social suspension.

Source:

Hospital Episode Statistics (HES)—Department of Health

Royal Shrewsbury Hospital

Mr. Paul Marsden: To ask the Secretary of State for Health how many nurses were employed at the Royal Shrewsbury Hospital in each year since 1992; and if he will make a statement. [131136]

Mr. Denham: The table illustrates that the number of nursing, midwifery and health visiting staff employed by the Royal Shrewsbury Hospitals National Health Service Trust declined between the years 1994 and 1997. However, numbers remain constant for 1998, and have increased in 1999, demonstrating our commitment to increase the number of nurses working within the NHS. It should be noted that inflated figures for nursing staff in 1994 are not comparable with later years, due to a new classification system introduced in 1995 (see notes).

NHS Hospital and Community Health Services (HCHS): Nursing, Midwifery and hospital visiting staff, employed by Royal Shrewsbury Hospital NHS Trust, as at 30 September of each year

	Whole time equivalents	*Number (headcount)*
1994	850	1,130
1995	750	950
1996	730	940
1997	710	900
1998	720	900
1999	730	920

Notes:

1. The Royal Shrewsbury NHS Trust came into being on 1 April 1994. Data from earlier years cannot be disaggregated from health authority returns.
2. Figures are rounded to the nearest 10.
3. 1994 figures include agency staff and exclude learners, 1995 to 1999 figures exclude agency staff and learners.
4. A new classification of the non-medical work force was introduced in 1995, therefore information based on this classification is not comparable with earlier years.

Source:

Department of Health Non Medical Workforce Census.

Waiting Lists

Mr. Caton: To ask the Secretary of State for Health what assessment he has made of the impact on waiting lists if consultants were contractually required to see NHS patients on three days a week as a minimum. [131462]

Mr. Denham: We are determined to reduce waiting lists and times for all patients. As part of the National Plan for the National Health Service, the Patient Care: Speed of Access Modernisation Action Team has been looking at improving patients' access to NHS services, including the reduction of waiting lists and times.

Any NHS consultant who carries out private work is expected to devote substantially the whole of their professional time to their NHS work. It is for employers and employees to agree the balance between private and NHS work and for employers to take appropriate action if individual consultants do not meet their contractual commitments. Their responsibilities for the clinical care of their NHS patients must come first.

Children Act 1989

Mr. Dismore: To ask the Secretary of State for Health when he will publish updated statistics to fulfil the undertaking given in the Children Act report 1995 to 1999. [132558]

Mr. Hutton: I have today published on the Department of Health internet website a supplementary report entitled "Children Act Report—1999 Supplement" and copies have been placed in the Library.

Long-term Care

Mr. Andrew George: To ask the Secretary of State for Health in how many cases financial responsibility for existing patients *(a)* in nursing homes and *(b)* being supported in their own homes, has been assumed by the National Health Service since the appeal decision in R. *v.* North and East Devon health authority ex parte Coughlan; and if he will make a statement. [131750]

Mr. Hutton: Information is not available in the format requested. Information on numbers of people newly meeting eligibility criteria for continuing National Health Service in-patient care is collected on a quarterly basis. From 1 July 1999 to 31 March 2000, 17,639 people newly met eligibility criteria for continuing in-patient care funded by the NHS. This figure includes an element of forecast data.

Hammersmith Hospital/Imperial College Imaging Department

Mrs. Gillan: To ask the Secretary of State for Health if he will publish the report on the Hammersmith Hospital/ Imperial College Imaging Department commissioned by the former Secretary of State for Health, the right hon. Member for Holborn and St. Pancras (Mr. Dobson); what plans he has to implement the recommendations contained in this report; and if he will make a statement. [131970]

Mr. Denham: Professor Cameron's report was prepared on the basis that it would be confidential to Ministers. He has, however, provided a comprehensive summary of his findings, conclusions and recommendations and this has been made public.

I announced on 29 June that I had accepted Professor Cameron's recommendations and was instructing the National Health Service Executive to implement them.

Professor Cameron's report draws a line under these events: no further ministerial statement is planned.

Hospital Waiting Times (Norfolk)

Mr. Prior: To ask the Secretary of State for Health how many people in the area covered by the Norfolk Health Authority had been waiting over 12 months for elective admission in *(a)* March 1997, *(b)* March 1998, *(c)* March 1999 and *(d)* March 2000. [132031]

Mr. Denham: Norfolk Health Authority was established on 1 April 1999. Prior to its establishment, the area was covered by East Norfolk Health Authority and by part of North West Anglia Health Authority.

Figures from the period prior to the establishment of Norfolk Health Authority are not directly comparable with those following its establishment.

The number of patients waiting more than 12 months for elective admission in East Norfolk Health Authority, North West Anglia Health Authority and Norfolk Health Authority are shown in the table.

	Health authority		
	East Norfolk	*North West Anglia*	*Norfolk*
March			
1997	146	122	—
1998	592	481	—
1999	575	511	—
2000	—	—	1,133

Source:

Inpatient waiting lists England by health authority

Mr. Prior: To ask the Secretary of State for Health how many people in the area covering the Norfolk Health Authority had been waiting more than 12 months for orthopaedic surgery in *(a)* March 1997, *(b)* March 1998, *(c)* March 1999 and *(d)* March 2000. [132030]

Mr. Denham: Norfolk Health Authority was established on 1 April 1999. Prior to its establishment, the area was covered by East Norfolk Health Authority and by part of North West Anglia Health Authority.

Figures from the period prior to the establishment of Norfolk Health Authority are not directly comparable with those following its establishment.

The number of patients waiting more than 12 months for trauma and orthopaedic treatment in East Norfolk Health Authority, North West Anglia Health Authority and Norfolk Health Authority are shown in the table.

	Health authority		
	East Norfolk	*North West Anglia*	*Norfolk*
March			
1997	66	36	—
1998	272	234	—
1999	372	254	—
2000	—	—	687

Source:
Inpatient waiting lists England by health authority. (The figures shown are for trauma and orthopaedic cases).

Hospital Waiting Times (Chase Farm and North Middlesex Hospital)

Mr. Stephen Twigg: To ask the Secretary of State for Health how long the current waiting lists are at *(a)* Chase Farm and *(b)* North Middlesex Hospital. [132256]

Mr. Denham: Information is collected by trust and is provided in the table.

Patients waiting for elective admission at end May 2000

	Number
Barnet and Chase Farm NHS Trust	7,407
North Middlesex Hospital NHS Trust	3,053

Source:
Department of Health monthly monitoring

NORTHERN IRELAND

Forensic Science Northern Ireland

Mr. Leslie: To ask the Secretary of State for Northern Ireland what key targets were set for Forensic Science Northern Ireland in 2000–01; what further plans have been prepared by Forensic Science Northern Ireland; and what arrangements have been made for the publication of this year's plans. [132555]

Mr. Mandelson: The following key targets were set for Forensic Science Northern Ireland in 2000–01:

Quality of Service

To turnaround 85 per cent. of cases in which a file is required to be submitted to the DPP within the notified scale.

To turnaround 90 per cent. of all reports within the timescale notified to the investigating officer in cases where there is no DPP file.

Quality of Science

Maintain the UKAS accreditation of those scientific processes identified by the Ministerial Advisory Board.

Service Provision

To have obtained the agreement of the RUC User Board that FSNI is effectively meeting the needs of the RUC as defined in the Service Level Agreement for the year ending 31 March 2001.

Financial Performance

Recover from customers the full cash cost of the services delivered to them.

Reduce the Unit Cost by 2 per cent.

Achievement against these key targets will be recorded in the Agency's Annual Report for 2000–01 which will be published in July 2001.

FSNI has published a summary of its Corporate plan 2000–03 and annual Business Plan 2000–01 which explain its business and organisation, describe its key targets for 2000–01 and set out the assumptions about work loads and resources which support its planned activities. Copies of the summary plans have been placed in the Libraries of both Houses of Parliament. Copies will be available to the public from FSNI.

CABINET OFFICE

Disaster Contingency Measures

Mr. Sayeed: To ask the Minister for the Cabinet Office what research she has undertaken into the effects of a major computer failure in central Government; and what contingency measures have been taken to reduce the impact of such an event. [128868]

Mr. Ian McCartney: Individual Government Departments are responsible for research into, and contingency planning against, the risk of a major failure in the computer systems they operate. Government as a whole learnt valuable lessons about business continuity planning from handling the Millennium bug.

FOREIGN AND COMMONWEALTH AFFAIRS

Child Labour

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the action taken by the Government to tackle child labour abroad. [130952]

Mr. Hain: We are engaged in a range of activities—at the bilateral and international level—to tackle child labour. In March 2000, the UK ratified the International Labour Organisation (ILO) Convention No. 182. The aim of this important new standard is to prohibit and eliminate the worst forms of child labour. We strongly support the ILO's campaign to encourage the widest possible ratification of ILO 182, and is looking at how best to take action in support of this campaign. In June 2000, the UK also ratified ILO Convention No. 138—one of the core ILO conventions—on the minimum age for entry into employment.

The Government, through the Department for International Development, is supporting practical programmes in a number of countries in South Asia and

Africa. Our aim is to reduce child labour, especially the worst forms of child labour. In doing this, we aim to ensure children's protection and survival; to meet children's development needs, particularly in health and education; and to allow them to participate in decisions which affect their lives.

Pakistan

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs if it is his policy to support the suspension of Pakistan from the Commonwealth. [131518]

Mr. Hain: The Commonwealth Heads of Government Meeting (CHOGM) in Durban in November 1999 endorsed the decision of the Commonwealth Ministerial Action Group (CMAG) to suspend Pakistan from the councils of the Commonwealth and called for the restoration of civilian democratic rule. CMAG was tasked with keeping the situation in Pakistan under review and to recommend further measures to be taken by the Commonwealth if progress to democracy was not made speedily. Commonwealth members will consider further action at future meetings of CMAG and CHOGM in the light of developments in Pakistan.

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs what factors led him to lift the arms embargo on Pakistan. [131517]

Mr. Hain: There has been no arms embargo on Pakistan. As stated on 10 July 1998, *Official Report*, columns 687–88W, we continue to assess export licence applications on a case-by-case basis against our national criteria and those in the EU Code of Conduct for Arms Exports, and in light of the statement made after the Pakistani and Indian nuclear tests.

Last October's coup created many uncertainties. The Government have taken time to consider the situation in Pakistan and the wider region before deciding on outstanding export licence applications. The Government have now reached decisions on a number of these. I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Bury, South (Mr. Lewis) on 5 July 2000, *Official Report*, columns 221–22W, which explains this in more detail.

Entry Clearance Refusals

Mr. Hope: To ask the Secretary of State for Foreign and Commonwealth Affairs when he plans to publish the 1999 report by Dame Elizabeth Anson, the Independent Monitor, relating to the refusal of entry clearance where there is no right of appeal. [132480]

Mr. Vaz: I have arranged for copies of Dame Elizabeth's Report of 1999 to be placed in the Libraries of the House today. I welcome the report and note Dame Elizabeth's comments and suggestions, which will receive careful consideration.

Strategic Export Controls

Mr. Leslie: To ask the Secretary of State for Foreign and Commonwealth Affairs when the Government will publish its 1999 Annual Report on Strategic Export Controls. [132554]

Mr. Hain: The Annual Report will be published today. Copies will be available in the Libraries of the House and in the Vote Office from 12.00 noon.

The Report is also available on the FCO's website at www.fco.gov.uk/directory/dynpage.asp?Page=355.

EU Flag

Mr. Gill: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of 10 July 2000, *Official Report*, column 402W, what guidance he will give regarding the flying of the EU flag in terms of its precedence in relation to national flags. [132028]

Mr. Vaz: The European flag, where flown, should not take precedence over the Union flag. When the European flag is flown from Government buildings, for example on Europe Day 9 May, it is always displayed alongside, not instead of, the Union flag.

Yemen

Mr. Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Yemeni authorities regarding the case of Mohamed Haji; and if he will make a statement. [132006]

Mr. Hain: Our Ambassador in Sana'a raised the case of Mohamed Omar Haji with the Vice Minister of Foreign Affairs, Abdullah al-Sayedi on 9 July and made clear our concerns. I raised Mohamed Haji's plight again on 19 July with the visiting Minister of Health, Dr. Abdullah Nasher. We understand that Mohamed Haji has not been sentenced and that his case has been referred back from the court to the Attorney General who will decide what further action to take. Mohamed Haji has been transferred from the Central Prison to a detention centre for immigrants.

We will keep Mohamed Haji's case under close review and stand ready to raise the matter again with the Yemeni Government.

AGRICULTURE, FISHERIES AND FOOD

Decommissioning Scheme

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food what plans he has to introduce a decommissioning scheme for fishing vessels. [132560]

Mr. Morley: We had envisaged that a limited fishing vessel decommissioning scheme might have been needed to meet our EU obligations to reduce capacity of fixed gear vessels. However, capacity in the lines and nets segment of the fleet is already within the MAGP IV objectives for end 2001, and the tonnage of shellfish fixed gear vessels is close to the 2001 objectives. We do not therefore plan to hold a decommissioning scheme in present circumstances.

Agriculture Council

Mr. Hood: To ask the Minister of Agriculture, Fisheries and Food what the outcome was of the Agriculture Council held in Brussels on 18 July; and if he will make a statement. [131935]

Mr. Nick Brown: I represented the UK at the Agriculture Council held in Brussels on 17 July, accompanied by my right hon. Friend the Minister of State and by Christine Gwyther, Agriculture Secretary in the National Assembly for Wales.

The council unanimously agreed Commission proposals on CAP prices and aids for the 2000–01 marketing year, reform of the flax and hemp regime and changes to the EU school milk scheme. The flax and hemp reforms will increase the market-orientation of this sector and, following pressure from the UK and others, the agreement includes significantly higher processing aid for the types of flax and hemp produced in this country.

The Council's changes to the school milk scheme represent a major improvement over the Commission's proposal. Following rejection of their proposals originally to abandon this scheme and subsequently for 50 per cent. co-financing, the Council has limited the changed to a reduction of aid from 95 per cent. to 75 per cent. of the milk target price and provision for the dairy sector to contribute to the scheme. Local authorities which wish to do so will thus continue to have the facility to apply the scheme.

The Council also unanimously adopted amendments made by the European Parliament to its common position on Beef Labelling. This will enable the Regulation to come into force on 1 September as planned.

I particularly welcomed the European Parliament's amendments removing the obligation to label beef by category of animal which I know had given rise to considerable concern to our industry.

Under other business I supported other colleagues pressing Commissioner Fischler to reopen access to export refunds for processed foodstuffs provided this could be achieved without breaching budget discipline.

Animal Welfare

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his statement of 14 December 1999, *Official Report*, columns 250–54, if he will make a statement on the progress that has been made in the establishment of an Interdepartmental Ministerial Group on Animal Welfare. [131756]

Mr. Morley: The Interdepartmental Ministerial Group on Animal Welfare met formally for the first time today. Ministers with animal welfare responsibilities from the Department of the Environment, Transport and the Regions, the Home Office and the Department for Agriculture and Rural Affairs in Northern Ireland joined me for the discussion. Officials from the other devolved Administrations also attended.

Correspondence

Mr. Kaufman: To ask the Minister of Agriculture, Fisheries and Food when he intends to reply to the letters to him dated 20 March, 12 May and 12 June from the right hon. Member for Manchester, Gorton, with regard to Mr. S. Pennells. [130856]

Mr. Nick Brown: My noble Friend the Minister of State replied to the letters from my right hon. Friend on 19 June 2000.

WALES

Police

Mr. Evans: To ask the Secretary of State for Wales if he will list the number of *(a)* new police recruits and *(b)* police retirements in Wales between (i) May 1997 and May 1998, (ii) May 1998 and May 1999 and (iii) May 1999 and May 2000. [130982]

Mr. Charles Clarke *[holding answer 17 July 2000]:* I have been asked to reply.

Data on the numbers of police officers were not collected for the particular periods requested. The figures for the years ending March 1998, 1999 and 2000 are as follows, and are based on numbers of officers rather than full-time equivalents.

Welsh police forces

Number of officers

Year ending	*Police recruits*	*Police retirements*
March 1998	297	239
March 1999	353	249
March 2000	339	234

In order to claim the Crime Fighting Fund grant forces have provided profiles of recruitment for 2000–01. According to those profiles, the following numbers were recruited in April and May 2000 by police forces in Wales.

April 2000—49

May 2000—24

Written Answers to Questions

Monday 24 July 2000

DEFENCE

Welsh Guards

Mr. Key: To ask the Secretary of State for Defence (1) if the 1 Battalion Welsh Guards has REME support for their Saxon vehicles; and how many of them are *(a)* operational and *(b)* unserviceable; [128475]

(2) what radio communications below platoon level are available to 1 Battalion Welsh Guards; how many mobile telephones have been purchased to supplement radios; and if he will make a statement. [128476]

Mr. Spellar *[holding answer 3 July 2000]:* 1 Battalion Welsh Guards has Reme support for its Saxon vehicle holdings. As at 18 July, 23 vehicles were operational and 12 waiting to be repaired. The Regiment is issued with the Clansman combat net radio and although three mobile telephones are held for duty personnel, there is no intention to supplement Clansman holdings with mobile telephones.

Parliamentary Questions

Mr. Gill: To ask the Secretary of State for Defence when he will reply to the questions of the hon. Member for Ludlow tabled on 12 June (refs 126192, 126190, and 126191). [129404]

Dr. Moonie *[holding answer 6 July 2000]:* I replied to the hon. Member on 17 July 2000, *Official Report*, column 10W.

Mr. Stunell: To ask the Secretary of State for Defence on how many occasions he deposited papers in the Library in response to parliamentary questions tabled to his Department between 19 October 1999 and 20 April. [131231]

Dr. Moonie *[holding answer 20 July 2000]:* The Ministry of Defence deposited papers in the Library in response to parliamentary questions on 160 occasions between 19 October 1999 and 20 April 2000.

Departmental Payments

Mr. Chope: To ask the Secretary of State for Defence what percentage of correctly presented bills were paid by his Department in *(a)* 1998–99 and *(b)* 1999–2000 within 30 days of receipt of (i) goods and services, (ii) a valid invoice and (iii) other agreed payment terms. [130042]

Mr. Spellar *[holding answer 11 July 2000]:* I refer the hon. Member to the answer given to my hon. Friend the Member for Elmet (Mr. Burgon) on 23 July 1999, *Official Report*, columns 677–78W.

The Department is currently collating this information for 1999–2000 and this will be made available to the House shortly.

Army (Complaints)

Mr. Peter Bradley: To ask the Secretary of State for Defence what is the average length of time for the processing of complaints to the Army Board and Her Majesty the Queen. [130745]

Dr. Moonie: The average time taken from first submission of complaint by the individual to his or her Commanding Officer to promulgation of the Army Board determination of those cases in the system over the last 12 months (from 1 June 1999 to 31 May 2000) is 82 weeks. 72 per cent. of all cases are decided below Army Board level and consequently take far less time to resolve. After the individual has received the Army Board determination and decides to petition the Sovereign, further legal advice is sought and a report prepared for the Army Board and subsequently the Secretary of State for Defence. The Secretary of State is responsible for putting the petition to Her Majesty. The length of time taken for the process varies very significantly from case to case reflecting the relative difficulty and complexity and the need for the Army Board and the Secretary of State to deal personally and carefully with each case. In the six cases submitted to Her Majesty in the 12 months from 1 June 1999 to 31 May 2000 the time taken from the original determination by the Army Board to submission varied from 30 months to eight months.

We recognise the problem delay causes in the processing of Redresses of Complaint. The Chain of Command has been provided with clear guidance explaining that every effort must be made to resolve complaints as swiftly as possible and at the lowest possible level, in the interests of good management, efficiency and justice. The Army General Administrative Instructions dealing with Redresses of Complaint have also been amended to ensure that the message is clearly understood by all involved.

Future Basing Plans (Army)

Mr. Olner: To ask the Secretary of State for Defence if he will make a statement on the future basing plans for the Army. [131152]

Mr. Spellar: I am now able to give details of our plans for the future basing of units following the Strategic Defence Review restructuring. Since my predecessor published outline basing proposals last year, we have discussed the implications of these changes with the local authorities concerned. We have also, as part of our commitment under SDR to put the environment at the heart of decision making, subjected our proposals to a rigorous examination as part of the Strategic Environmental Assessment (SEA) of the whole of the SDR. The SEA has confirmed that the Army's plans for barrack redevelopment, which flow from the relocation and re-roling of units, are unlikely to have major effects on the environment. Where a potential impact has been identified we have either already changed our plans accordingly or plan to take the necessary action to address the problem as part of our detailed development proposals.

The changes from the outline proposals announced last year are not in themselves substantial. However, they do provide the Army with a firm basis on which to plan for changes in the roles of units and their parent formations

and for a number of relocations of units, all of which are necessary to bring about a more balance operational and training cycle.

The Headquarters of 12 Mechanised Brigade has formed in Aldershot and that of 16 Air Assault Brigade in Colchester. Aldershot Garrison will house enhancements to 101 Logistic Brigade, including 10 Transport Regiment RLC which will move from Colchester, and the lighter elements of 12 Mechanised Brigade. We intend to keep the overall position in the Garrison under review as Project Connaught, the PPP Project, develops.

Tidworth Garrison will accommodate an additional armoured regiment, armoured infantry battalion and engineer regiment, required for 12 Mechanised Brigade. Sixteen Close Support Medical Squadron will be moved out of Tidworth to be incorporated into three Close Support Medical Regiment, in Catterick. We are still considering the most appropriate location for the additional artillery regiment, which we originally planned to accommodate in Larkhill. Project Allenby, the PPP Project, is currently scoping the potential for this regiment to be based in Tidworth or Bulford Garrison instead, as part of its overall strategic look at the operational requirement.

Catterick Garrison will accommodate a number of additional units and enhancements as follows: an additional field workshop will form part of five Battalion REME. Eight Transport Regiment RLC will be enhanced and its fuel handling capabilities rationalised. Three Close Support Medical Regiment, which provides medical support to three (UK) Division, will also be based in Catterick. It will incorporate 24 Close Support Medical Squadron, which is already based in Catterick, 16 Close Support Medical Squadron, which will move from Tidworth, a new close support medical squadron and an evacuation squadron.

Thirty-eight Engineer Regiment in Claro Barracks, Ripon will be enhanced by the addition of a Close Support Squadron. However the nine very heavy tracked bridge laying vehicles with which the Squadron will be equipped could cause a high environmental risk to the cultural heritage in Ripon town centre, and undesirable traffic congestion. We have therefore decided to locate these vehicles at Cambrai/Megiddo Barracks, Catterick.

Colchester Garrison will be the main garrison for 16 Air Assault Brigade, although the aviation regiments and one of its infantry battalions will be based elsewhere and the engineer regiment will be located at Woodbridge. Two parachute regiments and a parachute artillery regiment will be based in Colchester, replacing the existing airmobile units.

The 4th armoured reconnaissance unit will be based in Stanley Barracks, Bovington. Dalton Barracks, Abingdon will house additional sub-units for both 3 Close Support Regiment RLC and 4 General Support Regiment RLC.

Some moves are already taking place (such as that of two parachute battalions from Aldershot to Colchester with a corresponding move of two infantry battalions from Colchester to form part of the new 12 Mechanised Brigade). Most unit relocations will however have to await the preparation and refurbishment of accommodation, which will be spread over a number of years, and the usual Notice of Proposed Development process. In carrying out this work we shall take every opportunity to provide our military personnel with the sort of modern, efficient, good quality accommodation which they deserve.

Overseas Service Personnel

Mr. Cox: To ask the Secretary of State for Defence how many United Kingdom service personnel are serving overseas, broken down by country. [130768]

Mr. Spellar: As at 1 April 2000, the latest date figures for which are available, 39,560 armed forces personnel were serving overseas (this does not include Naval personnel afloat). The three Services collate data on location of personnel slightly differently and this has determined the presentation of the breakdown by country, as follows:

Country	*Number*
Mainland Europe	29,213
Austria	19
Belgium	550
France	33
Germany	20,429
Greece	18
Italy	605
Netherlands	254
Norway/Denmark	251
Poland	70
Portugal	60
Turkey	199
Former Yugoslavia	6,307
Miscellaneous	418
Mediterranean, near and Middle East	5,180
Cyprus	3,631
Gibraltar	457
Mid East/Gulf	270
Saudi Arabia	618
Miscellaneous	204
Far East	288
Brunei	201
Nepal	33
Diego Garcia	38
Miscellaneous	16
North America	1,417
Canada	905
USA	512
Other	1,498
Australia	70
South Atlantic	1,428
Elsewhere	1,964
Total	39,560

Note:

1. The 'Elsewhere' figure is made up predominantly of Army personnel including Service Attachés and loans and exchange personnel in the following countries: Andaman Islands, Belize, Bermuda, Botswana, Sri Lanka, Kenya, Sierra Leone, Indonesia, South Africa, Egypt, Fiji, Ghana, India, Jamaica, Malawi, Malaysia, Nigeria, Bangladesh, Tongan Islands, Tanzania, Singapore, Pakistan, Zimbabwe, Albania, Brazil, China, Congo, Columbia, French Overseas Territories, Guatemala, Israel, Japan, South Korea, Laos, Lebanon, Lithuania, Thailand, Angola, Mozambique, USSR.
2. In addition to Service Attachés and loan and exchange personnel, 'Miscellaneous' covers small groups deployed in the relevant region.

Departmental Budget (Nuclear Weapons)

Mr. Llew Smith: To ask the Secretary of State for Defence what proportion of his departmental budget is allocated for expenditure on *(a)* the verification of nuclear arms agreements, *(b)* the dismantling of redundant nuclear weapons stocks, *(c)* research on the safe storage and transport of nuclear weapons and *(d)* the development of a new nuclear warhead or delivery vehicle for nuclear warheads (i) independently and (ii) in collaboration with the United States, using computer simulation facilities. [130846]

Mr. Hoon: The following sums are recorded as having been expended during 1999–2000:

(a) the verification of nuclear arms agreements—£4.2 million

(b) the dismantling of redundant nuclear weapons—£11.5 million

(c) work on the safe storage and transport of nuclear weapons makes use of information and capabilities gained in the various parts of the wider research programme rather than as a discrete activity. This information could be provided only at disproportionate cost.

(d) There are no current plans for any replacement for Trident, and as published in the Strategic Defence Review, we are maintaining only the minimum capability to design and produce a successor should this prove necessary. There was therefore no expenditure on the development of a new nuclear warhead or delivery vehicle for nuclear warheads, (i) independently or (ii) in collaboration with the United States, using computer simulation facilities.

Territorial Army (Wandsworth)

Mr. Cox: To ask the Secretary of State for Defence what financial provision he has made for the training of Territorial Army units in the London Borough of Wandsworth during the coming year. [131469]

Mr. Spellar: For financial year 2000–01, a total of £450,000 has been allocated to cover Man Training Days (MTDs) for Territorial Army units in the London Borough of Wandsworth. This reflects the levels of MTDs requested by the units themselves.

Sierra Leone

Mr. Hancock: To ask the Secretary of State for Defence what security measures have been taken by his Department to ensure the safety of the UK military training team in Sierra Leone; and if he will make a statement. [131495]

Mr. Hoon: In view of the unstable security environment, the Short-Term Training Teams we have deployed to Sierra Leone include a contingent specifically tasked with Force Protection. British Forces have been provided with appropriate Rules of Engagement to allow them to defend themselves robustly if attacked.

Mr. Hancock: To ask the Secretary of State for Defence what estimate he has made of the cost to the Government of implementing Operation Basilica in Sierra Leone; and if he will make a statement. [131496]

Mr. Hoon: The estimated costs of the two Short-Term Training Teams we have recently deployed to Sierra Leone under Operation Basilica amount to some £1.3 million.

Victoria Cross

Mr. Keetch: To ask the Secretary of State for Defence how many people have been awarded the Victoria Cross since 1970; how many holders of the Victoria Cross are still living; and if he will make a statement. [131521]

Dr. Moonie *[holding answer 20 July 2000]:* The Victoria Cross has been awarded to two people since 1970, on both occasions posthumously. There are currently 24 living holders of the Victoria Cross.

Chinook Helicopters

Mr. Key: To ask the Secretary of State for Defence when the contract was signed to fit the RAF Chinook helicopter fleet with flight data recorders; what the original date for completion was; what the current estimate is for date of completion; and if he will make a statement. [131522]

Mr. Spellar *[holding answer 20 July 2000]:* I refer the hon. Member to the answer I gave him on 18 November 1997, *Official Report*, columns 151–53W. The programme of work is due to be completed by the end of August 2001.

Warships

Mr. Gill: To ask the Secretary of State for Defence, pursuant to his answer of 14 June 2000, *Official Report*, column 10W, for what reason he did not provide information on the most recent date on which a new warship was ordered for the Royal Navy. [132029]

Dr. Moonie *[holding answer 21 July 2000]:* I refer the hon. Member to my answer of 17 July 2000, *Official Report*, column 10W. This is the most recent order for a new RN warship.

Prior to this announcement the last RN warship order was on 14 March 1997 when an order was placed for the design and build of three ASTUTE class nuclear attack submarines.

Military Hospital, Northallerton

Mr. Menzies Campbell: To ask the Secretary of State for Defence when the new Military District Hospital at Northallerton will open; and if he will make a statement. [131023]

Dr. Moonie: The new Ministry of Defence Hospital Unit at Northallerton NHS Health Services Trust opened on 1 July 1999.

Imaging Systems

Mr. Key: To ask the Secretary of State for Defence what work his Department has commissioned from DERA on through-the-wall imaging systems; at what cost to his Department; and if he will make a statement. [131768]

Dr. Moonie: The Ministry of Defence is currently conducting research into through wall imaging technology and techniques within both the Corporate and the Applied Research Programmes. In financial year 2000–01 this will amount to £370,000 in total. Work is planned to continue in this area.

Michael John Smith

Mr. Mackinlay: To ask the Secretary of State for Defence if he will list those papers which have been removed by Ministry officials this year from Michael John Smith (PR 3345), in HMP Full Sutton. [132275]

Dr. Moonie: No papers have been removed from the prison cell of Michael John Smith by Ministry officials. Papers containing classified information in connection with the criminal prosecution of Mr. Smith were removed from his cell by the prison authorities, who were advised and assisted by Ministry of Defence officials. A full list of all documents removed was provided to Mr. Smith by the prison authorities. I am withholding this list under Exemption 4c of the Code of Practice on Access to Government Information.

Mr. Mackinlay: To ask the Secretary of State for Defence when his Department will reply to the letter dated 19 June from Michael John Smith (PR 3345), currently in HMP Full Sutton. [132278]

Dr. Moonie: On the advice of the Treasury Solicitor, any correspondence received directly from Mr. Smith to my officials is forwarded to them for attention. Mr. Smith's letter of 19 June has been the subject of subsequent correspondence between the Treasury Solicitor, who acts on behalf of the Ministry, and Messrs A. S. Law, who act on behalf of Mr. Smith.

Mr. Mackinlay: To ask the Secretary of State for Defence on which dates Michael John Smith (PR 3345) in HMP Full Sutton was visited by MOD HQ Sy2 Directorate; for what purpose; and what opportunities were afforded to Mr. Smith to have a legal representative in attendance. [132277]

Dr. Moonie: Searches of Mr. Smith's cell were conducted by the prison authorities on 15 and 23 June 2000. Ministry of Defence officials provided advice and assistance in relation to documents stored in the cell. The purpose of the searches was to remove classified information which Mr. Smith was not entitled to keep in his cell and to arrange for its secure storage within the prison. The documents were examined in a separate room, under the prison Governor's powers of search, which do not require the presence of a prisoner's legal representative. Mr. Smith and a member of the Board of Prison Visitors were present at the search on 15 June. Mr. Smith declined to be present at the search on the 23 June.

Bowman Project

Mr. Key: To ask the Secretary of State for Defence (1) what sum his Department has paid to Archer in respect of the package 'O' contract for the Bowman Project in each month since April 1999; and if he will make a statement; [131627]

(2) what the budget of the Bowman Project was in *(a)* 1993 at (i) 1993 and (ii) 2000 prices and *(b)* 2000 at (A) 1993 and (B) 2000 prices; and what added capability has been required since 1993; [131628]

(3) if he will list the funds allocated for supply and support of the Bowman Project in *(a)* June 1999, *(b)* June 2000 and *(c)* June 2001; [131629]

(4) what funding he will provide for the supply and support of the Bowman Project in *(a)* August and *(b)* September; and if he will make a statement; [131630]

(5) what *(a)* legal and *(b)* financial provision he has made for redundancy following the expiry of the Bowman package 'O' contract at the end of July; and what forecast of redundancy numbers his Department has made in respect of the work force of (i) Archer, (ii) Racal, (iii) ITT and (iv) other contractors. [131631]

Dr. Moonie: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

PRESIDENT OF THE COUNCIL

Human Rights

Mr. Gareth Thomas: To ask the President of the Council if she will set out the proposed terms of reference of the Joint Committee on Human Rights. [131597]

Mrs. Beckett: The proposed terms of reference for the Joint Committee on Human Rights will reflect those in the Message brought from the Lords and printed in the Votes and Proceedings for Wednesday 12 July.

Adapted for Commons usage they will be:

The Committee shall consider

(a) matters relating to human rights in the United Kingdom (but excluding consideration of individual cases);

(b) proposals for remedial orders, draft remedial orders and remedial orders made under Section 10 of and laid under Schedule 2 to the Human Rights Act 1998; and

(c) in respect of draft remedial orders and remedial orders, whether the special attention of the House should be drawn to them on any of the grounds specified in Standing Order No. 151 (Statutory Instruments (Joint Committee));

(3) The Committee shall report to the House

(a) in relation to any document containing proposals laid before the House under paragraph 3 of the said Schedule 2, its recommendation whether a draft order in the same terms as the proposals should be laid before the House; or

(b) in relation to any draft order laid under paragraph 2 of the said Schedule 2, its recommendation whether the draft order should be approved;

and the Committee may report to the House on any matter arising from its consideration of the said proposals or draft orders.

The Committee shall report to the House in respect of any original order laid under paragraph 4 of the said Schedule 2, its recommendation whether

(a) the order should be approved in the form in which it was originally laid before Parliament; or

(b) the order should be replaced by a new order modifying the provisions of the original order; or

(c) the order should not be approved.

and the Committee may report to the House on any matter arising from its consideration of the said order or any replacement order.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Crop Contamination

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions what discussions his Department has had with *(a)* the Ministry of

Agriculture, Fisheries and Food, *(b)* the Department of Health and *(c)* the Cabinet Office since the discovery of the possible contamination of the Advanta Seed crop. [123921]

Mr. Meacher *[holding answer 5 June 2000]:* Officials and Ministers across Government have been in continuous contact since we were notified of the possible contamination of Advanta Seed crop. A joint memorandum prepared by DETR and MAFF was submitted to the Agriculture Committee on 12 July and a copy has been placed in the House Library. This gives full details about the events leading up to Government's announcement about the Advanta seeds issue on 17 May.

Toxic Waste

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions from which sources the United Kingdom accepts the import of toxic waste for *(a)* incineration and *(b)* landfill. [129973]

Mr. Meacher: UK policy on waste imports is set out in the legally binding United Kingdom Management Plan for Exports and Imports of Waste, which came into effect in June 1996.

The policies in the UK Plan prohibit most waste imports for disposal, and are designed to encourage countries to become as self-sufficient as possible in waste disposal. However, where countries cannot reasonably be expected to deal with specific wastes in an environmentally sound manner, the UK is prepared to accept them given that we have the necessary treatment facilities which meet tough environmental standards.

Consistent with this approach the UK currently accepts imports for disposal by high temperature incineration from Brazil, Guernsey, Ireland, the Isle of Man, Jersey, Portugal, South Africa and Thailand. We also have extant agreements to accept waste from Argentina, Chile, Egypt and Pakistan, although there have been no shipments to date from these countries.

We have only accepted waste for landfilling from the British Antarctic Territory, the Falkland Islands and the Isle of Man.

Earlier this year the UK made a bilateral arrangement to accept wastes from the Sovereign Base Areas of Akrotiri and Dhekelia on Cyprus for disposal by either option, although there have been no shipments under the arrangement to date.

The position is different for imports for recovery, which under European law includes incineration where the primary purpose is energy recovery. The UK Plan, consistent with the EC Waste Shipments Regulation and OECD Decision C(92)39/Final, permits movements of wastes for recovery between OECD members on the basis that this trade provides a valuable source of raw materials; and that no country is self-sufficient in waste recovery.

However, while any OECD member country may export hazardous wastes to the UK for incineration with energy recovery, to date we have only received hazardous wastes from Guernsey, Ireland, the Isle of Man, Jersey and the Netherlands.

UK policies and procedures on the acceptance of waste imports are being considered as part of the current review of the UK Plan. I have made it clear that the UK would expect developing countries to develop, as quickly as is feasible, appropriate facilities to deal with their own waste, as far as is compatible with environmentally sound and efficient management.

Road Safety

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the implications for road safety of the House of Lords' case of Goodes *v.* East Sussex County Council. [131640]

Mr. Hill: The judgment of the House of Lords in this case was that the duty of a highway authority to maintain highways for which it is responsible under section 41 of the Highways Act 1980 does not include a duty to keep these highways free from ice and snow.

We are considering the full implications of this judgment before deciding whether to propose any changes to existing highway legislation.

Local Government Network

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions on what occasions *(a)* he and *(b)* Ministers in his Department met the New Local Government Network in the last six months; who was present on each occasion; and what was discussed. [131485]

Ms Beverley Hughes: My right hon. Friend the Secretary of State for the Environment Transport and the Regions has not met the New Local Government Network during the last six months.

My right hon. Friend the Minister for Local Government and the Regions and I continue to have contact with the New Local Government Network about aspects of our local government modernisation agenda, including, on occasions, addressing conferences organised by them. My next meeting with them is planned for later this month to discuss best value partnership working.

Sustainable Development

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions what steps have been taken to ensure that the principles contained on pages 22 and 23 of the White Paper, "A Better Quality of Life—a Strategy for Sustainable Development for the UK", are applied to policy-making throughout Government. [131967]

Ms Beverley Hughes: The principles are reflected or being taken forward in a range of Government guidance documents and strategies. In particular, the 1999 "Modernising Government" White Paper committed the Government to:

> producing and delivering an integrated system of impact assessment and appraisal tools in support of sustainable development, covering impacts on business, the environment, health and the needs of particular groups in society.

The first stage of this work has been completed—the production of a comprehensive IT database of existing impact assessments and appraisals, and sources of guidance (www.cabinet-office.gov.uk/regulation/1999/checklist/intro.htm) to be made available on Departments' intranets. Building on this, consideration is currently being given to the development of a more streamlined

integrated appraisal system to deliver the goal of 'inclusive' policy making set out in the "Modernising Government" White Paper and elaborated in the Cabinet Office report "Professional policy making for the twenty-first century".

Developments in applying the principles in the Strategy will be reported in the Government's first annual review of progress towards sustainable development later this year.

Concessionary Travel

Mr. Browne: To ask the Secretary of State for the Environment, Transport and the Regions what discussions have taken place with the Scottish Executive about the use of the proposed new universal Scottish concessionary travel card in Clwyd. [131893]

Mr. Hill: A range of issues is discussed between my Department and the Scottish Executive from time to time, including concessionary fares. I understand that the Scottish Executive have no plans to extend the availability of the Scottish concessionary travel card beyond the borders of Scotland.

Radioactive Waste

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to publish his Green Paper on radioactive waste management; and if he will make a statement on the terms of reference of the Green Paper. [130865]

Mr. Meacher *[holding answer 20 July 2000]:* I expect the consultation paper on the management of radioactive waste to be published in the autumn. It will be the first step of an open and transparent approach that must characterise the radioactive waste management policy debate in the future.

The main aim of the consultation paper will be to explore how to involve the public, and groups that represent the public, in that debate.

The scope of the consultation paper will be as comprehensive as possible and will address issues associated with radioactive materials, such as plutonium, currently outside the scope of existing policy.

Aerodromes (Noise Levels)

Mr. Clappison: To ask the Secretary of State for the Environment, Transport and the Regions what his timetable is for consultation on schemes for the amelioration of noise from aerodromes; and what assessment he has made of the effectiveness of fitting silencers to light aircraft. [131949]

Mr. Mullin: We published our consultation paper on control of noise from civil aircraft on 20 July. This proposes legislation to strengthen aerodromes' powers to establish and enforce noise amelioration schemes, and to enable the Secretary of State to designate an aerodrome requiring it to agree such a scheme with an appropriate local authority; together with related matters. The consultation paper will shortly be available on the Department's website. We have invited responses by 13 October. We shall study these carefully before making a decision.

To be most effective, engine noise reduction technologies need to be applied at the design stage. The airframe and propellers are also significant sources of noise, and thus the success of retro-fitted silencers depends on the type of aircraft and operating conditions. They may also have an impact on aircraft performance; they would not be appropriate in any case where safety would or could be compromised as a result. The CAA can advise on their appropriateness in specific cases.

Domestic Air Services

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what the total number of domestic aircraft landings at Heathrow Airport was in the last 12 months. [131954]

Mr. Mullin: The CAA data available group take-offs and landings together. In the year to end April 2000, there were 69,606 take-offs and landings by domestic services at Heathrow. This figures is for commercial flights, and excludes such things as positional movements.

Rogers Report

Mrs. Ellman: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 13 July 2000, *Official Report*, column 625W, which academic institutions, regeneration practitioners and professional institutions are working together in the North West to develop urban development skills following the Rogers report. [131641]

Ms Beverley Hughes: A steering group led by the University of Salford, including Universities in Liverpool and Manchester, the North West Development Agency, the North West Regional Assembly, Government Office for the North West, major local authorities, the professions and private practitioners has commissioned the Centre for Local and Economic Strategy to undertake a feasibility study on a North West Centre for Excellence for Regeneration.

Timber

Mr. Gummer: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will require house builders to certify the source of the timber used in the construction of their houses; [131696]

(2) if he will introduce regulations requiring house builders to use wood from sustainable sources, certified by the Forest Stewardship Council. [131695]

Mr. Raynsford: The Department has no plans at this time to introduce additional regulation on house builders requiring them to use wood from certified sustainable sources. However, the use of timber from sustainable sources is an integral part of our overall strategy for sustainable construction. Rather than regulate, we are seeking to change attitudes through collaboration and education. Through the Construction Research and Innovation Programme, the Department supports the development of a range of tools and guidance, such as BRE's Environmental Estimating Design software (ENVEST) and Environmental Assessment Methodology (BREEAM). These are aimed at helping clients and designers to identify more sustainable approaches to the supply and use of all construction materials.

Taskforces

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the taskforces for which he is responsible; and if he will estimate the annual cost in each case. [132018]

Ms Beverley Hughes: My Department is responsible for three taskforces as follows:

Shipping Taskforce—Members attend on a voluntary basis. Departmental costs are not separately identifiable.

Taskforce for London Transport—£83,555.

Taskforce on Home Buying—Members attend on a voluntary basis. Departmental costs are not separately identifiable.

Rail Freight

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 12 July 2000, *Official Report*, column 563W, on rail freight, what the maximum permissible weight will be for a traction unit designed to convey the cement road tankers to which he refers. [132019]

Mr. Hill: In my answer to the hon. Member on 12 July I stated that the cement road tanker designed to be conveyed on the intermodal wagons would have a maximum weight of 40 tonnes. This referred to the combined weight of the load of cement, the road tanker and its trailer. The total on-road weight of road tanker, trailer and traction unit and its load will not exceed 44 tonnes (road tanker—5.1 tonnes; trailer—5 tonnes; traction unit—8.1 tonnes; load of cement—not more than 25.8 tonnes).

Disruptive Airline Passengers

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what guidance he issues to air carriers operating out of UK airports on *(a)* appropriate staff training for, and *(b)* ways of dealing with, air rage. [131896]

Mr. Mullin: The Civil Aviation Authority is responsible for the safety regulation of UK-registered aircraft. UK airlines, as a condition for the issue of an Air Operators' Certificate, are required to train cabin staff in all relevant safety procedures and, given the disparate nature of aircraft operations, it is for them to decide the most appropriate type of training in dealing with disruptive passengers.

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions how many carriers operating out of UK airports carry handcuffs and other passenger restraints; and if he will make a statement. [131895]

Mr. Mullin: This is a matter for the airlines. However, I understand that most airlines operating long-haul flights to and from UK airports carry handcuffs or other forms of passenger restraint.

Regional Development Agencies

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what role Regional Development Agencies play in evaluating single regeneration budget bids; and if he will make a statement on the transparency of the process. [131994]

Ms Beverley Hughes: Regional Development Agencies are responsible for assessing bids for SRB funding against the criteria and priorities set out in the published bidding guidance and regional strategies.

The assessment process requires RDAs to consult with, and take account of the views of, Government Departments and agencies whose interests are covered in the bid proposals. The RDAs then discuss their proposed recommendations for support with either myself or my right hon. Friend for formal approval. RDAs provide detailed feedback to all bidders.

I consider that these arrangements ensure there is transparency at all stages.

Porpoises

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what measures are in place to protect harbour porpoise in *(a)* United Kingdom waters and *(b)* other waters in the European Union. [131990]

Mr. Mullin: Harbour porpoises, like all cetaceans, are protected in Great Britain under the Wildlife and Countryside Act 1981. Section 9 of the 1981 Act makes it an offence to intentionally kill or injure all cetaceans, or to damage, destroy or obstruct access to any place which they use for shelter or protection. Similar provisions apply in Northern Ireland. In addition, the Government have recently proposed an amendment to the Countryside and Rights of Way Bill to increase the protection given to cetaceans. The amendment will make it an offence to intentionally or recklessly disturb a cetacean.

Within the European Union, harbour porpoises are protected under the Council Directive (92/43/EEC) on the Conservation of Natural Habitats and of Wild Fauna and Flora, known as the Habitats Directive. This requires member states to designate appropriate sites of community importance for harbour porpoises as Special Areas of Conservation and prohibit the deliberate killing and disturbance of this species. This Directive is transposed into UK law by the Conservation (Natural Habitats &c.) Regulations 1994.

The Government are currently considering the implications of last autumn's judgment by the High Court that the Habitats Directive extends beyond the limits of the territorial seas. They expect to consult before the end of this year on regulations to transpose the Directive to cover the marine environment within the United Kingdom's jurisdiction outside the territorial seas.

Urban Design

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the outcome of the skills seminar on urban design held on 13 July; and if he will place in the Library copies of the papers arising. [131992]

Mr. Raynsford: The seminar which I chaired considered how to raise the level of urban design skills in the light of the recommendations of the Urban Taskforce. It drew on findings from two research projects commissioned earlier this year. These reviewed provision of training for urban design and the availability of design

skills in local planning authorities in England. Copies of the reports, delegate pack and DETR news release have been placed in the Library of the House.

Participants at the seminar agreed to set up a working party, to be chaired by Sir Stuart Lipton, chair of the Commission for Architecture and the Built Environment, to consider how to train a new generation of urban designers. Its members will be drawn from the key professional institutions and it will promote a new multi-disciplinary approach to training in design.

Ocean Habitats

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the measures needed to protect ocean habitats. [131997]

Mr. Mullin: At its annual meeting in Copenhagen on 26 to 30 June, the OSPAR Commission adopted and launched the Quality Status Report on the whole of the North-East Atlantic, the "QSR 2000", along with reports covering the five regions of the OSPAR maritime area. The UK participated, in particular, in the preparation of the reports on the Greater North Sea (Region II) and the Celtic Seas (Region III). Together, these reports comprise the first detailed assessment of the health of the North-East Atlantic.

The assessment concludes that worsening trends in the pollution of the North-East Atlantic have been reversed, and that many significant sources of pollution have been stopped. Nevertheless, the North-East Atlantic is still under threat. The main fields where action is needed are the sustainable management of fish stocks, the continuing impact of some fisheries on fragile ecosystems, and the elimination of inputs of hazardous substances. Organotin compounds from antifouling treatments of ships and concerns about endocrine disrupters are particularly highlighted as problems.

Other important issues identified by the OSPAR Commission are climate changes resulting from human activities and the consequent effects on the marine environment, the need to protect marine biodiversity and ecosystems from human activities, and the impacts of oil spills and discharges of ballast water from shipping.

The Government consider, in line with the conclusions of the Quality Status Report, that the long-term OSPAR strategies, adopted by the Ministerial Meeting in 1998 at Sintra (in which my right hon. Friend the Deputy Prime Minister played a leading role) and subsequently, provide a sound framework for future action on hazardous substances, radioactive substances, eutrophication, the protection of marine biodiversity and habitats and the offshore oil and gas industry. The Government will also pursue action in other relevant international forums, including the Framework Convention on Climate Change and its Kyoto Protocol, the International Maritime Organisation (particularly on tributyl tin) and the European Community (particularly on the further development of the Common Fisheries Policy).

The assessment also shows that, in spite of major scientific efforts of OSPAR Commission parties over the last 25 years, there are still major gaps in our understanding of the marine environment, and that improvement of our knowledge base remains a priority. The Government will be working, with our OSPAR partners, to develop effective programmes to remedy such gaps.

The Government are also considering the implications of last autumn's judgment by the High Court that the EU Habitats Directive extends beyond the limits of the territorial seas. They expect to consult before the end of this year on regulations to transpose the Directive to cover the marine environment within UK jurisdiction outside the territorial seas and have begun the process of identifying possible candidate Special Areas of Conservation in that area.

Luton Airport Parkway

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the net present cost of the Luton Airport Parkway project under the private finance initiative; what the value is of the public sector comparators in *(a)* pre-risk and *(b)* risk-adjusted terms; what risks are identified as having been transferred; and if he will make a statement. [131937]

Ms Beverley Hughes: The Luton Airport Parkway Station project was carried out by Railtrack, who took all the design, construction and operational risks. The final cost of the scheme was £23 million and a fixed £2.8 million contribution to the scheme was made through our local transport allocations for the Luton/Dunstable area.

The Station was opened by Her Majesty the Queen in November last year and has been very successful. 23 per cent. of passengers at the rapidly expanding airport are now using public transport, with 16 per cent. using the new station. Railtrack worked very hard to complete the complicated scheme which they took over from the previous promoters. In addition to an intensive service operated by Thameslink, Midland Mainline services started calling at the station in May.

Combined Heat and Power

Mr. Gareth R. Thomas: To ask the Secretary of State for the Environment, Transport and the Regions when the Government intend to publish their strategy for delivering their target for combined heat and power of at least 10 GWe of CHP by 2010; and if he will make a statement. [131673]

Mr. Meacher: We are currently formulating a strategy to achieve our target. It will include a range of policy, regulatory and fiscal measures, a number of which have already been announced.

A cornerstone of the strategy is the encouragement of Good Quality CHP, which is key to maximising environmental and economic benefits. We are implementing a CHP Quality Assurance programme (CHPQA) to enhance the quality of CHP and determine eligibility to a range of benefits, including exemption from the climate change levy.

We plan to issue a draft CHP strategy for consultation in the autumn when CHPQA is in place.

Fuel Poverty

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions what the component parts will be of the Government's new definition of fuel poverty, including specific exclusions; and if he will make a statement. [130935]

Mr. Meacher: The information is as follows.

1. The Inter-Ministerial Group on Fuel Poverty, chaired jointly by my right hon. Friend the Minister for Energy and Competitiveness in Europe and my noble Friend the Parliamentary Under-Secretary of State for the Environment, Transport and the Regions, has reviewed the commonly applied definition of fuel poverty, namely a household that needs to spend more than 10 per cent. of income to achieve a satisfactory heating regime. The Group has taken account of responses to last year's consultation on the new Home Energy Efficiency Scheme (HEES), which sought comments on the definition, and in particular:

whether the use of fuel for non-heating purposes should be included in assessing the amount of fuel needed to achieve a satisfactory heating regime;and

whether the calculation of household income should exclude any element of housing costs such as rent or mortgage payments.

Some 60 per cent. of the 252 respondents commented on one or both of the questions.

2. The Group has concluded as a consequence that the 10 per cent. threshold is appropriate for defining fuel poverty. On non-heating fuel, the Group noted that 54 per cent. of respondents to the new HEES consultation had commented that all fuel costs should be taken into account; 6 per cent. had other suggestions; and the other 40 per cent. did not comment. The Group believes that the definition should be based on all fuel use.

3. As regards the treatment of housing costs, the Group noted that 34 per cent. of respondents suggested that they should not be excluded from the calculation of household income; 20 per cent. that some allowance should be made; 6 per cent. offered other suggestions; and 40 per cent. did not comment. The Government's Poverty Strategy has shown income data both with no allowance for housing costs, and excluding costs met by Housing Benefit or Income Support for Mortgage Interest (ISMI). The Group has taken account of responses to the consultation exercise and the difficulty of producing definitive figures, and has concluded that the draft Fuel Poverty Strategy which will be issued in the autumn will focus mainly on the first basis, but will identify the number of fuel poor on both bases. But the Government will consult further and will invite comments on this, when they publish their draft Strategy.

4. Some commentators have argued that all mortgage, rent and other housing costs should be excluded in calculating household income. On this basis, however, more than one in three households in England would have been classed as fuel poor in 1996, based on the English House Condition Survey. Although fuel poverty is unacceptably widespread, this definition would include many households who would not be regarded—or regard themselves—as being in material fuel poverty.

Quarrying

Mr. Rogers: To ask the Secretary of State for the Environment, Transport and the Regions which organisations representing the UK quarrying industry have been consulted about the proposed aggregates tax. [132259]

Ms Beverley Hughes: A range of quarry trade organisations has been invited by the Treasury, HM Customs and Excise and the Department of the Environment, Transport and the Regions to participate in the process of researching the environmental impacts of aggregate quarrying, developing the mechanisms of the proposed levy (including two consultations on draft clauses), discussing the content of a voluntary alternative package of measures, and clarifying the implications of the Chancellor's announcement in Budget 2000. Trade organisations recorded as having been involved in one or more of these processes include the British Aggregates Association, the British Cement Association, the Confederation of British Industry, the Quarry Products Association and the Silica and Moulding Sands Association. Views have also been received from representatives of the coal and ceramic clay producers.

Liverpool-Dover Railway

Mr. Blunt: To ask the Secretary of State for the Environment, Transport and the Regions what assessment the Government have made of *(a)* the financial viability, *(b)* the practical viability, *(c)* the planning aspects, *(d)* the environmental impact and *(e)* the contribution to transport policies of the proposals made by Central Railway plc. for a freight-only railway from Liverpool to Dover. [132148]

Mr. Hill: None. I understand that Central Railway plc may intend to submit an application under the Transport and Works Act 1992 but no such application has yet been received.

Park Homes

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to ensure that recreational park home owners are included in legislation or other action arising from the report of the Park Homes Working Party. [132139]

Mr. Mullin: Owners of holiday park homes are not covered by the mobile homes legislation and did not fall within the remit of the Park Homes Working Party. We are now consulting on the recommendations of the Working Party, and any responses from interested bodies or individuals on the position of holiday park home owners will be considered. The Director General of Fair Trading has given his support to codes of practice for the letting, selling and siting of holiday park homes.

Social Exclusion

Mrs. Ellman: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 13 July 2000, *Official Report*, column 625W, who has been invited to the consultation meetings on the

feasibility study of a recommendation made by the Social Exclusion Unit's Policy Action Team 16 (Learning Lessons); and where these consultation meetings will take place. [131659]

Ms Beverley Hughes: I have placed in the Library of the House a list of those invited to consultation meetings on the National Centre for Neighbourhood Renewal. The meetings will take place in central London.

Ribble Valley

Mr. Evans: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of all new developments in the Ribble Valley were built on brownfield sites in each year since 1994. [131661]

Ms Beverley Hughes: The information is not available for local authority districts. The latest information for the North West shows that for 1994, 63 per cent. of all new development took place on recycled land.

Mr. Evans: To ask the Secretary of State for the Environment, Transport and the Regions what levels and type of pollution were measured in the Ribble Valley in each year since 1994. [131647]

Mr. Hill: Ribble Valley Borough Council (RVBC) established an air quality monitoring station in Chatburn in 1997. It is equipped to continuously monitor sulphur dioxide, nitrogen dioxide and PM10 particulates. The following data have been obtained:

Chatburn air quality

	Sulphur dioxide		*Nitrogen dioxide*		*PM10*	
Date	*Maximum 15 minute mean recorded (ppb)*	*Number of exceedences of the 15 minute mean for SO2 (100ppb)*	*Maximum 1 hour mean recorded (ppb)*	*Number of exceedences of the 1 hour mean for NO2 (105ppb)*	*Maximum 4 hour mean recorded (ugm3)*	*Number of exceedences of the 24 hour mean for PM10 (50ug/m3)*
April-September 1997	110	7	40	0	54	1
October 1997-March 1998	110	2	57	0	59	6
April-September 1998	107	2	26	0	53	1
October 1998-March 1999	59	0	38	0	43	0
April-September 1999	49	0	69	0	52	1
October 1999-March 2000	66	0	38	0	54	2
AQS objective	100	35/yr	105	18/yr	50	35/yr

RVBC has concluded that the air quality in Chatburn already meets the Government's air quality objectives.

The Environment Agency also collects a large amount of monitoring data from the individual industrial sites it regulates. All these data are available on the public registers.

Mr. Evans: To ask the Secretary of State for the Environment, Transport and the Regions how many new dwellings were built in the Ribble Valley in each year since 1994. [131657]

Mr. Mullin: The total number of permanent dwellings completed in Ribble Valley are as follows:

Period	*Number*
1994	242
1995	343
1996	271
1997	212
1998	179
1999	126

Figure reported for 11 months of the year

A303 (Stonehenge)

Mr. Key: To ask the Secretary of State for the Environment, Transport and the Regions what the total amount spent by his Department and its predecessors since 1986 is on *(a)* design work, *(b)* public consultation and inquiries and *(c)* other identifiable cost headings in connection with road improvements on the A303 past Stonehenge, including Countess Roundabout and Winterbourne Stoke. [131533]

Mr. Hill: I have asked the Chief Executive of the Highways Agency, Mr. Peter Nutt, to write to the hon. Member.

Letter from Peter Nutt to Mr. Robert Key, dated 24 July 2000:

The Secretary of State for the Environment, Transport and the Regions has asked me to reply to your recent question about the total amount spent by his Department and its predecessors on road improvements for the A303 past Stonehenge, including Countess Roundabout and Winterbourne Stoke since 1986.

Prior to 1 April 1996, the only expenditure by the Highways Agency and its predecessors that can be attributed solely to the A303/Amesbury-Berwick Down scheme past Stonehenge relates to a public consultation exhibition held in 1993 costing £32,000 and a conference and exhibition in 1994 costing £78,000. Since then the Agency has spent £909,461 on the design of the A303 Stonehenge scheme, including preliminary work on the improvement of Countess Roundabout. In addition, a public exhibition was held in 1999 at a cost of £48,000.

If you wish to discuss this matter further, Mark Bailey, the Highways Agency's Route Manager for the A303 (telephone 01179 878198) would be happy to talk to you.

Neighbourhood Renewal

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the deprived areas which will benefit from the Neighbourhood Renewal Fund. [132110]

Ms Armstrong: We will consult in the autumn on which local authorities should benefit from the Neighbourhood Renewal Fund.

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions who will determine the spending allocations of the Neighbourhood Renewal Fund. [132115]

Ms Armstrong: The Secretary of State for the Environment, Transport and the Regions will bring before the House a Special Grant Report under section 88B of the Local Government Finance Act 1988.

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions what the priorities will be for the Neighbourhood Renewal Fund. [132114]

Ms Armstrong: The Neighbourhood Renewal Fund will make a key contribution to the delivery of the National Strategy for Neighbourhood Renewal—including new targets for education, crime, employment, health and housing in deprived areas—and help to get money to where it is most needed. Authorities will work with new Local Strategic Partnerships to draw up local deprivation strategies which will spell out how the additional funding will help to renew the most deprived communities and promote closer co-operation with the police, health and other local services.

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions (1) who the lead Minister will be for the National Strategy for Neighbourhood Renewal; [132112]

(2) what the role will be of *(a)* the RDAs and *(b)* local authorities in the implementation of the National Strategy for Neighbourhood Renewal. [132113]

Ms Armstrong: The Report by the Social Exclusion Unit on a "National Strategy for Neighbourhood Renewal: a framework for consultation", published last April, raised these issues in its key ideas 22, 23 and 24. Decisions on these and other points in the draft Strategy will be announced in the autumn when the National Strategy Action Plan setting out the Government's response to the consultations is published.

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will make a statement on the role of the new National Centre for Neighbourhood Renewal; [132280]

(2) where the National Centre for Neighbourhood Renewal will be based; to whom it will be accountable; and what its budget will be. [132111]

Ms Armstrong: The Social Exclusion Unit's Policy Action Team on "Learning Lessons" (Policy Action Team 16) recommended setting up a National Centre for Neighbourhood Renewal, to play a leadership role in promoting effective, inclusive approaches to neighbourhood renewal. The Government have accepted this recommendation.

The Policy Action Team envisaged that the Centre would promote: quality training and development for neighbourhood renewal among policy makers, professional and practitioner groups and community organisations; better access to "lessons learned" from previous experience; better collaboration between those involved in neighbourhood renewal; better research on the issues; and better leadership.

The Government are currently considering and consulting on the precise scope and functions of the Centre. This will include consideration of the location, budget and accountability arrangements.

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions what the relationship will be between local authorities, regional development agencies and the Neighbourhood Renewal Fund. [132116]

Ms Armstrong: In drawing up local deprivation strategies for using the new Neighbourhood Renewal Fund, local authorities will work with new Local Strategic Partnerships. The RDAs should be key members of the partnerships in the areas in which they are investing.

Brownfield Development

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions what annual targets he has set for the proportion of new housing to be provided *(a)* on recycled land and *(b)* by re-using existing buildings in each of the years to 2008. [132320]

Ms Beverley Hughes: This Government are committed to maximising the re-use of previously-developed land within urban areas, bringing empty homes back into use and converting existing buildings, in preference to the development of greenfield sites. The target for England is that, by 2008, 60 per cent. of additional housing should be provided on previously-developed land and through conversions of existing buildings.

Home Ownership

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions from what base year the press releases accompanying the CSR forecast states that twice as many families will be helped into home ownership by 2004. [132319]

Mr. Mullin: When the press release talks about twice as many families being helped into home ownership, this is compared to the number of families that would have been helped if the previously planned funding level for low-cost ownership in 2001–02 had been maintained until 2004.

Fishguard Harbour

Mr. Sayeed: To ask the Secretary of State for the Environment, Transport and the Regions further to his answer of 17 July 2000, *Official Report*, column 48W, on Fishguard Harbour, if he plans to refuse to ban the use of pleasure craft in Fishguard Harbour, except with the consent of the Harbourmaster, and the use of any craft by anyone under the age of 16 years. [132498]

Mr. Hill: Age limits for the use of craft in Fishguard Harbour are included in the Harbour byelaws proposed by the harbour operator, Stena Line Ports Ltd. There are outstanding objections and we have not yet reached a decision on this issue.

Partnership Investment Programme

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 6 July 2000, *Official Report*, column 264W, on

what date discussions between his Department and the European Commission about an alternative to the Partnership Investment Programme started; in what form these discussions have taken place; how far such discussions have progressed; and what conclusions have been reached. [131977]

Ms Beverley Hughes: Discussions between the Department and the European Commission about an alternative to the Partnership Investment Programme began on 2 March 2000. Discussions are continuing. My Department is exploring a number of other avenues. Subject to the views of other Government Departments, this is likely to include a fact-finding seminar with other Member States in order to establish their approach to regeneration.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions how many written parliamentary questions tabled to his Department between 19 October 1999 and 20 April have not received substantive answers, citing as the reason commercial or other confidentiality. [132133]

Ms Beverley Hughes: For the period in question, 15 out of a total of 2,865 parliamentary questions tabled to my Department did not receive substantive answers, citing as the reason commercial or other confidentiality.

Photocard Driving Licences (Post Offices)

Mr. Wallace: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the post offices offering over-the-counter identity document checking facilities for photocard driving licence applicants, during a six month trial period. [132153]

Mr. Hill: The pilot over-the-counter application checking service for those who hold UK passports and are applying for a first photocard driving licence, commenced at 208 selected post offices on 12 June. A list of participating post offices has been placed in the House Libraries.

Buses (Disabled Access)

Mrs. Gordon: To ask the Secretary of State for the Environment, Transport and the Regions when he will introduce regulations to ensure that wheelchair users and other disabled people can travel by bus. [132674]

Mr. Hill: I am pleased to announce that I have today laid before the House the Public Service Vehicle Accessibility Regulations 2000 which set technical standards for wheelchair access and a range of other features to enable disabled people to use buses and coaches.

Our Ten Year Transport Plan, Transport 2010, published last week, demonstrated our commitment to creating public transport that is accessible to disabled people. These regulations are the latest move towards achieving that goal.

Buses are at the very heart of public transport and these regulations will mean that, in future, more and more disabled people will be able to use local bus services.

Housing Investment

Mr. Gareth R. Thomas: To ask the Secretary of State for the Environment, Transport and the Regions what his plans are for housing investment in future years; and if he will make a statement. [132683]

Mr. Raynsford: I am pleased to announce that the Government's spending plans for 2001–02 to 2003–04, announced by my right hon. Friend the Chancellor of the Exchequer on 18 July 2000, *Official Report*, columns 219–29, provide extra investment of £1.6 billion a year for housing by 2003–04 compared to 2000–01. These extra resources confirm our commitment in the Housing Green Paper to ensure that everyone has the opportunity of a decent home. Our full spending plans are set out in the tables.

The settlement includes, over the three years:

an additional £400 million for council housing placed in arm's-length management companies;

support for the transfer of up to 200,000 homes each year from local authorities to housing associations;

an additional £250 million for our new Starter Home Initiative;

an additional £872 million for new social rented housing;

an additional £120 million for a new Safer Communities Supported Housing Fund.

Total additional spending over the three years will be just over £1.8 billion. In addition, we will be boosting the Housing Private Finance Initiative, providing for an extra £600 million investment in council housing over the two years 2002–03 to 2003–04. This will bring total additional investment in housing over the three years to nearly £2.5 billion.

By 2003–04, annual capital investment in housing, excluding the Private Finance Initiative, will have risen to more than £4 billion. This compares with the planned capital investment we inherited in 1997 of just £1.5 billion for 1997–98, with further cuts proposed by the last Government for 1998–99 and 1999–2000. We acted swiftly to tackle past and planned under-investment. Our Capital Receipts Initiative provided nearly £800 million extra in 1997–98 and 1998–99. Through our 1998 Comprehensive Spending Review, we provided an additional £3.9 billion for the years 1999–2000 to 2001–02 so that, in 2001–02, capital investment in housing will be double the amount we inherited.

In the 2000 spending review, we have looked closely at our priorities for housing in the context of our Housing Green Paper and the many initial comments we received in response to it. We concluded that, despite the higher levels of investment planned in 2001–02, additional resources would be needed to fulfil the commitments in the Green Paper. The extra resources we are making available over the next three years are on top of the planned funding level for 2001–02 agreed during the 1998 Comprehensive Spending Review.

Our new spending plans will help to ensure that we meet our Green Paper commitment to bring all social housing up to a decent standard within a decade, with a third of homes that currently fail to reach those standards improved by 31 March 2004.

We are providing an extra £400 million for investment in local authority-owned housing. In line with the Green Paper proposals, we are putting that, together with

£60 million of existing resources, into a special pot of £460 million, available to authorities which have set up arm's-length management companies and demonstrated excellence in their performance under the new Best Value regime. In this way, we are rewarding good performance as well as encouraging authorities to separate their landlord from their strategic function. We expect that the money available will result in improvements to approaching 100,000 homes by 2003–04.

Within the Housing Revenue Account for local authority housing we are providing a Major Repairs Allowance as part of a new, more business-like financial regime. The Major Repairs Allowance will be £1.6 billion in 2001–02. In future years, the amount per dwelling will be up-rated in line with inflation. We expect the total amount to be £1.5 billion in 2003–04 and £1.4 billion in 2003–04, reflecting the reduction in the number of local authority dwellings as a result of stock transfers and Right to Buy. These amounts will be drawn from the total provision for capital expenditure by local authorities.

We also propose that management allowances will rise by 2 per cent. in real terms in each of the years 2002–03 and 2003–04. Maintenance allowances will be up-rated in line with inflation over the same period.

Taken together, we believe these measures will provide authorities with the resources and the freedom to manage their housing assets more effectively.

As the Green Paper stresses, the transfer of council housing to housing associations will play an important part in bringing social housing up to decent standards, in separating authorities' strategic and landlord functions for housing, and in creating a more diverse range of social landlords. We have made provision in our spending plans to support the transfer of up to 200,000 homes each year from 2001–02, where proposals have the backing of tenants. We are conducting a review of the stock transfer process. We will be setting up a new Community Housing Task Force to assist local authorities and tenants to carry forward transfer as part of a reformed process. The task force will help to ensure that new social landlords created by the transfer process empower tenants and regenerate communities.

The Private Finance Initiative is another important option for improving local authority housing. Currently, there are eight authorities testing this approach through pathfinder schemes. Our new spending plans provide £160 million in 2001–02 to fund the existing pathfinders, with an extra £600 million over the following two years to fund new schemes.

The provision of affordable housing is a vital part of our strategy for ensuring that everyone has the opportunity of a decent home. We believe that local authorities are best placed to assess the need for affordable hosing in their areas and to reflect those assessments in their housing strategies, their investment plans and in the implementation of planning powers for affordable housing.

We have already acted to put that policy in place.

We did so through the 1998 Comprehensive Spending Review, increasing the resources available to local authorities for housing investment, including investment in new affordable housing. We also increased the scope available to them to reflect local priorities in their investment plans, through the creation of a single pot for housing capital expenditure. We were able to halt planned cuts to the Housing Corporation's investment in new affordable housing. We have also encouraged the Corporation to strengthen the links between its investment decisions and the priorities of local authorities at regional and local levels.

Our recently revised planning guidance for housing (PPG3) reinforces the powers available to authorities to seek the provision of affordable housing as a proportion of new private developments, complementing public investment. We will be issuing best practice guidance to help authorities to make more effective use of these powers in future years.

These policies are helping to deliver more affordable housing and to ensure that homes are provided where they are needed most. However, we do not believe that this is sufficient. Local authorities and housing associations in urban and rural areas of high demand have impressed upon us the difficulties they face in improving existing poor condition housing for their tenants, while at the same time providing decent homes for families in need of affordable housing.

We have taken account of these representations in the spending review and will increase funding through the Housing Corporation's Approved Development Programme. Ahead of the spending review period, we are providing an additional £50 million this year. This will be followed by an extra £872 million between 2001–02 and 2003–04. Our new spending plans will result in investment through the Approved Development Programme nearly doubling from planned expenditure of £691 million in 2001–02 to £1,236 million by 2003–04. This will allow increased provision of affordable housing in both urban and rural areas. We expect to see increasing use of modern construction techniques and greater efficiency in line with the Construction Task Force report.

Most people aspire to home ownership, and nearly 70 per cent. of households in England own their own homes already. However, despite relatively low interest rates and a stable economy, high house prices in some areas can act as a barrier to home ownership for people on lower incomes. Our Housing Green Paper recognised the need to expand our existing programme of support for low cost home ownership, particularly to help key workers who need to live close to the communities they support. Through our Green Paper, we are consulting on proposals for a new Starter Home Initiative to help key workers to achieve home ownership in high price, high demand areas. Our spending plans provide an additional £250 million between 2001–02 and 2003–04 to support low cost home ownership. We will announce details of the Starter Home Initiative in the light of responses to the Green Paper.

Increased funding for the Housing Corporation's Approved Development Programme and the new Starter Home Initiative will significantly increase the provision of affordable housing. Local authorities will continue to be able to complement Housing Corporation and Starter

Home Initiative investment from their own capital allocations, in line with their own local housing strategies. Their funding decisions will influence the total level of affordable housing provision across England.

The spending review has also underlined the importance of supported housing. Our new Supporting People programme will come into effect in 2003–04, providing an integrated policy and funding framework for support services for vulnerable households. We will be providing revenue funding of £153 million between 2001–02 and 2003–04 to ensure the effective implementation of Supporting People.

In the run-up to implementation, we have also decided, in line with the Government's commitment to reducing crime and protecting the vulnerable, to provide £120 million additional capital funding for a new Safer Communities Supported Housing Fund, together with associated capital funding for a new Safer Communities Supported Housing Fund, together with associated revenue support of £17 million. This will provide new housing and support for young people at risk and other vulnerable people, such as those fleeing domestic violence. It will also provide housing and support for ex-offenders and people with drug or alcohol problems. The fund will be administered by the Housing Corporation, and will be conditional on local authorities providing matching capital funding for housing provided in their areas. Projects must also have the full support of the local crime and disorder partnership. More details of this scheme will be announced in the autumn.

Disabled Facilities Grants fund adaptations to enable disabled people to live with dignity in their own homes. We are providing an extra £39 million over the three years for these grants, increasing funding to £88.8 million by 2003–04.

Home Improvement Agencies play an important role in helping elderly and vulnerable home owners to maintain and improve their homes. We are providing an extra £6 million in grants to local authorities for Home Improvement Agencies over the next three years.

Our new spending plans include a total of over £200 million over the three years to prevent rough sleeping throughout England and to help former rough sleepers rebuild their lives through education, training and employment. These resources will ensure that, having achieved the Government's target of reducing the level of rough sleeping by at least two-thirds, those reductions can be sustained.

Our spending plans will help to improve the quality of housing and the support we provide for the most vulnerable members of society.

In addition to quality, choice is a key theme of the Housing Green Paper. By improving the quality and supply of housing, we will also improve the choices available to people as home owners or tenants.

We are also keen to encourage local authorities to introduce more customer-focused lettings schemes which given tenants a greater choice over where they live. Over the next three years, we will be providing £11 million to support pilot schemes involving local authorities and registered social landlords which test choice-based lettings policies.

We are about to conduct extensive research into the availability and quality of local authority gypsy sites. The results will be considered as part of the next spending review. In the meantime, we are making available £17 million over the next three years to help authorities to improve and refurbish a limited number of sites, as part of the Government's policy to discourage unauthorised camping and all the problems associated with it. We will publish details of the scheme in the autumn.

Our aim is to ensure that everyone has the opportunity of a decent home. Our Housing Green Paper sets out our strategy for meeting that aim. Our new spending plans provide the resources necessary to deliver it. This money, together with the additional resources being made available in other programmes, ensures a major contribution to the renaissance of our cities and countryside, which will be highlighted in our Urban and Rural White Papers.

Spending Review 2000 Housing

Table 1: Planned spend for 2001–02 prior to 2000 Spending Review and additional spending plans up to 2003–04

£ million

	Housing departmental expenditure limit (DEL)	*Of which:* *Total capital expenditure*	*Total current expenditure*
Plans agreed prior to review			
2001–02	3,552	3,072	480
Additional spending			
2001–02	128	148	−20
2002–03	645	549	96
2003–04	1,085	945	140
2004–05	1,858	1,642	216

Table 2: Planned spend for 2001–02 prior to 2000 Spending Review and total spending plans up to 2003–04

£ million

	Plans agreed prior to review *2001–02*	*Total spending plans* *2001–02*	*2002–03*	*2003–04*	*Totals*
Local authority capital	2,305	2,305	2,465	2,545	7,316
Of which:					
Housing basic credit approvals	2,305	705	793	842	2,341
Arm's-length management companies	0	0	160	300	460
Major Repairs Allowance	0	1,600	1,512	1,403	4,515
Housing Corporation	890	995	1,158	1,460	3,614
Of which:					
Approved Development Programme including ERCF (capital)	691	789	940	1,236	2,966
including Rough Sleepers Initiative capital of	24	24	24	24	71

Table 2: Planned spend for 2001–02 prior to 2000 Spending Review and total spending plans up to 2003–04

£ million

	Plans agreed prior to review	Total spending plans			
	2001–02	2001–02	2002–03	2003–04	Totals
Current expenditure	199	206	218	224	648
including Social Housing Management Grant of	145	145	157	162	463
including Rough Sleepers Initiative current expenditure of	18	18	18	18	54
including Innovation and Good Practice Grant of	6	7	9	10	27
Starter Home Initiative	0	50	100	100	250
Large Scale Voluntary Transfer Pool	86	86	196	211	492
Supporting People	0	20	55	78	153
Safer Communities Supported Housing Fund	0	22	45	70	137
Disabled Facilities Grant	75	87	88	89	263
Home Improvement Agencies	7	9	9	9	26
Rough Sleepers Unit and homelessness	30	30	30	30	91
Lettings pilot schemes	0	6	4	1	11
Tenant Participation Grant	6	6	6	6	19
Neighbourhood wardens	0	2	3	5	10
Other housing expenditure	152	64	42	43	149
Total housing (Departmental Expenditure Limit)	3,552	3,682	4,201	4,647	12,530
Private Finance Initiative for Housing	160	160	300	300	760
Housing Revenue Account Subsidy[1]	3,096	3,106	3,025	2,958	9,089

[1] Annually Managed Expenditure

HEALTH

Levonorgestrel

Mr. Amess: To ask the Secretary of State for Health (1) if he will publish the medical research and evidence on which the Committee for the Safety of Medicines based their recommendation that levonorgestrel 0.75 mg could be supplied as a pharmacy medication; [129410]

(2) what trials have been conducted in the United Kingdom to test the safety and long-term health effects of levonorgestrel 0.75 mg. [129409]

Yvette Cooper: A product containing levonorgestrel 0.75 mg has been authorised in the United Kingdom as a prescription only medicine. This followed advice from the Committee on Safety of Medicines (CSM) who were satisfied as to the product's quality, safety and efficacy. The evidence considered included two World Health Organisation sponsored pivotal studies. One study involving approximately 3,000 women in 14 countries, including the UK, has been published in *the Lancet* (1998). The other, published in Human Reproduction (1993), involved 880 women. Copies are available in the Library. Other supporting data not in the public domain are confidential to the application.

Evidence of safety as stated was taken into account when the CSM considered the proposal for levonorgestrel 0.75 mg to be available without prescription. There is also evidence from a study of the effects of self-administering emergency contraception (*New England Journal of Medicine*, 1998). Levonorgestrel 0.75 mg has been available from pharmacies in France without a doctor's prescription since June 1999. The criteria for prescription control are defined in the legislation. The CSM considered each of these criteria and advised that they did not apply to levonorgestrel 0.75 mg for emergency contraception in women of 16 and over. They considered that all the steps required to supply emergency contraception safely could be successfully completed in a pharmacy.

E.coli

Sir Teddy Taylor: To ask the Secretary of State for Health what priority is being given in the Health Service to emphasising *(a)* the health dangers of bacterium E.coli and *(b)* ensuring that the disease can be speedily identified. [131420]

Ms Stuart: The bacterium currently of most concern is vero cytotoxin producing E.coli, of which E.coli 0157 is the commonest. In may this year the Chief Medical Officer's Update, which is distributed to all medical practitioners, carried an article "VTEC Guidance" which drew attention to the seasonal increase in infection, the risks from farm visits and the susceptibility of children to developing Haemolytic Uraemic Syndrome following infection with E.coli 0157. A further CMO Update in August will alert medical practitioners to the potential increased release of toxin that can be caused by certain classes of antibiotic in patients with E.coli 0157. The CMO also issued a press release "Health advice issued for farm visits by children" in April alerting the public to the risks of infection associated with farm visits and advising on sensible precautions to be taken to avoid infection. This advice was sent to all directors of public health and consultants in communicable disease control. Information has been given to vulnerable groups such as pregnant women on how to avoid infection. The Pregnancy Book, given to all first time mothers, contains advice on safe eating and how to avoid infection and this advice is repeated in the leaflet "While you are pregnant: safe eating and how to avoid infection" given to all mothers. Guidance was issued by the CMO in July 1998 on the safe cooking of burger meat to prevent foodborne infection.

All Public Health Service Laboratories test all stool samples for E.coli 0157 in accordance with agreed Standard Operating Procedures. The PHLS published its "Guidelines for the control of infection with Vero cytotoxin producing Escherichia coli (VTEC)" dealing with sampling and identification procedures. E.coli 0157 infection that is foodborne, which is the majority, is

notifiable as a 'foodborne disease', and all laboratories voluntarily notify all E.coli infections as part of an agreed reporting protocol.

Residential and Nursing Homes

Mr. Field: To ask the Secretary of State for Health what response he has made to the submission by Methodist Homes for the Aged to his consultation paper on Nationally Required Standards for Residential and Nursing Homes for Older People. [130781]

Mr. Hutton: I am aware that the supportive response from Methodist Homes to the consultation document raised a number of concerns including about the staffing and physical environment standards and the timescale for implementing the standards.

I refer my right hon. Friend to the reply I gave to my hon. Friend the Member for Warrington, North (Helen Jones) on 20 July 2000, *Official Report*, columns 287–88W. This set out the conclusions we have reached in relation to the physical standards in residential and nursing homes based on the responses to the consultation process on "Fit for the Future?".

Regarding staffing, we do not accept that fixed ratios are the best means of specifying the number and qualifications of staff to be employed in a nursing home. For qualified nurses, numbers should relate to the assessed needs of residents at any one time. We are considering what models of assessment should be recognised by the National Care Standards Commission for this purpose and how nursing needs are defined so that nurse staffing levels can be set accurately and realistically. For ancillary staff, levels should take account of the degree of efficiency and effectiveness demonstrated by providers in managing ancillary tasks.

The standards for nine out of the eleven topic areas that we consulted upon in "Fit for the Future?" received overwhelming support and these will form the basis for the full set of national minimum standards which we will publish later this year.

Meat Inspection

Mr. Gill: To ask the Secretary of State for Health how many veterinary surgeons were employed on duties associated with abattoirs in each of the past 18 months. [131101]

Ms Stuart: I am advised by the Food Standards Agency (FSA) that the number of veterinary surgeons employed by or on behalf of either the FSA (and previously the Joint Food Safety and Standards Group (JFSSG) of the Department of Health and the Ministry of Agriculture, Fisheries and Food) or its executive agency, the Meat Hygiene Service (MHS), on duties associated with abattoirs in Great Britain for each of the past 18 months is as follows:

Month	*MHS*	*JFSSG/FSA* [1]
1999		
January	472	10
February	476	10
March	490	10
April	478	10
May	497	10
June	505	10
July	507	10
August	546	10
September	521	10
October	539	10
November	520	10
December	528	10
2000		
January	521	10
February	505	10
March	517	10
April	532	9
May	503	9
June	523	9

[1] FSA since 1 April 2000

MHS veterinary surgeons are employed throughout Great Britain on meat hygiene, inspection and animal welfare duties as well as the enforcement of specified risk materials (SRM) controls. The vast majority of these staff are employed on a contract basis. These contracts relate to individual plants and to a specific number of hours. The above figures therefore do not equate to full-time equivalent figures which are considerably less.

Veterinary Meat Hygiene Advisers have been employed by or on behalf of the Food Standards Agency since its established on 1 April 2000. Prior to this they formed part of the JFSSG. They play a major role in the audit of the MHS, the licensing of meat plants and other activities in England. In Scotland and Wales, these duties are carried out by staff of the State Veterinary Service (SVS).

SVS staff throughout Great Britain may also from time to time visit abattoirs on other official business. The above figures do not include veterinary surgeons employed by the SVS who undertake any of these other duties.

Food Supplements

Mr. Hancock: To ask the Secretary of State for Health what progress has been made on the international regulation of vitamins and minerals at the Codex Alimentarius Commission; and if he will make a statement. [131492]

Ms Stuart: A proposal for draft guidelines for vitamin and mineral supplements was discussed at the meeting of the Codex Committee on Nutrition and Foods for Special Dietary Uses on 19–23 June 2000. The Committee made some progress towards consensus on the text and will discuss it further at its next meeting.

Mr. Hancock: To ask the Secretary of State for Health (1) when *(a)* he and *(b)* his officials last attended European Ministerial Working Group meetings to discuss the Draft European Directive on Food Supplements; what assessment he has made of the extent to which the Directive provides for the continued access by consumers to safe dietary supplements on retail sale; what amendments are being proposed to that Directive by other member state Governments; and if he will make a statement; [131491]

(2) what his policy objectives are in relation to the proposed Food Supplements Directive; what the timetable is for further progress in discussions on the Directive; and if he will make a statement. [131493]

Ms Stuart: There have been no meetings at ministerial level to discuss this proposal. It was discussed by officials at a council expert working group held in July, and the Food Standards Agency has circulated details of the specific issues discussed to interested parties. The timetable for further discussions has not been announced but the next meeting of this group is due in September.

Publications (Sensory-impaired Access)

Mr. Andrew George: To ask the Secretary of State for Health what plans he has to ensure that all future literature which forms part of National Health Service public consultations will be available in a variety of formats to enable accessibility for the sensory-impaired. [131747]

Ms Stuart *[holding answer 21 July 2000]:* All the Department's publications are available on request in braille, on audio cassette tape, on disk or in large print. Additionally, documents are simultaneously published on the Department's website, which has been designed in line with the Cabinet Office guidelines on accessibility. Braille and large print publications and/or audio tapes are produced as standard for certain categories of information, including major consultation documents produced by the Department.

Mr. Andrew George: To ask the Secretary of State for Health what his Department's policy is in relation to the production of its publications in accessible formats for the sensory-impaired. [131746]

Ms Stuart *[holding answer 21 July 2000]:* All the Department's publications are available on request in braille, on audio cassette tape, on disk or in large print. Additionally, documents are simultaneously published on the Department's website, which has been designed in line with the Cabinet Office guidelines on accessibility.

Braille and large print publications and/or audio tapes are produced as standard for certain categories of information, including: consultation documents; information specifically aimed at elderly or disabled people; and information about help with costs.

Mr. Andrew George: To ask the Secretary of State for Health how many nationally-produced public information leaflets and booklets have also been available since 1990 in *(a)* Braille, *(b)* moon, *(c)* large print, *(d)* audio-tape and *(e)* other formats suitable for those with a single or dual sensory impairment. [131781]

Ms Stuart: All the Department's publications are available on request in braille, on audio cassette tape, on disk or in large print. Additionally, documents are simultaneously published on the Department's website, which has been designed in line with the Cabinet Office guidelines on accessibility.

Braille and large print publications and/or audio tapes are produced as standard for certain categories of information, including: consultation documents; information specifically aimed at elderly or disabled people; and information about help with costs. The following table provides information about special format publications in these categories since April 1993.

Format	*Number*
Braille	51
Moon	1
Large print	43
Audio tape	83

Notes:
1. Before April 1993 responsibility for printing and publishing services rested with Her Majesty's Stationery Office.
2. Table does not show one-off publications/tapes produced in response to individual consumer requests

Guillain-Barré Syndrome

Mr. Andrew George: To ask the Secretary of State for Health what assessment he has made of the availability of Viagra to sufferers of neuropathy due to Guillain-Barré Syndrome; and if he will make a statement. [131748]

Ms Stuart *[holding answer 21 July 2000]:* We consulted widely before introducing regulations on 1 July 1999 restricting the prescribing by general practitioners of treatments for impotence, including Viagra.

GPs may issue a National Health Service prescription to men for the treatment of impotence only if they have one of a number of listed medical conditions. Neuropathy due to Guillain-Barré Syndrome is not one of these conditions.

Mead Webber Abattoir

Mr. Paterson: To ask the Secretary of State for Health (1) if he will make a statement on the start and finishing date of the independent public inquiry into the reasons for the closure of the Mead Webber abattoir; [131622]

(2) if he will list the factors underlying the delay in opening the independent public inquiry into the reasons for the closure of the Mead Webber abattoir. [131623]

Ms Stuart *[holding answer 21 July 2000]:* I understand from the Food Standards Agency that the arrangements for the independent investigation have been agreed but that Mead Webber Ltd. has indicated that it will not specify its complaint against the Meat Hygiene Service until related assault allegations have been resolved. Work on the investigation will begin as soon as a formal complaint has been received. In the circumstances, it is not possible to estimate its finishing date.

Genetic Testing

Mr. Jim Cunningham: To ask the Secretary of State for Health if he will respond to the report published in 1999 by the Human Genetics Advisory Commission, "The Implications of Genetic Testing for Employment". [132741]

Yvette Cooper: The Government have given careful consideration to a report on "The Implications of Genetic Testing for Employment", from the Human Genetics Advisory Commission (HGAC). The Government agree with the HGAC that this is an issue which should be kept under close review in future. The Government accept the main findings of the HGAC's report. They have today asked the Human Genetics Commission (HGC), which is the successor to HGAC, to take note of the HGAC's recommendations, have suggested ways of taking them forward and have drawn attention to the measures they have already taken in this area. The Government have also asked the HGC to consider the next steps by including

this issue in the Commission's wider study of the uses of genetic information and to provide advice to Ministers in due course.

I am placing a copy of the letter in the Library.

Suicides (NHS)

Mr. Menzies Campbell: To ask the Secretary of State for Health (1) what was the annual suicide rate of NHS *(a)* hospital nurses, *(b)* general practice nurses, *(c)* community nurses, *(d)* mental health nurses and *(e)* all nurses in each year since 1989 stating in each case (i) the number of suicides per grade and (ii) the proportion that represents per thousand employed in that category by the NHS; and if he will make a statement; [131014]

(2) what was the annual suicide rate of NHS *(a)* general practitioners, *(b)* junior hospital doctors, *(c)* senior hospital doctors, *(d)* consultants and *(e)* all doctors in each year since 1989 stating in each case (i) the number of suicides and (ii) the proportion that represents per thousand employed in that category by the NHS; and if he will make a statement. [131021]

Mr. Hutton: The information requested is not held centrally but may be held locally by individual National Health Service employers.

We take the issue of suicide very seriously. That is why the development of strategies to reduce suicide is a major part of our programme outlined in the White Paper "Saving Lives: Our Healthier Nation."

The Department has commissioned Professor Keith Hawton from Oxford University to carry out research into suicide and stress among a number of occupational groups, including doctors and nurses. His reports will be published in due course.

The table shows statistics presenting the numbers of suicide deaths for doctors and nurses. The data are presented for ages 16–74 and 16–59. It is not possible to identify doctors and nurses who were actually employed at the time of their deaths, or whether they were employed by the NHS.

Suicides (E950-E959 and E980-E989 excluding E988.8[1]) of medical practitioners, England and Wales, 1989–98

Year	Age 16–74	Age 16–59
1989	19	17
1990	25	19
1991	26	18
1992	18	13
1993	18	11
1994	25	21
1995	13	11
1996	13	11
1997	16	12
1998	17	15

[1] International Classification of Diseases, Ninth Revision. E950-E959 Suicides and self inflicted injury. E980-E989 excluding E988.8 injury undetermined whether accidentally or purposely inflicted excluding accelerated registrations.

Notes:

1. 1989–92—years of registration
2. 1993–98—years of occurrence

Suicides (E950-E959 and E980-E989 excluding E988.8[1]) of nurses, England and Wales, 1991–98

Year	Age 16–74	Age 16–59
1991	65	57
1992	56	51
1993	52	48
1994	64	54
1995	61	50
1996	54	49
1997	55	48
1998	56	51

[1] International Classification of Diseases, Ninth Revision. E950-E959 Suicides and self inflicted injury. E980-E989 excluding E988.8 injury undetermined whether accidentally or purposely inflicted excluding accelerated registrations.

Notes:

1. 1991–92—years of registration
2. 1993–98—years of occurrence

BUPA

Mr. Cousins: To ask the Secretary of State for Health how many discussions his Department has had in the last year with BUPA about future partnerships; and what topics were discussed. [131646]

Ms Stuart: The Department has had no direct discussions with BUPA in the last year.

Internet (Drugs)

Dr. Gibson: To ask the Secretary of State for Health what procedures have been operated to close websites selling drugs via the Internet. [132122]

Ms Stuart: The procedures are identical to those used in any investigation into alleged breaches of medicines regulations. The investigation has to be conducted in accordance with the Police and Criminal Evidence Act 1984 and its Codes of Practice.

Those websites which have been closed have either been closed voluntarily after advice from the Medicines Control Agency or closed following a warning by the Agency that a failure to close may result in a prosecution.

Dr. Gibson: To ask the Secretary of State for Health what drugs *(a)* licensed and *(b)* unlicensed by the Medicines Control Agency on sale via the Internet have led to (i) investigations and (ii) prosecutions. [132121]

Ms Stuart: Full information could only be put together at a disproportionate cost. (180 investigations are involved, each of which could cover any number of different medicines). However, investigations by the Medicines Control Agency into the alleged sale of medicines purporting to be licensed on the internet suggest that these medicines are likely to be those indicated for, or believed to possess memory enhancing capabilities (often referred to as "smart" drugs), or impotence (such as Viagra) or the capability to cause a loss of weight ("slimming pills"), or remedy hair loss.

Investigations by the Medicines Control Agency into the alleged sale of unlicensed medicines on the Internet indicate that such medicines are likely to be those

claiming the qualities stated in the preceding paragraph, for example, Gamma Hydroxyl Butyrate (GHB), Dehydroepiandrosterone (a steroid type drug).

The medicine involved in the only prosecution to date was GHB, being sole over the Internet.

Dr. Gibson: To ask the Secretary of State for Health what investigations he has made of websites selling drugs *(a)* nationally and *(b)* internationally. [132123]

Ms Stuart: The Medicines Control Agency (MCA) has conducted approximately 180 investigations into cases of national Websites allegedly offering medicines for sale. The MCA has no jurisdiction outside United Kingdom territory, although it works with enforcement and regulatory authorities in other countries, particularly the United States of America Food and Drug Administration, to investigate international websites.

Dr. Gibson: To ask the Secretary of State for Health how many employees are engaged in the Special Inquiry Unit of the Medicines Control Agency investigating drug sales through the Internet. [132118]

Ms Stuart: Three enforcement offices of the Special Enquiry Unit of the Medicines Control Agency are specifically engaged in investigating alleged illegal sales of medicines on the Internet. In addition investigating officers in other units of the Medicines Control Agency's Enforcement Group undertake investigations into alleged breaches of medicines regulations in which activities on the Internet can be a major or contributory part. All this work may also be done in partnership with other national and international enforcement agencies and the Police Service.

Dr. Gibson: To ask the Secretary of State for Health what training is undergone by employees of the Special Inquiry Unit of the Medicines Control Agency investigating drug sales through the internet. [132119]

Ms Stuart: All enforcement officers in the Medicines Control Agency receive basic training in the use of the internet. Enforcement officers in the Special Inquiry Unit also receive specialist training in advanced search techniques. In addition, some enforcement officers are intelligence analysts, trained to police standards in the analysis and validation of data and information.

The MCA is committed to providing any training found necessary in this area to ensure it continues to effectively discharge its responsibility to enforce medicines legislation.

Dr. Gibson: To ask the Secretary of State for Health what plans he has to seek to amend the law relating to sales of drugs over the internet; and if he will make a statement. [132120]

Ms Stuart: We have no immediate plans to amend the law.

Alcohol and Drugs (Hospitals)

Mr. Hunter: To ask the Secretary of State for Health how many *(a)* admissions to NHS hospitals and *(b)* persons were treated in NHS accident and emergency units were related to (i) alcohol and (ii) drugs in 1999. [132343]

Ms Stuart: In 1998–99 there were (i) 39,600 hospital admissions to National Health Service hospitals of NHS and private patients with primary diagnosis related to alcohol (based on international classification of diseases codes F10, K70, T51), and (ii) 9,300 for diagnoses mentioning drugs (based on ICD10 codes F11-F16 and F18-F19). Data on the number of persons that were treated in NHS accident and emergency units for these diagnoses are not collected centrally.

Tranquilliser Addiction

Ms Kelly: To ask the Secretary of State for Health if he will list the successful applicants, and amount of grant aid issued, under the Section 64 Grants Scheme that directly address tranquilliser addiction. [132035]

Mr. Hutton: No grants under the Section 64 scheme are currently being made to organisations directly addressing tranquilliser addiction.

Health Action Zones

Mr. McNamara: To ask the Secretary of State for Health if he will list those Health Action Zones that underspent on their 1999–2000 budgets, indicating in *(a)* percentage and *(b)* real terms the degree of underspend. [131067]

Mr. Hutton: The table shows that all Health Action Zones underspent against the 1999–2000 allocations. Information on how much of this is committed to projects in 2000–01 is not held centrally.

HAZ	*HAZ allocation 1999–2000*[1]	*HAZ expenditure 1999–2000*[2]	*Underspend against allocation—real terms*[3]	*Underspend as a percentage of allocation*
First Wave				
Lambeth, Southwark and Lewisham	6,137	3,637	2,500	41
East London	5,535	5,421	114	2
Plymouth	2,043	1,227	816	40
Luton	1,300	1,132	168	13
Sandwell	2,302	1,258	1,045	45
South Yorkshire Coalfields	5,539	4,334	1,205	22
Manchester, Salford and Trafford	6,900	4,325	2,575	37
Bradford	3,822	1,657	2,165	56
Tyne and Wear	8,493	4,293	4,200	49
Northumberland	2,395	1,833	562	23
North Cumbria	2,298	1,218	1,080	47
First Wave Total	47,210	30,336	16,874	34

HAZ	HAZ allocation 1999–2000[1]	HAZ expenditure 1999–2000[2]	Underspend against allocation—real terms[2]	Underspend as a percentage of allocation
Second Wave				
Tees	3,132	1,789	1,344	43
Wakefield	1,666	1,335	331	20
Leeds	3,610	2,693	917	25
Hull and East Riding	2,824	1,987	837	30
Merseyside	7,445	6,338	1,107	15
Bury and Rochdale	2,004	1,906	98	5
Nottingham	3,105	1,554	1,551	50
Sheffield	2,923	2,292	631	22
Leicester City	1,502	1,100	402	27
Wolverhampton	1,388	632	756	54
Walsall	1,376	1,275	102	7
North Staffordshire	2,008	698	1,310	65
Cornwall and Isles of Scilly	2,288	2,105	163	8
Camden and Islington	2,372	1,056	1,316	56
Brent	1,294	1,017	277	21
Second Wave Total	39,084	27,778	11,306	29
Sub-total	85,701	58,113	27,587	32
Central and other innovations	1,700	1,700	0	0
Grand Total	87,994	59,814	27,587	32

[1] HAZ funding comes from a number of sources as follows:
(a) The HAZ central budget comprising three elements:
(i) programme funding for joint projects with other agencies;
(ii) innovations funding;
(iii) central and other innovations;
(b) Funding for smoking cessation services.
(c) Funding for drugs prevention services for First Wave HAZs.
(d) Targeted funds for deprived areas allocated to HAs which include HAZs within their boundaries.
[2] Figures reported by HAZs at the end of 1999–2000.
Note:
Figures are in £000s.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Health on how many occasions he has deposited papers in the Library in response to parliamentary questions tabled to his Department between 19 October 1999 and 20 April. [132127]

Ms Stuart: The information requested could be provided only at disproportionate cost.

CULTURE, MEDIA AND SPORT

Millennium Dome

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport what proposals he has received to use the Millennium Dome to celebrate the Queen's Golden Jubilee; and what response he has made. [125698]

Mr. Chris Smith: I have received one proposal from a member of the public suggesting that the Dome is kept within the public sector and used to celebrate events such as the Queen's Golden Jubilee. My officials responded on 19 July stating that the Government believe that a sale to the private sector is the best way to secure the Government's objectives for future use of the Dome. The selection criteria used to shortlist proposals for the future use of the Dome specifically aim to maximise the public benefit.

Racism (Football)

Mr. Gareth R. Thomas: To ask the Secretary of State for Culture, Media and Sport what action he is taking to eliminate racism in football. [131758]

Kate Hoey *[holding answer 21 July 2000]:* The Government believe that the Football Task Force's first report provided an effective blueprint for eliminating racism in football. The report's one recommendation for the Government was implemented by means of Section 9 of the Football (Offences and Disorder) Act 1999, which made the chanting of racist material by individual supporters an offence.

The report's other recommendations were intended for the football authorities, and a number of these have already been implemented under the aegis of the Kick it Out campaign. I understand that the sport's governing bodies will shortly announce a review of the implementation of the Task Force's reports on racism, disabled access and community involvement.

Football Investment

Maria Eagle: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with the Football Association and the FA Premier League about the investment of the proceeds of the funds of their new television contracts in grass roots football; and if he will make a statement. [132676]

Mr. Chris Smith: Following extensive discussions with the Football Association, FA Premier League and other interested parties, the Football Foundation became operational last month. The Foundation is a partnership between the sport and Government. The Foundation will receive funding from the Football Association, the FA Premier League, the Lottery Sports Fund and other Government sources. The primary aim of the Foundation will be to improve facilities for grassroots football.

The Government have nominated my hon. Friend the Member for Stalybridge and Hyde (Mr. Pendry) to be its representative on the board of the Foundation. Sport England has nominated its Chairman, Trevor Brooking, to be its representative on that board to sit alongside those of the Football Association and FA Premier League. The Foundation will be launched tomorrow when full details of its plans will be published.

National Lottery (Ribble Valley)

Mr. Evans: To ask the Secretary of State for Culture, Media and Sport what proportion of lottery ticket receipts has been spent in the Ribble Valley through the National Lottery Charities Board in each year since 1994. [131658]

Kate Hoey: The proportion of total National Lottery ticket sales awarded by the National Lottery Charities Board (NLCB) in the Ribble Valley constituency is shown in the table. The figures for NLCB awards in the Ribble Valley constituency are taken from my Department's National Lottery Awards Database, based on data provided by the Lottery distribution bodies.

Financial Year	*NLCB awards in Ribble Valley constituency (£)*	*Total National Lottery ticket sales (£ million)*	*Proportion of total receipt awarded in Ribble Valley constituency by NLCB (percentage)*
1994–95	—	1,191	0.0000
1995–96	24,836	5,217	0.0004
1996–97	343,930	4,723	0.0072
1997–98	378,641	5,514	0.0068
1998–99	335,770	5,228	0.0064
1999–2000	835,019	5,094	0.0163
Total	1,918,196	26,967	0.0071

National Athletics Stadium

Mr. Faber: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on progress in the development of the national athletics stadium at Pickett's Lock. [132369]

Kate Hoey: I chaired the first meeting of the Lee Valley Stadium Forum on 26 June. The purpose of the Forum is to keep Ministers and interested parties up to date with developments and highlight any emerging difficulties which can then be dealt with through separate discussions. The Forum includes representatives from the Lee Valley Regional Park Authority—the site's owners, UK Athletics, Sport England, the Mayor of London, the London Borough of Enfield, the London Development Agency, the Government Office for London and Transport for London. The British Olympic Association are also represented to ensure that any Olympic issues are addressed. The next meeting of the Lee Valley Stadium Forum will be held on 2 October 2000.

The Lee Valley Regional Park Authority and UK Athletics have appointed consultants to undertake business and technical feasibility studies for this project. Ernst & Young have been appointed to carry out a business feasibility study which will seek to identify long-term revenue options, set out possible models for project delivery and highlight suitable management structures post World Championships. Drivas Jonas have been appointed to conduct the various design and technical studies needed. This will include an assessment of transport issues and environmental impacts. Both studies will be funded jointly by the National Lottery Sports Fund and by the Lee Valley Regional Park Authority.

Mr. Faber: To ask the Secretary of State for Culture, Media and Sport, pursuant to the oral statement of the Minister for Sport on 4 May 2000, *Official Report*, column 156WH, if he will place in the Library a copy of the letter which the Minister for Sport undertook to write to the hon. Member for Ryedale (Mr. Greenway) concerning Pickett's Lock. [132385]

Kate Hoey: I will write to the hon. Member and will place a copy of my reply in the Libraries of the House.

World Cup Bid

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with the Football Association about the loss of the World Cup 2006 bid since 6 July [132384]

Kate Hoey: My right hon. Friend the Secretary of State discussed FIFA's decision with the Prime Minister's Special Envoy to the bid on 6 July. I have corresponded with the Chief Executive of the Football Association about the costs of the bid since that day.

Football Task Force

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport (1) what plans he has to implement the recommendations of the Football Task Force; [132387]

(2) what plans he has to appoint a Commissioner for Football. [132389]

Kate Hoey: The Football Task Force made a number of recommendations in its final report, "Football: Commercial Issues", including a proposal for a Football Audit Commission. The Government will announce their response to the report shortly.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Culture, Media and Sport how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April have not received substantive answers, citing as the reason that the information is *(a)* not held centrally, *(b)* not held in the form requested or *(c)* not available. [132135]

Mr. Chris Smith: Three questions did not receive substantive answers as the information was not held centrally.

Six questions did not receive substantive answers as the information was not held/available in the form requested.

Nine questions did not receive substantive answers as the information was not available.

My Department always aims to provide a substantive reply to hon. Members' questions. Where this is not possible, we would endeavour to provide the information that is available even though it is not precisely what has been requested or in the form requested.

TRADE AND INDUSTRY

Working Time Directive

Mr. Paul Marsden: To ask the Secretary of State for Trade and Industry how many workers in Shrewsbury and Atcham received the right to four weeks paid holiday under the Working Time Directive; and if he will make a statement. [131145]

Mr. Alan Johnson: It is estimated that 3.1 million people have gained additional paid leave as a result of the entitlement to four weeks paid leave introduced by the Working Time Regulations. It is not possible to estimate numbers of beneficiaries by parliamentary constituency.

Part-time Workers

Mr. Paul Marsden: To ask the Secretary of State for Trade and Industry how many part-time workers from Shrewsbury and Atcham have benefited from the provisions relating to equal pay and conditions in the Part-Time Workers Directive; and if he will make a statement. [131144]

Mr. Alan Johnson: The Regulations introduced on 1 July 2000 provide a guarantee of fair treatment to all 6 million part-time workers in Britain. It is estimated that over 400,000 workers will benefit from the Regulations. No information on numbers of beneficiaries is available below the national level.

Dr. Kumar: To ask the Secretary of State for Trade and Industry how many part-time workers will benefit from the Part-Time Workers Directive *(a)* nationally, *(b)* in Teesside and *(c)* in the constituency of Middlesbrough, South and Cleveland, East; and if he will make a statement. [131204]

Mr. Alan Johnson *[holding answer 18 July 2000]:* The Regulations introduced on 1 July 2000 provide a guarantee of fair treatment to all 6 million part-time workers in Britain. It is estimated that over 400,000 workers will benefit from the Regulations. No information on numbers of beneficiaries is available below the national level.

Jodrell Bank

Mrs. Ellman: To ask the Secretary of State for Trade and Industry what discussions he has held with the Particle Physics and Astronomy Research Council concerning the future of Jodrell Bank. [131638]

Ms Hewitt: My right hon. Friend the Secretary of State for Trade and Industry has had no specific discussions with the Particle Physics and Astronomy Research Council (PPARC) about the future of Jodrell Bank. The PPARC is reviewing the future of all its telescopes, including Jodrell Bank, in the context of possible UK membership of the European Southern Observatory. No decisions have been made, and no major changes to the funding of existing telescopes are expected for at least five years. My right hon. Friend the Secretary of State for Trade and Industry will discuss the future of Jodrell Bank, and other telescopes, at the appropriate time.

Mrs. Ellman: To ask the Secretary of State for Trade and Industry what assessment he has made of the contribution of Jodrell Bank to the science base in the North West. [131639]

Ms Hewitt: As Jodrell Bank is recognised as a major science facility in the North West it will be examined as part of the activities of the Government-commissioned reviews being carried out by the North West Science and Development Group and the North West Science Review Team, which are looking at economic development and the science base in the region. These reviews are due to report by the 29 December and 30 September respectively.

Post Offices (IT)

Mr. Breed: To ask the Secretary of State for Trade and Industry how much it will cost the Government to supply each post office with *(a)* internet provision and *(b)* computer terminals for public access. [131901]

Mr. Alan Johnson *[holding answer 21 July 2000]:* The Government are contributing £480 million towards the capital costs of the Horizon project to equip every post office with a modern on-line IT platform, and will contribute to the cost of a pilot trial of Internet access and learning points in a limited number of post offices, once the Post Office have demonstrated a convincing business case. The scope for extending this facility more widely will depend on the outcome of the trials.

Opinion Research

Mr. Don Foster: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 28 June 2000, *Official Report*, column 518W, on opinion research, if he will list the information held centrally on the results of his Department's market and opinion research, stating in each case which of these results will be placed in the Library. [132008]

Dr. Howells *[holding answer 21 July 2000]:* No information is held centrally on the results of the Department's market and opinion research.

Employment Rights

Mr. Watts: To ask the Secretary of State for Trade and Industry what plans he has to improve the employment rights of *(a)* agency and *(b)* part-time employees. [132284]

Mr. Alan Johnson: Since the Government came to office, new employment rights such as the National Minimum Wage and those under the Working Time Regulations to entitlements such as paid annual leave, have improved the position of part-time employees and agency temps.

We are currently seeking to improve and clarify the existing regulations governing the conduct of employment agencies. We are placing greater emphasis on the clarity of terms issued and on ensuring workers are paid in full and on time. These proposals form part of a package of measures to ensure appropriate minimum standards for the recruitment industry, which we intend to finalise shortly.

The Part-time Workers Regulations came into force on 1 July and ensure that part-time workers are not treated less favourably in their contractual terms and conditions than comparable full-timers, unless different treatment is justified on objective grounds. The regulations cover all terms and conditions including pay, pensions, holidays and training.

Tobacco Industry

Mr. Hunter: To ask the Secretary of State for Trade and Industry when he last met representatives of the United Kingdom tobacco industry to discuss the export trade implications of the European Commission's proposal for a directive concerning the manufacture, production and sale of tobacco products. [132334]

Mr. Alan Johnson: I have received a number of written representations on this issue from UK tobacco manufacturing companies in recent months.

Weights and Measures Legislation (Ribble Valley)

Mr. Evans: To ask the Secretary of State for Trade and Industry how many traders in the Ribble Valley have been fined for trading in pounds and ounces; and how many of these fines have been contested. [131766]

Dr. Howells: The responsibility for enforcing weights and measures legislation, including the use of the legal units of measurement, lies with local authorities. According to information supplied to the Department by Lancashire County Council there have been no prosecutions taken against traders in the Ribble Valley for failing to use grams and kilograms alongside ounces and pounds.

EU Structural Funds

Mr. Andrew George: To ask the Secretary of State for Trade and Industry what assessment he has made of the eligibility of Objective 1 applicants for regional selective assistance. [132051]

Mr. Caborn: Businesses in Objective 1 areas will be eligible to apply for regional selective assistance subject to their meeting the criteria of the scheme.

Mr. Andrew George: To ask the Secretary of State for Trade and Industry when the first applications for the UK's four Objective 1 regions will be *(a)* invited and *(b)* determined. [132055]

Mr. Caborn: It is for the Objective 1 programme partnerships themselves to decide how and when to call for applications and when to take decisions. However, I expect them to start appraising applications very soon if they have not already done so.

Mr. Andrew George: To ask the Secretary of State for Trade and Industry what arrangements he has put in place for applying for the EU Objective 1 funds. [132054]

Mr. Caborn: The arrangements for applying for EU structural funds are set out in Council Regulation (EC) No. 1260/1999 laying down general provisions on the Structural Funds (OJ L 161 of 26 June 1999) and in the eligible regions' Single Programming Documents and programme complements. Responsibility for structural funds partnerships rests with the Department of the Environment, Transport and the Regions for England, and with the devolved administrations for Scotland, Wales and Northern Ireland. My Department is responsible for overall co-ordination of the structural funds in the United Kingdom.

Euro

Mr. Matthew Taylor: To ask the Secretary of State for Trade and Industry what assessment he has made of the progress of the United Kingdom retail financial sector towards preparedness for membership of the euro; and if he will make a statement. [131938]

Miss Melanie Johnson: I have been asked to reply.

This information is contained in the Second Outline National Changeover Plan, published in March 2000.

Mr. Matthew Taylor: To ask the Secretary of State for Trade and Industry if he will list the studies undertaken or being undertaken by the Government which quantify or examine the trade and competition effects that would result from the United Kingdom entering the single currency area. [131940]

Miss Melanie Johnson: I have been asked to reply.

I refer the hon. Member to the answer I gave him on 3 February 2000, *Official Report*, column 685W.

LORD CHANCELLOR'S DEPARTMENT

Judicial Appointments

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the observations of Lord Steyn on judicial appointment procedures; and if he will make a statement. [132146]

Mr. Lock: The Lord Chancellor is aware of the reports of Lord Steyn's recent remarks at an event at the London School of Economics. The Lord Chancellor has already decided to establish a Commission for Judicial Appointments as recommended by Sir Leonard Peach to provide ongoing, independent monitoring of the appointments process and to provide a further recourse for disappointed candidates. The Lord Chancellor has not ruled out further reform, but he prefers for the present to proceed with and evaluate the implementation of the Peach report recommendations.

Court Dress

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the observations of the Lord Chief Justice on court dress; and if he will make a statement. [132147]

Mr. Lock: The Lord Chancellor has made no assessment of the comments attributed to the Lord Chief Justice. He has indicated in the past that he is willing to

consider the issue if there is evidence that the balance of opinion is changing against maintaining court dress in its current form.

Parliamentary Questions

Mr. Stunell: To ask the Parliamentary Secretary, Lord Chancellor's Department on how many occasions he has deposited papers in the Library in response to parliamentary questions tabled to his Department between 19 October 1999 and 20 April. [132128]

Mr. Lock: According to departmental records covering the relevant period, papers were deposited in the Library on 27 occasions in response to parliamentary questions.

FOREIGN AND COMMONWEALTH AFFAIRS

British Council

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what new British Council offices have been opened in the last 12 months. [131801]

Mr. Hain: The following new British Council offices have opened in the last 12 months:

Pristina, Kosovo
Brasov, Romania
Ramallah, East Jerusalem
Irkutsk, Russia
Chandigarh, India
Multan, Pakistan.

This list does not include branch offices in towns and cities with pre-existing operations.

Rachel McGee

Mr. Fitzpatrick: To ask the Secretary of State for Foreign and Commonwealth Affairs what arrangements were made by the consular staff in Cuba to facilitate payment for private legal assistance to Rachel McGee prior to her trial there in September 1999. [131908]

Mr. Hain *[holding answer 21 July 2000]:* On 18 March 1999 Consular Division in London contacted Ms McGee's mother, Mrs. Griffen, about the cost of private legal assistance for Rachel. This was estimated by Bufete Internacional, the Cuban law firm that is allowed to represent foreign nationals, to be a minimum of US$2000.

Mrs. Griffen deposited US$2000 with Consular Division on 6 April 1999. The money was made available to our Embassy in Cuba on the same day.

On 23 April 1999 Consular Division told Mrs. Griffen that the costs of the lawyer was now estimated by Bufete Internacional to be US$5000. Mrs. Griffen decided she could not afford that amount.

Mrs. Griffen asked our consular staff in Cuba to use the money deposited with them to fund her visit to Cuba.

Mr. Fitzpatrick: To ask the Secretary of State for Foreign and Commonwealth Affairs what financial assistance for the payment of private legal assistance consular staff in Cuba offered to Rachel McGee prior to her trial there in September 1999. [131909]

Mr. Hain *[holding answer 21 July 2000]:* None. There is no provision for public funds for legal assistance for British Nationals overseas.

Mr. Fitzpatrick: To ask the Secretary of State for Foreign and Commonwealth Affairs if the British consular staff in Cuba were acting on the understanding that Rachel McGee had waived her right *(a)* to give evidence and *(b)* for a lawyer to represent her, at her trial there in September 1999. [131910]

Mr. Hain *[holding answer 21 July 2000]:* The information is as follows:

(a) No.

(b) No.

The Consul met with Rachel at court prior to the trial. Up to then she had not said that she did not want to give evidence nor had she indicated that she did not want a lawyer to represent her.

Mr. Fitzpatrick: To ask the Secretary of State for Foreign and Commonwealth Affairs how many times lawyers from the law firm that is allowed to represent foreign nationals in Cuba *(a)* met Rachel McGee prior to her trial in Cuba in September 1999 and *(b)* discussed the case with her during or after her trial. [131911]

Mr. Hain *[holding answer 21 July 2000]:* The information is as follows:

(a) Rachel McGee has stated that she did not see her lawyer prior to her trial.

(b) Rachel said she did not discuss the case with her lawyer during the trial and that she has not seen her lawyer since the trial.

Westminster Foundation for Democracy

Mr. Efford: To ask the Secretary of State for Foreign and Commonwealth Affairs when the annual report of the Westminster Foundation for Democracy will be published. [132739]

Mr. Hain: I have arranged for copies of the Westminster Foundation for Democracy's annual report to be placed in the Libraries of both Houses today.

The Foundation has continued its crucial work in building and strengthening democracy overseas during the last 12 months. In 1999–2000 the Foundation managed 656 projects in almost 60 countries working with political parties, the media, trade unions, local government, legal organisations and human rights, civil society and women's groups.

The Foundation received a grant-in-aid of £4 million from the Foreign and Commonwealth Office, a further £460,734 of earmarked funds for specific projects and £121,669 from corporate supporters and the National Lottery Charities Board.

Most of the Foundation's activities were in its priority areas which are Central and Eastern Europe; the Commonwealth of Independent States and Anglophone Africa. The Foundation has also carried out important projects in Asia and the Middle East.

In addition to its core projects, the Foundation has provided timely and effective responses to the need for technical assistance in the Balkans, especially in Kosovo, Serbia and Bosnia, to take forward work on political and civic development.

Entry Clearance

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he plans to publish the report of the 1998 Joint (Foreign and Commonwealth Office/Home Office) Study on entry clearance. [132740]

Mr. Vaz: The Joint Study report on entry clearance has been placed in the Libraries of both Houses. The Study was conducted between January and April 1998, by officials from the Foreign and Commonwealth Office, Home Office, Cabinet Office and Treasury. Its conclusions led to the establishment of the new Joint Entry Clearance Unit (JECU) as part of the Government's wider commitment to providing a 'fairer, faster and firmer' entry clearance process. The study report may be of interest to Members in the context of the Memorandum of Understanding agreed between the Foreign and Commonwealth Office and the Home Office, which was placed in the Libraries on 7 June.

Diego Garcia

Mr. Hilary Benn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the position of the former residents of Diego Garcia. [132386]

Mr. Hain: I am aware that some of the former residents (Ilois) of the British Indian Ocean Territory (BIOT) seek a right of return, and to this end proceedings have been brought in the High Court in London which challenge the validity of the BIOT Immigration Ordinance. The matter is still before the Court. The outer islands of the territory have been uninhabited for 30 years so any resettlement would present serious problems both because of the practical feasibility and in relation to our treaty obligations. But a study has been commissioned from independent consultants to consider the former issues in more detail.

Most of the Ilois live in Mauritius where they are Mauritian citizens. Since they left the British Indian Ocean Territory (BIOT) Her Majesty's Government has given over £4 million to the Government of Mauritius to assist with their integration into Mauritian society.

Sandra Gregory

Mr. Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he made to the Thai authorities during his recent visit to Bangkok in support of Sandra Gregory's application for a royal pardon. [131978]

Mr. Hain: My right hon. Friend the Secretary of State did not make any specific representations about any consular cases during his recent visit to Thailand, though the Government of course continues to discuss Consular issues with the Government of Thailand on other occasions.

Mr. Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of when the request for a Royal Pardon submitted to the King of Thailand on behalf of Sandra Gregory is likely to be responded to. [131979]

Mr. Hain: The hon. Member may already be aware that on 20 July the Thai Foreign Ministry informed our Ambassador in Bangkok that His Majesty the King of Thailand had granted a Royal Pardon to Sandra Gregory. Miss Gregory and her parents were informed of the news the same day by staff in our Consular Division.

United Nations

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs on which days he plans to attend the United Nations Millennium Summit; on which days he will be represented by his Ministers; and if he will make a statement. [131016]

Mr. Hain: My right hon. Friend the Prime Minister will head the UK delegation to the United Nations Millennium Summit. His full programme and the exact composition of the UK delegation have yet to be finalised.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what objectives the Government seek to achieve at the United Nations Millennium Summit; what specific reforms the Government will be seeking; and if he will make a statement. [131017]

Mr. Hain: The UK wants the Millennium Summit, through wide-ranging discussion on the role of the UN in the 21st Century, to result in an action-oriented concluding document which sets the UN forward-looking objectives on a range of key issues, as outlined by the UN Secretary-General in his Millennium Report.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs which of the Core Group of Multilateral Treaties and Optional Protocols deposited with the Secretary-General which are representative of the United Nations key objectives for the Millennium Summit the UK has not signed and ratified, stating in each case *(a)* the reasons for non-signature and ratification and *(b)* when the Government plans to give UK assent; and if he will make a statement. [131019]

Mr. Hain: This Government remain dedicated to the international rule of law. Of the 25 treaties listed by the UN Secretary-General as representative of the United Nations' key objectives, the United Kingdom is a Party to 16 and has also ratified the Comprehensive Nuclear-Test-Ban Treaty, which has yet to come into effect.

My right hon. Friend the Prime Minister expects to be able to sign the First Optional Protocol to the Convention on the Rights of the Child, on the sale of children, child prostitution and child pornography, at the Millennium Summit in September. The UK is looking closely at the implications for the UK armed forces of the Second Optional Protocol, on the involvement of children in armed conflict, and intends to sign in the near future.

Legislation is currently in preparation to enable the United Kingdom to ratify two more of the treaties on the list which it has already signed. The Government intend to make the United Kingdom one of the first 60 states to ratify the Rome Statute of the International Criminal Court. The Terrorism Bill contains provisions which will enable us to ratify early next year the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism. The Government attach great importance to universal adherence to both these Conventions.

The Government expect to begin the ratification procedure for the Kyoto Protocol after the Conference of the Parties to the Protocol in The Hague in November, assuming it has a satisfactory outcome. This would coincide with the ratification by other EU member states.

After a thorough review of our obligations under international human rights treaties in 1999, we concluded that accession to the First Optional Protocol to !CCPR and the Optional Protocol to CEDAW, which call for the right of individual petition, would affect the major work under way in preparing for and implementing the Human Rights Act 1998 which will incorporate the European Convention on Human Rights into domestic law. The Act will come fully into force on 2 October 2000. We will review our position on these Optional Protocols again once the Act has bedded down.

The International Covenant on the Protection of the Rights of all Migrant Workers goes far beyond the scope of the UK's existing immigration laws. Most of the 12 existing signatories are countries of origin of migrant workers. No EU states are signatories. The Government consider they have already struck the right balance between the need for immigration control and the protection of the interests and rights of migrant workers, who already have the protection of our existing commitments under international law.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs which reservations, lodged by the UK to United Nations treaties, the Government plans to lift; when they plan to lift them; and if he will make a statement. [131018]

Mr. Hain: We are committed to the international rule of law and to the United Kingdom's obligations under international law. We keep those commitments and the terms in which they are entered into under review. We have no specific plans at the present time to lift any reservations to United Nations treaties.

Belarus

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports his Department has received concerning the whereabouts of, and the circumstance relating to the disappearance of, *(a)* the First Deputy Chairman of the Belarus Supreme Council, *(b)* Yuri Zakhavenko, *(c)* Anatol Kvasovski and *(d)* Dmitri Zaradski; and what representations have been made by (i) the United Kingdom Government and (ii) the European Union on their behalf to the Government of Belarus. [130725]

Mr. Vaz: Her Majesty's Government, in concert with our EU partners, has repeatedly asked the Belarusian authorities to investigate the disappearances of Mr. Gonchar, Deputy Chairman of the 13th Supreme Soviet, his associate Mr. Krasovski, and Mr. Zakharenko, a former Interior Minister. The European Union maintains pressure on the Belarusian authorities to pursue their inquiries into these disappearances and keep us informed of progress. In a formal EU representation in April 2000, EU Heads of Mission in Minsk, once again requested information on all cases involving the disappearances of political figures. The whereabouts of these men are still not known. The Belarusian Government argue that there is no evidence to suggest that State agencies were in any way responsible for the disappearances. They claim to have done everything possible to find the missing men.

There is much speculation concerning the disappearance of Mr. Zavadsky, a cameraman working for Russian ORT, on 8 July. We are aware that the Belarusian opposition suspect official involvement but we have not seen any evidence to support this. The Belarusian Government have said that they are searching for Zavadsky. Our Embassy in Minsk are monitoring the situation.

Official Visits

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the projected *(a)* State Visits and *(b)* other categories of official visit by heads of Government, and heads of state to the United Kingdom. [131833]

Mr. Battle: At the invitation of Her Majesty The Queen, His Majesty The King of Jordan, accompanied by Her Majesty Queen Rania, will pay a State Visit to the United Kingdom from 7 to 10 November. There are no other visits by Heads of State or Government confirmed at present.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Foreign and Commonwealth Affairs how many parliamentary questions were tabled to his Department between 19 October 1999 and 20 April which requested information, pursuant to his previous answers. [132134]

Mr. Robin Cook: Figures supplied by the House of Commons Library indicate that there were 53 such questions. However, because of the way that information is recorded on the POLIS database, it is not possible to guarantee the complete accuracy of this figure.

SOCIAL SECURITY

Child Poverty

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate the number of children living in poverty in the United Kingdom; and if he will provide a breakdown for children aged *(a)* 0 to four years, *(b)* five to 10 years, *(c)* 11 to 15 years and *(d)* 16 years and above, providing in each case the numbers affected and the proportion of the relevant age group. [127859]

Mr. Bayley: Poverty is a multi-dimensional problem which cannot be defined solely on the basis of a particular level of income. One indicator which may be used, however, is whether the income of households is below 60 per cent. of median. The following table provides this information for the proportion of children living in households below 60 per cent. of median equivalised income in 1998–99 in the age bands requested.

Proportion of children below 60 per cent. of median equivalised income in 1998–99, including the self-employed

Age bands	Before housing costs		After housing costs		Total children in group
	Number (million)	Proportion	Number (million)	Proportion	Number (million)
Children aged 0–4	0.7	21	1.2	34	3.5
Children aged 5–10	1.2	27	1.6	36	4.5
Children aged 11–15	0.9	26	1.1	32	3.6
Children aged 16 and above	0.3	23	0.3	25	1.3
All children	3.1	24	4.2	33	12.8

Notes:

1. The source is Households Below Average Income (HBAI). Estimates are derived from the Family Resources Survey.
2. All figures are subject to sampling error and response biases. Results may be sensitive to the precise way in which household incomes are adjusted for household size and composition.
3. Estimates are presented on household income both Before Housing Costs (BHC) and After Housing Costs (AHC) in line with HBAI conventions.
4. HBAI defines a child as an individual aged under 16, or an unmarried 16 to 18-year-old on a course up to and including 'A' level standard (or up to and including "highers" in Scotland).

Housing Benefit

Mr. Tynan: To ask the Secretary of State for Social Security if he will list the local authorities in Great Britain which *(a)* have already embarked on the housing benefit verification framework, stating their respective commencement dates, *(b)* are planning to do so, stating their proposed starting dates and *(c)* have still to commit themselves to the scheme. [130759]

Angela Eagle *[holding answer 18 July, 2000]:* We do not hold information in the format requested. Information provided by local authorities shows that at 17 July 2000, 173 had certified they are fully complying with all the requirements of the Verification Framework. A further 78 authorities had either already received or accepted the offer of set-up funds to implement the Framework fully and are at various stages of their implementation.

The table which lists these authorities and, where appropriate, includes the commencement date certified by the authority has been placed in the Library.

Pensioners

Mr. Gareth Thomas: To ask the Secretary of State for Social Security if he will list the number of pensioners expressed as a percentage of the total number of pensioners who are entirely dependent upon the state old age pension and means tested benefits *(a)* for the UK and *(b)* for Wales. [131601]

Mr. Rooker: Estimates for Great Britain and Wales for 1997–98 (the latest year for which information is available) are as follows:

In 1997–98, 9 per cent. of pensioners in Great Britain were entirely dependent on State Retirement Pension and/or means-tested benefits for their income. In Wales, the proportion was 12 per cent.

Source:

Family Resources Survey 1997–98

Free Television Licences

Mr. Willetts: To ask the Secretary of State for Social Security if the value of the free television licence for pensioners aged over 75 years is taken into account in assessing entitlement to *(a)* Housing Benefit, *(b)* Council Tax Benefit, *(c)* Income Support and *(d)* other means-tested assistance. [131654]

Mr. Rooker: No.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Social Security how many written parliamentary questions were tabled to his Department between 19 October 1999 and 20 April 2000; and how many have not received substantive answers citing disproportionate cost as the reason. [132132]

Mr. Rooker: We received 1,815 written parliamentary questions during the period 19 October 1999 to 20 April 2000. Fifteen of those Questions did not receive substantive answers owing to disproportionate cost.

Disability Benefits

Mr. Andrew George: To ask the Secretary of State for Social Security how many requests for permission to make late appeals in respect of Disability Living Allowance and Attendance Allowance were *(a)* made and *(b)* granted in each year since 1996–97. [132056]

Mr. Bayley: The information is not available in the format requested.

Mr. Andrew George: To ask the Secretary of State for Social Security how many claimants of Incapacity Benefit or Severe Disablement Allowance receive both a child dependant's addition and an adult dependant's addition. [132059]

Mr. Bayley: The number of Incapacity Benefit recipients where both a child dependant's addition and an adult dependant's addition is payable is 47,200.

The number of Severe Disablement Allowance recipients where both a child dependant's and an adult dependant's addition is payable is 1,300.

These figures are taken from a 5 per cent. sample of the benefit computer system at 29 February 2000 and will exclude a small number of clerically held cases.

Mr. Andrew George: To ask the Secretary of State for Social Security how many claimants of Incapacity Benefit or Severe Disablement Allowance with dependent children also receive Income Support. [132060]

Mr. Bayley: At November 1999, there were 231,000 claimants of Incapacity Benefit or Severe Disablement Allowance of working age with dependent children who also receive Income Support in Great Britain.

Of the 231,000 claimants of Incapacity Benefit/Severe Disablement Allowance with dependent children who also receive Income Support, 132,000 are not receiving an Incapacity Benefit payment but are receiving National Insurance credits only due to failing the contribution condition.

Source:

Client Group Analysis of DSS statistical 5 per cent. samples relating to the working age claiming key Social Security benefits in November 1999.

Mr. Andrew George: To ask the Secretary of State for Social Security how many people who have been assessed as disabled under the Industrial Injuries Disablement Scheme he estimates will benefit from decision CI 1698/97 of the Social Security Commissioners on aggregation of disablement assessments. [132057]

Mr. Bayley: Work is in hand to identify the people affected.

Mr. Andrew George: To ask the Secretary of State for Social Security how many children, by age group, live in households where a parent is in receipt of Incapacity Benefit, Severe Disablement Allowance or Income Support with a disability premium. [132058]

Mr. Bayley: The information is in the table.

Children of working age recipients of Incapacity Benefit or Severe Disablement Allowance or Income Support with a disability related premium by age of child—Great Britain: November 1999

Thousand

	Number
All children	582
Under 5	97
Aged 5–10	153
Aged 11–15	163
16 or over	54
Not known	115

Notes:

1. Figures are rounded to the nearest thousand
2. Includes children for which additional benefit allowances are payable
3. A "disability related premium" means a Disability Premium, Severe Disability Premium (higher and lower rates) or a Higher Pensioner Premium where the claimant or partner are aged over 60 and would qualify for the Disability Premium.

Source:

Client Group Analysis of DSS statistical 5 per cent. samples relating the working age claiming key Social Security benefits in November 1999.

EDUCATION AND EMPLOYMENT

New Deal (Disabled People)

Dr. Kumar: To ask the Secretary of State for Education and Employment how much has been allocated in the current financial year on developing the New Deal for Disabled People; how many people will benefit from the scheme *(a)* nationally, *(b)* on Teesside and *(c)* in the constituency of Middlesbrough, South and Cleveland, East; and if he will make a statement. [128637]

Ms Hodge: For 2000–01, £640,000 has been allocated to my Department to develop the New Deal for Disabled People. To date the pilot phase has consisted of 24 Innovative Schemes and a Personal Adviser Service in 12 areas, covering around a quarter of a million people on Incapacity Benefit, and including South Tyneside in the North-East. Since autumn 1998 (when the pilots began) to the end of March 2000, the latest figures available, nearly £3 million had been spent on the Innovative Schemes and over £10 million on the 12 Personal Adviser pilot areas. During the same period 2,755 people had found jobs as a result of the pilots (3,454 to the end of May 2000). Together with colleagues at the Department of Social Security we are currently considering lessons learned from the pilot and hope to make an announcement in the near future about our plans for national extension.

Mr. Allan: To ask the Secretary of State for Education and Employment how many people with more than one disability have joined the New Deal for the Disabled scheme. [131519]

Ms Hodge: The information is not available in the precise form requested. We have been piloting the New Deal for Disabled People (NDDP) since autumn 1998. People coming forward to date have a wide range of disabilities: many have more than one disability. The extra help and support provided takes account of the individual needs of each person who volunteers to take part in the NDDP pilots. The latest figures, to the end of May, show that 12,199 disabled people on Incapacity Benefits have joined the programme so far by participating in the 24 innovative schemes or by drawing up an agreed work-focused action plan with a personal adviser in 12 NDDP pilot areas. I am pleased to say that 3,454 people have found jobs as a result.

After-school Clubs

Mr. Gareth R. Thomas: To ask the Secretary of State for Education and Employment what funding is available to support the training of play workers in after-school clubs. [128745]

Ms Hodge: It is not possible to identify funding which is specifically available for the training of play workers. However, we have allocated £18 million in England to Training and Enterprise Councils between 1998–99 and 2000–01 to support the training needs of the child care workforce, including playworkers. Early Years Development and Childcare Partnerships also spend a proportion of their budget on training. Further Education Colleges also spent £93.32 million on child care related training in 1998–99. This is in addition to the New Opportunities Fund (NOF) budget for the UK of £220 million from 1999–2003 to fund a significant expansion in out of school provision. Training is an acceptable element in bids made to NOF for support under the programme.

Nursery Nurses

Sir Teddy Taylor: To ask the Secretary of State for Education and Employment how many nursery nurses are employed in schools in England and Wales; and if he will make a statement on their future role. [129508]

Ms Hodge: The information is not available in the form requested. Figures are not collected for schools—other than nursery and primary schools—or private and voluntary providers. Information on the overall numbers of full-time equivalent nursery nurses employed in maintained nursery and primary schools is shown in the table, which shows that the number of full-time equivalent nursery nurses has increased by more than 3,000, or 16 per cent., since January 1997.

Number of full-time equivalent Nursery Nurses[1] in Maintained Nursery and Primary Schools in England: 1997 to 2000[2]

Position as at January	*Number*
2000[2]	21,862
1999	20,266
1998	19,973
1997	18,860

[1] Figures relate to staff who hold NNEB certificate or equivalent but exclude persons who are employed as unqualified teachers. Excludes unqualified persons.

[2] Provisional

Source:

Annual Schools' Census

We fully recognise the tremendous contribution that well-managed and well-trained support staff, such as qualified nursery nurses, can make. That is why we are implementing a range of measures to increase the availability of such support. Our programme includes:

additional recruitment—increasing by 20,000 the number of full-time equivalent support staff working in primary and secondary schools in England by 2002;

effective induction training—with the forthcoming publication of high quality training materials for schools and local authorities;

greater clarity over role and qualifications pathways—to be set out in a new national framework published by the Local Government National Training Organisation;

good practice guidance—advice to heads and teachers on ways to support the effective involvement of support staff in schools.

For information on teaching assistants in Wales, I refer the hon. Member to the Secretary of State for Wales.

Sex Education

Mr. Pike: To ask the Secretary of State for Education and Employment what action the Government have taken to encourage sexual education for young people outside secondary schools. [130288]

Jacqui Smith: Across Whitehall there are a number of programmes which address health education for young people outside secondary schools. My Department, for instance, supports the work of some 80 national voluntary youth organisations through a scheme of grants worth £12 million over the three years 1999–2002. These grants promote the provision of planned programmes of informal personal and social education for young people through a diverse range of projects, many of which address health education issues.

For those young people in secondary schools, we recently published our Sex and Relationship Education guidance which sets out how schools can work in partnership with members of the wider community when planning and delivering sex and relationship education. The Department of Health will be issuing guidance to health authorities to make it clear that any materials they develop for use in schools must be in line with the DfEE guidance.

Computers for Teachers

Mr. Willis: To ask the Secretary of State for Education and Employment how many and what proportion of the teachers who applied for the Computers for Teachers scheme *(a)* received repayments within one month of the application, *(b)* are awaiting partial repayments and *(c)* are awaiting full repayments. [130775]

Mr. Wills: Owing to the popularity of the scheme, a backlog in making payments developed. This meant that 1,232 teachers received their computer subsidies within one month of the application. All but 217 valid claims have now been settled in full, and a further 346 incomplete applications have been received. Those involved have been contacted for further details.

In recognition of inconvenience that may have been caused, a payment of £15 will be made to individual teachers where more than 30 days has elapsed between receipt of a valid application and payment or investigation of the claim.

Mr. Willis: To ask the Secretary of State for Education and Employment what preparations his Department has made to ensure that data protection regulations are adhered to in the administration of the Computers for Teachers scheme; and if he will make a statement. [130776]

Mr. Wills: Teachers' information is stored on a secure database designed solely for the purpose of recording eligibility information and calculating Computers for Teachers subsidies and associated audit activities. All personal information relating to teachers' applications will be removed from the database, when the administration of the scheme is concluded.

Economic Activity Rates

Mr. Cousins: To ask the Secretary of State for Education and Employment if he will estimate, on the basis of the Labour Force Survey, the economic activity rates for *(a)* men and *(b)* women in each region and nation with (i) no long-term health problems, (ii) long-term health problems, (iii) long-term musculo-skeletal problems, (iv) chest problems, (v) heart problems, (vi) mental illnesses and (vii) learning difficulties. [130801]

Ms Jowell *[holding answer 17 July 2000]:* The economic activity rates for men and women with and without long-term health problems, in each region and nation in the UK are presented in Table 1.

Table 1: Economic activity rates by gender, region and presence or absence of long-term health problems

Percentage

	No long-term health problem		*Long-term health problem*[1]	
	Male	*Female*	*Male*	*Female*
North East	90.5	76.5	54.6	48.5
North West	92.2	78.8	62.5	51.2
Merseyside	87.5	73.7	51.0	46.1
Yorkshire and Humberside	90.4	79.1	65.9	54.9
East Midlands	92.3	79.6	68.0	61.2
West Midlands	90.7	77.4	64.9	57.9
Eastern	91.8	78.5	73.5	61.1
London	88.0	74.1	64.9	55.1
South East	93.2	80.0	75.2	68.7
South West	92.2	81.0	72.7	63.9
Wales	89.9	77.5	53.2	46.0
Scotland	91.8	80.1	57.7	50.1
Northern Ireland	87.0	67.9	50.1	40.5
Total UK	91.0	78.0	65.1	56.3

[1] Long-term health problem refers to a problem lasting more than 12 months

Table 2 presents a breakdown of the figures given in Table 1, by the following types of long-term health problem: musculo-skeletal, chest problems, and heart problems.

Table 2: Economic activity rates by gender, region and types of long-term health problem

Percentage

	Problems connected with arms, hands, legs, feet, back or neck[1]		*Chest or breathing problems, asthma, bronchitis*		*Heart, blood pressure or blood circulation problems*	
	Male	*Female*	*Male*	*Female*	*Male*	*Female*
North East	43.2	42.3	85.5	59.9	45.2	65.8
North West	61.8	46.4	79.5	66.8	57.5	56.9
Merseyside	50.2	36.5	62.5	66.1	47.3	[2]—
Yorkshire and Humberside	67.2	50.7	78.6	63.5	64.2	55.2
East Midlands	68.4	56.3	81.7	74.1	69.6	72.7
West Midlands	63.5	53.8	76.5	71.6	63.3	60.0
Eastern	67.0	58.4	86.8	71.3	77.0	66.7
London	60.5	51.6	81.8	67.5	71.9	57.9
South East	72.1	66.7	87.6	77.0	72.0	69.9
South West	71.4	61.6	84.8	71.6	68.5	64.2
Wales	50.5	36.5	68.0	61.1	44.9	56.6
Scotland	54.4	38.7	74.3	70.0	55.3	64.1
Northern Ireland	54.1	28.0	61.7	[2]—	[2]—	[2]—
Total UK	62.5	50.8	80.0	69.1	62.8	62.0

[1] The labour force survey does not have a classification for musculo-skeletal problems. This category presented covers problems or disabilities connected with arms or hands, legs or feet, back or neck (including arthritis and rheumatism).
[2] Number of cases is too few to be reliable so the estimate is not shown.

Figures for the incidence of mental illness and learning difficulties, when broken down by region are mainly less than 10,000 cases, which is below the publication threshold for data from the Labour Force Survey. Figures below this level are unreliable; therefore, only national estimates can be given, and these are presented in Table 3.

Table 3: Economic activity rates by gender and mental illness and learning difficulties in the UK

Percentage

	Total UK
Mental illness[1]	
Male	28.7
Female	25.6
Learning difficulties[2]	
Male	45.9
Female	30.5

[1] Mental illness, phobias, panics or other nervous disorders, depression, bad nerves or anxiety.
[2] Severe or specific learning difficulties.

Note:

All figures taken from the Labour Force Survey (Spring 2000, UK).

Lone Parents (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment how many lone parents have secured jobs through the New Deal for Lone Parents in Shrewsbury and Atcham; and if he will make a statement. [131146]

Ms Hodge: This information is not available in the form requested, as New Deal for Lone Parents is delivered on an Employment Service District basis. The table contains the information for the Shropshire district.

NDLP figures for Shropshire district—October 1998 to April 2000

	Shropshire district
Initial interview	986
Agreement to participate	898
Total numbers into jobs	344

Equal Treatment Directive

Mr. Leigh: To ask the Secretary of State for Education and Employment (1) if the proposed Council Directive Establishing a General Framework for Equal Treatment in

Employment and Occupation, as currently drafted, would require a parish church not to refuse to employ an atheist in the post of verger; [131166]

(2) what the effect will be of the proposed Council Directive Establishing a General Framework for Equal Treatment in Employment and Occupation, as currently drafted, on the employment policy of the Board of Social Responsibility of the Church of Scotland which requires that all its staff should be committed Christians; [131167]

(3) if the proposed Council Directive Establishing a General Framework for Equal Treatment in Employment and Occupation, as currently drafted, will require the repeal of section 60 of the School Standards and Framework Act 1998. [131168]

Ms Jowell: The proposed Council Directive Establishing a General Framework for Equal Treatment in Employment and Occupation is currently in negotiation. Until a text has been finally agreed it is not possible to assess the precise effect it will have on existing legislation such as that mentioned in the question. However, the Government are negotiating on the basis that the text finally agreed should be clear and workable in practice and should preserve, where appropriate, existing arrangements which allow religious bodies to protect their ethos. We are seeking to negotiate an agreement which will protect the existing rights of church schools under section 60 of the Schools Standards and Framework Act 1998.

Mr. Gareth Thomas: To ask the Secretary of State for Education and Employment if he will seek to amend the proposed EU directive on equal treatment in employment so as to reflect the concerns of religious groups in the UK. [131579]

Ms Jowell: The proposed Council Directive Establishing a General Framework for Equal Treatment in Employment and Occupation is currently in negotiation. The Government are negotiating on the basis that the text finally agreed should be clear and workable in practice and should preserve, where appropriate, existing arrangements which allow religious bodies to protect their ethos. We have been consulting a range of religious groups on the implications of the proposals throughout the negotiations.

Teachers (Performance-related Pay)

Mr. Clappison: To ask the Secretary of State for Education and Employment what assessment he has made of the average amount of time spent in training the external assessors of performance-related pay. [131712]

Ms Estelle Morris: The External Assessors who will visit schools to verify Headteachers' decisions about which teachers meet threshold standards must attend a three day training event, and successfully pass a formal independent accreditation process.

Mr. Clappison: To ask the Secretary of State for Education and Employment if he received legal advice as to whether the standards for the performance-related pay threshold should be referred to the School Teachers Review Body; and when he received such advice. [131799]

Ms Estelle Morris: My right hon. Friend the Secretary of State receives advice as appropriate before he takes decisions.

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment for how long schools will be compensated for the additional salary costs of teachers they recruit who are already in receipt of performance-related pay. [131536]

Ms Estelle Morris: A new Special Grant in England will target funds to support the additional pay costs of the new performance threshold for teachers separately from schools' delegated budgets until March 2002. The funding arrangements beyond that point will be decided in the light of the Government spending review and the early experience of the teachers' pay reforms.

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment if the standards for teachers' threshold assessment for performance related pay for 2001–02 will be the same as for the current year. [131537]

Ms Estelle Morris: The standards for teachers' threshold assessment were quashed in the Judicial Review brought by the NUT. At this time it is not possible to say what they will be for the current year or for 2001–02.

Computers (Access)

Mr. Alasdair Morgan: To ask the Secretary of State for Education and Employment how much funding is available from *(a)* Government and *(b)* other sources for (i) the Computers Within Reach Scheme and (ii) other schemes designed to assist people on low incomes participate in the information age. [131792]

Mr. Wills: The Government are making £15 million available for a pilot scheme in England—"Computers Within Reach"—to enable those who cannot afford new computers to acquire reconditioned computers for use in the home for the purpose of improving their employment prospects, for lifelong learning, and potentially for their children's homework. We are currently assessing which locations will be included in the pilot projects and details will be announced later this year. £252 million of funding from the Capital Modernisation Fund (CMF) is being used to set up around 700 ICT Learning Centres across England. This will be complemented by £77.5 million of New Opportunities Fund money to provide revenue support and develop Community Grids for Learning. Scotland, Wales and Northern Ireland received £70 million of CMF funding in the March 1999 Budget for use in similar schemes.

In autumn 2000, the University for Industry (UfI) will become operational using the brand name 'learndirect' for its products and services. It will develop a network of some 1,000 'learndirect' centres by spring 2001. The DfEE has allocated £84 million in 2000–01 to support UfI's development and implementation plans and the development and management of the 'learndirect' information and advice line.

We do not have available figures on the funding from other sources.

Judicial Review (NUT)

Mr. Clappison: To ask the Secretary of State for Education and Employment if he will list the court hearings which took place in connection with the action by the National Union of Teachers resulting in the decision of Mr. Justice Jackson on 14 July; if his

Department was entitled to have legal representatives *(a)* attend and *(b)* make legal representations at those hearings; and whether his Department was represented at the hearings. [131798]

Ms Estelle Morris: The application for permission for judicial review was held on 19 April 2000. My Department was entitled to attend and make representations, but in accordance with common practice decided not to do so in all the circumstances of the case. The judicial review hearing took place between 11 and 14 July. My Department was entitled to and did attend and make representations.

Child Care

Mr. Letwin: To ask the Secretary of State for Education and Employment if he will estimate the net cost of *(a)* making grants available to all playgroups and nurseries for three-year-olds and *(b)* reducing the coverage of grants in respect of three-year-olds to two days a week. [131527]

Ms Hodge *[holding answer 20 July 2000]:* Since this Government came to office, 120,000 new, free, early education places have been created for three and four-year-olds nationally. All four-year-olds already have free access to early education. Two thirds of three-year-olds will be able to access a free place by 2002. The priority is to reach those three-year-olds in social need who would most benefit from a free nursery place. The estimated annual cost of achieving universal provision is approximately £450 million.

If three-year-old entitlement was to be reduced from five sessions to two, the estimated cost of universal provision would be approximately £180 million.

East Lancashire University

Mr. Gordon Prentice: To ask the Secretary of State for Education and Employment what plans he has to establish a university in East Lancashire; and if he will make a statement. [131890]

Mr. Wicks: The Government do not determine the siting of higher education institutions. It is a matter for the interested bodies in the region to consider with the Higher Education Funding Council for England.

School Capital Grants (Northampton)

Ms Keeble: To ask the Secretary of State for Education and Employment if he will list *(a)* the schools in Northampton, North which have received capital grants and *(b)* the value of grant in each case. [131947]

Jacqui Smith: The table shows the schools in Northampton, North constituency which have benefited from allocations of New Deal for Schools grant. All schools in the constituency will have benefited from Devolved Formula Capital in 2000–01, which is allocated by the local education authority.

New Deal for schools grant allocations to schools in Northampton, North constituency

School	*Total grant allocated under NDS (£)*
Kingsthorpe Community	409,457
Northampton School for Girls	60,000
Stimpson Avenue Lower School and Nursery	13,000
Thomas Becket RC Upper School	20,000
Trinity School	60,000
Kings Heath Lower School and Nursery	10,000
Booth Lower School	20,000
Gladstone Lower School	22,000
Weston Favell Upper School	50,000
St. Mary's RC Middle	53,500
Emmanuel C. of E. Middle	21,400
St. Gregory's Lower	14,980
Blackthorn Middle	20,000
Kingsthorpe Middle	90,000
Gladstone Lower	85,000
Package Bids[1]	1,188,700
Cedar Road Lower, Boothville Middle, Sunnyside Lower, Booth Lower, Kings Heath Lower, Spencer Middle, Kingsley Lower, Kingsthorpe Middle Community, Trinity School, Booth Lower, Emmanuel Church of England Voluntary Aided Middle, Whitehills Lower, and the Camrose Centre[2]	2,226,114
Total	4,364,151

[1] A total of £1,888,700 was awarded for 10 package projects in NDS round three. Details of schools to which funding was allocated are held by Northamptonshire local education authority.

[2] The schools listed were included in package projects totalling £2,226,114 in NDS round four. Details of allocations for individual schools are held by Northamptonshire local education authority.

School Inspections (Racial Equality)

Dr. Starkey: To ask the Secretary of State for Education and Employment (1) how many Ofsted school inspection reports, since the publication of the report of the Stephen Lawrence Inquiry, have included *(a)* consideration of the school's effectiveness in preventing and addressing racism, *(b)* highlighted racial equality issues among the key action points and *(c)* identified improvements in the school's practice in promoting racial equality; [131961]

(2) how many schools placed under special measures since the publication of the report of the Stephen Lawrence Inquiry have had failure to address issues of racial equality identified among their weaknesses; [131962]

(3) how many schools which have been identified by Ofsted as having serious weaknesses have, since the publication of the report of the Stephen Lawrence Inquiry, had failure to address racial equality as one of the identified weaknesses; [131963]

(4) if he will request Her Majesty's Chief Inspector of Schools to respond in writing to the recommendations of the report of the Commission for Racial Equality, "Inspecting Schools for Race Equality: Ofsted's Strengths and Weaknesses". [131964]

Ms Estelle Morris: These are matters for HM Chief Inspector of Schools, Chris Woodhead. I have asked him to write to my hon. Friend and to place a copy of his letter in the Library. Post-inspection action plans are prepared by schools' governing bodies to address the key issues for action identified by inspectors, which could include the need better to address issues of racial equality. In the case

of schools requiring special measures or with serious weaknesses, HM Inspectors judge whether action plans adequately address the key issues and monitor improvement on subsequent visits. My Department checks on the progress made by each school and, in cases where progress is limited, works with the local education authority to ensure that urgent action is taken to improve the quality of education provided for pupils.

Dr. Starkey: To ask the Secretary of State for Education and Employment when he will respond to the recommendations of the report of the Commission for Racial Equality, Inspecting Schools for Race Equality: Ofsted's Strengths and Weaknesses. [131965]

Ms Estelle Morris: This Government are committed to ensuring high standards and equal opportunities for every child in every school and Ofsted has an important role in achieving that aim. Most of the recommendations in the CRE's report are matters for Ofsted. We will respond to the other recommendations after we have completed our consideration of the report.

Class Sizes

Mr. Willis: To ask the Secretary of State for Education and Employment what the average class size was for classes taught by one teacher in *(a)* Great Britain and *(b)* each local education authority, for (i) primary and (ii) secondary schools, in (A) 1979, (B) 1992 and (C) each year since 1996; and what the figure was for (x) Key Stage 1 and (y) Key Stage 2 in each year since 1996. [132026]

Ms Estelle Morris: Information is not available in the form requested. The available information is contained in tables, copies of which have been placed in the Library.

For information on classes in Scotland, Wales and Northern Ireland, I refer the hon. Member to the Secretaries of State for Wales, Scotland and Northern Ireland respectively.

Youth Unemployment (Greater London)

Mr. Cox: To ask the Secretary of State for Education and Employment if he will make a statement on the impact of the New Deal on reducing youth unemployment in the Greater London area. [132073]

Ms Jowell: The New Deal for Young People is aimed at people aged 18–24 who have been claiming unemployment benefits for six months or more.

Claimant unemployment among this group has fallen by 70 per cent. in the three years since April 1997 and by 56 per cent. since April 1998 when the New Deal was introduced. Part of this fall is due to the delivery of a strong and stable economy, but the New Deal for Young People has helped unemployment to fall even faster. The fall of 56 per cent. since the New Deal was introduced compares with a fall of 18 per cent. in total unemployment, 23 per cent. in total youth (18–24) unemployment and 26 per cent. in the total number unemployed for six months or more. The effect of the New Deal is confirmed by independent research from the National Institute of Economic and Social Research.

It is not possible to measure the New Deal effect exactly in each part of the country. However, in Greater London the fall in unemployment among the New Deal client group has also been substantially faster than for other groups. In Greater London, in the two years since April 1998, claimant unemployment among those aged 18–24, unemployed for six months or more, has fallen by 56 per cent., from 19,346 to 8,552. This compares with a fall of 21 per cent. in total unemployment, 29 per cent. in total youth (18–24) unemployment, and 26 per cent. in the total number unemployed for six months or more.

Rural School Closures

Mr. Breed: To ask the Secretary of State for Education and Employment how many schools and colleges in rural areas have closed in each of the last five years. [131900]

Ms Estelle Morris *[holding answer 21 July 2000]:* The table shows the number of schools in rural areas approved for closure in each of the last five years.

	Number
1996	21
1997	4
1998	5
1999	2
2000	2

Although a number of governing bodies of further education colleges in rural areas have been dissolved, in each case the educational provision has continued by arrangement with another institution in the further or higher education sector.

Hendon Schools

Mr. Dismore: To ask the Secretary of State for Education and Employment how much extra has been and will be awarded in direct cash payments to each school, by name, in Hendon as a result of *(a)* the budget and *(b)* the Comprehensive Spending Review. [131905]

Ms Estelle Morris *[holding answer 24 July 2000]:* A table was placed in the Library of the House on 3 June giving details, by constituency, of the allocation of the extra budget funding for schools—the School Standards Grant. This information is not normally published for individual schools. The amount of School Standards Grant paid to schools in Hendon is £615,000.

I will place a similar table in the Libraries, with estimates of the grant payable to schools by constituency, as a result of the 2000 Spending Review, as soon as possible.

Access to Work Scheme

Mr. Allan: To ask the Secretary of State for Education and Employment what research his Department has carried out on the level of awareness of the Access to Work scheme among *(a)* employers and *(b)* disabled people. [131820]

Ms Hodge *[holding answer 21 July 2000]:* Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Richard Allan, dated 24 July 2000:

As the Employment Service is an Executive Agency, the Secretary of State has asked me to reply to your question about research on the level of awareness of the Access to Work programme among employers and disabled people. This is something that falls within the responsibilities delegated to me as Chief Executive of the Agency.

We have not undertaken any specific research into the level of awareness of Access to Work. However, in 1998 the Institute of Employment Studies carried out an independent evaluation of Access to Work for the Employment Service. They found that recipients had learnt about Access to Work from a wide range of sources, indicating that knowledge of Access to Work is widespread among agencies helping disabled people, including family doctors, social services departments, health services, hospitals, employment agencies, employers and organisations and support groups for disabled people.

We have recently contracted for an independent survey of Access to Work recipients to be undertaken later this year. The survey will ask how recipients found out about the Access to Work programme and about their knowledge of what it can provide for disabled people.

I hope this is helpful.

NORTHERN IRELAND

Parliamentary Questions

Mr. Maclennan: To ask the Secretary of State for Northern Ireland on how many occasions he has deposited papers in the Library in response to parliamentary questions tabled to his Department between 19 October 1999 and 20 April 2000. [127338]

Mr. Mandelson: Between 19 October 1999 and 20 April 2000, papers were deposited in the Library on 22 occasions.

Mr. Maclennan: To ask the Secretary of State for Northern Ireland how many written parliamentary questions tabled to his Department between 19 October 1999 and 20 April 2000 have not received substantive answers, with commercial or other confidentiality cited as the reason. [127676]

Mr. Mandelson: Of the 564 written parliamentary questions tabled in this period, four did not receive a substantive answer with confidentiality cited as the reason, and one further received only a partial answer.

Mr. Stunell: To ask the Secretary of State for Northern Ireland how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April 2000 have not received substantive answers, excluding those not answered citing *(a)* disproportionate cost, *(b)* that the information is not available, not held centrally, or not held in the form requested and *(c)* commercial confidentiality or other confidentiality. [131123]

Mr. Mandelson: Of the 564 written parliamentary questions tabled to my Department between 19 October 1999 and 20 April 2000 there were no occasions where a substantive answer was not given other than the reasons set out in the hon. Member's question.

Registrable Associations

Mr. McNamara: To ask the Secretary of State for Northern Ireland, pursuant to his answer to the hon. Member for Hull, North of 17 July 2000, *Official Report*, column 18W, (1) what definition he uses of public concern; and how he was informed of those public concerns; [132036]

(2) what representations he has received from members of the public who are concerned about police membership of Opus Dei; and if he will place copies of them in the Library; [132034]

(3) if he will list the religious organisations he consulted when drafting clause 49 (registration of associations) of the Police (Northern Ireland) Bill; [132033]

(4) if he will make a statement on his policy in respect of the inclusion of *(a)* the Legion of Mary, *(b)* St. Vincent de Paul, *(c)* Guild of Catholic Mothers, *(d)* St. Joseph Young Priests Society, *(e)* Society of St. Gregory, *(f)* Thomas Merton Society, *(g)* Catholic Women's League, *(h)* the Irish National Foresters and *(i)* the Jesuits from clause 49 (Registration of associations) of the Police (Northern Ireland) Bill; [132070]

(5) what criteria he applied in selecting the registrable associations listed in Clause 49 of Police (Northern Ireland) Bill; [132124]

(6) if he will require members of internal organisations of *(a)* the Church of Ireland, *(b)* Presbyterian, *(c)* Methodist, *(d)* Free Presbyterian and *(e)* other churches to declare their membership of such organisations when applying to the Police Service of Northern Ireland. [132125]

Mr. Ingram: The Government's decisions on registrable associations were made in the light of the recommendation and principles set out in chapter 15 of the Patten Report, and the list of organisations given in the NI Affairs Committee Report of 8 July 1998. As I said in Standing Committee B on the Police (NI) Bill, 29 June 2000, *Official Report*, column 336, the issue is not about membership per se but is "largely one of perception". For example, as reflected in submissions to the Commission and Government and by the amendment tabled by Members of Parliament in Committee.

We have not been made aware of public concern surrounding organisations other than those listed, but the clause contains a provision that would enable the Secretary of State to amend the list.

The Government have met representatives of Opus Dei and are considering the points put to it about their inclusion.

PRIME MINISTER

Lord Birt

Mr. Baker: To ask the Prime Minister (1) what factors underlay his decision to appoint Lord Birt as his adviser on crime; whom he consulted before making that appointment; and for what period the appointment has been made; [130317]

(2) if he will list the qualifications held by Lord Birt relevant to his role as adviser on crime; [130318]

(3) what remuneration was offered to Lord Birt in respect of his role as crime adviser; [130319]

(4) what areas Lord Birt will focus on in his role of adviser on crime; [130320]

(5) what *(a)* expenses, *(b)* transport arrangements and *(c)* office facilities Lord Birt will be eligible to claim in his role as adviser on crime; [130321]

(6) how he will ensure the accountability to Parliament of Lord Birt in his role as crime adviser; and to what categories of information in respect of crime Lord Birt will be allowed access. [130398]

Mr. Gordon Prentice: To ask the Prime Minister what considerations led him to appoint Lord Birt to investigate the reasons for the growth in crime; and if he will make a statement. [130305]

The Prime Minister *[holding answer 13 June 2000]:* I have asked Lord Birt to take a long-term, strategic look at criminality and long-run social trends. We have a strategy in place for tackling crime and its causes which is starting to show results in key areas such as burglary and car crime. But crime remains a serious and deep-seated problem and we must continue to look to the future and be open to new ideas. Lord Birt brings a strategic outlook and an understanding of social trends gained from a long and distinguished career in broadcasting. He will be reporting to me and to my right hon. Friend the Home Secretary as well as working closely with my right hon. and learned Friends the Lord Chancellor and the Attorney-General and they will ensure that any new policies on crime are shared with Parliament.

Lord Birt has been appointed as a part-time unpaid adviser. The duration of the appointment is yet to be determined. As an adviser to the Government he will be entitled to claim out-of-pocket expenses, to have appropriate use of Government office accommodation and to have access to relevant Government papers. He will not be entitled to use official Government transport.

Attorney-General (Appointment)

Mr. Bercow: To ask the Prime Minister what the most recent occasion was, prior to the present appointment, when the Attorney-General was appointed from the House of Lords. [130833]

The Prime Minister: As far as I am aware there have been no previous appointments from the House of Lords. There is no reason why either the Attorney-General or the Solicitor-General should not be members of the House of Lords. Previously attendance by the Attorney-General in the House of Lords was similar to that of a Temporal Assistant whose attendance was commanded by writ in order to give advice. I refer the hon. Member to an exchange reported in the Other Place on 19 November 1957, *Official Report, House of Lords*, columns 377–82, for further details on this aspect.

Parliamentary Questions

Mr. Stunell: To ask the Prime Minister how many of the written parliamentary questions tabled to him between 19 October 1999 and 20 April did not receive substantive answers, citing as the reason that the information was *(a)* not held centrally, *(b)* not held in the form requested and *(c)* not available. [131199]

The Prime Minister *[holding answer 18 July 2000]:* Of the 454 written answers I provided in the specified period I was unable to provide information on four occasions because it was either not held centrally or not held in the format requested or not available.

Mr. Stunell: To ask the Prime Minister how many written parliamentary questions were tabled to his Department between 19 October 1999 and 20 April; and how many have not received substantive answers, with disproportionate cost cited as the reason. [131224]

The Prime Minister *[holding answer 20 July 2000]:* I provided 454 written answers within the specified period. I was asked on one occasion to provide information which could be obtained only at disproportionate cost.

Sellafield

Mr. Llew Smith: To ask the Prime Minister if he will make a statement on the matters discussed at, and the outcome of, his recent meeting with the Save our Sellafield campaign. [131995]

The Prime Minister: The group briefed me and my right hon. Friend the Minister for Energy and Competitiveness in Europe (Mrs. Liddell) on a range of issues facing the west Cumbrian economy, including the need to attract new inward investment, and emphasised the importance to that economy of Sellafield.

United Nations

Mr. Menzies Campbell: To ask the Prime Minister on which days he plans to attend the United Nations Millennium Summit; and if he will make a statement. [131015]

The Prime Minister: The UN Millennium Summit in New York will take place over three days from 6–8 September. I plan to attend for at least part of the time.

Computer Security

Dr. Gibson: To ask the Prime Minister what steps he takes to ensure the security of information held on, or transmitted via, the Downing street computer system. [132144]

The Prime Minister: Information security remains a high priority and its effectiveness is kept under continuous review.

Lords Lieutenant

Mr. Baker: To ask the Prime Minister, pursuant to the answer of 13 July 2000, *Official Report*, column 663W, on lords lieutenant, what recent assessment he has made of the system for appointing deputy lords lieutenant. [132331]

Mr. Mike O'Brien: I have been asked to reply.

Under section 2 of the Lieutenancies Act 1997, the lord lieutenant of a county or area shall appoint such persons as he thinks fit to be his deputy lieutenants, subject to the non-disapprobation of the Queen. The Act, which was granted Royal Assent on 19 March 1997, repealed parts of the Reserve Forces Act 1980, including

those relating to lord lieutenants and deputy lieutenants. There are at present no plans to change the system of appointing deputy lieutenants.

SOLICITOR-GENERAL

Government Property Lawyers

Siobhain McDonagh: To ask the Solicitor-General when the Government Property Lawyers 1997–98 Annual Report and Accounts will be published. [132500]

The Solicitor-General: I can confirm that I have today placed copies of the Annual Report in the Libraries of the House.

INTERNATIONAL DEVELOPMENT

Liberia

Mr. Streeter: To ask the Secretary of State for International Development what development assistance has been given to Liberia since 1997; and if she will make a statement. [126416]

Clare Short: Development assistance for the period 1997 to 1999 totalled 3.55 million.

Full details are included in the respective "British Aid Statistics" which is available in the Library of the House.

Oxfam Report

Dr. Tonge: To ask the Secretary of State for International Development what assessment she has made of the recent Oxfam report, "Missing the Target: the price of empty promises"; and if she will make a statement. [128715]

Clare Short: The UK Government have taken the lead in seeking to mobilise the international development system including development NGOs to focus on the achievement of the 2015 targets. We have always made clear that the 2015 targets are extremely challenging, but very substantial progress has been made and more is possible. Some targets are nearer to achievement than others. It is also possible that some of the targets will be achieved overall but not achieved in some countries. The purpose of the targets is to seek to galvanise a greater effort in each country and by all parties.

At last year's Summit in Cologne, the G8 called for an annual poverty report from the international financial institutions as a means of focusing the international effort toward the targets. The first report has been prepared for this year's Summit in Okinawa. The report draws attention to the concerted and sustained commitment that will be needed if the 2015 targets are to be met. However its conclusion is that achieving the targets is still possible overall, though it will be more difficult in some parts of the world than in others. The report proposes a comprehensive range of measures for dealing with this: these include improving the global environment faced by developing countries; increasing aid flows and improving the effectiveness of aid; accelerating the implementation of the enhanced heavily indebted poor countries initiative; harnessing new information and communication technologies for increased productivity and economic growth; and working to reduce conflict.

Amazon Basin (Logging)

Mr. McGrady: To ask the Secretary of State for International Development what assessment she has made of the logging activities in the Amazon by the Brazilian Environment Agency; and if she will make a statement. [131153]

Clare Short: The role of the Brazilian Environment Agency (IBAMA) is to monitor and control logging rather than actively engage in it. Our assessment is that environmental management capacity in Brazil needs to be developed in order to implement policies that have already been formally adopted. We believe that IBAMA are currently under-resourced and there are many weaknesses in the enforcement of existing forestry legislation owing to lack of incentives and capacity. We, and other donors, are contributing to institutional strengthening of IBAMA through the Pilot Programme to Conserve the Brazilian Rainforest.

Mr. McGrady: To ask the Secretary of State for International Development what action she proposes to take to discourage logging activities in the Amazon by the Brazilian Environment Agency. [131154]

Clare Short: We are contributing to the international efforts to encourage sustainable logging practices in Brazil. Our contribution is mainly being channelled through the Pilot Programme to Conserve the Brazilian Rainforest.

Financial Contributions

Mr. Streeter: To ask the Secretary of State for International Development what are the policy aims underlying her Department's contribution to *(a)* the Asian Development Bank, *(b)* the African Development Bank, *(c)* the International Monetary Fund, *(d)* the International Finance Corporation, *(e)* the Multilateral Investment Guarantee Agency, *(f)* the International Development Association, *(g)* Trade and Investment Research Activities, *(h)* UNAIDS, *(i)* the UN Fund for Population Acts, *(j)* the African Development Fund, *(k)* the WHO, *(l)* the UN Centre for Human Settlements, *(m)* the European Commission Attribution, *(n)* EU research, *(o)* the Desertification Convention, *(p)* the International Trade and Timber Organisation and *(q)* the World Food Programme; what assessment she has made of the value for money of these contributions; and if she will make a statement. [131620]

Clare Short: The policy aims underlying our contribution to *(a)*, *(b)*, *(d)*, *(e)*, *(f)*, *(j)*, *(l)*, *(m)* and *(n)* are set out in the relevant Institutional Strategy Papers, which have been deposited in the Library of the House. Strategy Papers for *(h)*, *(k)*, *(l)* and *(q)* will be published shortly and will be deposited in the Library of the House, with the exception of the International Monetary Fund which is a Treasury lead.

Our policy aims on *(g)*, *(o)* and *(p)*, are outlined in chapters 3, 4 and 5 in DFID's 2000 Departmental Report.

HIV/AIDS

Mr. Streeter: To ask the Secretary of State for International Development what proportion of the current multilateral budget funding HIV/AIDS programmes will be principally directed towards Africa. [131619]

Clare Short: It is not possible to identify statistically how our contributions to the core funding of multilateral organisations involved in tackling HIV/AIDS is allocated. Obviously the major effort of most international organisations working on HIV/AIDS is being devoted to Africa.

Mr. Streeter: To ask the Secretary of State for International Development if she will list the total amounts spent by her Department on HIV/AIDS in each year since 1992. [131616]

Clare Short *[holding answer 20 July 2000]:* DFID's total expenditure on HIV/AIDS from 1992–93 to 1999–2000 was as follows:

	£ million
1992–93	15
1993–94	30
1994–95	35
1995–96	34
1996–97	41
1997–98	41
1998–99	43
1999–2000	55

The statistical system used excludes activities costing less than £100,000 and multilateral expenditure.

Bangladesh

Mr. Cousins: To ask the Secretary of State for International Development for what reasons Bangladesh has been excluded from the HIPC initiative; and what representations the UK Government have made on this matter. [131624]

Clare Short: According to the World bank and IMF, Bangladesh's debt sustainability ratios are below the minimum thresholds used by the enhanced Heavily Indebted Poor Countries (HIPC) Initiative. This means that it would not qualify for debt relief.

For a country to receive HIPC debt relief, it requires not only unsustainable levels of debt, but also a commitment to poverty reduction and reform. In the case of Bangladesh, any consideration of debt relief would be likely to require further progress in areas such as public expenditure allocations on essential services for poor people, measures to improve the quality of public services, improving revenue administration, and a serious start on structural measures such as financial sector and public enterprise reform.

Our substantial aid programme to Bangladesh—£65 million in 1999–2000—focuses on promoting the reduction of poverty both directly and by addressing constraints on faster pro-poor growth and improved governance.

Mozambique

Mr. Cousins: To ask the Secretary of State for International Development what debt is owed by Mozambique to the *(a)* UK Government and *(b)* UK private sector; what are the debt service payments relating to that debt; and by how much that debt service will be reduced by debt cancellation and other national and international debt relief initiatives. [131625]

Clare Short: Mozambique's aid debts of £21.8 million to the UK were cancelled in 1983. Under the Government's policy on 100 per cent. debt relief for countries eligible under the enhanced Heavily Indebted Poor Countries (HIPC) Initiative, debt service payments on Mozambique's remaining debt of £9.5 million to the Export Credits Guarantee Department (ECGD) ceased. The enhanced HIPC Initiative both removes the unpayable portion of Mozambique's debt and halves the debt service that it was previously paying to official creditors.

We do not have figures for Mozambique's debt to the private sector. However, since we estimate its worldwide private sector debt to be less than one per cent. of its total debt, the amount owed to the UK is presumed to be minimal.

CABINET OFFICE

Official Meetings

Mr. Matthew Taylor: To ask the Minister for the Cabinet Office from which sections of the US Departments of Justice, Defense and State officials were drawn attending each of the meetings which took place since 1 January 1998 between her departmental representatives and Ambassador David Aaron. [130514]

Marjorie Mowlam: The information is not held centrally and can be obtained only at disproportionate cost.

SCOTLAND

Astute Submarines

Mr. Sarwar: To ask the Secretary of State for Scotland if he will make a statement on the impact on the Scottish economy of the decision to place the mast order for the Royal Navy's Astute submarines with Pilkington Optronics in Govan. [127715]

Dr. Reid: The contract for optronic masts for Astute submarines was awarded by BAe Systems, the prime contractor, to Pilkington Optronics. The order is worth over £20 million and will support the jobs of the 600-strong workforce. Pilkington Optronics won this order in open competition demonstrating their excellent capability to provide leading-edge technology in this field.

Saudi Arabia (Trade)

Mr. Sarwar: To ask the Secretary of State for Scotland if he will make a statement on the recent Scottish trade mission to Saudi Arabia. [129932]

Mr. Wilson: Trade missions organised by Scottish Trade International are the responsibility of the Scottish Executive. However, the recent trade mission from 16–26 June was STI's third trade mission to Saudi Arabia.

Nine companies participated in the mission from a range of sectors. The mission covered three centres in Saudi Arabia: the Eastern Province, Riyadh and Jeddah. It is too early to estimate the likely success of the mission, but both the British Embassy in Saudi Arabia and STI report extremely positive responses from the business community.

Lords Lieutenant

Mr. Baker: To ask the Secretary of State for Scotland how many of Scotland's Lords Lieutenant are *(a)* women and *(b)* members of an ethnic minority. [132141]

Dr. Reid: Four Lords Lieutenant are women (including two ex-officio); none are members of an ethnic minority.

HOME DEPARTMENT

Firearms

6. **Mr. Paice:** To ask the Secretary of State for the Home Department when he plans to respond to the second report of Session 1999–2000 from the Home Affairs Committee on controls over firearms (HC 95). [130327]

Mr. Charles Clarke: The Government are currently considering the Select Committee's report and hope to publish their response shortly.

Police (Racism)

18. **Helen Jackson:** To ask the Secretary of State for the Home Department what progress he has made in his campaign to eliminate racism from the police force. [130339]

Mr. Straw: In February, I published my first annual report on progress of the implementation of my Action Plan to take forward the recommendations of the report of the Stephen Lawrence Inquiry, a copy of which is in the Library. I was able to report that over half of the report's 70 recommendations had already been implemented and that work was under way on the others. The Bill to extend the Race Relations Act 1976 to the police and other public authorities was introduced in December 1999. I have set targets for forces on recruitment, retention and progression of ethnic minority officers. In addition, a nationally co-ordinated and funded programme of community and race relations training is now under way in police forces. I have made increasing trust and confidence in policing among ethnic minority communities one of just two Ministerial Priorities for the current year.

Asylum Seekers

20. **Mr. Russell Brown:** To ask the Secretary of State for the Home Department what assessment he has made of the effect of the employment concession on the total number of applicants for asylum in the United Kingdom. [130341]

Mrs. Roche: We believe that the concession, which has operated since 1986, acts as a pull factor for applicants wishing to find work in this country but who do not qualify for asylum. A number of other European countries have no such concession allowing asylum seekers to work. We are keeping the need for the concession under review, particularly in the light of the substantial progress we are making to speed up asylum decisions.

22. **Dr. Ladyman:** To ask the Secretary of State for the Home Department what discussions he has had with the London boroughs about the dispersal of asylum seekers by those boroughs to other local authority areas. [130343]

Mrs. Roche: We have had general discussions with the Association of London Government about the dispersal of asylum seekers. We recently announced the further roll-out from today of the national asylum support scheme to include new in-country asylum applicants in London. This should, over time, reduce the number of cases where the London boroughs are proposing dispersal under the voluntary scheme.

39. **Sir Teddy Taylor:** To ask the Secretary of State for the Home Department if he will make a statement on his policy towards asylum seekers. [130360]

Mrs. Roche: We remain committed to a fairer, faster and firmer approach to immigration and asylum, and aim to achieve most asylum decisions within two months and most appeals within a further four months from April 2001. We are already meeting the two month target for family cases. We will continue to provide protection to those in real need of it, while taking the strongest possible measures to deter unfounded claims. In particular, a new civil penalty has been introduced for bringing clandestine entrants into the United Kingdom in lorries and other vehicles.

Mr. Lidington: To ask the Secretary of State for the Home Department what his estimate is of his Department's spending on asylum seeker support for *(a)* 2000–01, *(b)* 2001–02, *(c)* 2002–03 and *(d)* 2003–04. [132355]

Mrs. Roche: The Immigration and Nationality Directorate (IND) budget for 2000–01 has been increased by £609 million to £1,198 million. This includes a cash estimate for spending on asylum seeker support for 2000–01 of £604 million.

Following the Spending Review, the total budget for IND has been increased by £409 million to £952 million in 2001–02, by £446 million to £990 million in 2002–03 and £501 million to £990 million in 2003–04. The provisional estimates for asylum seeker support in those years are £403 million for 2001–01, £434 million for 2002–03 and £491 million for 2003–04. The asylum support estimates for 2001–04 have been calculated on a resource basis and are not directly comparable with those for 2000–01.

Burglary

23. **Ms Rosie Winterton:** To ask the Secretary of State for the Home Department if he will make a statement on progress with the reducing burglary initiative. [130344]

Mr. Charles Clarke: Sixty-three strategic development projects approved in April last year are underway and another 161 projects have been approved in the last three

months. In total these have been granted nearly £16 million and they cover over 800,000 households that suffered more than 60,000 burglaries in a year.

In April, we launched the third round, inviting bids from crime and disorder partnerships for a share of the remaining funding—over £30 million.

Police Recruitment

24. **Mr. St. Aubyn:** To ask the Secretary of State for the Home Department if he will make a statement on police recruitment. [130345]

Mr. Charles Clarke: Taking account of their Crime Fighting Fund bids, forces currently estimate that they will recruit about 7,600 officers this financial year.

I understand from Her Majesty's Inspectorate of Constabulary and other sources that most forces are experiencing no difficulties in recruiting. The Metropolitan Police Service and the City of London Police are, however, finding it difficult to recruit, as are other forces, including Essex, Hampshire, Hertfordshire and Thames Valley.

The Government are doing all they can to help all forces maximise recruitment, including funding a national recruitment campaign to be launched later this Summer. This will focus particularly on London and the South East. It is designed to improve the image of the police and encourage quality applicants.

My right hon. Friend the Home Secretary announced on 23 June an increase of £3,327 in the London Allowance for those Metropolitan and City officers who joined on or after 1 September 1994 and who are not in receipt of housing allowance. The increase is intended to make the starting pay of new officers in those forces, more attractive and so boost recruitment.

34. **Mr. Salter:** To ask the Secretary of State for the Home Department what reports he has received indicating which police forces find it most difficult to *(a)* recruit and *(b)* retain police officers; and what plans he has to seek to address these difficulties. [130355]

Mr. Charles Clarke: I understand from Her Majesty's Inspectorate of Constabulary and other sources that most forces are having no difficulty in recruiting. The Metropolitan Police Service and the City of London police are however finding it difficult to recruit and retain new police officers. A few others, including Essex, Hampshire, Hertfordshire and Thames Valley have reported some recruitment problems.

We are doing all we can to help all forces maximise recruitment and minimise wastage, including funding a national recruitment campaign to be launched later in the summer. This will focus particularly on London and the South-east. It is designed to improve the image of the police and encourage quality applicants.

To help address the recruitment and retention problems in London my right hon. Friend the Home Secretary announced in the policing of London debate, on 23 June 2000, *Official Report*, column 562, a £3,327 increase in London Allowance for those Metropolitan or City Officers who joined on or after 1 September 1994 and who are not in receipt of housing allowance.

Anti-social Behaviour

25. **Mr. Goggins:** To ask the Secretary of State for the Home Department what advice he has given to registered social landlords with regard to the making of anti-social behaviour orders. [130346]

Mr. Charles Clarke: The new guidance booklet, "Anti-Social Behaviour Orders: Guidance on drawing up Local ASBO Protocols", which my right hon. Friend the Home Secretary launched on 28 June, gives advice on partnership working which should assist registered social landlords and other bodies in the consultation process leading up to an ASBO application. A copy of the guidance is in the Library.

29. **Mr. Andy King:** To ask the Secretary of State for the Home Department what proposals he has for on-the-spot fines to curb anti-social behaviour. [130350]

Mr. Charles Clarke: On-the-spot fines are not currently available as a penalty for a criminal offence in England and Wales. The Government take the problems posed by anti-social behaviour very seriously and are considering what new means of dealing with this type of behaviour are necessary.

Marsham Street

26. **Sir Michael Spicer:** To ask the Secretary of State for the Home Department if he will make a statement on the future of the three tower blocks in Marsham street. [130347]

Mr. Straw: The future of the Marsham street site rests on the outcome of a public private partnership project to provide modern offices for Home Office and Prison Service staff. Bids from two private sector consortia are being evaluated and I expect to announce the outcome shortly.

Police Manpower

27. **Mr. Watts:** To ask the Secretary of State for the Home Department what recent assessment he has made of the correlation between the number of police officers in a police area and the level of crime. [130348]

30. **Mrs. Organ:** To ask the Secretary of State for the Home Department what recent assessment he has made of the correlation between the number of police officers in a police area and the level of crime. [130351]

Mr. Charles Clarke: I refer my hon. Friends to the reply I gave to my hon. Friend the Member for Great Yarmouth (Mr. Wright) on 13 July 2000, *Official Report*, columns 668–74W. This presented an assessment by my Department of the relationship between changes in police numbers and crime rates at police force level over the last few years. It showed that at level of individual forces, there seems little obvious link between performance and police numbers.

28. **Mr. David Heath:** To ask the Secretary of State for the Home Department what reports he has received about the adequacy of police numbers in rural areas. [130349]

Mr. Charles Clarke: I have received a number of reports expressing concern about police numbers or the adequacy of police services in rural areas.

Under the Police Act 1996, it is for Chief Constables to determine the number of police officers in their force from within their available resources, but the Government recognise the importance of ensuring that forces have the funding for sufficient officers to provide an effective service.

Rural areas will benefit from the Crime Fighting Fund, which will provide for an additional 9,000 officers over and above those whom forces planned to recruit in the three years 2000–01, 2001–02 and 2002–03.

In addition, £15 million was made available through the Budget, for assistance specifically to police forces in rural areas this year. I refer the hon. Member to the reply I gave my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller) on 20 July 2000, *Official Report*, columns 320–21W.

Racially Aggravated Offences

31. **Mr. Bradshaw:** To ask the Secretary of State for the Home Department what assessment he has made of the impact of the racially aggravated offences introduced by the Crime and Disorder Act 1998; and if he will make a statement. [130352]

Mr. Charles Clarke: This is the subject of a research project commissioned by the Home Office. Results are expected towards the end of this year and a report will be published early next year. The research is designed to look in detail at the operation of the legislation and the extent to which it is being used. It includes questionnaire surveys of key personnel in the police, Crown Prosecution Service and courts, in-depth interviews in five local areas and a thorough analysis of the available statistics.

Rural Policing

32. **Dr. George Turner:** To ask the Secretary of State for the Home Department what plans he has to help improve the effectiveness of police forces serving rural communities. [130353]

Mr. Charles Clarke: Rural areas will benefit from the Crime Fighting Fund, part of which will be used to provide funding for 9,000 officers over and above the number forces in England and Wales have already planned to recruit in the period 2000–03.

In addition, £15 million was made available through the Budget for assistance specifically to police forces in rural areas this year. I refer my hon. Friend to the reply I gave my hon. Friend, the Member for Ellesmere Port and Neston, (Mr. Miller), on 20 July 2000, *Official Report* columns 320–21W.

Public Safety Radio Communications

33. **Miss McIntosh:** To ask the Secretary of State for the Home Department what representations he has received from police forces about the public safety radio Communications project. [130354]

Mr. Charles Clarke: My right hon. Friend the Home Secretary and I have discussed the Public Safety Radio Communications Project with representatives of the Association of Chief Police Officers and with individual chief officers on several occasions. A number of forces have raised the question of affordability of the project. I refer the hon. Member, to my right hon. Friend the Home Secretary's Statement on 19 July 2000, *Official Report*, columns 376–91.

Referendum Campaigns

35. **Mr. Day:** To ask the Secretary of State for the Home Department what his policy is on the Government's role during referendum campaigns. [130356]

Mr. Mike O'Brien: I refer the hon. Member to the reply I gave to the right hon. Member for Maidstone and The Weald (Miss Widdecombe) on 12 May 2000, *Official Report*, column 520W.

Home Detention Curfew Scheme

36. **Mr. Fabricant:** To ask the Secretary of State for the Home Department how many offenders have been released from prison on the Home Detention Curfew Scheme; and if he will make a statement. [130357]

Mr. Boateng: As of 30 June, a total of 23,052 prisoners had been placed on the Home Detention Curfew Scheme since the scheme began on 28 January 1999.

Victim Support

37. **Mr. Heppell:** To ask the Secretary of State for the Home Department how much financial support from central Government has been made available to victim support in each of the last five financial years. [130358]

Mr. Charles Clarke: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Hemel Hempstead (Mr. McWalter) on 26 June 2000, *Official Report*, columns 383–84W.

Licensing Laws

38. **Mr. Ben Chapman:** To ask the Secretary of State for the Home Department what representations he has received about his proposals to amend the licensing laws. [130359]

Mr. Mike O'Brien: On launching the White Paper on 10 April this year, my right hon. Friend the Home Secretary told the House that it would be helpful to have responses to the White Paper proposals by 31 July. Since then, up to 12 July, hon. Members had written 143 times on behalf of constituents. In addition, representations had been received from 271 members of the public; 65 licensing justices; 55 local authorities; 19 petrol stations; 11 businesses within the hospitality and leisure industry; nine residents associations; eight passenger boat companies; seven church organisations; six non-profit making registered clubs; two solicitors; one police authority; and one fire authority. A full analysis of these replies and any others received after 12 July will not be completed until after the closing date of 31 July.

Land (Illegal Occupation)

40. **Mr. Hoyle:** To ask the Secretary of State for the Home Department if he will make a statement on his proposals for amending the laws relating to illegal occupation of land. [130361]

Mr. Charles Clarke: There are no plans for changes to legislation at present. We are considering, in consultation with the Department for the Environment, Transport and the Regions, what changes are necessary to the current joint guidance on unauthorised camping, to clarify it and ensure there are no misconceptions arising from the use of the term "toleration". We expect to make an announcement shortly.

Association of Chief Police Officers

Miss Kirkbride: To ask the Secretary of State for the Home Department when he last met the chairman of the Association of Chief Police Officers to discuss measures to combat crime. [130340]

Mr. Charles Clarke: My right hon. Friend the Home Secretary had a bilateral meeting with Sir John Evans, Chairman of the Association of Chief Police Officers on 21 June.

Sussex Police

Mr. Waterson: To ask the Secretary of State for the Home Department (1) how many police officers there were in Sussex in May 1997; and how many there are now; [130634]

(2) what the establishment of the East Downs Division of Sussex Police was in May 1997; and what it is now. [130516]

Mr. Charles Clarke: I understand from the Chief Constable of the Sussex Police that on 31 May 1997 the force had 3,038 police officers and that on 13 July this year there were 2,891 officers. I have been told that recruitment in the Sussex Police is on course to reach its target of 228 new constables for this year and this number includes the 69 constables to be recruited under the force's Crime Fighting Fund allocation.

I have been informed by the Chief Constable that it is not possible to provide information on the number of officers in the East Downs Division for 1997. But there were 269 officers in the East Downs Division on 13 July this year. I understand that the East Downs will benefit from the extra constables being recruited by the force.

Essex Police

Mr. Hurst: To ask the Secretary of State for the Home Department what the size of the police grant to Essex was in *(a)* 1970, *(b)* 1980 and *(c)* 1990. [130937]

Mr. Charles Clarke: The information available is set out in the table.

£000

Year	*Police grant*
1970–71	Not available
1980–81	17,959
1990–91[1]	54,023

[1] Includes police grant and other specific grant.

Source:
The Chartered Institute of Public Finance and Accountancy Police statistics.

Mr. Hurst: To ask the Secretary of State for the Home Department how many *(a)* police officers and *(b)* civilian staff were employed by the Essex Police Authority and its predecessor bodies in (i) 1970, (ii) 1980, (iii) 1990 and (iv) 1999. [130938]

Mr. Charles Clarke: The available information is set out in the table. Information for civilian support staff numbers, on a force by force basis is only available from 1974. Data for the previous years have not been retained by the Department.

Essex police

Year[1]	*Number of police officers*	*Number of civilian support staff*
1970[2]	1,900	Not available
1980	2,567	711
1990	2,822	988
1999	2,891	1,273
1999[3]	2,835	1,300

[1] As at 31 March.
[2] In 1970 the force was known as the Essex and Southend on Sea Joint Constabulary.
[3] As at 30 September.

Animal Experiments

Dr. Ladyman: To ask the Secretary of State for the Home Department how many licences to conduct animal experiments were granted to *(a)* commercial organisations and *(b)* non-profit organisations; and what the mean time was between the application for a licence being submitted and its being granted, in each of the last 10 years. [130936]

Mr. Mike O'Brien: Table 19 of the Statistics of Scientific Procedures on Living Animals 1998, and the corresponding tables in the equivalent publications for 1989 to 1997, provide a breakdown of the total number of project licence holders and scientific procedures by type of designated establishment in 1998. Information on the number of project licences granted during the year is not collated separately by type of establishment.

The Home Office does not hold historical data on the time taken to process project licence applications. However, figures collected for the early part of this year show an average processing time for a project licence of just under 40 working days from receipt of the application to issue of the licence.

The Home Office is committed to processing project licence applications as expeditiously as possible, but no targets have been, or indeed can be, set for the time needed to consider any particular application. This depends greatly on the nature of the application. A well-drafted application for a replacement licence to continue existing work or for a minor amendment to an existing licence may be assessed quickly. One for a new study could take a considerable time to examine—indeed, some may take months where complex scientific issues are involved. There are usually negotiations between the Animals (Scientific Procedures) Inspectorate and the applicant to ensure that the 3Rs (the Refinement of scientific procedures; Reduction in numbers of animals used; and their Replacement wherever possible) are rigorously applied in every case. Applicants may also take time preparing supplementary or revised material for consideration. The situation is further complicated when

advice is needed from experts outside the Home Office, or if the application needs to be referred to the Animal Procedures Committee.

I am aware of the concerns among scientists about the length of time that appears to be taken in some cases from the initial conception of a project to the issue of a project licence, including the requirements of the ethical review process that need to be met locally before the application reaches the Home Office. I have, therefore, asked my officials to work with the Department of Trade and Industry, to review the operation of these arrangements to ensure that the processes are as efficient and effective as possible without compromising animal welfare.

Mr. Fitzpatrick: To ask the Secretary of State for the Home Department when he will publish the figures relating to scientific procedures performed on living animals in Great Britain in 1999. [132680]

Mr. Mike O'Brien: The information requested will be published as a Command Paper Statistics of Scientific Procedures on Living Animals, Great Britain 1999 on 17 August.

In the meantime, I can report that:

the number of procedures started in 1999 was about 2.66 million, almost exactly the same as in 1998. 83 per cent. of these were performed using mice and rats;

the number of animals used in 1999 was 2.57 million about 24,000 fewer than in 1998; and

the number of procedures involving the use of genetically modified animals rose by 63,000 to 511,000 in 1999, but this was almost exactly offset by a decrease to 1,894,000 in the use of animals with a normal genetic constitution.

Local Exchange Trading Schemes

Jean Corston: To ask the Secretary of State for the Home Department how many local exchange trading schemes projects are operating in the UK; and whether he will make a statement on local exchange trading schemes and their relationship with the economy. [131106]

Mr. Boateng: Research carried out in 1999 indicated that there were approximately 303 Local Exchange and Trading Schemes in the United Kingdom with about 22,000 members and a turnover equivalent to some £1.4 million. Their effect on the economy is therefore minor, although for the individuals and communities involved they are significant in helping to rebuild a sense of community and community involvement.

Neighbourhood Warden Schemes

Mr. Coaker: To ask the Secretary of State for the Home Department (1) what support is available to local authorities which wish to set up neighbourhood warden schemes; and if he will make a statement; [131578]

(2) what recent discussions he has had with the police about neighbourhood warden schemes; [131598]

(3) what discussions he has had with local authorities about neighbourhood warden schemes; [131577]

(4) what assessment he has made of the effectiveness of neighbourhood warden schemes run by local authorities. [131576]

Mr. Charles Clarke: In 1999, the Home Office conducted a study with the aim of collecting information on the types of neighbourhood warden schemes operating in Britain and where possible to examine the effectiveness of such schemes. Fifty existing and recent neighbourhood wardens projects were examined, a good proportion of which were funded at least in part by local authorities. Partnership proved to be a crucial aspect of a large number of the initiatives. It was concluded that further research was needed to establish the impact of neighbourhood wardens schemes on levels of crime and disorder and quality of life in local areas and to identify elements of good practice. The Home Office subsequently commissioned further research which is examining eight neighbourhood warden schemes in detail. The report of this research will be available later this year.

The Home Office study of neighbourhood warden schemes was conducted in support of Policy Action Team (PAT) 6 on Neighbourhood Wardens set up by the Social Exclusion Unit. Following the report of PAT 6, a Neighbourhood Wardens Unit was established jointly funded by the Home Office and the Department for the Environment, Transport and the Regions (DETR). An Advisory Committee was set up to advise the Unit on a broad range of issues on neighbourhood wardens. The Advisory Committee meet quarterly and consist of representatives who have a key interest in neighbourhood wardens, including the police and local authorities. More specifically, the advisory committee includes members from:

Association of Police Authorities

National Black Police Association

Association of Chief Police Officers

Association of Town Centre Managers.

There is also a Practitioners Group consisting of existing neighbourhood warden scheme managers which includes members from local authorities.

Some £13.5 million of Government funding has been made available over three years until March 2003 for the funding of new or expanded neighbourhood warden schemes and for evaluation of those schemes. The Neighbourhood Wardens Fund is being administered by the Neighbourhood Wardens Unit in the DETR. Local authorities and others have been eligible to apply for this funding.

Identity Cards

Mr. Gummer: To ask the Secretary of State for the Home Department what plans he has to consult on the introduction of identity cards; and if he will make a statement. [131473]

Mr. Mike O'Brien: We are not persuaded of the case for introducing compulsory identity cards and have no present plans to consult on the issue.

Abandoned Vehicles

Mr. Love: To ask the Secretary of State for the Home Department, pursuant to his answer of 7 July 2000, *Official Report*, column 315W, on abandoned vehicles, when he will next review the forward work programme. [131569]

Mr. Charles Clarke: The Home Office Research, Development and Statistics Directorate forward work programme will go up for discussion with policy units in November 2000. Ministerial approval for the forward work programme is scheduled for April 2001.

West Mercia Constabulary

Mr. Keetch: To ask the Secretary of State for the Home Department if he will meet representatives of the West Mercia Constabulary to offer them more funding to offset increases in fuel costs; and if he will make a statement. [131529]

Mr. Charles Clarke *[holding answer 20 July 2000]:* Rising costs, including those of fuel, have to be handled as part of normal budget management. In the case of price increases for any commodity, a force may have to reconsider internal budgets and re-allocate resources away from one area towards another.

I have no plans to meet with representatives of the West Mercia Constabulary to discuss this particular subject.

Ministerial Prison Visits

Mr. Clappison: To ask the Secretary of State for the Home Department how many prisons *(a)* he and *(b)* other Ministers in his Department plan to visit between 28 July and 23 October. [131697]

Mr. Boateng: My right hon. Friend the Home Secretary is planning to undertake at least one prison visit in this period and I expect to make at least eight visits, some of which may be unannounced. However, final arrangements have not yet been made and alterations or additions to the programme are possible.

Crime (Chelmsford)

Mr. Burns: To ask the Secretary of State for the Home Department if he will make a statement on changes in the level of reported crime in Chelmsford in each of the last five years. [130566]

Mr. Charles Clarke: The latest available data for notifiable offences recorded by the police in Chelmsford over the last five years are given in the table.

	Number of crimes recorded	*Percentage change compared to the previous year*
Old rules		
1995–96	10,238	—
1996–97	9,991	–2
1997–98	9,110	–9
1998–99	9,460	4
New rules		
1998–99	10,396	—
1999–2000	10,738	3

The rules for recording crimes changed in April 1998 which led to a large increase in the number recorded. Essex collected data based on the old rules and the new rules in 1998–99.

Prison Officers

Mr. Burns: To ask the Secretary of State for the Home Department (1) if he will make a statement of the rights of prison officers, as constituents, to contact their Member of Parliament for help on issues relevant to them; and what assessment he has made of the compatability of the relevant Prison Service rules with the right of a constituent to contact their Member of Parliament; [132151]

(2) if he will publish the paragraphs of the staff hand book for prison officers at Chelmsford prison which relate to them contacting their Member of Parliament. [132150]

Mr. Boateng: The rights of prison officers to contact their Member of Parliament are set out in the Prison Service Staff Handbook. This reminds staff that civil servants should not attempt to bring political or other outside influence to support any personal claims as a civil servant. It makes it clear that this does not restrict staff's right to approach their Member of Parliament. A copy of the Prison Staff Handbook is available in the Library. The relevant paragraph is paragraph 19.84.

Suicide Rates

Mr. Menzies Campbell: To ask the Secretary of State for the Home Department what was the annual suicide rate of police officers in each year since 1989, in each police force and in total, stating in each case *(a)* the number of suicides classified by rank and *(b)* the proportion per thousand police officers; and if he will make a statement. [131020]

Mr. Charles Clarke: The information requested is not held centrally and could be obtained only at disproportionate cost.

Mr. Keetch: To ask the Secretary of State for the Home Department what the annual suicide rate of prison service personnel was in each year since 1989 in each category of prison and in total, stating in each year *(a)* the number of suicides per thousand prison service personnel and *(b)* the number of suicides classified by grade; and if he will make a statement. [131832]

Mr. Boateng: The statistics for the number of self-inflicted deaths among staff are set out in the table. Statistics on staff suicides are not collected centrally and so these have been collated from a number of sources (some of which may have been compiled on different bases).

These figures include those deaths where the coroner has recorded a verdict of suicide and, in some cases (generally the most recent), other deaths where the inquest is still pending or the verdict has not been notified to the Prison Service, but the circumstances in which the body was found suggest that the death was self-inflicted. The figures may underestimate the number of self-inflicted deaths, in that they record those deaths whose circumstances are known to the Service. If family members choose not to report the circumstances of the death, the death may not be recorded here.

Records of the cause of staff deaths before 1990 are not held centrally and could be obtained only at disproportionate cost. A full breakdown of the figures according to grade and location could likewise be obtained only at disproportionate cost. An analysis carried out in 1998 indicated that, of 34 staff who had committed suicide since 1990, 18 were prison officers, five were senior officers and one was a principal officer. The other staff were drawn from a number of different grades within the Service.

In 1994, the Prison Service was greatly concerned to note the increased number of staff suicides. The causes of each suicide were examined. In all cases, the principal cause appeared to be the member of staff's private life rather than their work with the Prison Service. A workshop was held that year, to examine issues relating to staff suicide. A number of ideas emerged from that and the Service has continued to keep this issue under very careful review, to see whether there are any additional steps which could usefully be taken.

The Prison Service's Staff Care and Welfare Service offers confidential support and assistance to staff for a range of personal and emotional problems. The Staff Care and Welfare Service co-ordinates the provision of post-incident care and also provides a welfare service which all staff can use at any time. Part of that service is provided via trained Care Teams, drawn from a cross-section of grades, which are based in prisons and provide an on-site support network. While this is primarily geared towards post-incident work, increasingly these teams do offer a greater range of support to staff. In 1999, welfare officers dealt with more than 7,000 cases, most of which related to transfers, physical illness, work-related stress and debt.

Welfare officers, who are based in five geographical areas, provide a comprehensive support and referral service for staff. They deal with a multitude of problems and can call upon specialist services—both internal and external—as necessary to meet the client's needs. Given the operational duties which the majority of Prison Service staff perform, they are often referred to external counselling services so that they may discuss in confidence the personal and emotional problems which may be generated by working with prisoners.

HM Prison Service: self-inflicted deaths among staff

Year	*Total staff employed*	*Self-inflicted deaths*
1990	31,629	4
1991	33,149	2
1992	35,172	5
1993	37,942	4
1994	38,607	11
1995	40,266	10
1996	38,212	4
1997	40,098	1
1998	41,244	3
1999	42,683	7
2000	43,683	[1]

Figures for 1990–93 do not include administrative staff in Prison Service Headquarters. Figures from 1994 onwards are drawn from Prison Service Annual Reports.

[1] To end June

Mr. Keetch: To ask the Secretary of State for the Home Department what the annual suicide rate of Probation Service personnel was in each year since 1989, in each probation service and in total, stating in each case *(a)* the number of suicides per thousand Probation Service personnel and *(b)* the number of suicides classified by grade; and if he will make a statement. [131831]

Mr. Boateng: The information is not held centrally, and could be obtained only at a disproportionate cost from the 54 probation committees who are the employers of probation staff.

Mr. Keetch: To ask the Secretary of State for the Home Department what the annual suicide rate of fire officers was in each year since 1989 in each authority area and in total stating in each case *(a)* the proportion per thousand fire officers and *(b)* the number of suicides classified by grade; and if he will make a statement. [131830]

Mr. Mike O'Brien: There is no centrally held information on the suicide rate of fire service personnel in each fire authority.

All fire brigades in England and Wales are required to provide annually to Her Majesty's Inspectorate statistical information about fire service fatalities. The information is provided on the following basis:

Brigade fatalities during operational incidents;

Brigade fatalities during training for operational incidents;

Brigade fatalities during routine activities on and off brigade premises; and

Number of brigade personnel killed involving brigade vehicle accidents.

On the basis on which the data are collected, brigades are not asked or required to submit information about suicides.

We could now write out to all brigades seeking this information but it may mean a manual check of their records for the last 11 years, and this would only be done at disproportionate cost.

Police and Scientific Development Branch

Mr. Key: To ask the Secretary of State for the Home Department (1) if he will list for each civil service grade the academic and professional qualifications of the officials at his Department's Police and Scientific Development Branch; [131765]

(2) if he will list the number of officials, by civil service grade, employed at his Department's Police and Scientific Development Branch. [131776]

Mr. Straw: The numbers and grades of staff employed at the Police and Scientific Development Branch (PSDB) are given in the table.

Grade	*Number*
SCS	2
Grade 6	3
Grade 7	11
SSO/SPTO	21
HSO/HPTO/HEO	22
SO/PTO/EO	21
SPS/PS	4
AO	6
AA	3
Typist	1
SGB1	2

Staff recruited to PSDB at SO level or above will have a minimum of a good honours degree in an appropriate scientific or technological subject. Many staff also possess further degrees and are members of the appropriate professional body.

Mr. Key: To ask the Secretary of State for the Home Department when the Police and Scientific Development Branch received their first prototype of the AVID hand-held radar system. [131773]

Mr. Charles Clarke: The Police and Scientific Development Branch procured an AVID system, known at that time as VADAR, on behalf of the Prison Service in April 1999.

Mr. Key: To ask the Secretary of State for the Home Department how many *(a)* referrals for trials and assessment and *(b)* reports of completed trials were made in respect of his Police and Scientific Development Branch in each year since 1997; and if he will make a statement. [131775]

Mr. Straw: The Police and Scientific Development Branch (PSDB) has published 78 reports since 1997, the majority dealing with trials and assessments conducted on behalf of the police service or other PSDB customers. PSDB does not have a central record of requests for trials and assessments.

Mr. Key: To ask the Secretary of State for the Home Department if he will list the budget of his Department's Police and Scientific Development Branch in *(a)* 1997, *(b)* 1998, *(c)* 1999, *(d)* 2000 and *(e)* 2001. [131763]

Mr. Straw: The budget for the Police and Scientific Development Branch is shown in the table, the figures are in £000.

£000

	1997–98	*1998–99*	*1999–2000*	*2000–01*
Pay	2.462	2.512	2.667	3.145
Non pay	1.283	1.308	1.338	1.618
Capital	222	196	196	222
Other current	4.700	5.042	4.830	5.623
Receipts	(3.320)	(3.348)	(3.178)	(4.435)
Total net expenditure	5.347	5.710	5.853	6.173

Life Signs Monitoring Systems

Mr. Key: To ask the Secretary of State for the Home Department what alternatives *(a)* exist and *(b)* he has trialled to (i) the life signs monitoring system and (ii) the AVID hand-held radar detection system; and if he will make a statement. [131764]

Mr. Charles Clarke: The Police Scientific Development Branch (PSDB) has evaluated two alternative systems, AVIAN and MICROSEARCH for the detection of life signs in vehicles. PSDB has also conducted trials on the Mandec UK life signs monitoring system for use in calls. Some work has also been conducted on alternative methods of life signs monitoring in cells based on Closed Circuit Television and optical systems, audio systems or microwave radiation.

PSDB has not trialled AVID or other hand held radar detection systems for detection of people or animals in freight.

Mr. Key: To ask the Secretary of State for the Home Department if he will place in the Library the search protocols agreed with the passenger and freight transport industry on the searching of vehicles seeking entry into the UK in *(a)* France and *(b)* the UK. [131774]

Mrs. Roche: A draft copy of the Civil Penalty Codes of Practice was placed in the Library on 3 March this year. I will arrange for the final version of the Codes of Practice to be placed in the Library next week.

Mr. Key: To ask the Secretary of State for the Home Department what is the unit cost of *(a)* an AVID hand-held radar system and *(b)* a static X-ray system, for the detection of people and animals in freight trucks; and if he will make a statement. [131772]

Mr. Charles Clarke: The cost of the AVID system is not known. Static X-ray systems are not designed to detect people and animals. The cost of a static X-ray system for detecting drugs, explosives, weapons and other contraband ranges from £190,000 to £4,118,000.

Mr. Key: To ask the Secretary of State for the Home Department what trials have been held at *(a)* Dover and *(b)* Portsmouth into the use of hand-held radar systems for the detection of people and animals in freight trucks; on what dates; and if he will make a statement. [131771]

Mrs. Roche: An inconclusive trial of a radar system was held at Dover on 25 August 1999. A trial of a hand-held radar device will begin at Portsmouth on 26 July. A trial of some other equipment will begin as soon as the supplier receives the upgraded hardware from the manufacturer.

The Immigration Service is holding discussions with other companies who are pursuing a range of solutions and further trials are a possibility.

If the initial trials of the radar and heartbeat devices at Portsmouth prove promising, the trials will be transferred to Dover.

Mr. Key: To ask the Secretary of State for the Home Department if he will make a statement about the role of Status 3 in Harlington in respect of hand-held radar systems for truck searches at ports. [131779]

Mrs. Roche: The Immigration Service at Status Park has for some years been seeking low cost, portable and effective devices to detect the presence of human beings hidden inside vehicles and freight containers. The search has included small handheld devices. The Immigration Service at Status Park has conducted trials of such equipment within the last few years and will continue to consult with the industry to find a workable solution.

Mr. Key: To ask the Secretary of State for the Home Department what trials have been conducted at Belmarsh Prison into life signs monitoring systems; with what results; and if he will make a statement. [131769]

Mr. Boateng: A trial of the Life Signs monitoring system was conducted during 1999 at Belmarsh Prison in an unoccupied room in the Health Care Centre. Unfortunately the equipment failed and the trial was aborted. The Prison Service are currently considering how best to proceed with this project in order to test out the feasibility of this system.

Departmental Expenditure Plans

Mr. Lidington: To ask the Secretary of State for the Home Department if he will publish revised estimates for the analyses of expenditure presented on pages 72 to 85 of his Department's Annual report 1999–2000 in respect of the financial years *(a)* 1999–2000, *(b)* 2000–01 and *(c)* 2001–02, together with equivalent analyses of his expenditure plans for (i) 2002–03 and (ii) 2003–04; and if he will make a statement. [132356]

Mr. Straw: These analyses will be published in the Department's Annual Report for 2000–01 in April 2001.

Departmental Staff

Mr. Lidington: To ask the Secretary of State for the Home Department if he will publish revised estimates of staff numbers as analysed on page 86 of the Home Office Annual report 1999–2000 in respect of the financial years *(a)* 2000–01 and *(b)* 2001–02, together with equivalent analyses for *(c)* 2002–03 and *(d)* 2003–04; and if he will make a statement. [132349]

Mr. Straw: The data in the Annual Report are the latest available. Consideration is being given to the staff implications arising from the outcome of the 2000 Spending Review announced on 18 July. Revised plans will be published in the next Home Office Annual Report.

Departmental Financial Estimates

Mr. Lidington: To ask the Secretary of State for the Home Department what figure he assumes for inflation when making his financial estimates for the financial years *(a)* 1999–2000, *(b)* 2000–01, *(c)* 2001–02, *(d)* 2002–03 and *(e)* 2003–04. [132350]

Mr. Straw: Inflation assumptions reflect the Gross Domestic Product (GDP) deflators produced by the Treasury, and are used in calculating real terms increases in expenditure. The factors for the financial years 1999–2000 to 2003–04 are:

Year	*Percentage*
1999–2000	2.5
2000–01	2.25
2001–02	2.5
2002–03	2.5
2003–04	2.5

Departmental Public Service Agreements

Mr. Lidington: To ask the Secretary of State for the Home Department if he will publish a revised list of his Department's public service agreements taking account of the conclusions of the Comprehensive Spending Review. [132352]

Mr. Charles Clarke: My right hon. Friend the Chancellor of the Exchequer will in the context of the Spending Review 2000 shortly publish a comprehensive list of public service agreements for all Government Departments.

Immigration and Nationality Directorate

Mr. Lidington: To ask the Secretary of State for the Home Department if he will publish a revised table of the Immigration and Nationality Directorate's objectives and annual targets as set out on pages 32 and 33 of the IND Annual report 1999 to take account of the conclusions of, and the period covered by, the Comprehensive Spending Review. [132353]

Mrs. Roche: The table at pages 32 and 33 of the Immigration and Nationality Directorate (IND) Annual Report 1999 lists the 21 business objectives and targets agreed for IND following the last Comprehensive Spending Review in 1998. They cover the three year period from April 1999 to March 2002. Following the announcement of the outcome of the 2000 Spending Review on 18 July, IND will work to develop similar objectives and targets for the next three years through to March 2004, supplementing those to be published in the Public Service Agreement and the Service Delivery Agreement.

Eighteen updated objectives and targets for this year are listed in the table. More details will be available in the IND Business Plan for 2000–01 which is to be published shortly. A copy will be placed in the Library. Details of IND's objectives and targets for the next three years will be published in future business plans.

The target for initial asylum decisions for this year has been revised upwards to 130,000–150,000 from the 65,000 in the last IND Business Plan. This will substantially clear the backlog. Funding for the increase is being provided as part of the £609 million extra for IND in the current financial year. That funding will also enable IND to increase the number of detention places. This is an essential element in the strategy to meet our target of removing 12,000 failed asylum seekers this year and at least 30,000 a year in the next three years.

These figures reflect the important changes introduced by the Immigration and Asylum Act 1999. All entitlement of new asylum applicants to cash social security benefits ended on 3 April 2000. Public expenditure overall would be significantly higher if such entitlements continued.

Immigration and Nationality Directorate
Objectives and Targets 2000–01

Number	*Objective*	*Target*
1.	To increase the number of asylum decisions	130,000–150,000
2.	To increase the percentage of substantive asylum applications decided within two months.	70 per cent. by March 2001
3.	To remove more failed asylum seekers.	12,000
4.	To increase decisions in nationality cases.	91,000
5.	To reduce the average time for granting citizenship.	12 months by March 2001
6.	To increase the number of non asylum after entry decisions.	205,000
7.	To increase the number of non asylum offenders removed.	3,500
8.	To maintain the unit cost in real terms of supporting an asylum seeker for a week.	£150 single £220 family
9.	To reduce the unit cost of immigration checks at ports.	£5.17
10.	To increase the percentage of inadequately documented passengers who are detected at locations where there are Airline Liaison Officers.	82 per cent.
11.	To reduce the number of occasions where non European Economic Area passengers have to wait more than 30 minutes.	1,455 or less
12.	To increase the percentage of detailed examinations (non asylum) which result in refusal.	64 per cent.
13.	To increase the percentage of non asylum refusals which result in removal.	92 per cent.
14.	To maintain the percentage of appealed decisions upheld.	85 per cent.

Immigration and Nationality Directorate
Objectives and Targets 2000–01

Number	*Objective*	*Target*
15.	To increase the number of prosecutions prepared against those facilitating breaches of the Immigration Rules.	115
16.	To increase the number of upper/middle enforcement operations.	15/40
17.	To increase the number of projects initiated against organised crime.	18
18.	To process asylum support claims within agreed timescales (from date of receipt).	70 per cent. within 2 days 100 per cent. within 7 days

Performance Targets

Mr. Lidington: To ask the Secretary of State for the Home Department if he will publish revised tables of objectives and targets as set out in the Home Office Annual report 1999–2000, taking account of the outcome of the Comprehensive Spending Review. [132351]

Mr. Charles Clarke: Revised objectives and targets for the Home Office relating to the outcome of the Spending Review 2000 will be published in 2001 in the Home Office Business Plan for 2001–02.

Mr. Loughton: To ask the Secretary of State for the Home Department against what benchmark the achievement of targets for the local authority area reduction in crime set out in section 23 of the Comprehensive Spending Review will be judged. [132279]

Mr. Charles Clarke: Achievement of the target will be assessed against the national average domestic burglary rate for Crime and Disorder Partnerships which are published as part of the crime statistics every six months.

Convicted Prisoners (Possessions)

Mr. Mackinlay: To ask the Secretary of State for the Home Department if he will make a statement on the procedures applicable to the removal of property and papers from convicted prisoners while serving their sentences. [132282]

Mr. Boateng: The Prison Rules 43(5) and the Young Offender Institution Rules 45(4) allow Governors to confiscate any unauthorised article found in the possession of prisoners after their reception into prison, or concealed or deposited anywhere within a prison. Chapters 17 and 18 of the Security Manual, PSO 1000, contain procedural guidance on conducting searches and preserving evidence arising therefrom, and are available in the Library.

Mr. Mackinlay: To ask the Secretary of State for the Home Department if an inventory is maintained of property and papers removed from convicted prisoners while serving their sentences. [132281]

Mr. Boateng: While no central inventory exists for property and papers removed from prisoners, confiscated items are recorded on the individual searching sheets returns. Items of especial value are recorded in the local Heads of Management Services' offices.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for the Home Department how many written parliamentary questions were tabled to his Department between 19 October 1999 and 20 April 2000 which requested information, pursuant to his previous answers. [132138]

Mr. Straw: My Department received 130 questions between 19 October and 20 April 2000 which requested information pursuant to previous replies.

Sentencing

Mr. Fitzpatrick: To ask the Secretary of State for the Home Department what steps he is taking to fulfil the Government's commitment to extend the Attorney-General's powers to refer unduly lenient sentences to the Court of Appeal for review. [132678]

Mr. Charles Clarke: An Order extending the Attorney-General's powers in relation to unduly lenient sentences is being laid before Parliament today. This will enable the Attorney to refer sentences imposed for offences of illegal trafficking in drugs and pornographic material involving children and offences specifically against children (unlawful sexual intercourse with a girl under 16, inciting a girl under 16 to have incestuous intercourse and indecent conduct towards a young child). The Order comes into effect on 21 August 2000 and will apply to any sentence imposed after that date. The Government will keep under review whether further extensions should be made in future.

R18 Videos

Mr. Fitzpatrick: To ask the Secretary of State for the Home Department when he will publish the consultation paper on the regulation of R18 videos; and if he will make a statement. [132679]

Mr. Straw: I have today placed in the Library copies of a Consultation Paper on the Regulation of R18 videos. As hon. Members will be aware, I was extremely disappointed with the High Court decision, on 16 may, which dismissed the British Board of Film Classification's application for Judicial Review in respect of appeals against their decision not to classify seven sexually explicit videos in the R (restricted) 18 category—which are available only in licensed sex shops. The Government maintain a firm commitment to the protection of children from unsuitable sexually explicit material and, in the light of the recent judgment, are publishing a consultation paper which examines a number of options to improve the safeguards for children from possible exposure to videos classified in the R (restricted) 18 category. The paper also suggests measures for modernising and strengthening the recruitment and appointment procedures of the Video Appeals Committee.

Prison Service

Mr. Fitzpatrick: To ask the Secretary of State for the Home Department if he will make a statement about the performance of Her Majesty's Prison Service in 1999–2000. [132681]

Mr. Boateng: I have today laid before Parliament on behalf of the Director General of Her Majesty's Prison Service, the Annual Report and Accounts for the Service for 1999–2000. Copies have been placed in the Library.

AGRICULTURE, FISHERIES AND FOOD

Expenditure Plans

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food what his Ministry's spending plans are for the three years following the 2000 Spending Review; and if he will make a statement. [132561]

Mr. Nick Brown: The results of the Spending Review for MAFF are summarised in Chapter 16 of the White Paper on "Spending Review 2000: New Public Spending Plans 2001–2004" (Cm 4807). The key figures are as follows:

£ million

	2000–01	*2000–02*	*2002–03*	*2003–04*
Total DEL[1] of which:	804	963	1,048	1,081
Resource Budget	638	780	795	846
Capital Budget	166	183	253	235
Total AME[2]	1,488	1,582	1,529	1,536

[1] Departmental Expenditure Limit
[2] Annually Managed Expenditure

MAFF's aim has been amended to give a clearer and more focused picture of what the Department wants to achieve: good quality food which meets consumers' requirements; modern, sustainable, competitive farming and fisheries businesses; protection of the rural and marine environment and a thriving rural economy.

I should like to explain how the Spending Review settlement will impact on MAFF's programmes over the next three years and assist the Department in pursuing its aims and objectives.

Safe, good quality food

MAFF's responsibility for handling food safety transferred in April with the creation of the new Food Standards Agency (FSA). But MAFF will continue to play a key role in ensuring there is good quality, safe food meeting consumer requirements. As well as its wider commitment to sponsoring all the industries in the food chain, MAFF will retain as a key priority tackling the threat from animal diseases that are transmissible to humans and threats to the health and welfare of farm animals.

Over the next three years we will: continue to work towards the eradication of BSE, with a target by 2004 of being on track for fewer than 30 cases by 2006. We will introduce a scrapie control programme. This will comprise a ram genotyping programme, designed to encourage the use of scrapie resistant rams, and new testing and control measures. Consultation documents on the first stage of this programme, involving ram genotyping, will be issued on 28 July and copies will be placed in the Library of the House. We will pursue our strategy for controlling TB in cattle. There will be additional funding to increase testing in response to the spread of the disease, in line with EU requirements and veterinary advice. And we will complete the field trial of badger culling in 10 areas of high cattle TB incidence, as recommended by the Krebs review. We will also examine possible ways of enhancing other strands of the TB strategy in consultation with the TB Forum. We will complete work on extending the coverage of the Cattle Tracing System database from 40 per cent. of the GB herd to 100 per cent.

Rural development and restructuring

The Government set out on 7 December 1999, *Official Report*, columns 701–12, their long-term strategy for the future development of an agriculture industry that must be competitive, diverse and flexible, that must respond better to consumer demands (including those of the food industry), that must be more environmentally responsible and that must play an integral part in the wider rural economy.

The £1.6 billion, seven-year England Rural Development Plan (ERDP) is a key component in the delivery of this strategy. Over the next three years we will spend a total of £600 million under the ERDP. This will be funded in part by redirecting (or modulating) CAP payments and matching them with further Government funding on a pound for pound basis. There will be extra money for the agri-environment schemes, allowing more farmland to be protected and enhanced under the Countryside Stewardship Scheme and approved for conversion to organic farming. And there will be a substantial increase in funding over the three years for measures to encourage diversification and restructuring. We will replace Hill Livestock Compensatory Allowances with a new area-based scheme of support for hill farmers.

We will also provide funding over the next three years for agricultural measures in the Objective 1 areas of Cornwall and the Scilly Isles, South Yorkshire and Merseyside. And there will be funding for rural regeneration projects under the new LEADER+ programme.

The other major plank of the Government's strategy for agriculture is the Action Plan which was announced on 30 March 2000. We will carry forward the measures announced in that Action Plan by: providing an additional £40 million up to March 2003 for the Pig Industry Restructuring Scheme; maintaining the increased rate of grant under the Farm Waste Grant Scheme; continuing the new programme of business advice to farmers through the Business Link Partnership; providing additional funding for the applications currently being considered under the Agricultural Development Scheme; and making additional funding available for the development of an electronic portal for farming, providing access from a single source to information and interactive advice for farmers.

Research and development

We will maintain a strong and varied programme of research to support, inform and facilitate the implementation of MAFF's policies and its regulatory and environmental activities. Over the next three years we will: increase spending on research and surveillance on TSEs in sheep by a total of £26.2 million. There will also be an additional £10.5 million to invest in the facilities in which to carry out this research; invest in new and improved facilities at the Veterinary Laboratories Agency which will contribute to MAFF's programme of research on TSEs and research, diagnosis and surveillance in respect of other major animal diseases, including those transmissible to humans; and complete the procurement

of a new marine research vessel to be used by MAFF's Centre for Environment, Fisheries and Aquaculture Science in support of the Department's objectives on the conservation of fish stocks and sustaining the marine environment.

We will shortly be conducting a major consultation on our Research Strategy for 2001–05. I shall consider the overall priorities for the whole research programme on the basis of that consultation, taking the advice of my new MAFF Science Committee, which will be launched soon.

Improving services

A key objective for MAFF over the next three years is to modernise the Department and make real and lasting improvements in the efficiency with which we deliver services to our stakeholders. The major initiative in this area will be the creation of a new CAP Payments Agency, for which there is additional provision of £130 million over the Spending Review period. The Agency will merge the paying agency functions of the Intervention Board and MAFF's Regional Service Centres to provide top quality customer service using modern electronic systems. I am making a separate announcement today on this exciting and challenging project.

CAP reform

We will continue to work with our European partners to secure further reform of the CAP which will increase the competitiveness of the whole food chain. To that end there will be additional funding to improve our policy analysis and enhance our capability to model the economic impact of CAP reform.

Flood and coastal defence

An additional £10 million in 2002–03 and £20 million in 2003–04 will be made available to local flood and coastal defence operating authorities for investment in maintaining and improving defences. There will also be additional funds for improving storm tide forecasting and warning systems.

An in-depth review of the current arrangements for the funding and provision of flood and coastal defences will be completed in 2001.

Fisheries

Securing a sustainable future for the sea fishing industry remains a priority for MAFF. A total of £11 million will be made available for a three year programme of structural measures under the EU's Agenda 2000, including provision for safety training, encouragement of environmentally sustainable fishing, improvement in the quality of fish and support for regional fisheries management initiatives.

Charging

We will waive cattle passport charges for a further two years until March 2004. This waiver is worth around £18 million a year to the industry.

As Minister responsible for co-ordinating the implementation of the Government's Action Plan for farming, I am considering with colleagues the recommendations of the task force which was set up to examine alternative approaches to charging for meat hygiene inspection, in response to concerns expressed by small and medium sized abattoirs.

Conclusion

Spending by MAFF in 2003–04 will be almost £280 million higher than in 2000–01, an average annual increase in real terms of more than 6 per cent. This fulfils the Government's pledge to introduce a significant programme of measures to help the environment, agricultural restructuring and the wider rural economy. And it reflects the continuing commitment to protecting public health, encouraging sustainable development and modernising service delivery.

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food what the Intervention Board's spending plans are for the three years following the 2000 Spending Review; and if he will make a statement. [132562]

Mr. Nick Brown: The results of the 2000 Spending Review for the Intervention Board (IB) and the spending plans that have resulted from it were summarised in Chapter 16 of the White Paper on "Spending Review 2000: New Public Spending Plans 2001–2004" (CM 4807). The key figures are:

£ million

	2000–01	*2001–02*	*2002–03*	*2003–04*
Departmental expenditure limit	179	222	201	189
of which:				
Resource budget	175	198	197	185
Capital budget	4	4	4	4
Annually managed expenditure	635	714	697	709

The settlement for the next three years will allow IB to make progress on all its objectives and its targets to be set out in its Service Delivery Agreement. It will underpin its operations and ongoing efficiency plans and facilitate change including achievement of the Modernising Government agenda.

The settlement recognises the resource cost of implementing the new Slaughter Premium Scheme and the ongoing but falling cost of operating the Over Thirty Months Scheme. The short-term increase in MBM disposal costs reflects the successful letting of MBM disposal contracts and the commencement of full-scale incineration of MBM stock.

It will also contribute to the PSA target for MBM disposal and enable the early reimbursement of up to £170 million of EAGGF funding.

IB's CAP expenditure is non-discretionary and demand-led. It is treated as Annually Managed Expenditure (including OTMS compensation) and is subject to review and adjustment in order to meet changes in scheme operations, anticipated levels of activity and EU rates of aid.

IB will be reviewing its asset utilisation plans in order to dispose of any surplus assets.

Departmental Restructuring

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food what progress is being made regarding the restructuring of his Department's regional activities; and if he will make a statement. [132559]

Mr. Nick Brown: I have decided to make a number of important changes to the way MAFF operates in the regions, in order to improve the services we offer to farmers and to strengthen the contribution we make to the wider rural economy. We will participate fully in the Government Offices for the Regions, strengthening MAFF's regional policy capability; we will set up new organisational structures to enhance the delivery of rural

development policies; and we will invest up to £130 million over the next spending period to modernise the way we administer CAP schemes, taking full advantage of the benefits of electronic services delivery.

I have given careful consideration to the findings of a detailed study of methods of delivering CAP payments, submitted at the beginning of this year by PricewaterhouseCoopers. I have concluded that the interests of farmers, traders and taxpayers would best be served by the creation of a new CAP Payments Agency, merging the paying agency functions of MAFF's nine Regional Service Centres and the Intervention Board to provide top quality customer service using modern electronic systems. Farmers and traders will benefit from a reduction in "red tape" and more efficient and rapid processing of payments, with the achievement of 95 per cent. electronic service delivery capability by March 2004. There will be significant benefits for taxpayers, with a 10 per cent. cut by March 2004 in unit costs of administering payments and further savings in subsequent years after the new Agency is fully established.

I have written today to the main organisations representing farmers and traders to explain how the Agency will work, and to seek their views on the best ways of ensuring a smooth transition to the new arrangements. We will work very closely with our customers to help them reap the benefits which electronic service delivery offers. However we recognise that many farmers are apprehensive about changes in the way their claims are handled and will maintain arrangements for face-to-face local contacts with farmers, at least until the new IT systems are fully operational and everyone has easy local access to the internet.

The Agency will be constituted as an executive agency of the Ministry of Agriculture, Fisheries and Food and will therefore be answerable to me. It will continue to administer the schemes currently operated by the Intervention Board in all parts of the UK and the devolved administrations will therefore be represented on its Ownership Board. It will operate from five sites, with its headquarters at Reading and other sites at Carlisle, Exeter, Newcastle and Northallerton. The work that will transfer to the new Agency currently accounts for some 80 per cent. of the 2,000 staff in the Regional Service Centres and nearly all the Intervention Board's 1,350 staff. By the time the new systems are fully operational (2004) we estimate that the total number of staff required will fall to around 1,950. We will make every effort to find suitable alternative employment for staff who are no longer required as a result of the modernisation programme.

I have also been reviewing other aspects of MAFF's organisation in the regions in the light of the Modernising Government initiative and the recent PIU reports "Rural Economies" and "Reaching Out". It is now right to establish greater integration of MAFF's strategic and policy activities in the regions with Government Offices. I am therefore preparing to provide a senior member of MAFF staff, with appropriate support, to join each Government Office. This will help strengthen the rural capability of the Government Offices and improve their links with my Department. And it will foster closer relationships with regional stakeholders, including the agriculture, fisheries and food industries, and their representatives, regional institutions such as the Regional Development Agencies, and representatives of rural and environmental interests.

Parallel to the integration with Government Offices, I have decided to restructure the work currently carried out in the Farming and Rural Conservation Agency (FRCA) and the non-CAP payment functions of the Regional Service Centres. We will create a single, nationally managed but largely regionally based service to carry out this work. The service will be set up so that it relates effectively to Government Offices. Its staff will be located throughout England and will continue to provide a local service on the ERDP schemes.

We will build on the considerable skills of staff in FRCA and the Regional Service Centres to create the new service as a centre of excellence for the delivery of rural development polices and programmes, particularly one of MAFF's flagship policies—the England Rural Development Programme (ERDP). It will provide continuing employment opportunities for some of the staff at the RSCs which are not in CAPPA locations (Bristol, Cambridge, Crewe, Nottingham and Worcester) as well as for FRCA staff.

I would expect to review these organisational arrangements in 2003 at the end of the mid-term evaluation of the ERDP, and to consider at that stage whether full integration with the Government Offices would be sensible.

The decision to implement this comprehensive programme of changes is a further element in my Department's commitment to delivering efficient and responsive modern public services. The new CAP Payments Agency will ensure that service standards to farmers and traders are second to none. And agriculture and the wider rural economy will benefit through the strengthening of MAFF's regional policy presence.

I recognise that these decisions will create considerable uncertainty for staff in my Department's Regional Service Centres and at the Intervention board who have worked hard to provide good services to their customers. I have met the Trade Unions to discuss the position, and to assure them that I am committed to ensuring that everyone is treated fairly and sensitively as we take the change programme forward.

Lindane

Angela Smith: To ask the Minister of Agriculture, Fisheries and Food what research his Department has *(a)* undertaken and *(b)* evaluated into the health risks associated with lindane. [127816]

Ms Quin: Under both UK and EU pesticides legislation the responsibility for undertaking research into the health risks lies with the companies who market the pesticides. Lindane is presently under review in both the UK and EU programmes. Both reviews have required the submission of data and research studies by companies wishing to support the compound.

In the EU review, 562 studies were submitted on, among other things, the compound's identity; physical and chemical properties; classification; methods of

analysis; toxicology and metabolism; and residues data. I have arranged for a copy of the EU's list of tests and studies to be placed in the House Libraries.

Much of the data submitted for the EU review of lindane have also been submitted under the UK review along with a further 30 studies relating to operator exposure to lindane when treating seed. These are listed in our evaluation on the review of lindane which I have also placed in the Libraries.

Until recently the UK and EU reviews of lindane have been running in tandem. Under the UK review the Government have moved swiftly to ban those uses of lindane in this country which posed an unacceptable risk. At EU level the Commission has just produced a proposal to withdraw the agricultural uses of lindane as insufficient data have been submitted to support its continued use for these purposes. The Government have supported and welcome this development.

Rockall Fishery

Mr. Bercow: To ask the Minister of Agriculture, Fisheries and Food what assessment his Department has made of the possibility of unregulated fishing by new vessels in deciding policy on relinquishing sovereignty over Rockall waters; and if he will make a statement. [130784]

Mr. Morley: The Rockall fisheries zone (RFZ) was relinquished in 1997 as a result of the previous UK Government acceding to the UN Convention on the Law of the Sea (UNCLOS). Article 121(3) of UNCLOS prevents

> rocks which cannot sustain human habitation or economic life of their own

being used to generate exclusive economic zones. Maintenance of the RFZ would not therefore have been compatible with UNCLOS and so would have been open to legal challenge.

It was recognised that third countries would have access to the new area of international waters, which falls within the regulatory area of the North East Atlantic Fisheries commission (NEAFC). I would refer the hon. Member to the reply I gave him on 3 July 2000, *Official Report*, column 9W, which explains the action being taken by the Government to secure specific NEAFC management measures to regulate fishing in the Rockall area.

Labelling Directive

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy within the Council of Ministers to support the resolution of the European Parliament to debate the reference to animal category in the proposed labelling directive. [131248]

Ms Quin: On 17 July the Agriculture Council, with the strong support of the UK, decided unanimously to accept the amendments to the new rules on beef labelling proposed by the European Parliament. This means that beef will not have to be labelled with the category of animal from which it is derived.

Fisheries (Grant Aid)

Mr. Paul Marsden: To ask the Minister of Agriculture, Fisheries and Food if he will assess the impact on the fishing industry of the reduction in the Environment Agency's fisheries budget for 2001–02; and if he will make a statement. [130818]

Mr. Morley: The reduction in grant in aid to the Environment Agency in England in 2001–02 is unlikely to have any significant impact on the fishing industry. I would also refer my hon. Friend to the replies given to the hon. Member for New Forest, West (Mr. Swayne) on 27 October 1999, *Official Report*, column 922W.

Hill Livestock Compensatory Allowance

Mr. Gareth Thomas: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the effect of reform of the Hill Livestock Compensatory Allowance Scheme on farm incomes in *(a)* England, *(b)* Scotland, *(c)* Northern Ireland and *(d)* Wales. [131600]

Ms Quin: There will be some redistribution of support between producers but the impact will vary according to their individual circumstances. We are pressing the EC Commission to allow a safety net mechanism that will give producers time to adjust.

Land Settlement Association

Mr. Gummer: To ask the Minister of Agriculture, Fisheries and Food when *(a)* he and *(b)* his Ministers consulted with the Board of Inland Revenue on the Land Settlement Association's compensation arrangements. [131475]

Mr. Morley: Neither my fellow Ministers nor I have consulted the Board of the Inland Revenue about the taxation arrangements for the payment made in 1991 to settle the litigation brought against the Ministry by former members of the Land Settlement Association.

Veterinary Products

Mr. Gareth Thomas: To ask the Minister of Agriculture, Fisheries and Food what plans he has to regulate the pricing of veterinary products in the UK. [131602]

Ms Quin: There are no controls in either UK or European Community law on the pricing of veterinary medicinal products. Decisions on pricing are a matter for the companies manufacturing the products, taking into account commercial factors such as development and production costs and anticipated volume of sales. Similarly, the cost of veterinary treatment is not controlled by legislation but is a matter for negotiation between veterinary surgeon and client.

However, we have received representations about comparatively high prices of veterinary medicinal products in the UK and the issue is being investigated by the Office of Fair Trading (OFT) who are currently conducting an inquiry into the pricing of veterinary medicines in the UK. It will consider whether there is any evidence of anti-competitive practices. In addition, my right hon. Friend the Minister announced on 30 March an independent review of dispensing of medicines by

veterinary surgeons as part of the Government's Strategy for Agriculture. This review will examine current dispensing practices and their impact on the supply, availability and costs of veterinary medicines. An announcement of the membership of the Review Group and its terms of reference will be made shortly. The review will be completed by the end of March 2001.

European Regulations

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with his European counterparts about ensuring uniform and simultaneous implementation of European regulations; and if he will make a statement. [131817]

Ms Quin *[holding answer 21 July 2000]:* I refer to my answer given to the hon. Member on 2 May 2000, *Official Report*, column 99W.

Abattoirs

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food which British regions currently have no abattoir licensed to slaughter cattle under the over-30-months scheme. [131912]

Ms Quin *[holding answer 21 July 2000]:* Tenders for over-30-months scheme abattoir services were considered and contracts awarded on a regional basis. The only region without its own abattoir is East Anglia, which was grouped with the South East of England as a single region in view of the small number of cattle coming forward for slaughter from these areas, as compared with the rest of Great Britain. I will be placing in the Library of the House a copy of a map locating the OTMS abattoirs.

Dairy Farmers

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the effects of a removal of the quota system on British dairy farmers. [131819]

Ms Quin *[holding answer 21 July 2000]:* In the run up to the Agenda 2000 CAP negotiations the Ministry commissioned The University of Manchester to carry out a study on the milk quota system. In its report 'An Economic Evaluation of the UK Milk Quota System' it concluded that despite the fact that conditions in the UK are well suited to milk production, the imposition of milk quotas is a source of economic inefficiency.

In addition to this, the UK, together with Italy, Sweden and Denmark, produced a paper that concluded that the abolition of the milk quota system would provide greater flexibility in the dairy market, encourage investment in the UK dairy industry and leave it free to compete for a share of the growing world markets.

Livestock Farmers

Mr. Gray: To ask the Minister of Agriculture, Fisheries and Food what assistance the Government have given to Britain's livestock farmers in the last year. [127045]

Ms Quin *[pursuant to her reply of 29 June 2000, c.609W]:* The amount of money paid to Livestock farmers contained some inaccuracies and underestimated the support paid.

Since August 1999, the Government have announced two significant packages of assistance for the livestock sector delivering in total £419 million. Livestock farmers also receive around £1 billion each year in payments under the CAP to which this £149 million is an addition (CAP payments for beef producers are also set to rise this year by £130 million as a result of the reform of the beef regime). Beef and dairy farmers also benefit from the Over-thirty-months Scheme which itself costs around £400 million each year to run.

WALES

New Deal

Mr. Evans: To ask the Secretary of State for Wales what the average length of time is for which participants in the New Deal in Wales are subsidised. [131036]

Mr. Paul Murphy *[holding answer 24 July 2000]:* To April 2000, the average period of subsidy was five months.

Mr. Evans: To ask the Secretary of State for Wales what proportion of New Deal participants in Wales have become unemployed afterwards. [131039]

Mr. Paul Murphy *[holding answer 17 July 2000]:* To the end of April 2000, 32 per cent. of New Deal leavers in Wales have subsequently claimed Jobseeker's Allowance.

Mr. Evans: To ask the Secretary of State for Wales how many people in Wales who took part in the New Deal remained in their New Deal job for more than one year. [131051]

Mr. Paul Murphy *[holding answer 17 July 2000]:* The period of subsidised employment lasts a maximum of six months. Information on those who continue with the same employer on leaving the New Deal is not available.

Mr. Evans: To ask the Secretary of State for Wales how many people who participated in the New Deal in Wales had previously been unemployed for 12 months or more in *(a)* 1997, *(b)* 1998 and *(c)* 1999. [131038]

Mr. Paul Murphy *[holding answer 24 July 2000]:* This information could be provided only at disproportionate cost.

Mr. Evans: To ask the Secretary of State for Wales what percentage of those leaving the New Deal for Young People in Wales for jobs lasting less than 13 weeks have found jobs lasting less than *(a)* one week, *(b)* two weeks, *(c)* four weeks and *(d)* eight weeks. [131052]

Mr. Paul Murphy *[holding answer 17 July 2000]:* This information is not available. Young people who do leave for a job lasting less than 13 weeks return to New Deal at the point at which they left, and are no longer classified as leavers.

Mr. Evans: To ask the Secretary of State for Wales what estimate he has made of the number of people who have left the New Deal for Young People in Wales and returned to state benefits within 12 months. [131054]

Mr. Paul Murphy *[holding answer 17 July 2000]:* None. To April 2000, 2,940 young people transferred to state benefits on leaving the New Deal. Information on those who return to state benefits at a later stage is not available.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Wales how many written parliamentary questions were tabled to his Department between 19 October 1999 and 20 April; and how many have not received substantive answers citing disproportionate cost as the reason. [132131]

Mr. Paul Murphy: 186 written questions were tabled to my Department between 19 October 1999 and 20 April 2000. Of these, one parliamentary question did not receive a substantive answer and a further five questions were not answered fully for reasons of disproportionate cost.

Local Government

Mr. Evans: To ask the Secretary of State for Wales what discussions he has had, with which bodies, in respect of the year 2000 Spending Review on local government; and if he will publish the minutes of meetings relating to this. [131767]

Mr. Paul Murphy: The Spending Review is internal to Government; there are no formal consultations with outside bodies. However, over the last year I have discussed the needs of local government in Wales with a number of organisations including the Welsh Local Government Association, and my hon. Friend the Under-Secretary has met with representatives of 20 of the 22 local authorities in Wales. These meetings have given me a sound understanding of the funding needs for local government ahead of the 2000 Spending Review. It is of course a matter for the National Assembly for Wales to decide how it spends the settlement it has received.

Council Tax

Mr. Evans: To ask the Secretary of State for Wales if he will list the Band D Council Tax in each of the local authorities in Wales in each financial year since 1994. [131656]

Mr. Hanson: The information requested from 1994–95 to 1999–2000 is as follows.

Band D Council Tax levels in Wales: 1994–95 and 1995–96

£

	1994–95	1995–96
Alyn and Deeside	385	403
Colwyn	363	387
Delyn	369	401
Glyndwr	358	383
Rhuddlan	376	399
Wrexham Maelor	380	406
Carmarthen	381	439
Ceredigion	395	451
Dinefwr	386	445
Llanelli	438	495
Presli Pembrokeshire	373	427
South Pembrokeshire	360	416
Blaenau Gwent	312	343
Islwyn	301	334
Monmouth	323	351
Newport	321	349

Band D Council Tax levels in Wales: 1994–95 and 1995–96

£

	1994–95	1995–96
Torfaen	319	354
Aberconwy	353	400
Arfon	357	382
Dwyfor	339	384
Meirionnydd	348	391
Ynys Mon	362	399
Cynon Valley	348	390
Merthyr Tydfil	341	396
Ogwr	350	401
Rhondda	346	400
Rhymney Valley	349	402
Taff Ely	357	402
Brecknock	348	393
Montgomeryshire	333	377
Radnorshire	333	378
Cardiff	292	338
Vale of Glamorgan	306	353
Port Talbot	376	419
Lliw Valley	376	419
Neath	413	454
Swansea	388	435

Band D Council Tax levels in Wales: 1996–97 to 1999–2000

£

	1996–97	1997–98	1998–99	1999–2000
Isle of Anglesey	417	424	477	534
Gwynedd	483	515	571	618
Conwy	401	403	460	488
Denbighshire	462	529	599	647
Flintshire	501	511	563	592
Wrexham	489	520	575	633
Powys	434	426	501	552
Ceredigion	509	562	623	670
Pembrokeshire	436	451	507	542
Carmarthenshire	553	557	613	666
Swansea	455	478	548	596
Neath Port Talbot	546	621	692	750
Bridgend	500	539	601	647
Vale of Glamorgan	435	443	495	532
Rhondda Cynon Taff	500	560	611	686
Merthyr Tydfil	496	569	639	712
Caerphilly	471	519	583	633
Blaenau Gwent	437	492	563	640
Torfaen	440	483	532	564
Monmouthshire	409	403	452	485
Newport	391	413	464	531
Cardiff	428	486	546	573

The figures for 2000–01 are a matter for the National Assembly for Wales.

Cardiff County Council

Mr. Evans: To ask the Secretary of State for Wales if he will list the assets transferred to Cardiff county council included within the Memorandum of Understanding between the Welsh Office and Cardiff county council on 1 April 1999 indicating what each related to and which minister was responsible for negotiating the transfer. [131670]

Mr. Paul Murphy: This is a matter for the National Assembly for Wales, since implementation of the Memorandum of Understanding took place after the transfer of functions to the Assembly.

Mr. Evans: To ask the Secretary of State for Wales what plans there are to develop the land, to Ferry Road, included within the memorandum of understanding between his Department and Cardiff county council of 1 April 1999; what estimates were made of the cost of this land at the time of the transfer; and what is the estimated current cost of this land. [131660]

Mr. Paul Murphy: This is a matter for the National Assembly for Wales. The relevant functions transferred to the Assembly on 1 July 1999.

Nolan Rules

Mr. Stunell: To ask the Secretary of State for Wales if he will list each group that is responsible to his Department, with significant and plural membership from outside the Civil Service, and to which the Nolan rules on non-departmental public bodies do not apply and for each such group, if it *(a)* is a company limited by guarantee, *(b)* is a charity, *(c)* has no formal legal basis, and *(d)* has some other legal basis giving details. [131239]

Mr. Paul Murphy: There are no such groups responsible to my Department.

Working Families Tax Credit

Mr. Barry Jones: To ask the Secretary of State for Wales what discussions he has had with the First Secretary about the implementation of working families tax credit; and if he will make a statement. [132378]

Mr. Hanson: My right hon. Friend and I have regular discussions with the First Secretary about a range of UK Government policies including the Working Families Tax Credit (WFTC).

Progress with the implementation of WFTC has been very encouraging. At the end of April, it is estimated that 62,000 families in Wales were receiving WFTC—12,000 more than were receiving Family Credit at its peak.

Investment

Mr. Evans: To ask the Secretary of State for Wales if he will make a statement on the level of investment in Wales in each year since 1994. [131662]

Mr. Paul Murphy: Government expenditure which can be identified as having been incurred for the benefit of Wales since 1994 is as follows:

Year	*£ million*
1994–95	12,756
1995–96	13,329
1996–97	13,803
1997–98	13,988
1998–99	14,398

This includes expenditure by the Welsh Office as well as expenditure for the benefit of Wales by Whitehall departments. Figures for the total identifiable expenditure in Wales for 1999–2000 and for the current year have not yet been complied by the Treasury.

TREASURY

Taxation

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to the answer of 22 February 2000, *Official Report*, column 998W, to the hon. Member for Northavon (Mr. Webb), if he will recalculate the figures using data from the 1998–99 Family Expenditure Survey. [129806]

Miss Melanie Johnson: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Matthew Taylor, dated 24 July 2000:

As National Statistician, I have been asked to reply to your recent question asking, pursuant to our answer of 22 February 2000, for corresponding estimates for 1998–99 of the percentage of the income of each quintile group of the population using data from the Family Expenditure Survey.

The information requested is set out in the table attached. The analyses in the article are based on data from the Family Expenditure Survey and are therefore subject to a margin of error due to sampling variation. The changes in the figures from 1997–98 are too small to draw conclusions about changes in the tax burden over this two year period. These figures are derived from Table 2A in Appendix 1 of the article 'The effects of taxes and benefits on household income, 1998–99' published in the April 2000 edition of *Economic Trends*.

Percentage of gross income taken in direct and indirect tax by quintile group, 1998–99

	Quintile groups of households[1]					
	Bottom	*Second*	*Third*	*Fourth*	*Top*	*All households*
Total direct taxes	12	14	18	21	24	21
Income tax[2]	4	6	10	13	18	14
Employees' NIC[3]	2	3	4	5	4	4
Local taxes[4]	6	5	4	3	2	3
Total indirect taxes	28	21	19	17	12	16
VAT	11	8	8	7	5	7
Duty on petrol/oil	3	2	2	2	1	2
Duty on tobacco	3	2	2	1	—	1
Duty on alcohol	1	1	1	1	1	1
Other indirect taxes[5]	10	8	7	6	4	6

[1] Households are ranked by equivalised disposable income.
[2] Income tax is net of tax relief on mortgage interest and life assurance premiums.
[3] National Insurance Contributions.
[4] Council tax, domestic rates and water charges after deducting discounts, council tax benefits and rates rebates.
[5] Includes intermediate taxes, vehicle excise duty and lottery and betting taxes.

Ministerial Directions

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer how many times in each year since 1994 his Department has been notified of a ministerial direction as provided for in the procedures set out in paragraphs 12 to 15 of the Treasury document, entitled "The Responsibilities of an Accounting Officer"; and if he will make a statement. [130312]

Mr. Andrew Smith *[holding answer 13 July 2000]:* The Treasury has been notified of the following number of directions, under the procedures set out in paragraphs 12 to 15 of the Treasury document entitled "The Responsibilities of an Accounting Officer".

Year	*Number of directions*
1990	1
1991	2
1992	4
1993	1
1994	0
1995	5
1996	0
1997	2
1998	5
1999	5
2000	1

Jobs (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Chancellor of the Exchequer (1) what estimate he has made of the number of new jobs which will be created in Shrewsbury and Atcham in 2000–01; [131140]

(2) how many new jobs have been created in Shrewsbury and Atcham in each year since 1997. [131141]

Miss Melanie Johnson: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Pullinger to Mr. Paul Marsden, dated 24 July 2000:

The National Statistician has been asked to reply to your recent questions about jobs created in Shrewsbury and Atcham since 1997, and future projections for 2000–01 (131140/1). I am replying in the absence of the National Statistician.

The Annual Employment Survey (AES) gives an estimate of the number of employee jobs in September of each year. Between September 1997 and September 1998 (the latest year for which figures are available), the AES shows that the number of employee jobs in Shrewsbury & Atcham increased from 39,000 to 41,000. Forecasts for future years are not made.

Heavily Indebted Poor Countries

Mr. Blizzard: To ask the Chancellor of the Exchequer (1) how much debt owed by poor countries has been cancelled by the United Kingdom since May 1997; [130813]

(2) how much debt has been cancelled to date under the HIPC initiative. [130812]

Miss Melanie Johnson: The total amount of debt relief agreed to date under the HIPC Initiative is in excess of $16 billion. Since May 1997, the UK has provided in the region of £250 million of debt relief to the heavily indebted poor countries. With the additional 11 countries expected to qualify under the HIPC initiative by the end of the year, the UK will have provided approximately £660 million in debt forgiveness. This is in addition to the £400 million of relief provided prior to May 1997 in the context of multilateral rescheduling agreements.

Pensions

Mr. Cousins: To ask the Chancellor of the Exchequer what plans he has to change the tax rules on compulsory annuitisation of money purchase pensions. [130824]

Miss Melanie Johnson *[holding answer 17 July 2000]:* I refer my hon. Friend to the answer I gave to the hon. Member for Northavon (Mr. Webb) on 29 November 1999, *Official Report*, column 78W.

Aggregates Tax

Mr. Blizzard: To ask the Chancellor of the Exchequer (1) what assessment he has made of the effect on employment in rural areas of the introduction of the proposed aggregates tax; [131609]

(2) what assessment he has made of the effect on employment in the aggregates and construction industry of the proposed aggregates tax; [131610]

(3) how the proposed aggregates tax will differentiate between quarrying operations with good and bad environmental performance; [131613]

(4) what assessment he has made of the benefits of linking the taxation of aggregates to environmental performance of quarrying operators; [131611]

(5) if he will exempt some quarrying operations from the proposed aggregates tax on the basis of defined environmental targets. [131612]

Mr. Timms: The aggregates levy is based on independent research which verified that there are significant environmental costs associated with quarrying, including noise, dust, visual intrusion, loss of amenity and damage to biodiversity. The Government decided to address these costs through the introduction of the aggregates levy. It will be introduced at a uniform rate in order to keep it simple and to give a clear signal to purchasers of primary aggregates to use more sustainable materials. It will reward quarry operators who invest in equipment for recycling, and ensure that all users of aggregates are taking responsibility for the costs that the production of their inputs imposes on the rest of society. This is consistent with the polluter pays principle.

There would be a number of practical difficulties with a levy which attempted to differentiate between quarries with different environmental performance. These relate to assessing compliance, defining environmental performance, the treatment of imports, EU state aids rules and UK competition policy. A uniform levy was therefore considered to be the most viable option.

All the revenues raised from the levy will be recycled back to business through a cut in employer National Insurance Contributions (NICs) and a new 'Sustainability Fund' aimed at delivering local environmental benefits. It is not possible to say precisely what the effect of the levy, the cut in employer NICs and the Sustainability Fund will be on the aggregates and construction industries, since this will depend, among other things, on future employment trends and the degree to which firms switch to recycled materials.

Pleasure Yachts

Mr. Denzil Davies: To ask the Chancellor of the Exchequer how many owners of pleasure yachts have been prosecuted in the last 12 months for which figures are available for the unlawful use of rebated heavy oil. [131608]

Mr. Timms: Private pleasure craft (including yachts) are not road going vehicles and as such qualify to use rebated heavy oil as motor fuel.

Burning oil which is fully rebated is not allowed for use as motor fuel. I am not aware of any prosecutions of pleasure yacht owners for such misuse in the past 12 months.

Fuel and Tobacco Smuggling (Northern Ireland)

Mr. Beggs: To ask the Chancellor of the Exchequer how many seizures there have been of smuggled fuel and tobacco products in Northern Ireland in the last 12 months; and if he will make a statement. [129861]

Dawn Primarolo *[holding answer 19 July 2000]:* I refer the hon. Gentleman to the answer given to the hon. Member for East Londonderry (Mr. Ross) on 5 July 2000, *Official Report*, column 201W.

18,585,438 cigarettes have been seized.

Household Incomes

Mr. Berry: To ask the Chancellor of the Exchequer (1) what the average annual net disposable income was, at 2000 prices, calculated on the basis of Table 8.2 in the annual reports of the Family Expenditure Survey, in the lowest and highest quintiles in each year from 1990 to 1999, only for households with children in those quintiles; and how many and what proportion of the population households in each quintile represented; [131960]

(2) what the average annual *(a)* net disposable and *(b)* gross income was of the lowest and highest quintiles in each of the years from 1990 to 1999, calculated on the basis of Table 8.2 in the annual report of the Family Expenditure Survey, but for Great Britain only, and showing, for the two quintiles, the percentage gain or loss over the preceding year. [131959]

Miss Melanie Johnson: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Pullinger to Mr. Roger Berry, dated 24 July 2000:

The National Statistician has been asked to reply to your recent questions concerning net disposable and gross income. The first question concerned average annual net disposable and gross income for 1990 to 1999 for Britain only in the highest and lowest quintile groups on the basis of Table 8.2 in the annual report of the Family Expenditure Survey (131959). The second question concerned annual net disposable income over the same period at 2000 prices in respect of households with children, for the same quintiles (131960).

In answer to your first question the information readily available relates to the United Kingdom, from Table 8.3 in the ONS annual publication "Family Spending 1998–99" and equivalent tables in the reports for earlier years. They are shown in the attached table at figure 1.

The United Kingdom is England, Wales, Scotland and Northern Ireland, while Great Britain does not include Northern Ireland. The equivalent information for Great Britain for the complete run of years could be obtained only at disproportionate cost. However the figures for Great Britain for 1998–99 are very close to those for the UK. They are shown in the attached table at figure 2.

Like all estimates from sample surveys, the figures in this answer are subject to sampling variability. For the lowest quintile this is generally about plus or minus 1.6% and for the highest quintile about plus or minus 3.5%. Estimates of percentage change from one year to another are subject to higher sampling error: plus or minus 2 percentage points for the lowest quintile and plus or minus 5 percentage points for the highest. For the highest quintile, for example, an estimated change of 7% indicates that the true change is unlikely to be outside the range 2% to 12%. The sampling variability quoted is in the 90% confidence interval.

In answer to your second question the information requested requires a special computing run for each year and could be obtained only at disproportionate cost.

Figure 1—Annual disposable and gross income for the lowest and highest income quintiles in the UK for the calendar years 1990 to 1993 and the financial years 1994–95 to 1998–99

	Lowest 20 per cent.				*Highest 20 per cent.*			
	Disposable income (£)	*Percentage change*	*Gross income (£)*	*Percentage change*	*Disposable income (£)*	*Percentage change*	*Gross income (£)*	*Percentage change*
1990	3,560	0	3,790	0	31,100	0	39,900	0
1991	3,900	10	3,950	4	33,500	8	42,900	8
1992	3,730	–4	3,790	–4	31,400	–6	40,900	–5
1993	3,900	5	3,940	4	32,700	4	42,800	5
1994–95	4,060	4	4,110	4	33,500	2	44,400	4
1995–96	4,290	6	4,350	6	34,300	2	45,500	2
1996–97	4,360	2	4,410	1	36,800	7	47,800	5
1997–98	4,520	4	4,580	4	39,200	7	51,000	7
1998–99	4,780	6	4,890	7	42,000	7	55,000	8

[1] In 1994–95 the Family Expenditure Survey moved from a calendar year basis to a financial year basis

Source:

ONS, Family Expenditure Survey 1990 to 1993 and 1994–95 to 1998–99

Figure 2—Disposable and gross income for the lowest and highest quintile groups in Great Britain, 1998–99

(£)

	Disposable income	*Gross income*
1998–99		
Lowest 20 per cent.	4,790	4,870
Highest 20 per cent.	42,000	55,100

Source:
ONS, Family Expenditure Survey 1998–99

Tax Credits (Northampton)

Ms Keeble: To ask the Chancellor of the Exchequer how many families in Northampton North have received the Working Families Tax Credit. [131941]

Dawn Primarolo: The number of families in receipt of Working Families Tax Credit at the end of May 2000 is provisionally estimated at 1,056,000. Available figures by constituency are given in tables which have been deposited in the Library.

Ms Keeble: To ask the Chancellor of the Exchequer how many families in Northampton North have received the Children's Tax Credit. [131942]

Dawn Primarolo: The Children's Tax Credit will be announced from 6 April 2001. I am afraid an estimate of the number of families in Northampton, North who could benefit from it is not available, but an estimated 400,000 families in the East Midlands could do so.

Public Sector

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 17 July 2000, *Official Report*, column 98W, when he will next publish estimates of *(a)* public net worth and *(b)* public gross worth; and if he will make a statement. [131950]

Mr. Andrew Smith: Updated forecasts of public sector net worth will be published in the Pre-Budget Report in the autumn.

Alcohol-related Crime

Mr. Ben Chapman: To ask the Chancellor of the Exchequer what plans he has to increase the taxes on high percentage volume beers, lagers and ciders as a means of reducing alcohol-related crime. [131898]

Dawn Primarolo: Any change to the level of UK alcohol duties is a matter for the Chancellor's Budget deliberations.

Self-employment

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what assessment he has made of the reasons for the fall in self-employment since 1997; and if he will make a statement. [131966]

Miss Melanie Johnson: It seems likely that the strong expansion in employee job opportunities since 1997 has encouraged some of the self-employed to switch to employee jobs. Total employment has increased by over one million since the General Election in 1997.

Drake Insurance Plc

Mr. Sheerman: To ask the Chancellor of the Exchequer what steps he is taking to protect consumers who insured their motor vehicles with Drake Insurance plc and who have now had their policies cancelled. [132087]

Miss Melanie Johnson: The courts have sanctioned the appointment of a provisional liquidator to manage the affairs of Drake Insurance plc. There is also statutory provision for the protection of certain policyholders under the Policyholders Protection Act 1975.

The provisional liquidator and the Policyholders Protection Board, together with some commercial interests, are working to secure the best outcome for policyholders.

Consultation

Mr. Rogers: To ask the Chancellor of the Exchequer what criteria he uses to determine whether a trade body is representative of an industry and should be consulted in the formulation of a policy decision. [132260]

Miss Melanie Johnson: The Cabinet Office Consultation Code of Practice says that consultation documents should be made widely available and effectively drawn to the attention of all interested groups.

Electronic Service Delivery

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer how capability for electronic service delivery is defined in his document entitled "Prudent for a Purpose". [132268]

Mr. Andrew Smith: Substantial new investment is being provided to ensure that all Government services are on-line by 2005. The definition of capability for electronic service delivery, and the arrangements for monitoring the number of services that are enabled for electronic transactions, are set out in the periodic reports published on the Central Information Technology Unit's website (http://www.citu.gov.uk).

EU Structural Funds

Mr. Andrew George: To ask the Chancellor of the Exchequer what recent arrangements he has made to ensure that Government match funds are efficiently delivered through each Government Department, in the UK's four EU Objective 1 regions. [132052]

Mr. Andrew Smith: Resources for public sector match funding for Objective 1 projects have been provided for within Departments' total spending review settlements. The new PSA targets in Spending Review 2000 set tough targets on improving value for money and efficiency across the public sector.

Mr. Andrew George: To ask the Chancellor of the Exchequer what recent assessment he has made of the public funds available to *(a)* the DTI, *(b)* the DETR, *(c)* MAFF, *(d)* DCMS, *(e)* DfEE and *(f)* the Welsh Assembly to match the funds available to the UK's four EU Objective One regions. [132053]

Mr. Andrew Smith: It remains the responsibility of grant applicants to secure match funding from a wide range of Government programmes. The identity of match funding sources will depend on the nature of the projects brought forward under the Objective 1 programmes.

Parliamentary Questions

Mr. Stunell: To ask the Chancellor of the Exchequer how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April have not received substantive answers, excluding those not answered *(a)* citing disproportionate costs, *(b)* stating that the information is not available, not held centrally, or not held in the form requested or *(c)* citing commercial or other confidentiality. [132129]

Mr. Timms: Very few Parliamentary questions will not have been answered substantively, either in their entirety or in part, for reasons other than those specified in the hon. Member's question. But determining exactly how many would entail scrutinising individually the answers to the 1,676 questions tabled in the period concerned. This is an undertaking which could be completed only at disproportionate cost.

Mr. Maclennan: To ask the Chancellor of the Exchequer how many written parliamentary questions tabled to his Department between 19 October 1999 and 20 April have not received substantive answers, citing as the reason *(a)* commercial and *(b)* other confidentiality. [128015]

Mr. Timms *[pursuant to his replies, 26 June 2000, c. 428, and 29 June 2000, c. 591]:* The number of questions tabled between 19 October and 20 April 2000 was 1,676 and not 1,479, a figure which relates to the 1999–2000 session up to 20 April.

Departmental Vehicles

Mr. Pearson: To ask the Chancellor of the Exchequer if he will list for his Department and its agencies the approved list of manufacturers of *(a)* cars and *(b)* commercial vehicles; and if he will make a statement on his Department's leasing and purchasing policy. [128982]

Miss Melanie Johnson: The Treasury does not use any cars or commercial vehicles, other than those provided under contract with the Government Car and Despatch Agency. Information about the cars provided was contained in the answer given by my right hon. Friend the Minister of State, Cabinet Office on 19 July 2000, *Official Report*, column 191W.

European Single Currency

Mr. Bercow: To ask the Chancellor of the Exchequer what assessment he has made of the extent to which the euroland economies have merged in accordance with the economic criteria set out in the five tests for UK membership; and if he will make a statement. [130787]

Miss Melanie Johnson: The five economic tests set out by the Chancellor are to judge the economic case for UK membership of the single currency only.

National Savings

Mrs. Lawrence: To ask the Chancellor of the Exchequer what the outcome is of the Treasury's five-yearly review of National Savings. [132685]

Miss Melanie Johnson: Government's quinquennial review of National Savings was announced on 11 January. The review took a fundamental look at the strategic purpose of the functions carried out by the agency in the light of developing circumstances and Government policy. It then considered what organisational structure might best deliver the Government's policy objectives. In doing so, it looked at all the options on their merits, with the aim of identifying whether National Savings remains the most suitable way of delivering policy.

The review recognised the importance of recent innovations in National Savings to making the agency more efficient and more flexible. This includes the role played by outsourcing its operations. It is now better placed than ever to build on this achievement to modernise and adapt to the changing market in which it operates. It now has the potential to match the best in the financial services market, providing choice and good value products for savers and investors in the very competitive savings market.

The review sees these developments as central to National Savings continuing to make a valuable contribution to the cost-effectiveness of the national debt by offering attractive products and services to members of the public. It will set a clear and overarching objective to achieve cost-effective Government debt management. National Savings, which will remain a Government agency, funds a significant amount—over £62 billion—of the national debt. Taxpayers will continue to see the benefit of National Savings' contribution, which is more cost-effective than comparable gilt-edged securities.

This is also good news for existing National Savings savers and for future customers. National Savings will be working to give its current and new customers more attractive, more up to date products and services. People will also get more choice on how they access those products. In addition to being able to get National Savings products through the Post Office and by post as they do now, customers will in future be able to choose from a wide range of channels.

In taking forward the review's recommendations, National Savings will continue to modernise its activities to make and keep it relevant, efficient and cost-effective. This will involve focusing on developing those aspects of the business that can operate competitively and cost-effectively, and continuing to develop new products as well as embracing innovations and new ideas.

The outcome of the review will be taken forward in a new business strategy, and reflected in the framework document which governs the relationship between the Agency, the Treasury and Ministers.

Written Answers to Questions

Tuesday 25 July 2000

SOCIAL SECURITY

Next Steps Agencies

Mr. Goggins: To ask the Secretary of State for Social Security when he will publish the 1999–2000 annual reports and accounts for each of his Next Steps agencies. [133026]

Mr. Darling: The 1999–2000 annual reports and accounts for the Benefits Agency (HC 640), Child Support Agency (HC 658), Information Technology Services Agency (HC 680) and War Pensions Agency (HC 615) have been laid before Parliament today.

Fraud

Mr. Willetts: To ask the Secretary of State for Social Security if the anti-fraud targets announced in the Comprehensive Spending Review are *(a)* in addition to or *(b)* instead of, the existing Benefits Agency Security Control Programme. [132400]

Mr. Rooker: The Benefits Agency Security Control Programme ceased in April 1999.

Mr. Willetts: To ask the Secretary of State for Social Security how he plans to measure the success of the anti-fraud measures announced in the Comprehensive Spending Review. [132398]

Mr. Rooker: We are now measuring the level of fraud and error by means of a monthly rolling programme of reviews in each Benefits Agency area. A regular, random sample of cases is investigated thoroughly to establish how much fraud and error they contain.

Public Service Agreements

Mr. Willetts: To ask the Secretary of State for Social Security when he will publish his new public service agreements. [132395]

Mr. Rooker: Shortly.

Departmental Staff

Mr. Burstow: To ask the Secretary of State for Social Security how many unfilled vacancies for permanent staff his Department has; what percentage of staff positions in his Department are vacant; what the monthly cost would be to his Department of employing civil servants in these positions; how many and what percentage of staff his Department employs on a temporary basis through employment agencies; how much his Department paid employment agencies to supply temporary staff in each of the last 12 months; and how much he expects to pay employment agencies to supply temporary staff in each of the next 12 months. [131427]

Mr. Rooker: The information is in the tables.

Vacancies

	Number
Number of unfilled vacancies	1,187
Percentage of total staff	1.39
Monthly cost of employing civil servants in these positions	1,370,070.00

The numbers of staff the Department employs on a temporary basis through Employment Agencies can vary from day to day. For example, during May 2000, the equivalent of 22 staff were employed, which represents 0.03 per cent. of the Department's staff.

Total payments made to employment agencies for temporary staff for each of the last twelve months

£

Month	*Total payments to employment agencies*
July 1999	39,481.90
August 1999	22,238.50
September 1999	15,480.35
October 1999	42,162.88
November 1999	34,874.99
December 1999	24,012.67
January 2000	14,412.46
February 2000	24,863.32
March 2000	21,950.25
April 2000	28,498.11
May 2000	26,279.97
June 2000	25,333.14

It is not possible to predict with any certainty what payments will be made to Employment Agencies for each of the next twelve months. It is expected that the amounts and numbers of staff involved will be similar to those detailed above.

Single Currency

Mr. Willetts: To ask the Secretary of State for Social Security how much his Department is planning to spend on preparing for the euro in the period to March 2004, broken down between years. [132396]

Angela Eagle: The Second Outline National Changeover Plan said that this Department will expect to spend up to £5 million on euro preparation in this financial year.

Household Income Statistics

Mr. Webb: To ask the Secretary of State for Social Security if he will assess which statistics from the Households Below Average Income series could robustly be produced on a quarterly basis. [132097]

Mr. Bayley: The Department's statisticians have not made a detailed assessment of whether any Households Below Average Income (HBAI) statistics could be robustly produced on a quarterly basis. However, past experience raises doubts as to whether any robust results could be produced on a quarterly basis.

Child Poverty

Mr. Paul Marsden: To ask the Secretary of State for Social Security how many children in Shrewsbury and Atcham he estimates will be taken out of poverty by the end of the present year. [131138]

Mr. Bayley: It is not possible to make estimates at a local level of the numbers of children who will be taken out of poverty. However, children in Shrewsbury and Atcham will benefit from the range of measures we have announced which will lift 1.2 million children out of poverty by the end of this Parliament.

SOLICITOR-GENERAL

Extradition

Mr. Chope: To ask the Solicitor-General how many court days have been occupied in hearing extradition cases in 2000. [130603]

The Solicitor-General: No records are kept of how many court days are occupied in hearing extradition cases, although applications for judicial review in such cases have occupied the Queen's Bench Division of the High Court for 13 whole or part days this year.

HEALTH

Flour (Folic Acid)

Mrs. Brinton: To ask the Secretary of State for Health when she plans to issue the consultation document on the implementation of the COMA recommendations on the addition of folic acid to flour. [132646]

Yvette Cooper: The United Kingdom Health Departments and the Food Standards Agency have today published a joint public consultation document on the report from the Committee on Medical Aspects of Food and Nutrition Policy which concluded that all flour should be fortified with folic acid to prevent neural tube defects. The consultation period runs until 31 October 2000. The document is available in the Library and on the internet at www.doh.gov.uk/folicacid.

Meat Hygiene Service

Mr. Drew: To ask the Secretary of State for Health what performance targets have been set for the Meat Hygiene Service in 2000–01. [133030]

Ms Stuart: Following consultation with interested organisations, the board of the Food Standards Agency (FSA) approved at its meeting on 20 July the following performance targets for the Meat Hygiene Service (MHS) for 2000–01:

1. Public Health Protection

(a) Reduction of microbiological hazards in meat:

Fully apply MHS Clean Livestock Policy.

Not to apply the health mark stamp to any meat showing visible faecal or alimentary tract contents contamination.

Take effective action in slaughterhouses with low Hygiene Assessment System (HAS) scores to improve hygiene standards.

(b) Removal of Specified Risk Material (SRM) from the human and animal food chain:

Strictly enforce SRM controls in abattoirs.

2. Animal Welfare

Strictly enforce Welfare at Slaughter and Killing Regulations.

3. Staff Training

Provide update training for all Principal Official Veterinary Surgeons and lead Official Veterinary Surgeons (OVSs) in enforcement (training course to be developed in liaison with FSA Legal Services).

Provide update training for 33 per cent. of lead OVSs in animal welfare at slaughter (training course to be developed in liaison with Ministry of Agriculture, Fisheries and Food Animal Welfare Division).

Provide refresher training for 33 per cent. of lead OVSs in hygiene requirements (training course to be developed in liaison with FSA Veterinary Public Health Unit).

All training to be completed by 31 March 2001 and to comply with Investors in People standards.

4. Customer Focus

Provision of high quality service

Introduce an independent element to MHS Appeals System.

Sign up to Government Enforcement Concordat.

To meet the FSA targets for customer service.

Maintain full compliance with Charter Mark standards.

5. Value for Money

Efficiency

To implement those recommendations in the Pooley report applicable to the MHS and accepted by the FSA for implementation in 2000–01.

To implement those recommendations in the external efficiency review accepted, and within the timetable laid down, by the FSA Board.

6. Financial Performance

To operate within the cash allocations as agreed with the FSA.

To recover from government departments, agencies and the Intervention Board Executive Agency (IBEA) the full economic costs (calculated in accordance with the relevant charging legislation and accruals accounting) of providing agreed services or other work undertaken on their behalf.

A copy of the consultation package, summary of responses and details of the assessment of these targets have been placed in the Library. They are also available on the FSA website at www.foodstandards.gov.uk.

Departmental Staff

Mr. Burstow: To ask the Secretary of State for Health how many unfilled vacancies for permanent staff his Department has; what percentage of staff positions in his Department are vacant; what the monthly cost would be to his Department of employing civil servants in these positions; how many and what percentage of staff his Department employs on a temporary basis through employment agencies; how much his Department paid employment agencies to supply temporary staff in each of the last 12 months; and how much he expects to pay employment agencies to supply temporary staff in each of the next 12 months. [131433]

Ms Stuart: Responsibility for staffing and recruitment issues has been substantially delegated to individual business units. As a result, the information requested is not held centrally. To collect it would incur disproportionate costs.

Clinical Errors

Mr. Jim Cunningham: To ask the Secretary of State for Health what plans he has to introduce an early warning system for clinical errors. [131505]

Ms Stuart: "An Organisation with a Memory", the report of an expert group chaired by the Chief Medical Officer, was published on 13 June 2000. The group examined the extent to which the National Health Service and its constituent organisations had the capability to learn from untoward incidents and service failures so that similar occurrences are avoided in future. The report's main recommendation is the introduction of a mandatory reporting system for adverse health care events and specified near misses. We are taking steps to implement such a system and expect to have made significant progress before the end of the year.

National Plan

Mr. Jim Cunningham: To ask the Secretary of State for Health what progress he is making on the National Plan for Health; and if he will make a statement. [131503]

Mr. Denham: Over 220,000 members of the public and staff and around 100 national and local organisations responded to our consultation exercise. Their comments and ideas have now been analysed, together with the detailed work of the modernisation action teams and the more in-depth public involvement strategy. All this has culminated in the National Health Service National Plan which will be presented to the House later this week.

Operations

Mr. Jim Cunningham: To ask the Secretary of State for Health how many hernia operations were carried out by the NHS last year *(a)* in Coventry, South, *(b)* in the West Midlands and *(c)* nationally. [131506]

Mr. Denham: The number of hernia operations carried out by the National Health Service in Coventry Health Authority, the West Midlands and England during the financial year 1998–99 are shown in the table.

Hernia operations NHS hospitals England, 1998–99

Operation		*Coventry*[1]	*West Midlands*	*England*
T19	Simple excision of inguinal hernial sac	44	1,051	10,315
T20	Primary repair of inguinal hernia	619	7,670	66,346
T21	Repair of recurrent inguinal hernia	16	610	5,478
T22	Primary repair of femoral hernia	21	445	4,119
T23	Repair of recurrent femoral hernia	0	14	177
T24	Repair of umbilical hernia	75	1,489	12,358
T25	Primary repair of incisional hernia	43	617	5,297
T26	Repair of recurrent incisional hernia	6	87	689
T27	Repair of other hernia of abdominal wall	38	517	4,885
Total		862	12,500	109,664

[1] The appropriate area of treatment for Coventry, South is Coventry Health Authority.

Notes:

1. The figures do not represent the number of patients, as one person may have several operations within the year.
2. Finished Consultant Episodes (FCEs) where OPCS4R operation codes T19 to T27 appeared as the main operation.
3. For 1998–99, no adjustments have as yet been made for shortfalls in the data.

Source:

Hospital Episode Statistics (HES), Department of Health.

Mr. Jim Cunningham: To ask the Secretary of State for Health how many *(a)* hip replacement and *(b)* cataract operations were carried out by the NHS last year (i) in Coventry South, (ii) in the West Midlands and *(c)* nationally. [131538]

Mr. Denham: The information requested is given in the table.

Hip replacements and cataract operations. NHS hospitals England, 1998–99

Operation	*Coventry*[1]	*West Midlands*	*England*
Primary total hip replacements[2]	275	4,704	37,189
Hip replacement revisions[3]	24	408	4,013
Total hip replacement operations	299	5,112	41,202
Cataract operations[4]	1,995	20,602	204,074

[1] The appropriate area of treatment for Coventry South, is Coventry Health Authority.

[2] Finished Consultant Episodes (FCEs) with a main operation OPCS4R code in the range W37-W39 or W46-W48, excluding revisions, emergency admissions and FCEs with a primary diagnosis of ICD10 S72.0, S72.1 or S72.2 (fracture of neck of femur).

[3] FCEs with a main operation OPCS4 code W37.3, W38.3, W39.3, W46.3, W47.3, or W48.3, excluding emergency admissions and episodes with a primary diagnosis of ICD10 S72.0, S72.1 or S72.2 (fracture of neck of femur).

[4] Count of FCEs where OPCS4R codes C71, C72, C74 or C75 occurred in any of the four (main and three secondary) operation codes.

Notes:

1. The figures do not represent the number of patients, as one person may have several operations within the year.
2. For 1998–99, no adjustments have as yet been made for shortfalls in the data.
3. These figures were provided by Hospital Episode Statistics (HES), Department of Health.

Health Provision Variations

Mr. Jim Cunningham: To ask the Secretary of State for Health what steps he is taking to reduce variation in health provision between the poorest and the best-off areas across the UK. [131504]

Yvette Cooper: We are setting standards through the National Institute for Clinical Excellence and the national service frameworks. We are ensuring local delivery through clinical governance and monitoring delivery through the performance assessment framework and the Commission for Health Improvement. On 14 July we published a second set of performance indicators which will enable the local health service to identify where their performance falls below that of the best and we expect measures to be taken to improve poorly performing services. We are working with relevant parties, utilising the record increases in National Health Service funding to improve NHS performance and tackle health inequalities.

GM Food

Joan Ruddock: To ask the Secretary of State for Health what the nature is of the feeding trials in which animals are being fed GM herbicide-tolerant forage maize treated with glufosinate ammonium. [132649]

Ms Stuart: The Food Standards Agency knows of no current feeding trials, but is aware that the developers of the crop variety intend to use the maize in an animal feeding study in the future. The company has undertaken to seek our agreement to the protocol for such work.

Neonatal Hearing Screening

Mrs. Spelman: To ask the Secretary of State for Health (1) how much his Department has invested in neonatal hearing screening for each of the last five years; [131332]

(2) how much his Department plans to spend on *(a)* the launch and *(b)* the national roll-out of the neonatal hearing screening pilot project in each of the next three years; [131333]

(3) what cost benefit analysis his Department has carried out of introducing universal neonatal hearing screening; [131334]

(4) what studies his Department has carried out into the benefits of neonatal hearing screening; [131335]

(5) what his Department's timetable is for the national roll-out of the neonatal hearing screening pilot project; when an announcement about a timetable will be made; and what factors will inform the timing of an announcement of the timetable; [131336]

(6) if he will review the findings of the Colorado research project on neonatal hearing screening; [131337]

(7) what consultations his Department has had with disability organisations of and for deaf and hard of hearing people about the launch of the neonatal hearing screening pilot project; [131338]

(8) when his Department will establish an advisory group to advise on the launch and national roll-out of its pilot project for neonatal hearing screening; and when it will announce the composition of the group; [131339]

(9) by what process his Department will establish *(a)* the criteria, *(b)* the selection procedure and *(c)* the timetable for the establishment of the 20 neonatal hearing screening pilot sites; [131340]

(10) what discussions his Department has had with the Department for Education and Employment about developing the provision of language and education support for children from zero to two years in preparation for *(a)* the launch and *(b)* the national roll-out of its pilot project for neonatal hearing screening; [131341]

(11) what discussions his Department *(a)* has had and *(b)* plans to have with (i) health authorities and NHS trusts, (ii) paediatric audiologists, (iii) ENT consultants, (iv) speech and language therapists and (v) cochlear implant centres about (A) the launch and (B) the national roll-out of the neonatal hearing screening pilot project. [131342]

Yvette Cooper: Investment in neonatal hearing screening over the last five years is estimated to be in the region of £18 million per annum: that is £3 million per annum on targeted neonatal hearing screening and £15 million per annum on health visitors performing the infant distraction test.

The United Kingdom National Screening Committee (NSC) has recommended that a universal neonatal hearing screening (UNHS) programme should replace the infant distraction test to screen for hearing impairment. This was based on a report by the health technology assessment programme 'A critical review of the role of neonatal screening in the detection of congenital hearing impairment'.

An expert group, which included representatives of professional groups, National Health Service bodies, voluntary organisations, Government Departments and other interested bodies, was convened by the NSC and undertook further detailed work on the benefits, cost-benefits and feasibility and service issues of developing a UNHS programme. The committee took existing and emerging research findings into account in making its recommendations.

We have recently agreed to conduct a pilot programme to evaluate the optimum way in which this change in service delivery might be achieved. The pilot programme will run for 12 months at a cost of £750,000. The pilot will help us gain a better understanding of the operational implications of running a national programme, including its potential cost.

Project and steering groups will be established shortly to oversee the development of the pilot programme. Key professional, voluntary, NHS and policy stakeholders will be appropriately involved. The Department will be writing to the NHS about participating in the pilot project and the timescales later in the autumn.

Correspondence

Mr. Winnick: To ask the Secretary of State for Health when the hon. Member for Walsall, North will receive a reply to his letter of 23 May concerning lock purchasing. [132447]

Mr. Hutton: The letter of 23 May was a copy of a letter dated 17 April, to which I replied to my hon. Friend on 22 May.

Back Book

Mr. Burstow: To ask the Secretary of State for Health if he will make it his policy to provide the Back Book free of charge to patients; [128485]

(2) how many copies of the Back Book have been sold in each year since its publication. [128486]

Mr. Denham *[holding answer 3 July 2000]:* The Back Book was published by The Stationery Office in 1996. I understand that, to date, 115,157 packs of 10 copies have been sold. We do not have information on how that figure breaks down year by year.

We have no plans to provide the Back Book free of charge to patients.

Departmental Inquiries

Mr. Harvey: To ask the Secretary of State for Health if he will list the inquiries his Department has established in each of last two years, indicating for each the form the inquiry was to take, and an estimate of the number of patients it covered. [129022]

Ms Stuart: The inquiries commissioned by the Department in the last two years are as follows. It is not possible to provide a meaningful estimate of the number of patients affected by the matters under inquiry. In most cases that is for the inquiry to establish.

The BSE Inquiry

Established in December 1997 to review the history of BSE (Bovine Spongiform Encephalopathy) and new variant CJD (Creutzfeldt-Jakob disease) and the action taken in response to it. Independent chair. Hearings held in public.

Review of Thoracic Surgical Services at Plymouth Hospitals NHS Trust

Established in July 1998 to review the previous investigation undertaken by the trust into its thoracic surgery services. Independent chair. Hearings held in private.

The Bristol Royal Infirmary Inquiry

Established in October 1998 to examine issues relating to paediatric cardiac surgery. Independent chair. Hearings held in public.

The Ritchie Inquiry

Established in March 1999 to consider the practice of Mr. Rodney Ledward. Independent chair. Hearings held in private.

North Lakeland Healthcare NHS Trust Inquiry

Established in May 1999 to investigate allegations of patient abuse. Independent chair. Hearings held in private.

Hammersmith Hospitals NHS Trust. Liver Surgery Unit

Established in August 1999 to inquire into allegations relating to gene therapy for patients with liver cancer. Independent chair. Hearings held in private.

Hammersmith Hospitals NHS Trust Department of Imaging Inquiry

Established in November 1999 to investigate allegations of victimisation. Independent chair. Hearings held in private.

The Royal Liverpool Children's Inquiry

Established in December 1999 to examine circumstances surrounding the removal, retention and disposal of human tissue. Independent chair. Hearings held in private.

The Laming Inquiry

Established in March 2000 to review issues arising from the trial of Dr. Shipman. Independent chair. Form of inquiry under review.

The King's Mill Centre for Healthcare Services NHS Trust Inquiry

Established in June 2000 to investigate allegations of inappropriate disposal of human organs. Independent chair. Hearings held in private.

NHS Trusts

Mr. Alan Keen: To ask the Secretary of State for Health what financial assistance he gives to NHS trusts that are undertaking reconfiguration of patient services, approved by him, towards the cost of *(a)* redundancy and retirement and *(b)* capital building costs. [130167]

Mr. Denham: A central special assistance fund has existed since 1996–97. It provides financial assistance to some health authorities to facilitate strategic change, such as reconfiguring patient services at NHS trusts. Special assistance helps fund some of the short-term non-recurrent costs of change, for example double running or redundancy costs. Within London, the London Fund also provides non-recurrent transitional funding to support strategic changes.

Capital funding is approved on the basis of information contained in a business case which is considered by regional offices. Access to funding is dependent on competing investment priorities in the region.

St. George's Hospital, Tooting

Mr. Cox: To ask the Secretary of State for Health what recent assessment he has made of the services provided by St. George's Hospital, Tooting, London. [130524]

Mr. Denham: All National Health Service trusts are subject to a formal annual assessment of their progress and future plans by the relevant regional office of the NHS Executive, and this assessment process was carried out with St. George's Healthcare NHS Trust earlier this year by London Regional Office.

NHS Trust Directorships

Mr. Rowe: To ask the Secretary of State for Health if it remains his policy to ban the spouses of hon. Members from non-executive directorships in National Health Service trusts. [130534]

Ms Stuart: The Department is currently considering the preparation of new guidance on conflict of interest issues for National Health Service boards and other public bodies for which we are responsible. The issue of appointing the spouses of hon. Members to National Health Service boards will be re-considered as part of this process.

Fertility Treatment

Mr. Paul Marsden: To ask the Secretary of State for Health if he will list, for each health authority, the number of patients on a waiting list for infertility treatment; and if he will make a statement. [130820]

Mr. Denham: Waiting list information is not collected centrally for specific procedures.

Royal Shrewsbury Hospital

Mr. Paul Marsden: To ask the Secretary of State for Health if he will make a statement about refurbishment of the accident and emergency unit at the Royal Shrewsbury Hospital. [131139]

Ms Stuart: Royal Shrewsbury Hospital was allocated £600,000 from the accident and emergency modernisation fund to develop a scheme to improve facilities in the casualty department. Work is due for completion by 31 March 2001 with specific aims to improve security for staff, access for the disabled, facilities for paediatric assessment and environmental conditions.

Mr. Paul Marsden: To ask the Secretary of State for Health what proposals he has received from the Royal Shrewsbury Hospital for a new medical assessment unit to be funded from the A&E Modernisation Fund; and if he will make a statement. [131702]

Ms Stuart: Royal Shrewsbury Hospitals National Health Service Trust was allocated £600,000 in the first tranche of accident and emergency modernisation moneys in June 1999. The approved proposals included the development of an assessment unit, decontamination facilities and improved security. Further bids have been invited in June of this year to be funded from an additional £35 million made available nationally, and the trust have applied for funding totalling £2.2 million for an emergency assessment unit, which incorporates a medical assessment unit

NHS Executive regional offices are in the process of assessing the applications received. As yet, no decisions have been made nationally on the allocation of this latest tranche of accident and emergency modernisation moneys.

Fluoridation

Mr. Baker: To ask the Secretary of State for Health pursuant to his answer of 7 July 2000, *Official Report*, columns 334–35W, regarding fluoridation, what bodies other than the National Health Service Centre for Reviews and Dissemination at the University of York were invited to apply for the commission to report into the safety and efficacy of fluoride in drinking water. [131360]

Ms Stuart *[holding answer 20 July 2000]:* No other bodies were invited to tender for the systematic review on fluoridation. The National Health Service Centre for Reviews and Dissemination was itself established by competitive tender to provide the Department with an expert facility for systematic research reviews.

Mr. Baker: To ask the Secretary of State for Health, pursuant to his answer of 7 July 2000, *Official Report*, column 335W, regarding fluoridation, what conditions apply to the moneys given by his Department to the British Fluoridation Society. [131331]

Yvette Cooper *[holding answer 20 July 2000]:* Since 1975 successive Governments have funded the British Fluoridation Society to help promote and implement their policies on oral health by providing evidence based advice to all interested parties. The Society is required to maintain accounts which show the use to which funds have been put for inspection by the Department's auditors.

Speech and Language Therapists

Mr. Gordon Marsden: To ask the Secretary of State for Health what recent representations his Department has received regarding the pay scales of speech and language therapists relative to other professional groups in the NHS. [131738]

Mr. Denham: Following extensive negotiations with staff side representatives, on 19 May a revised grading structure for speech and language therapists was introduced extending the existing pay spine to match that of clinical psychologists. Since then no representations have been received.

Grant Aid

Mr. Bob Russell: To ask the Secretary of State for Health if he will *(a)* list the successful applicants for grant aid under section 64 of the Health Services and Public Health Act 1968 for the last year for which figures are available, *(b)* the value of each grant and *(c)* what the grant was for. [131732]

Mr. Hutton: The information requested has been placed in the Library.

Mr. Bob Russell: To ask the Secretary of State for Health how many applications for grant aid under section 64 of the Health Services and Public Health Act 1968 were *(a)* submitted and *(b)* approved in each of the last five years for which figures are available; what the total value of such grants was in each year; and if he will make a statement. [131733]

Mr. Hutton: The information requested is contained in the table.

Section 64 General Scheme applications submitted and approved in the last five years

Financial year (1)	*Number of new applications received (2)*	*Number of new applications approved (3)*	*Value of new grants approved (£) (4)*	*Value of continuing grants approved from previous years (£) (5)*	*Annual total value of approved grants (£) (6)*
1996–97	629	Figure not available	Figure not available	Figure not available	21,000,000
1997–98	627	268	9,034,144	12,405,068	21,439,212
1998–99	784	280	10,065,828	10,545,871	20,611,699
1999–2000	717	284	11,834,839	10,536,731	22,371,570
2000–01	671	216	8,388,848	14,204,905	22,593,753

A new database was set up in 1996. Figures for columns (3)-(5) for that year are not available because the database was still being tested.

The amounts approved were not necessarily the amounts paid as some grants, especially project grants, may have started late and payments were therefore made pro-rata.

Private Finance Initiatives

Mr. Matthew Taylor: To ask the Secretary of State for Health, pursuant to his answer of 13 July 2000, *Official Report*, column 684W, what the values of the public sector comparator and PFI alternatives are in *(a)* pre-risk and *(b)* risk-adjusted terms at full business case and financial close stage for the (i) Rochdale, (ii) Royal Berkshire, (iii) Central Sheffield and (iv) Guys and St. Thomas's hospital projects. [131614]

Mr. Denham *[holding answer 20 July 2000]:* Private finance initiative was considered in all four schemes, and in each case did not produce a suitable solution. For the schemes at Rochdale and Central Sheffield PFI was identified as unsuitable early in the procurement process and not pursued further. Comparative figures are therefore unavailable. The figures for the schemes at Royal Berkshire and Guys and St. Thomas's are shown in the tables.

£000

	Public Sector Comparator	*PFI Option*
Royal Berkshire		
Whole scheme (1994)	No realistic PFI proposal identified	—
Partial PFI (1997) NPC over 60 years—(not risk adjusted)	10,096	13,180
Guys and St. Thomas's		
Net present value—pre-risk adjusted	357.8	497.1
Net present value—post-risk adjusted	377.2	497.1

SCOPE

Mrs. Curtis-Thomas: To ask the Secretary of State for Health if he will establish an inquiry into the role of SCOPE under section 81 of the Children Act 1989. [131969]

Mr. Hutton: I have no plans to establish an inquiry into the role of SCOPE under section 81 of the Children Act. I understand that allegations concerning a school run by SCOPE near Leeds were thoroughly investigated by the police and child protection services in 1995. They concluded that there was not sufficient evidence for criminal prosecution. The Department for Education and Employment subsequently considered the allegations and, as a result one former care worker was barred from working in relevant employment and placed on List 99.

The school closed in 1998.

Waiting Lists

Mr. Tyrie: To ask the Secretary of State for Health, pursuant to his answer of 17 July 2000 to the right hon. Member for South-West Surrey (Mrs. Bottomley), *Official Report*, columns 69–70W, concerning the numbers of patients waiting over 12 months for elective admission between March 1997 and March 2000, if he will provide the figures for West Sussex for each of those dates. [131829]

Mr. Denham *[holding answer 21 July 2000]:* We are determined to reduce waiting lists and times for all patients from the rising numbers we inherited. As waiting lists have fallen, so have waiting times. The number of over-12-month waiters is almost a third lower than the peak at June 1998 and the average waiting time of patients on the list is 13 weeks—Two weeks lower than at June 1998.

The numbers of patients waiting over 12 months for elective admission in West Sussex at March 1997, March 1998 and March 2000 are shown in the table.

West Sussex health authority

	Number of patients waiting over 12 months at March
1997	902
1998	3,952
2000	1,848

Mr. Chope: To ask the Secretary of State for Health how many Dorset Health Authority patients had been waiting for over 12 months for elective admission in *(a)* March 1997, *(b)* March 1998, *(c)* March 1999 and *(d)* March 2000. [132333]

Mr. Denham *[holding answer 24 July 2000]:* The information requested is shown in the table.

Patients waiting more than 12 months for elective admissions, Dorset health authority

Month end	*Number of patients*
March 1997	0
March 1998	0
March 1999	0
March 2000	2

Source:
Department of Health forms KH07R and QF01

In March 1997 there were 56 patients waiting over six months, in March 2000 there were no patients waiting over six months for treatment in Dorset but there were 28 Dorset patients waiting for treatment outside the county.

MRSA

Mr. Cousins: To ask the Secretary of State for Health how many MRSA incidents have been voluntarily reported in each NHS region since 1996 *(a)* in total and *(b)* as a ratio to the population in that region. [131648]

Mr. Denham *[holding answer 24 July 2000]:* The Public Health Laboratory Service compiles aggregate data on numbers of incidents of MRSA which are voluntarily submitted by National Health Service trusts for specialist microbiological tests. These are given in the table. Also shown is the rate per 100,000 population.

Incidents of MRSA and rates per 100,000 population 1996–2000

	Incidents of MRSA	*Population*	*Rate per 100,000*
1996			
Anglia and Oxford	237	5,360,925	4
North Thames	539	6,933,690	8
North West	176	6,605,118	3
Northern and Yorkshire	150	6,338,285	2
South and West	206	6,594,376	3
South Thames	421	6,819,118	6
Trent	99	5,120,988	2
West Midlands	121	5,316,585	2
Wales	158	2,921,075	5
Total	2,107	52,010,160	4

Incidents of MRSA and rates per 100,000 population 1996–2000

	Incidents of MRSA	*Population*	*Rate per 100,000*
1997			
Anglia and Oxford	297	5,410,284	5
North Thames	544	6,987,622	8
North West	259	6,597,722	4
Northern and Yorkshire	224	6,335,813	4
South and West	254	6,638,509	4
South Thames	385	6,865,023	6
Trent	123	5,128,485	2
West Midlands	102	5,320,784	2
Wales	176	2,926,933	6
Total	2,364	52,211,175	5
1998			
Anglia and Oxford	223	5,452,321	4
North Thames	289	7,051,978	4
North West	215	6,603,991	3
Northern and Yorkshire	202	6,339,044	3
South and West	101	6,672,263	2
South Thames	220	6,908,662	3
Trent	109	5,133,802	2
West Midlands	69	5,332,521	1
Wales	169	2,933,324	6
Total	1,597	52,427,906	3
1999			
Eastern	80	5,416,242	1
London	290	7,267,458	4
Northern and Yorkshire	170	6,348,589	3
North West	180	6,604,031	3
South East	170	8,687,156	2
South West	40	4,934,125	1
Trent	100	5,149,937	2
West Midlands	30	5,342,340	1
Wales	130	2,940,324	4
Total	1,190	52,690,202	2
2000			
Eastern	30	—	—
London	100	—	—
Northern and Yorkshire	40	—	—
North West	50	—	—
South East	60	—	—
South West	10	—	—
Trent	30	—	—
West Midlands	30	—	—
Wales	30	—	—
Total	380	—	—

Notes:
1. Population estimates are mid-year estimates based on 1991 census data
2. For 1996 and the first half of 1997 data have been amalgamated to the approximate boundaries of the new Regional Office areas. This allows for comparison with subsequent years
3. Data for 2000 are incomplete, therefore the rate per 100,000 cannot be calculated
4. An incident is three or more patients infected or colonised by the same strain of MRSA in the same month from the same hospital
5. The criteria for submission of isolates of MRSA (and other isolates of staphylococcus aureus) to the PHLS for specialist tests have been revised twice since 1996 (in January 1998 and in January 2000).

Shipman Inquiry

Mr. Darvill: To ask the Secretary of State for Health if he will make a statement on the judgment on the Shipman Inquiry. [132643]

Mr. Denham: Families who have been victims of Dr. Shipman have suffered enormously and we have great sympathy for them.

From the outset, we have wanted to make sure we learn the lessons from the Shipman case as quickly and effectively as possible so that we can take all the necessary measures to protect patients. We are considering the judgment in full.

Hepatitis C

Dr. Gibson: To ask the Secretary of State for Health if he has plans to carry out routine screening for hepatitis C. [132429]

Ms Stuart: There are currently no plans to carry out routine screening for hepatitis C.

PRIME MINISTER

Appointments (Historians)

Mr. Baker: To ask the Prime Minister, pursuant to his answer of 10 July 2000, *Official Report*, column 425W, on appointments, if he will list the official historians he has appointed since 1 May 1997; and if he will make a statement on each. [132329]

The Prime Minister *[holding answer 24 July 2000]:* Since 1 May 1997 I have appointed two official historians: Professor Lawrence Freedman and Professor Alexander Kemp.

G8 Summit

Mr. Llew Smith: To ask the Prime Minister if he will make a statement on the matters discussed at and the outcome of the G8 Summit in Okinawa. [132025]

The Prime Minister: I refer my hon. Friend to the Statement I gave to the House on 24 July 2000, *Official Report*, columns 763–65.

Kosovo

Mr. Dalyell: To ask the Prime Minister if he will make a statement on the situation in Kosovo. [132514]

The Prime Minister: I refer my hon. Friend to the answer given by the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Leicester, East (Mr. Vaz) on 18 July 2000, *Official Report*, columns 140–41W, to our hon. Friend the Member for Gedling (Mr. Coaker).

AGRICULTURE, FISHERIES AND FOOD

Veterinary Medicines Directorate

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food when he will publish the 1999–2000 annual report for the Veterinary Medicines Directorate. [132879]

Mr. Nick Brown: The 1999–2000 annual report and accounts for the Veterinary Medicines Directorate have been laid before Parliament. Copies are available in the Library of the House.

Centre for Environment, Fisheries and Aquaculture Science

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food when he will publish the 1999–2000 annual report for the Centre for Environment, Fisheries and Aquaculture Science. [132880]

Mr. Nick Brown: The 1999–2000 annual report and accounts for the Centre for Environment, Fisheries and Aquaculture Science were laid before Parliament today. Copies are available in the Library of the House.

Veterinary Laboratory Agency

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food when he will publish the 1999–2000 annual report for the Veterinary Laboratory Agency. [132881]

Mr. Nick Brown: The 1999–2000 annual report and accounts for the Veterinary Laboratory Agency were laid before Parliament today. Copies are available in the Library of the House.

Solway Fishery

Mr. Martlew: To ask the Minister of Agriculture, Fisheries and Food what advice he has received from the Environment Agency on the possible earlier opening of the Haf net fishing season on the Solway in 2001. [131405]

Mr. Morley: We have not received any advice from the Environment Agency on the possible earlier opening of the Haf net fishing season on the Solway in 2001.

Fertilisers

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food what regulations deal with fertilisers and soil improvers; and what plans he has to decrease regulation in this area. [131809]

Mr. Morley *[holding answer 21 July 2000]:* Fertilisers and soil improvers are regulated in Great Britain by the Fertilisers Regulations 1991, SI 1991/2197 (as amended by SI 1995/16, SI 1997/1543 and SI 1998/2024). The regulations implement EU Directives 76/116/EEC, 80/876/EEC, 88/183/EEC, 89/284/EEC, 89/530 and 93/69/EEC. A Commission-led working group is examining consolidation of the existing Directives into a single Directive, but it is unlikely to propose any decrease in regulation in this area.

Farm Diversification

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food if he will list the publicly-funded organisations which provide advice to farmers about diversification; and if he will make a statement. [131803]

Mr. Morley *[holding answer 21 July 2000]:* MAFF will be publishing a free advisory booklet on farm diversification in the autumn as part of the Prime Minister's Action Plan for Farming. The booklet will contain a comprehensive list of organisations which can provide advice to farmers on diversification. The action plan also included a new programme of business advice for farmers through the Small Business Service.

Pollution Controls

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with his European counterparts about ensuring *(a)* uniform implementation of integrated pollution prevention and controls and *(b)* that disproportionate burdens are not placed on British farmers as a result of these controls; and if he will make a statement. [131899]

Mr. Morley *[holding answer 21 July 2000]:* Discussions about the Directive on Integrated Pollution Prevention and Control (IPPC) have taken place between EU Environment Ministers. Measures to comply with the requirements of the IPPC Directive will be based on Best Available Techniques reference (BREF) documents, which will be agreed at Community level. These documents aim to ensure all member states adopt measures that offer equivalent environmental protection.

Under the Action Plan for Farming, announced by the Prime Minister following the Agriculture Summit on 30 March, the Government are committed to implementing environmental legislation that impacts on the farming industry in the least bureaucratic and burdensome way. Farmers with existing installations in England and Wales will not be required to implement these measures until 2007. Some other member states already apply environmental controls similar to those required to be implemented under IPPC.

Mr. Paul Marsden: To ask the Minister of Agriculture, Fisheries and Food if he will list the changes to be applied to the poultry industry under the Integrated Pollution Prevention and Control regulations for *(a)* England and Wales and *(b)* each EU country; and if he will make a statement. [131710]

Mr. Morley: The measures that we expect will apply to most of the poultry industry in England under the IPPC Directive will be set out in general binding rules. These are currently under discussion between the Environment Agency, the Government and representatives of the poultry sector and will be put out for public consultation shortly. Poultry farmers with existing installations will not be required to implement these measures until 2007.

Some member states already impose environmental controls similar to those required to be put in place under IPPC. Others plan to implement IPPC for the poultry sector before 2007. The EU-wide Best Available Techniques reference (BREF) document for the intensive livestock sector is expected to be in place in 2001 and will set out measures to control emissions which all EU member states will be expected to apply.

Rural Enterprise Schemes

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the costs of administering rural enterprise schemes through *(a)* his Department and *(b)* regional development agencies. [131816]

Mr. Morley *[holding answer 21 July 2000]:* My Department will be running the new Rural Enterprise Scheme as part of the England Rural Development Programme.

The cost of its administration will depend in part upon the level of demand, but in 2001–02, its first full year of operation, we estimate the cost to be £1.375 million; this includes £0.628 million for technical support by the Farming and Rural Conservation Agency. This is additional to the programme cost for the scheme.

The cost of schemes run by the Regional Development Agencies is a matter for my right hon. Friend the Secretary of State for the Environment, Transport and the Regions.

Countryside Stewardship Scheme

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the costs of increasing the proportion of less favoured areas covered by the Countryside Stewardship Scheme from 3 per cent. to 10 per cent. [131814]

Mr. Morley *[holding answer 21 July 2000]:* It is estimated that the cost of increasing the proportion of less favoured areas covered by the Countryside Stewardship Scheme from 3 per cent. to 10 per cent. would be approximately £5 million per annum.

HOME DEPARTMENT

Science Service

Mr. Hope: To ask the Secretary of State for the Home Department if he will lay before Parliament the annual report for the Forensic Science Service. [132883]

Mr. Straw: Copies of the Forensic Science Service's annual report and accounts for 1999–2000 have today been laid before Parliament.

The Forensic Science Service (FSS) met and exceeded its financial target to achieve a three per cent. return on capital employed and maintained accreditation through external bodies. However, it did fail to achieve the stretching efficiency gain target and service delivery targets. This was a challenging year for the FSS—further expanding its work force, absorbing the associated recruitment and training costs and devoting large human resources to the DNA expansion project. It was also the organisation's first year as a Trading Fund. The targets and plans agreed for 1999–2000 were ambitious, and while the FSS failed to achieve targets in two key areas, it demonstrated a significant improvement in both turnaround times and delivery dates met.

The targets for 2000–01 are set out in the table, alongside those for 1999–2000.

FSS Agency Targets:	*1999–2000*	*2000–01*
Financial indicators:		
Return on Capital Employed	Minimum 3 per cent.	10 per cent.
Efficiency Gain (three year rolling)	Minimum 10 per cent.	Minimum 10 per cent.
Quality of service indicators:		
Turnaround time	24 days	24 days
Exceed 99 per cent. of urgent and critical classified cases	N/A	Pilot
Achieve 90 per cent. agreed delivery dates	Yes	Yes
Put in place service level agreements with police forces (BVAs)	Yes	Yes
Put in place routine and robust customer satisfaction measurement processes (milestone 1999–2000 only)	Yes	n/a
Demonstrate year on year improvements in police (customer) satisfaction	—	Yes
Quality indicators:		
Achieve external quality accreditation to ISO9000 and NAMAS standards	Yes	Yes

Police Complaints Authority

Mr. Ivan Henderson: To ask the Secretary of State for the Home Department if he has made further appointments to the Police Complaints Authority. [133024]

Mr. Charles Clarke: I have invited Mr. Duncan Gear, Mrs. Anne Boustred and Mrs. Alison McDougall to serve as Members of the Police Complaints Authority. Mr. Gear took up his appointment on 1 June and Mrs. Boustred on 5 June. Mrs. McDougall will take up her appointment on 18 September. All appointments are for a three year period initially.

Mr. Gear was previously a Senior Inspector with the Magistrates Courts Service Inspectorate. Mrs. Boustred joins the Authority after serving as Principal Advocate in the Legal Services Directorate of Essex County Council and Mrs. McDougall was previously the Deputy Head of Equity Research, Europe for Lehman Brothers.

Entrepreneurs

Mr. Coaker: To ask the Secretary of State for the Home Department what plans he has to attract to the United Kingdom entrepreneurs offering exceptional economic benefit but who do not meet the current criteria under the immigration rules. [133025]

Mrs. Roche: There are already specific categories in the Immigration Rules designed specially for entrepreneurs. These ensure that those who wish to make significant personal investments in creating employment can enter to engage in business. There are also clear routes for corporations wishing to establish branches and subsidiaries here. But the Government's Competitiveness White Paper signalled the economic importance of a dynamic approach to building a knowledge driven economy and the need to attract people with scarce skills and those willing to set up businesses which create jobs. That paper included a specific commitment to examine the scope for further encouraging certain entrepreneurs to consider migrating to the United Kingdom.

In the light of that commitment, we have assessed the current Immigration Rules for business and entrepreneurs and have concluded they may not always fit well with a knowledge driven economy since they require minimum levels of investment and do not focus on innovation. Moreover, the current routes for entrepreneurs do not enable us to focus on those applications with the greatest potential of economic benefit.

We have, therefore, decided to introduce a scheme, which will be piloted as a concessionary arrangement outside the Immigration Rules in the first instance, aimed at attracting entrepreneurial innovators to the United Kingdom.

This pilot scheme will come into force on 4 September this year.

The key features of the innovators entry route are: it is intended to attract and select outstanding entrepreneurs whose business proposals will result in exceptional economic benefits for the United Kingdom; selection will take place on a rigorous and demanding basis but one that is designed to be flexible to accommodate a wide variety of applications with different strengths and weaknesses; no minimum investment is required; and there is no requirement for personal funds to be invested, but third party funding will be permitted.

Applicants will need to submit a business plan and a curriculum vitae with supporting documents.

Initial information about the scheme will be made available on the Immigration and Nationality Directorate website. I will place copies of guidance for applicants and information leaflets in the Library as soon as they are available.

Entry Clearance

Mr. Tony Lloyd: To ask the Secretary of State for the Home Department when a decision will be made in the case of Ms A. (Reference 1013112) whose appeal was allowed by the adjudicator on 22 February. [131571]

Mrs. Roche: Authorisation to issue an entry clearance was sent to the entry clearance officer on 19 July.

Non-conviction Information

Mr. Gorrie: To ask the Secretary of State for the Home Department if he plans to remove non-conviction information from the requirements in the checks on volunteers and staff dealing with young people. [132245]

Mr. Charles Clarke: We attach particular importance to protecting young persons from those who would do them harm. This underpins the arrangements which we are putting in place to implement Part V of the Police Act 1997, under which information about criminal convictions will be more readily available to employers and voluntary organisations. The highest level of certificate that will be available under these arrangements will relate principally to those regularly caring for, training, supervising or being in sole charge of persons under the age of 18. In such cases, in addition to information about criminal convictions, police forces will be required to disclose any other information which, in the chief officer's opinion, might be relevant, and, under a "one-stop shop" arrangement, checks will also be made of a Department for Education and Employment list of persons who are barred from employment in the education service, and a Department of Health list of persons who are considered unsuitable to work with children.

Curfews (Cumbria)

Mr. Maclean: To ask the Secretary of State for the Home Department how many prisoners have been released to date under the home detention curfew scheme in Cumbria; and how many have re-offended. [132254]

Mr. Boateng: This information is not available centrally. Data on releases under the Home Detention Curfew scheme are broken down by contract region but not by country.

However, I will make further inquiries of the electronic monitoring contractor for the Northern region and write to the right hon. Gentleman with this information as soon as it is available. A copy of my letter will be placed in the Library.

Xenotransplantation

Mr. Baker: To ask the Secretary of State for the Home Department (1) if he will list the *(a)* date, *(b)* nature and *(c)* action he has taken as a result, of each infringement of the Animals (Scientific Procedures) Act 1986 since 1 January 1995 relating to xenotransplantation research; and if he will make a statement; [130708]

(2) what *(a)* benefits and *(b)* objectives were outlined in the first applications for clinical trials of xenotransplantation procedures; and how many of the pig-primate procedures failed to achieve such objectives and benefits. [130709]

Mr. Mike O'Brien: Xenotransplanatation includes the transplantation of organs, such as hearts and kidneys, between different animal species and from animals into humans. Organ transplantation is a hugely successful medical procedure—one that has transformed the lives of tens of thousands of people across the world. The critical shortage of human donor organs has led scientists to investigate xenotransplantation as an alternative potential source of organs. This is a policy on which the Department of Health leads.

It is not Home Office policy to provide detailed information in respect of infringements relating to specific establishments or programmes of work. Summary information on the total numbers of infringements reported in all establishments for the years 1995 to 1998, inclusive, is provided in the relevant Animal Procedures Committee report. Similar summary information for 1999 will be reported in the Statistics of Scientific Procedures on Living Animals Great Britain 1999, which will be published in August 2000.

As to applications for authorities for xenotransplantation research granted under the Animals (Scientific Procedures) Act 1986, Section 24 of the 1986 Act prevents disclosure of detailed information about specific programmes of work where this has been given in confidence.

Mr. Baker: To ask the Secretary of State for the Home Department (1) what research his Department has

undertaken concerning the fate of the wild-caught baboons imported from Kenya to the UK in May 1999; and if he will make a statement; [130710]

(2) what measures his Department has taken to ensure that imported primates for use in xenotransplantation procedures are used for the purposes stated in applications for such procedures; and if he will make a statement; [130711]

(3) what his Department's policy is regarding the killing of imported primates not subjected to xenotransplantation procedures; and if he will make a statement. [130712]

Mr. Mike O'Brien: All but a small number of primates used in scientific procedures in the United Kingdom are captive-bred and not taken from the wild. Under measures introduced in 1996, authority to use wild-caught primates will be given only if the applicant can establish exceptional and specific justification. Such cases are rare.

The Animals (Scientific Procedures) Inspectorate has maintained a close interest in the condition of the wild-caught baboons imported into the United Kingdom from Kenya in May 1999 and has been kept informed by the relevant designated establishment of its plans for their use and disposal.

Inspectors appointed under the Animals (Scientific Procedures) Act 1986 regularly visit all designated establishments to monitor standards and compliance with licence and certificate authorities.

If primates imported for use in xenotransplantation procedures are killed, but have never been used in the programme of work, it must be by a method listed in Schedule 1 of the Animals (Scientific Procedures) Act 1986 or as defined in a condition attached to the relevant Certificate of Designation.

Animals (Scientific Procedures) Act 1986

Jackie Ballard: To ask the Secretary of State for the Home Department (1) what factors are taken into consideration when making the cost benefit analysis under the Animals (Scientific Procedures) Act 1986; and to what extent these include *(a)* healthcare costs, *(b)* corporate profitability and *(c)* status of the individuals carrying out the procedures; [132576]

(2) what plans he has to revise the operation of the cost/benefit test contained in section 5(4) of the Animals (Scientific Procedures) Act 1986; and if he will make a statement. [132577]

Mr. Mike O'Brien: To meet section 5(4) of the 1986 Act, any application to use protected animals in research must be subjected to a detailed cost/benefit assessment by Home Office Inspectors. The likely adverse effects on the animal concerned must be weighed against the benefits likely to accrue as a result of the proposed programme of work. In making this assessment, the general categories of potential benefits that are currently considered are: human, animal and ecological benefits: improved health or welfare, plant protection, food hygiene, safeguarding of the environment; scientific benefits: resolution of controversies, increasing scientific knowledge; educational benefits: meeting educational objectives which cannot be satisfied using non-animal methods; and other benefits: including forensic inquiries.

Cheaper health care for everyone can be considered a benefit, but not the profitability of a company which sets out to provide cheaper health care nor the implications for employment arising from the programme of work in the project licence application. The technical expertise of the project licence holder and the personal licence holders may affect the outcome of the cost/benefit assessment. This can be relevant either to the cost (in terms of the standard to which work can be done) or the benefit, when the likelihood of success may be affected. But the involvement of individuals is regulated by the controls applying to personal licences.

Following its review of the operation of the 1986 Act, the Animal Procedures Committee concluded that the cost/benefit assessment provided a workable and flexible framework in which to decide whether the use of animals is justified (Chapter 2 of Appendix F of the Committee's Annual Report for 1997). However, the Committee felt that there were some areas where further discussion and consideration were needed and it has set up a working group to take this forward. The group plans to issue a public consultation paper later this year and to produce an authoritative statement on how the present cost/benefit system can be improved. The Government will consider what changes are necessary to the operation of the arrangements in the light of the Committee's report.

Magistrates Courts (Staffordshire)

Mr. Fabricant: To ask the Secretary of State for the Home Department if he will make a statement regarding the rate of successful convictions obtained in magistrates courts in Staffordshire in the last 12 months. [130597]

Mr. Charles Clarke: The number of defendants convicted in magistrates courts in Staffordshire was 31,891 in 1998 and 22,372 in 1999 (provisional figure for January-September only). In both periods, convictions represented 76 per cent. of the total number of defendants prosecuted for all offences.

European Convention on Human Rights

Mr. Mackinlay: To ask the Secretary of State for the Home Department if he will make a statement on measures to bring existing statute law into compliance with the European Convention on Human Rights. [130604]

Mr. Straw: I refer to the reply I gave to the right hon. Member for Maidstone and The Weald (Miss Widdecombe) on 19 July 2000, *Official Report*, column 180W.

Personal Privacy

Mr. David Stewart: To ask the Secretary of State for the Home Department if he will make a statement on the safeguards his Department plans to introduce to protect personal privacy following the enactment of the Regulation of Investigatory Powers Bill. [132525]

Mr. Straw: Privacy and personal information is now well protected by the provision of the Data Protection Act 1998; more generally, the right to a private life is a convention right contained within the Human Rights Act 1998. The Regulation of Investigatory Powers Bill contains within it all the protections necessary in the event of the use of these vital powers.

Truck Searches

Mr. Key: To ask the Secretary of State for the Home Department what additional funds have been made available to his Department in the past month to develop systems for the detection of people and animals in freight vehicles; and if he will make a statement. [131778]

Mrs. Roche *[holding answer 24 July 2000]:* No funds have been received, or set aside by the Immigration and Nationality Directorate, for research and development of systems for purposes mentioned by the hon. Member in this financial year. However, one Chief Immigration Officer is tasked with the evaluation of such technology, including conducting trials of equipment which is commercially available.

PFI Contracts

Mr. Matthew Taylor: To ask the Secretary of State for the Home Department what the estimated rate of return on capital is to the contractors under the PFI contracts in his Department. [131349]

Mr. Straw: I am unable to give precise detail of rates of return on capital due to the commercial sensitivity of the information required. However, I can tell the hon. Member that for the following contracts the rate of return varies between 12 per cent. and 20 per cent.

Immigration and Nationality Directorate Caseworking

Medway Secure Training Centre (STC)

Rainsbrook Secure Training Centre (STC)

Hassockfield Secure Training Centre (STC)

Park Prison

Fazakerley Prison

Ashfield Prison

Forest Bank Prison

Ryehill Prison

Dovegate Prison

Lowdham Grange Prison

Energy Tranche 1 Boilerhouses

Quantum

Police Service Radio Communications Project.

Police National Computer

Mr. Cohen: To ask the Secretary of State for the Home Department what powers are available to him to allow the police on-line access, via the Police National Computer, to databases held by private sector insurance companies; and what plans he has to introduce legislation on this issue. [129139]

Mr. Hill: I have been asked to reply.

Provisions in Regulations made under the Road Traffic Act 1988 require insurers to keep records of their policyholders and the policies they have issued. Information from those records must be provided without charge on request to the police. Legal advice is that these powers are sufficient to allow the information to be collected on a database and to allow the police access, subject to safeguards, on a case-by-case basis. The insurance industry are setting up an electronic database in order to help the police enforcement effort.

I have accepted, however, the Data Protection Commissioner's advice that Parliament should have the opportunity to consider the matter and we will be laying an Order later this year to allow the keeping of information electronically and to provide access to the insurance information for the police on a case-by case-basis. Safeguards to prevent misuse of the information, agreed with the Data Protection Commissioner, will be included.

Bus Lanes

Mr. Barnes: To ask the Secretary of State for the Home Department *(a)* how many bus lane cameras were established in the last year and *(b)* how many there are in total in (i) the Metropolitan police area and (ii) in England and Wales; and how many (A) successful and (B) unsuccessful prosecutions there were in (1) the last 12 months and (2) since the introduction of bus lanes. [132285]

Mr. Hill *[holding answer 24 July 2000]:* I have been asked to reply.

The London Bus Lane Enforcement Camera Project (introduced by the Traffic Director for London and now transferred to Transport for London in partnership with the Metropolitan police) uses video cameras, mounted either on buses or at the roadside, to enforce bus lane regulations in the Metropolitan police area. The project has reached the halfway stage with some 300 bus lanes being enforced by camera. 90 bus mounted and 19 fixed cameras had been installed by 1999, rising to 151 and 29 respectively by 31 March 2000. There are no bus lane enforcement cameras outside the Metropolitan police area.

Six thousand one hundred and seventy-five notices of intended prosecution were issued in the year to 30 June 2000, and 9,543 have been issued since this project started in December 1998. To date only one prosecution has been successfully challenged in a Magistrates court.

In addition, five London boroughs have been piloting a scheme using CCTV cameras, to enforce bus lane contraventions. In the financial year 1999–2000, the authorities issued approximately 57,000 penalty charge notices and warning letters. Of these, there were 314 appeals for adjudication, all of which were upheld.

Figures are not available for the number of prosecutions or fixed penalty notice offences issued by the police for bus lane offences outside London, nor for the 30 years that bus lanes have been operating.

Cyclists

Mr. Ben Chapman: To ask the Secretary of State for the Home Department what assessment he has made of the number of accidents caused by cyclists bumping into pedestrians on *(a)* pavements and *(b)* public carriageways in the last year for which figures are available. [132096]

Mr. Hill: I have been asked to reply.

Information on the causes of accidents is not available. The table gives the number of single vehicle accidents which involved a pedal cyclist and an injury to a pedestrian, by vehicle location.

Accidents involving cyclists and pedestrians on footways and verges[1] and carriageways[2]: Great Britain 1999

Vehicle location	*Accidents*
Footways and verges[1]	79
On main carriageway[2]	217

[1] Footway or verge comprises footways for use by pedestrians only, which form part of the highway but are separated from the main carriageway, including grass verges

[2] Main carriageway includes bus/cycle lane and other restricted lanes within the carriageway itself

TRADE AND INDUSTRY

Newspapers and Magazines (Distribution)

Mr. Baldry: To ask the Secretary of State for Trade and Industry what estimate he has made of the market share of retail magazines carried by WH Smith, Tesco, Sainsbury, Asda and Safeway. [132486]

Dr. Howells: None. Under UK competition legislation, responsibility for monitoring markets and investigating complaints of anti-competitive behaviour lies with the Office of Fair Trading. The Office of Fair Trading would look at market share figures if they were relevant in any particular case.

Mr. Baldry: To ask the Secretary of State for Trade and Industry if he will refer the proposed agreement between W. H. Smith News and Tesco over the supply of magazines to the Office of Fair Trading. [132483]

Dr. Howells: The Office of Fair Trading is aware of the proposed supply arrangements between Tescos and W. H. Smith News. The Director General considers it premature to speculate on the outcome of these or other proposals. However, he will continue to monitor developments in the industry.

Mr. Baldry: To ask the Secretary of State for Trade and Industry if the Competition Commission inquiry into supermarkets will look at the distribution and supply arrangements of newspapers and magazines to Tesco, Sainsbury, Asda and Safeway. [132482]

Dr. Howells: The Scope of the inquiry into supermarkets is a matter for the Competition Commission. The Commission is due to deliver its report to the Secretary of State on 31 July.

Holocaust Payments

Mr. Blunt: To ask the Secretary of State for Trade and Industry what action the Government are taking to extend the scheme he announced on 20 June 2000, *Official Report*, column 137W, for banks to waive charges relating to holocaust payments from Germany to Austria. [132152]

Mr. Byers *[holding answer 24 July 2000]:* I am pursuing this matter with the banking industry and will make an announcement about the outcome.

BNFL

Mr. Chaytor: To ask the Secretary of State for Trade and Industry what performance targets he has agreed with BNFL in the last three months; and when he expects the company to publish its new corporate plan. [130873]

Mrs. Liddell *[holding answer 24 July 2000]:* No new targets have been agreed for BNFL within the last three months. The company's corporate plan is a management tool which contains commercially confidential information, and is not published.

Mr. Chaytor: To ask the Secretary of State for Trade and Industry what assessment he has made of the cost and effectiveness of *(a)* retrofitting dry store facilities to magnox reactors and *(b)* using dry store canisters in his consideration of the closure process of the magnox reprocessing line at Sellafield. [130872]

Mrs. Liddell *[holding answer 24 July 2000]:* None. These are commercial matters for BNFL.

Export Licences

Mr. Chope: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 18 July 2000, *Official Report*, column 106–07W, on export licences, how many of the standard individual export licence applications and open individual export licence applications outstanding for over a year were made by small firms. [132359]

Dr. Howells *[holding answer 24 July 2000]:* The Export Control Organisation of the Department of Trade and Industry does not request details of the size of a company when it makes an application for an individual export licence.

Mr. Chope: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 18 July 2000, *Official Report*, column 106–07W, on export licences, what the approximate value is of the potential exports subject to decisions on standard and open individual export licences which have been awaiting a decision for more than a year. [132358]

Dr. Howells *[holding answer 24 July 2000]:* Applicants for Standard Individual Export Licences are required to record on the application form the value of the goods for which a licence is sought. The approximate total value of the goods as stated on the applications for a Standard Individual Export Licence which have been awaiting a decision since before 7 July 1999 is £10,700,000. The actual value of exports made under a licence is often less than the value stated on the corresponding application.

Open Individual Export Licences allow the exporters concerned to make multiple shipments of the specified goods to the specified destinations in accordance with the licence conditions. Such licences do not normally impose any limit on the volume of exports that may be made under the licence.

Industrial Diseases

Mr. Crausby: To ask the Secretary of State for Trade and Industry how many ex-employees of British Coal have *(a)* made claims and *(b)* been paid under the Government's scheme for respiratory disease litigation. [131745]

Mrs. Liddell: The Department's claims handlers have registered over 110,000 claims for chronic bronchitis and emphysema from former miners and their families. To date, we have made nearly 23,000 payments in full and final, and part settlements, totalling £65 million.

Mr. Stevenson: To ask the Secretary of State for Trade and Industry how many compensation claims to date there have been by former miners for *(a)* chronic bronchitis and emphysema and *(b)* vibration white finger in the North Staffordshire Area; and how many have been settled since 1995. [131800]

Mrs. Liddell: The Department's claims handlers have registered 2,679 claims for chronic bronchitis and emphysema and 1,007 claims for Vibration White Finger (VWF) from former miners and their families in the North Staffordshire area. To date, in the North Staffordshire Area, we have made 916 payments in full and final, and part settlements to respiratory disease claimants, and 277 payments to VWF claimants, totalling £3.7 million.

Dounreay

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry when he received the report of the Euratom Safety Assessment and Radiological Protection Mission team visit to Dounreay; and what actions he plans to take arising from the report's conclusions. [131996]

Mrs. Liddell: The Scottish Executive has devolved responsibility for environmental issues relating to licensed nuclear sites in Scotland. I understand that the final text of the Main Findings and Technical Report documents was submitted by the European Commission to the Scottish Executive on 31 May 2000. The publication of these documents, together with the schedule of follow-up action taken or ongoing in response to the Commission's conclusions, was announced by Written Answer in the Scottish Parliament on 6 July.

Copies of these documents, incorporated into an overall report, have been placed in the Libraries of the House and in the Scottish Parliament Information Centre. The report can also be accessed through the Scottish Executive web-site at:http://www.scotland.gov.uk/library3/environment/art35. asp

ECGD

Mrs. McKenna: To ask the Secretary of State for Trade and Industry if he will make a statement about the outcome of the review of the ECGD's risk management systems, the Terms of Reference for which he announced on 26 May. [133099]

Mr. Byers: Following a competitive tendering process, KPMG Management Consultants were appointed to carry out the review.

KPMG's main findings were as follows:

"For risk management to be effective there are four primary and critical requirements

Risk identification

Risk measurement

Risk reporting, and

Pro-active risk management.

ECGD generally achieves good results in identifying and measuring risks accurately. Reporting of risks has been flagged as an area which needs attention.

KPMG's report presents recommendations which will enhance the identification, measurement and reporting of risk.

If the recommendations are successfully implemented, HM Treasury will be able to return to a more strategic role and provide added value oversight of ECGD.

At present ECGD is constrained from truly managing risk by its competitive position and operating framework. In particular it is set up to price long-term transactions upfront in highly volatile markets with very limited opportunities to influence their risk/return balance once risk positions are accepted. Making the step forward necessary to accommodate the final element of pro-active risk management requires fundamental change to the business strategy and operating framework. ECGD and HM Treasury have been jointly considering a capital based approach through the development of PMS III; continuation of this initiative should be a priority."

My hon. Friend the Financial Secretary to the Treasury and I welcome the conclusions made by KPMG. We have drawn up an Action Plan to address all the recommendations made in their report. A copy of KPMG's report and the Action Plan Summary (Cm 4792) have today been placed in the Libraries of both Houses.

Mr. Ian Stewart: To ask the Secretary of State for Trade and Industry what progress has been made on various reviews of the ECGD; and if he will make a statement. [133100]

Mr. Byers: I am pleased to announce the Review of ECGD's Mission and Status, which I announced to the House on 27 July 1999, *Official Report*, columns 305–06, is now complete and the Government have accepted its conclusions.

When I announced this Review, I referred to a number of other concurrent reviews of ECGD's activities. These are also complete and I refer my hon. Friend in particular to a separate announcement on the outcome of the Risk Management Review, in answer to a question from my hon. Friend the Member for Cumbernauld and Kilsyth (Mrs. McKenna) today, *Official Report*, columns 519-20W. The Report of ECGD's Mission and Status (Cm 4790), and all other Reports connected with this fundamental scrutiny of ECGD's role, have today been placed in the Library of the House, including the Report of a study by National Economic Research Associates (NERA) on the Economic Rationale for the Public Provision of Export Credit Insurance by ECGD (Cm 4791) and a Report on the provision of ECGD's Reinsurance for Exports Sold on Short Terms of payment (Cm 4793). This now means that all the Government's current reviews of ECGD's activities are at an end.

The Mission and Status Review was informed by a wide-ranging public consultation exercise and Reports by the Trade and Industry Committee, in its Third Report on ECGD: "The Future of the Export Credits Guarantee Department" published by the Committee on 20 January this year (Third Report, HC 52) and the International Development Committee's Report: "ECGD—Development Issues" published 20 December 1999 (First Report, HC73).

While strongly reaffirming ECGD's role in bringing economic benefit to the UK, and maintaining jobs, by supporting UK exporters and investors in overseas markets—and proposing greater freedom to provide this

support in the future—the conclusions of the Review published this afternoon set out a new direction for ECGD. It says ECGD should:

> Introduce greater openness and transparency to its operations. This includes greater consultation with customers and interested parties together with the appointment of outside Directors to ECGD's Management Board. The Export Guarantees Advisory Council's remit and membership should also be changed to advise on policy and principles, not individual risk decisions.
>
> Seek to attract more medium-sized exporters and investors as direct customers; offering a package of products geared to light capital goods and services and smaller projects. ECGD should work with the Small Business Service, Regional Development Agencies and British Trade International to increase understanding of ECGD services amongst smaller exporters.
>
> Support the Government's objectives of promoting sustainable development, human rights, good governance and trade throughout the world, by ensuring its activities are consistent with these wider international policies. ECGD will publish further details of how it plans to assess project impacts by the end of 2000.

We need to ensure that UK firms remain able to compete effectively against exporters and investors supported by Government-backed Export Credit Agencies in other countries. The changes will ensure speedier decision making, giving greater certainty to firms and new efforts to attract smaller exporters who may be looking to export to unfamiliar areas of the world.

The Report recommends that ECGD should be reformed and strengthened to ensure it is able to meet the challenges of the years ahead. From today ECGD will be working to a new Mission Statement.

ECGD's financial targets will be maintained, as will its overall risk appetite. It will be strengthening its risk management systems and establishing a capitalised framework and a Trading Fund, this should lead to ECGD having complete operational autonomy.

Further development of its systems for assessing sensitive projects and publication of more information on these, together with a statement of Business Principles to guide and inform its business policies and practice will help increase transparency and understanding.

The Reinsurance Review, which is also published today, concludes that, without withdrawing its present reinsurance arrangements, ECGD should work to transfer 100 per cent. of its short-term credit insurance risk to the private sector.

The Report sets out an ambitious reform agenda for ECGD which it needs to take forward in consultation with its customers and other interested parties. I am confident that ECGD will be able to continue to give first-class support to UK firms to compete for business opportunities abroad—thereby bringing economic benefit to the UK and countries in which it is supporting projects.

Company Auditors

Mr. Pollard: To ask the Secretary of State for Trade and Industry if he has received the 1999 annual reports of the recognised supervisory bodies for company auditors under Part II of the Companies Act 1989; and if he will make a statement. [133101]

Dr. Howells: I have received the 1999 annual reports of the five recognised supervisory bodies for company auditors: a combined report from the Institutes of Chartered Accountants in England and Wales, Scotland and Ireland, and one each from the Association of Certified Chartered Accountants and the Association of Authorised Public Accountants. Copies of the reports have been placed in the Libraries of both Houses.

Departmental Staff

Mr. Burstow: To ask the Secretary of State for Trade and Industry how many unfilled vacancies for permanent staff his Department has; what percentage of staff positions in his Department are vacant; what the monthly cost would be to his Department of employing civil servants in these positions; how many and what percentage of staff his Department employs on a temporary basis through employment agencies; how much his Department paid employment agencies to supply temporary staff in each of the last 12 months; and how much he expects to pay employment agencies to supply temporary staff in each of the next 12 months. [131441]

Dr. Howells: On 1 June 2000, some 240 temporary workers were engaged within DTI headquarters. This is equivalent to 5.7 per cent. of the number of staff in post. Information on vacant posts is not collected centrally.

In 1999–2000, around £6 million was spent on the hiring of temporary workers. It is not possible to estimate the difference in cost between permanent and temporary staff, given the wide variation in the cost of the latter. The cost of temporary workers is carried on salary cost budgets: it is not, therefore, possible to anticipate the likely expenditure on the hiring of temporary workers during the current financial year.

Post Office Network

Dr. Cable: To ask the Secretary of State for Trade and Industry what the size is of the major package for the Post Office network provided for in the 2000 Spending Review, paragraph 15.12. [132456]

Mr. Alan Johnson: The 2000 Spending Review includes a provision for ring-fenced funding of £270 million as the first stage of the investment in a range of measures to modernise the post office network. The Government have also made clear that they are prepared to add significantly to this investment over the next few years. The amount of further financial support will be determined once viable proposals have been drawn up and approved.

Motor Industry

Sir Sydney Chapman: To ask the Secretary of State for Trade and Industry what proposals in the report of the UK Competition Commission on car pricing in the UK published on 10 April *(a)* have been and *(b)* will be implemented. [132515]

Dr. Howells: My right hon. Friend the Secretary of State for Trade and Industry made clear in his announcements of 10 April 2000, *Official Report*, columns 39–41W, and 12 June what action he was taking in response to the Competition Commission report on the supply of new cars. The order under the Fair Trading Act 1973 implementing the remedies will be made when the responses to the public consultation, which closed on 14 July, have been considered.

Dunstaffnage Marine Laboratory

Mrs. Ray Michie: To ask the Secretary of State for Trade and Industry what share of the Government's programme of capital investment for science will be allocated to the National Environment Research Council to fund programmes which were developed by the Scottish Association for Marine Science at the Dunstaffnage Marine Laboratory. [132362]

Ms Hewitt: My right hon. Friend the Secretary of State for Trade and Industry expects to announce the allocations of the Science Budget to individual Research Councils, including the Natural Environment Research Council, in the autumn, after taking advice from the Director General of Research Councils. It will then be for NERC to determine the balance of its priorities for funding including the funding of programmes at the Dunstaffnage Marine Laboratory.

Mrs. Ray Michie: To ask the Secretary of State for Trade and Industry what assessment he has made of the implications for marine science in Scotland of the closure of the Centre for Coastal and Marine Sciences at Dunstaffnage. [132361]

Ms Hewitt: NERC has decided to disband the overarching Centre for Coastal and Marine Science (CCMS), not to close the CCMS laboratories themselves. The crucial role of the Dunstaffnage Marine Laboratory, in delivering core strategic and applied marine science for NERC and other customers, will continue in different ways involving local and regional collaboration.

Public Holidays

Mr. Bob Russell: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 20 June 2000, *Official Report*, column 145W, on public holidays, when he will announce the date of the bank holiday in 2002 to celebrate the Queen's Golden Jubilee. [132314]

Mr. Alan Johnson: Appropriate consultation is being undertaken with regard to the proposed bank holiday to celebrate the Queen's Golden Jubilee. As soon as the consultation is complete and a final decision has been taken, I shall make a formal announcement to the House.

US-EU Dispute (Farmers)

Sir Richard Body: To ask the Secretary of State for Trade and Industry what plans he has to give assistance to those industries affected by the US-EU dispute over farmers; and if he will make a statement. [132372]

Mr. Caborn: There are currently two high profile disputes between the EU and US involving agricultural products—bananas and hormone-treated beef. A number of sectors are currently affected by US retaliation over the banana dispute, with further sectors threatened by the US move to carousel retaliation. The only way to alleviate the burden being borne by the companies facing US sanctions is to find a solution to the banana dispute that is satisfactory to all parties. UK companies are not affected by the hormone-treated beef dispute. I have no plans to make a statement on this issue.

Miners Pension Scheme

Mr. Trickett: To ask the Secretary of State for Trade and Industry what the current status is of the Miners Pension Scheme Actuarial Review; for what reason it has been delayed; and when he expects it to be completed. [132437]

Mrs. Liddell: These are matters for the Trustees of the pension scheme. I have asked them to write to my hon. Friend.

PRESIDENT OF THE COUNCIL

Westminster Hall

41. **Mrs. Ellman:** To ask the President of the Council when she plans to review the Westminster Hall experiment. [130612]

Mr. Tipping: The Select Committee on Modernisation of the House of Commons is currently reviewing the experiment and hopes to report before the end of the Session.

House of Lords

44. **Mr. Gordon Prentice:** To ask the President of the Council if it will be a condition of appointment to the House of Lords by the Appointments Commission to attend the House on at least a specified number of sitting days per year. [130615]

Mr. Tipping: The Appointments Commission is an independent body. I have no doubt that attendance is one of the criteria they will take into account.

Modernisation Committee

47. **Mr. Ian Bruce:** To ask the President of the Council what proposals she has made to the Select Committee on Modernisation of the House of Commons regarding the use of computers by hon. Members during Committee proceedings. [130621]

Mr. Tipping: The Chairmen's Panel is currently being consulted about this matter.

48. **Mrs. Anne Campbell:** To ask the President of the Council if she will make a statement on the implementation of the recommendations of the Committee on Modernisation of the House of Commons since 1997. [130622]

Mrs. Beckett: Details of implementation up to April this year will be found in the First Special Report from the Committee of this session "Work of the Committee: Second Progress Report" (HC865). Since then the Committee has successfully worked with the Administration Committee to ease restrictions on the work of journalists and has reported on programming legislation and the timing of votes. The House will have an opportunity to debate this report in the normal way.

50. **Mr. Bercow:** To ask the President of the Council if she will make a statement on the recent proposals by the Select Committee on Modernisation of the House of Commons concerning programming of business. [130624]

Mrs. Beckett: The House will have the opportunity to debate the proposals of the Select Committee on Modernisation of the House of Commons in due course.

Scottish Members (Voting Rights)

51. **Mr. Clifton-Brown:** To ask the President of the Council if she will make a statement on Government policy relating to amending the law on the rights of Scottish hon. Members to vote on legislation affecting England. [130625]

Mr. Tipping: Government policy on the matter is well known. No legislation has ever been identified which affects only England.

Parliamentary Scrutiny

Mr. Swayne: To ask the President of the Council what proposals she has to increase parliamentary scrutiny of legislation. [130619]

Mrs. Beckett: We have already implemented the proposals of the Select Committee on Modernisation of the House of Commons for better explanatory material to be published with Bills, increased pre-legislative scrutiny and more freedom for standing committees. The House will have the opportunity to debate the Modernisation Committee's proposals for programming legislation in due course.

FOREIGN AND COMMONWEALTH AFFAIRS

West Bank

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs what his policy is on the visit to the United Kingdom of Professor Moshe Arens to raise funds for a college in the West Bank settlement of Ariel. [130947]

Mr. Hain: Settlement activity in the West Bank and Gaza Strip is illegal under international law and an obstacle to peace. We have repeatedly raised our concerns and objections with the Israeli Government.

We were not associated with Mr. Arens's visit in any way.

Cyprus

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the setting up of a checkpoint by Turkish troops at Strovilia in the Republic of Cyprus; and what discussions he has had about this with the Secretary-General of the United Nations. [131955]

Mr. Vaz: The UK regrets the setting up of a checkpoint in Strovilia and has made this clear to the Turkish Cypriots. This action is one of the measures taken by the Turkish Cypriots against UNFICYP, which we consider to be unjustified. But the matter is fundamentally for the UN to resolve, and we have given them our full support in their efforts to do so. We understand that despite the restrictions UNFICYP are still able to carry out their mandate and the people of Strovilia are able to travel freely.

Belize and Guatemala

Mr. Robathan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's position regarding the dispute between Belize and Guatemala. [132266]

Mr. Battle: The UK fully supports Belize's sovereignty and territorial integrity. We welcome the talks currently taking place between Belize and Guatemala under the auspices of the Organisation of American States. We welcome the agreement at their most recent meeting on 17–20 July to hold further talks on the dispute, to implement confidence building measures and to establish military to military contacts.

Western Sahara

Mr. Simon Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's policy towards the UN Settlement Plan for Western Sahara and the proposed referendum. [132050]

Mr. Hain: We support fully the efforts of the United Nations to bring about a just, durable and agreed resolution to the Western Sahara dispute. The UN Secretary-General and his Personal Envoy, James Baker, have reported fundamental differences between the two parties to the dispute—Morocco and the Polisario Front—on the provisions of the UN Settlement Plan and referendum. They are working to resolve these differences including the possibility of the parties agreeing a mutually acceptable political solution.

Ambassadors and Commissioners

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 13 July 2000, *Official Report*, column 652W, on diplomatic representation, in which countries *(a)* female ambassadors and high commissioners and *(b)* the female heads of subordinate posts represent the United Kingdom. [132499]

Mr. Hain: The answer is as follows:

(a) The United Kingdom is represented by women ambassadors and high commissioners in the following places:

The Hague
Luanda
Ulaanbaatar
Cape Town
Helsinki
Colombo
Maseru

(b) The United Kingdom is also represented by women in the following subordinate posts:

Lille
Nagoya
Chongqing
St. Petersburg
New York (Joint Management Office)
St. Johns
Hong Kong (Joint Liaison Group).

Sino-British Joint Declaration

Mr. Love: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will publish the next report to Parliament on Hong Kong and the Sino-British Joint Declaration. [132834]

Mr. Battle: The seventh report in this series, covering the period January-June 2000, was published today and copies have been placed in the Libraries of the House. A copy of the report is also available on the Foreign and

Commonwealth Office website (www.fco.gov.uk). The report includes a foreword by my right hon. Friend the Foreign Secretary. I commend the report to the House.

International Organisations (Non-Domestic Rates)

Mr. Casale: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the names of the diplomatic missions and international organisations in the United Kingdom which have outstanding balances of over £10,000 as at 4 April, in respect of National Non-Domestic Rates. [133028]

Mr. Battle: Most diplomatic missions and International Organisations in the United Kingdom meet their obligations and pay the National Non-Domestic Rates requested from them. However, at 4 April 2000 the following missions owed over £10,000 in respect of National Non-Domestic Rates (NNDR):

£

Country	*Amount*
Algeria	37,025.01
Angola	19,855.30
Cameroon	23,849.51
Iran	84,348.90
Jordan	30,674.95
Senegal	10,927.33
Yemen	29,903.16
Total	236,584.16

Seven additional Diplomatic Missions who owe £10,000 or more in respect of National Non-Domestic Rates have made arrangements with the Valuation Office Agency to clear the outstanding debts or who are awaiting instructions from their Governments have not been included in this list. The total amount outstanding from all Missions, including these exceptions, is £1,074,469.

OSCE

Mr. Casale: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the OSCE has taken to ensure that it is able to respond rapidly in the event of a crisis. [133027]

Mr. Vaz: On 30 June, the OSCE adopted measures to improve its capability to respond more quickly and effectively to crises through the despatch of Rapid Expert Assistance and Co-operation Teams (REACT). The aim is for the OSCE to be able to deploy civilian personnel, with a range of conflict prevention and resolution skills tailored to the requirements of a particular crisis, anywhere in the OSCE area, when required. As part of this, the OSCE is to create an Operations Centre to plan and co-ordinate the rapid, as well as regular, deployment of international staff to OSCE missions. The success of this initiative, agreed at the Istanbul Summit, will depend on the commitment and will of OSCE participating states to provide the necessary personnel within the requisite timescale. In line with our current policy, the UK aims to provide about 10 per cent. of the OSCE's overall deployment of personnel in the field.

Departmental Staff

Mr. Burstow: To ask the Secretary of State for Foreign and Commonwealth Affairs how many unfilled vacancies for permanent staff his Department has; what percentage of staff positions in his Department are vacant; what the monthly cost would be to his Department of employing civil servants in these positions; how many and what percentage of staff his Department employs on a temporary basis through employment agencies; how much his Department paid employment agencies to supply temporary staff in each of the last 12 months; and how much he expects to pay employment agencies to supply temporary staff in each of the next 12 months. [131434]

Mr. Hain: There are currently around 150 unfilled vacancies within the Department. This is 2.7 per cent. of the total number of staff positions in the Department. The monthly cost of filling these positions by civil servants would be £241,000. There are currently around 20 temporary staff employed throughout the Department, less than 0.5 per cent. of the total number of staff. The Department paid £971,657 to employment agencies in the year 1999–2000. In the financial year to date the Department has spent £221,146 out of a total allocation for the financial year of £838,096. Monthly figures for expenditure on temporary staff could be provided only at disproportionate costs.

Police (Northern Ireland) Bill

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will discuss with the Papal Nuncio the inclusion of the Pope's Personal Prelature of the Holy Cross and Opus Dei in Clause 49 of the Police (Northern Ireland) Bill. [132391]

Mr. Hain: The Foreign and Commonwealth Office is in regular contact with the Papal Nuncio on a range of issues. Any points he wished to raise concerning the Police (Northern Ireland) Bill, or any other matter, would be carefully noted, and, where appropriate, passed on to the relevant authorities.

HOUSE OF COMMONS

Child Care Facilities

49. **Mr. Casale:** To ask the President of the Council to ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what plans the Commission has to improve child care facilities in the House. [130623]

Mr. Kirkwood: None at present, but we will continue to keep the facilities provided for Members and staff under constant review.

CABINET OFFICE

Staff Secondments

Mr. Rendel: To ask the Minister for the Cabinet Office how many staff have been seconded from British Nuclear Fuels Ltd. to work within the civil service *(a)* during 1999–2000 and *(b)* currently; and to which Departments they were seconded. [131914]

Mr. Stringer: Due to the amount of interchange activity undertaken, details on organisations are not held centrally and could be obtained only at disproportionate cost.

Red Boxes

Mr. Gray: To ask the Minister for the Cabinet Office, pursuant to her answer of 11 July 2000, *Official Report*, column 485W, on ministerial red boxes, if she left her ministerial red box unattended on the GWR express from Bristol to Paddington. [131120]

Mr. Stringer: I refer the hon. Member to the answer I gave on 11 July 2000, *Official Report*, column 485W.

Northern Ireland Executive Committee

Mr. Nigel Griffiths: To ask the Minister for the Cabinet Office if the Northern Ireland Executive Committee intends to become a party to the Memorandum of Understanding between the UK Government and the devolved executives. [132833]

Marjorie Mowlam: The Northern Ireland Executive Committee has recently decided to become a party to the Memorandum of Understanding originally agreed by the UK Government, Scottish Ministers and the Cabinet of the National Assembly of Wales last year. My right hon. and learned Friend the Lord Chancellor is, therefore, publishing today (as CM4806) the text of the Memorandum of Understanding and the supplementary agreements as agreed by all four administrations. The paper will also be made available on the Cabinet Office internet site shortly.

INTERNATIONAL DEVELOPMENT

Colombian Earthquake

Mr. David Heath: To ask the Secretary of State for International Development what assistance is being provided from *(a)* the United Kingdom, *(b)* the EU and *(c)* UN sources, to assist with rehousing victims of the earthquake in the Quindio region of Colombia on 25 January 1999. [131919]

Clare Short: My Department contributed over £850,000 for immediate emergency relief and rehabilitation assistance—including shelter. But like the United Nations, we have looked to the International Financial Institutions to support longer term reconstruction and rehousing efforts. For example, the World bank provided a loan of nearly £150 million for reconstruction. This is administered by the Colombian authorities and is targeted at supporting the poorest people.

The European Commission also provided over £2 million for emergency relief and longer term rehabilitation assistance—of which the UK share was approximately £300,000.

HIV/AIDS

Mr. Pickthall: To ask the Secretary of State for International Development what action she is taking to tackle the HIV/AIDS crisis in Zimbabwe. [133097]

Clare Short: The scale of the HIV/AIDS crisis in Zimbabwe is enormously serious. Twenty five per cent. of adults are HIV positive. Fifteen-year-olds have a one in two risk of dying from HIV/AIDS in their lifetimes. It is sinking countless families further into poverty.

We have worked with others to tackle HIV/AIDS in Zimbabwe for a number of years. I have recently agreed to continue and expand this work with a new commitment of over £20 million over five years. This will maintain condom supplies to the poor, provide drugs for sexually transmitted infections, and promote behaviour change, particularly among young people.

Dr. Tonge: To ask the Secretary of State for International Development what recent discussions she has had with members of the *(a)* Foreign and Commonwealth Office *(b)* Ministry of Defence and *(c)* Department of Trade and Industry concerning the AIDS epidemic in Africa; and how often she had discussed AIDS with them. [132287]

Clare Short: The HIV/AIDS crisis in Africa is a major development policy priority for the UK Government. I myself hold regular discussions with other Whitehall Departments on a wide range of development issues, including HIV/AIDS. My Department has an on-going dialogue with FCO and other Whitehall Departments concerning HIV/AIDS policy both at the international level and within the African region. Recent examples include co-ordination with FCO for the UN Security Council Resolution on HIV/AIDS, the EU-Africa summit in April and on preparation of briefing for last week's G8 summit. My Department, with DTI and FCO, is also involved in developing UK policy on the Trade Related Aspects of Intellectual Property Rights (TRIPS) Agreement, this has been raised as one issue in the debate surrounding access to essential drugs for HIV/AIDS.

At a regional and country level in Africa, DFID and the FCO work closely on the implementation of our country strategies, each of which have HIV/AIDS prevention and care as a major priority. HIV/AIDS is increasingly recognised as a potential threat to security in Africa. The new cross-Whitehall forum and shared budget for conflict in Africa (MOD, FCO, DFID, CO, Treasury) will provide an important means for developing a shared policy and priorities on HIV/AIDS and conflict.

Debt

Dr. Tonge: To ask the Secretary of State for International Development what proportion of her Department's increased expenditure for 2000–2003 is earmarked for *(a)* unilateral debt cancellation and *(b)* the Heavily Indebted Poor Countries Trust Fund. [132288]

Clare Short: This information is as follows:

(a) For 2000–01 and 2001–02 the extra costs incurred for unilateral debt cancellation will be met by access to the Reserve in 2001–02. For 2002–03 and 2003–04 an amount of £6.5 million per year has been included in the addition to the DFID baseline announced by the Chancellor of the Exchequer last week. This is additional to other payments in respect of debt relief for HIPC countries on a multilateral basis.

(b) During the spending period, DFID will continue to contribute to the international costs of HIPC by making payments to the HIPC Trust Fund. We expect to contribute £35 million in each of 2001–02 and 2002–03.

Departmental Staff

Mr. Burstow: To ask the Secretary of State for International Development how many unfilled vacancies for permanent staff her Department has; what percentage of staff positions in her Department are vacant; what the monthly cost would be to her Department of employing civil servants in these positions; how many and what percentage of staff her Department employs on a temporary basis through employment agencies; how much her Department paid employment agencies to supply temporary staff in each of the last 12 months; and how much she expects to pay employment agencies to supply temporary staff in each of the next 12 months. [131431]

Clare Short: The figures requested are as follows:

Unfilled vacancies for permanent staff—13

Percentage of staff positions currently vacant—0.95 per cent.

Monthly cost of employing civil servants in these positions—£22,000

Number of staff employed on a temporary basis through employment agencies, on average, in the last 12 months—23, and

Percentage of total staff so employed—1.6 per cent.

Amount paid to employment agencies in the last 12 months to 30 June 2000—£328,710.

As far as the next 12 months are concerned it is not possible to anticipate precise needs but we shall be undertaking a number of external recruitment exercises and would expect to see a reduction in the need to use employment agencies.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for International Development how many written parliamentary questions tabled to her Department between 19 October 1999 and 20 April 2000, have not received substantive answers, citing as the reason commercial or other confidentiality. [132126]

Clare Short: Of the 574 written parliamentary questions tabled to my Department between 19 October 1999 and 20 April 2000, three did not receive substantive answers due to reasons of confidentiality.

St. Helena

Mr. Streeter: To ask the Secretary of State for International Development what financial support for St. Helena has been provided by the British Government in each of the last five years; and if she will make a statement. [131757]

Clare Short *[holding answer 21 July 2000]:* Expenditure figures for UK assistance are published in Statistics on International Development which is in the Library of the House.

In January of this year, my Department agreed a new £29 million programme of assistance to the St. Helena Government (SHG) for the three year period 2000–01 to 2002–03. A DFID team is currently en route to the island to discuss the public sector investment programme in more detail. DFID has recently recommended to SHG consultants to carry out the comparative costs study of air and sea access to the island. We expect the consultants to start work within the next month.

SCOTLAND

Ports

4. **Mrs. Ray Michie:** To ask the Secretary of State for Scotland what plans he has for the use of reception facilities for ship-generated waste and cargo residues in all Scottish ports; and if he will make a statement. [130570]

Mr. Wilson: Since January 1998, the Merchant Shipping (Port Waste Reception Facilities) Regulations 1997 have required all UK ports to report to the Government on how they plan their waste reception facilities. Through consultation with their regular users, ports are seeking to provide tailor-made reception facilities in a manner which should encourage greater use.

Parliamentary Representation

5. **Mr. Gray:** To ask the Secretary of State for Scotland if he will make a statement on the Government's plans for the level of parliamentary representation at Westminster from Scotland. [130571]

Dr. Reid: Section 86 of the Scotland Act removed the statutory minimum of 71 Scottish MPs. It is now a matter for the Boundary Commission for Scotland to propose the future number of constituencies in Scotland.

Paper Industry

6. **Mr. Dalyell:** To ask the Secretary of State for Scotland pursuant to his oral answer of 27 June 2000, *Official Report*, column 703, what assessment he has made of the impact of the climate change levy on the paper industry in Scotland. [130572]

Mr. Wilson: The Government recognise the need for special consideration to be given to the position of energy-intensive industries, of which the paper industry is one. Consequently, the Government intend to provide an 80 per cent. discount from the levy for those sectors that can agree challenging targets for improving their energy efficiency or reducing carbon emissions.

Climate Change Levy

8. **Mr. Swinney:** To ask the Secretary of State for Scotland what representations he has made to the Chancellor of the Exchequer regarding regulations to implement the climate change levy. [130574]

Dr. Reid: The Government are committed to getting the design of the climate change levy right and have been following Lord Marshall's recommendation that industry must have full involvement in the development of the levy through extensive consultation exercises. Hence HM Customs consultation exercises, pan-industry meetings with Ministers, full consideration of representations from companies and trade associations, and input from relevant Government Departments have helped to refine the design of the levy.

New Deal

9. **Mr. Worthington:** To ask the Secretary of State for Scotland what plans he has for improving the employment opportunities of the disabled in Scotland through *(a)* the New Deal and *(b)* other means. [130575]

Mr. Wilson: The Chancellor announced in the Budget the first stage in developing nationwide services to help disabled people find work, building on the experience of the pilots and innovative schemes in the New Deal for Disabled People. Other recent measures to improve employment opportunities for disabled people include: the establishment of the Disability Rights Commission, the Disabled Person's Tax Credit and the modernisations of Remploy and of the Supported Employment Programme.

11. **Mr. Brady:** To ask the Secretary of State for Scotland what discussions he has had with the First Minister on the implementation of the New Deal in Scotland. [130577]

16. **Mr. Bercow:** To ask the Secretary of State for Scotland what discussions he has had with the First Minister about the operation of the New Deal in Scotland. [130583]

Mr. Wilson: My right hon. Friend has frequent discussions with Scottish Ministers on a wide range of issues, including the implementation of the New Deal. The New Deal has been an outstanding success. It has placed 25,000 young people into jobs in Scotland since it began two years ago. In April, 1,000 young people found work through the New Deal. And 3,600 people in Scotland have found work under the New Deal 25+.

My right hon. Friend the Chancellor of the Exchequer announced last week that because of the success of the New Deal there is an underspend which will enable us to fund it well into the next Parliament.

Work-life Balance Challenge Fund

10. **Mr. Chisholm:** To ask the Secretary of State for Scotland how many applications from Scotland have been made to the work-life balance challenge fund. [130576]

Mr. Wilson: To date, there have been five applications from Scotland. There have been a further 45 applications from England.

Poverty

12. **Mr. David Marshall:** To ask the Secretary of State for Scotland if he will make a statement on poverty in Scotland. [130578]

Dr. Reid: The Government welcome the recent report by the Scottish Affairs Committee, chaired by my hon. Friend, on Poverty in Scotland, and will publish a full response. We are working in partnership with the Scottish Executive to combat poverty through, for example, the work carried out by the Joint Ministerial Committee.

The Government have taken major steps to eradicate poverty. Measures taken include: the Minimum Income Guarantee, which benefits poorer pensioners; the Working Families Tax Credit, which could benefit around 130,000 families in Scotland; the 36 per cent. increase in Child Benefit for the first child when comparing April 2000 with the amounts in 1997; the National Minimum Wage, which benefits around 100,000 employees in Scotland; and the New Deal, through which 25,000 young people in Scotland have found employment.

Ferry Services (Northern Ireland)

13. **Dr. Godman:** To ask the Secretary of State for Scotland what recent discussions he has held with the Secretary of State for Northern Ireland, the Northern Ireland Executive and the Scottish Executive concerning ferry services between Scotland and Northern Ireland. [130579]

Mr. Wilson: The Scotland Office is in contact with all relevant parties, including devolved Administrations and other Government Departments, concerning ferry services between Scotland and Northern Ireland. I chaired a meeting in Glasgow on 10 July on a strategy for the resumption of ferry services between Campbeltown and Ballycastle. Attendees included the local Member of the Scottish Parliament and representatives of both Scottish and Northern Irish local authorities, the local enterprise company and the Scottish Executive.

Since then I have had informal discussions with Sir Reg Empey, Minister for Enterprise, Trade and Investment, who reiterated the support of the Northern Ireland Executive for the Campbeltown-Ballycastle service.

Manufacturing Jobs

14. **Mr. Tynan:** To ask the Secretary of State for Scotland what estimate he has made of the number of manufacturing jobs transferred to countries of central and eastern Europe from Scotland in each of the last two years. [130580]

Dr. Reid: No information is held centrally to allow such an estimate to be made. Clearly it is regrettable when companies take decisions to relocate manufacturing operations from Scotland, as in the recent case of Philips Lighting Hamilton. The Government are committed to continuing the work of providing a sound and stable economic environment for business and making a long-term investment in skills. As a result, Scotland remains attractive for inward investment. Indeed the latest figures released by Locate In Scotland show that in the year to March 2000 Scotland successfully attracted a total of 91 projects involving planned investment of £650 million and planned creation or safeguarding of over 19,000 jobs.

Textiles Industry

15. **Mr. Eric Clarke:** To ask the Secretary of State for Scotland what steps the Government have taken to avoid the Scottish textiles industry being adversely affected by the trade dispute between the USA and the European Union. [130582]

Mr. Wilson: The Government have been lobbying the United States hard to push the message that the retaliation faced by the United Kingdom should be reduced in view of our constructive approach to trying to find a solution to the banana dispute. The Government are also playing a major role within the European Community to reach a World Trade Organisation-compatible resolution to this dispute.

I shall continue to have discussions with the Department of Trade and Industry and the Scottish Executive on how we can best help the cashmere industry should it remain in the retaliation list.

Tourist Industry

17. **Mr. Peter Atkinson:** To ask the Secretary of State for Scotland if he will make a statement about the impact of the current level of fuel prices on the Scottish tourist industry. [130584]

Mr. Wilson: The level of fuel prices is one of many factors which is relevant to the performance of the Scottish tourist industry.

European Union

18. **Mrs. McKenna:** To ask the Secretary of State for Scotland what assessment he has made of the benefits to Scotland of the United Kingdom's membership of the European Union. [130585]

Dr. Reid: The United Kingdom's membership of the European Union has delivered to Scotland tangible economic benefits through such measures as the Common Agricultural Policy, delivering direct funding in 1999 of £475.9 million, and structural funds worth £1 billion in 1994–96 and £1.1 billion for 2000–06. Membership of the European Union also delivers to Scotland access to the biggest market in the world with some 375 million consumers—63 per cent. of Scottish manufacturing exports in 1998 went to Europe. These tangible benefits are in addition to the benefits Scotland enjoys from the peace and security brought about through the collaboration of member states in the Union. UK membership of the Union also affords Scotland a role and position of influence on the European and global stages that could not be achieved by Scotland acting on its own.

Rail Services

19. **Mr. Donohoe:** To ask the Secretary of State for Scotland what recent measures the Government have taken to improve rail services in Scotland. [130586]

Dr. Reid: The Government plan to improve rail services through their 10-year transport plan. This is based on a long-term investment by Government and business to modernise the country's transport system and includes £60 billion to improve the national rail network with new track, signalling, stations and rolling stock. This is the biggest investment in railways for generations which will undoubtedly benefit Scotland by delivering better quality for the travelling public as well as lower regulated fares.

Quarrying Industry

20. **Mr. Alasdair Morgan:** To ask the Secretary of State for Scotland what discussions he has had with the Chancellor of the Exchequer on the consequences of the aggregates levy for the Scottish quarrying industry. [130587]

Mr. Wilson: My right hon. Friend has regular contact with the Chancellor of the Exchequer to discuss a wide range of matters. The aggregates levy will bring about environmental benefits by making the price of aggregates better reflect their true environmental costs. This will provide an incentive for all business to use more recycled aggregates and to use all aggregates more efficiently.

Single Currency

21. **Mr. Nicholas Winterton:** To ask the Secretary of State for Scotland what recent representations he has made to the Chancellor of the Exchequer regarding the impact of a single European currency on the Scottish economy. [130588]

Dr. Reid: I have regular discussions with my right hon. Friend the Chancellor of the Exchequer on a wide range of issues, including the healthy state of the Scottish economy. The Government's policy on membership of the single currency remains as set out by the Chancellor of the Exchequer in October 1997, and restated by the Prime Minister in February 1999. The determining factor underpinning any Government decision is whether the economic benefits from the UK joining are clear and unambiguous.

Mr. Swayne: To ask the Secretary of State for Scotland what discussions he has had with the Chancellor regarding the future of Scottish bank notes if the UK joins the euro zone. [130581]

Dr. Reid: I refer the hon. Gentleman to the answer I gave to the hon. Member for Epping Forest (Mrs. Laing) today, *Official Report*, column 881.

Rural Post Offices

22. **Ms Roseanna Cunningham:** To ask the Secretary of State for Scotland what discussions he has had with the Secretary of State for Trade and Industry regarding the future of rural post offices. [130589]

Mr. Wilson: I have discussions with the Secretary of State for Trade and Industry over a range of issues.

We are in full agreement that post offices in rural areas make a vital contribution to the local community. That is why the package of post office reforms announced by my right hon. Friend the Secretary of State for Trade and Industry on 28 June included a commitment to ensuring that the Post Office prevents all avoidable closures of rural post offices, with Government support being provided where needed.

Regional Selective Assistance

23. **Mr. Kirkwood:** To ask the Secretary of State for Scotland what proposals he has to stimulate economic activity in those areas in Scotland ineligible for regional selective assistance; and if he will make a statement. [130590]

Dr. Reid: Proposals for the assisted areas map, which defines areas of the UK eligible for regional selective assistance, balance needs and opportunities and represent a very fair deal for Scotland. All areas of Scotland will benefit from the strong performance of the economy and its prospects for future growth. Responsibility for particular measures to stimulate economic activity is a matter for the Scottish Executive.

Oil and Gas Industry

24. **Miss Begg:** To ask the Secretary of State for Scotland if he will make a statement on the measures being taken by the Government to promote the export opportunities of Scotland's oil and gas industry businesses. [130591]

Mr. Wilson: The Government continue to work hard to identify and promote export opportunities for the oil and gas industry through such initiatives as Pilot, the Government/industry forum. Export promotion is particularly important, and I was happy to address the Caspian Oil and Gas Conference in Baku last month. Earlier this year I was able to promote our expertise in the oil and gas sector during a visit to the Far East.

ADVOCATE-GENERAL

Human Rights Convention

28. **Miss McIntosh:** To ask the Advocate-General what assessment she has made of the number of additional cases expected to be brought under the European convention on human rights when it comes into force; and if she will make a statement. [130595]

The Advocate-General for Scotland: The Government anticipate that the vast majority of convention points will be raised in existing cases rather than new cases. This is certainly the experience in Scotland over the last year. It is expected that a significant number of convention points will be raised following implementation of the Human Rights Act in October, but it is anticipated that the number of challenges will be reduced when the higher courts determine the basis on which the Act and convention are to be applied.

LORD CHANCELLOR'S DEPARTMENT

Magistrates Courts (Essex)

33. **Mr. Bob Russell:** To ask the Parliamentary Secretary, Lord Chancellor's Department if he will review the courts closure programme for magistrates courts in Essex. [130602]

Jane Kennedy: No. The Government's policy is that magistrates courts are best managed locally. Decisions concerning the future of magistrates courts in Essex are for the Essex Magistrates Courts Committee to determine, in consultation with its local paying authority.

Legal Aid Solicitors

34. **Dr. Cable:** To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the impact of the recent week of action by legal aid solicitors. [130605]

Mr. Lock: The Department has made no formal assessment of the impact of the recent week of action called by the Legal Aid Practitioners Group (LAPG).

The LAPG invited 5,000 firms to take part in the week of action by suggesting that they write to the Lord Chancellor's Department. To date, my Department has received letters from about one in 100 firms invited to take part in the action. The Lord Chancellor is confident that solicitors will agree that, in future, constructive consultation on remuneration will be more productive than proposals of non-co-operation with the Legal Services Commission.

Community Legal Service

35. **Mr. Darvill:** To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement about funding the Community Legal Service. [R] [130606]

Mr. Lock: The Community Legal Service is funded by local authorities, the Legal Services Commission, the National Lottery Charities Board and a host of other organisations. The different funders are now coming together in Community Legal Service Partnerships to plan and co-ordinate the local provision of services, based on meeting local needs and priorities.

Magistrates Courts

37. **Mr. Ben Chapman:** To ask the Parliamentary Secretary, Lord Chancellor's Department what criteria he applies when determining appeals against closure of magistrates courts. [130608]

Jane Kennedy: When determining appeals, the Lord Chancellor looks for evidence that the MCC has followed the Central Council of Magistrates Courts Committees good practice guide. Issues to be considered: accessibility for court users, the facilities available, costs of necessary renovations to bring the court up to standard, the provision of courtrooms and workload, extra travelling distances, additional costs and overall efficiency.

Judges (Training)

38. **Angela Smith:** To ask the Parliamentary Secretary, Lord Chancellor's Department how often judges are expected to attend training sessions regarding changes in legislation. [130609]

Mr. Lock: Judicial training is the responsibility of the Judicial Studies Board. All judges receive induction training on appointment and continuation training at three yearly intervals thereafter in each of the jurisdictions that they exercise. The JSB advises on, and provides training on specific changes in law and procedure where directly affect the conduct and management of cases.

Drug Dealers (Sentencing Policy)

39. **Mr. Clifton-Brown:** To ask the Parliamentary Secretary, Lord Chancellor's Department what recent guidance he has given to magistrates regarding sentencing policy for drug dealing with intent to supply. [130610]

Jane Kennedy: None. Within the statutory limits laid down by Parliament, the nature and severity of penalties imposed by the court are matters of judicial discretion subject to any guidelines laid down by the Court of Appeal (Criminal Division).

The Magistrates Association has recently published the Magistrates' Courts Sentencing Guidelines which has been sent to all magistrates. This contains guidance on sentencing in all types of case, including cases of supplying drugs.

Road Traffic Cases

Miss McIntosh: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the number of road traffic cases which will be brought under the European Convention on Human Rights; and if he will make a statement. [131487]

Jane Kennedy: No assessment has been made of the number of cases likely to be affected as the Government anticipate that the vast majority of human rights points will be raised in existing cases, rather than new cases. We expect a significant number of human rights points to be raised in all areas of the law in the months following implementation, but it is anticipated that the level of challenges will reduce subsequently as the higher courts determine the basis on which the Human Rights Act 1998 and Convention are to be applied. The Government have made annual provision for the overall costs of implementing the Human Rights Act in the courts—£60 million, including £39 million for legal aid. In addition, £4.5 million has been set aside to ensure that all full and part-time judges, lay magistrates and their legal advisers, are trained to deal with Convention points effectively, which should reduce the impact on court time.

Public Trust Office Executive Agency

Mr. Gareth R. Thomas: To ask the Parliamentary Secretary, Lord Chancellor's Department what the key performance targets are for the Public Trust Office Executive Agency for 2000–01. [133032]

Jane Kennedy: The following table sets out the key performance targets that the Lord Chancellor has set for the Public Trust Office for 2000–01.

Public trust office executive agency key performance targets 2000–01

Indicator	*Target*
1. To carry out accounting transactions within target times.	To bring to account at least 99 per cent. of receipts and payment transactions within turnaround targets.
2. To achieve investment performance targets.	(a) On an annual basis to ensure that 85 per cent. of all measured funds perform in line or better than their model based on stock market indices. (b) On a three year rolling basis to ensure that 80 per cent. of all measured funds perform in line or better than their model based on stock market indices. The benchmark to be the Association of Private Client Investment Managers and Stockbrokers (APCIMS) indices. The Office will aim to introduce an income element from 2001–02.
3. To achieve service standards.	To achieve 95 per cent. of the Public Trust Office Service Standards.
4. To achieve targets for collection of private receivers' annual accounts (Protection Division) and for review of annual accounts field by both private receivers and in Public Trustee receiverships (Protection and Receivership Divisions).	(a) To review 95 per cent. of accounts received within eight weeks of receipt (to apply to both Protection and Receivership Divisions). (b) To collect 90 per cent. of accounts within six months of the due date; 95 per cent. within nine months of the due date; and 100 per cent. within 12 months of the due date (to apply to Protection Division only).
5. To achieve targets for the visiting of Public Trust Office clients.	(a) To visit all existing Receivership Division clients in the course of the year. (b) To visit all new clients within one year of the Public Trustee being appointed receiver. (c) To double the number of visits undertaken to Protection Division clients in 2000–01 from 2,000 to 4,000. (d) 100 per cent. of urgent visits at the direction of the Court of Protection to take place within four weeks of the direction being given.
6. To achieve financial performance and targets.	(a) To come within the Change Programme budget for 2000–01. (b) To lay the PTO's Annual Report and Accounts 1999–2000 before Parliament before the summer recess. (c) To reduce debtor days in the Office's Protection Division from 94 to 85 days and in the Receivership Division from 96 to 85 days.

Note:
Fuller details of the Office's plans and targets are given in its Business Plan, which is available from the Public Trust Office.

Stipendiary Bench

Mr. MacShane: To ask the Parliamentary Secretary, Lord Chancellor's Department, when section 78 of the Access to Justice Act 1999, concerning the unification of the stipendiary bench in England and Wales, will come into force. [133033]

Jane Kennedy: The Lord Chancellor has decided that section 78 of the Access to Justice Act 1999 will come into force on 31 August 2000. Section 78 of the Access to Justice Act 1999 contains certain provisions relating to the Stipendiary Magistrates Bench; namely the amalgamation of the Metropolitan and Provincial Benches to form one national jurisdiction throughout England and

Wales, and a change of title from Stipendiary Magistrate to District Judge (Magistrates Courts).

The Unification of the bench will mean that it will have a single, judicial head, the Senior District Judge (Chief Magistrate), who will be responsible for the administration of the bench. The Senior District Judge (Chief Magistrate) will be supported by a Deputy Senior District Judge (Magistrates Courts). Acting Stipendiary Magistrates will be known as Deputy District Judge (Magistrates Courts).

These changes are part of the Access to Justice Act reforms to improve the efficiency of Magistrates Courts. The newly unified bench will allow greater flexibility in the allocation of judges to hear cases and respond to fluctuations in workloads.

District Judges (Magistrates Courts) will continue to complement and work alongside the 30,000 lay magistrates, providing an efficient partnership in delivering the criminal justice process.

The Lord Chancellor is very pleased to announce these measures. They will recognise the professional standing of the Stipendiary Magistracy and the importance of the work undertaken by the Magistrates Courts as a whole.

Departmental Staff

Mr. Burstow: To ask the Parliamentary Secretary, Lord Chancellor's Department, how many unfilled vacancies for permanent staff his Department has; what percentage of staff positions in his Department are vacant; what the monthly cost would be to his Department of employing civil servants in these positions; how many and what percentage of staff his Department employs on a temporary basis through employment agencies; how much his Department paid employment agencies to supply temporary staff in each of the last 12 months; and how much he expects to pay employment agencies to supply temporary staff in each of the next 12 months. [131430]

Mr. Lock: The Lord Chancellor's Department Headquarters currently has 80 unfilled permanent vacancies (a percentage of 12.9). If the positions were filled permanently by civil servants it would be a monthly cost of £148,000. Headquarters currently employs 44 temporary staff from employment agencies—a percentage of 7.1 of total staff. The total spent on staff from employment agencies for the period April 1999 to March 2000 was £553,452 (VAT included). We are unable to quote the expected cost for the present year as demand constantly fluctuates.

Access to Justice (Cheshire)

Mr. Nicholas Winterton: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on access to justice in Cheshire. [130600]

Jane Kennedy: The Lord Chancellor's aim is to provide a fair, swift and effective system of justice.

There are nine county courts which are situated in or cover parishes within Cheshire, nine magistrates courts and three Crown Court centres.

In Cheshire, as elsewhere, courts are being modernised, fit for the 21st Century. For example, one of the aims of the Crown Court Programme is to improve efficiency and enhance the facilities at all Crown Court centres, irrespective of size, location or current accommodation limitations.

The Community Legal Service (CLS) will improve access to good quality legal advice, through creating local networks of legal services based on local needs, so that people can resolve potential or actual legal disputes and enforce their rights effectively. A local CLS network is being set up in Cheshire, consisting of local solicitors and advice agencies, and it will be supported by the work of the Cheshire CLS Partnership. The CLS Partnership will co-ordinate funding and provision of services, based on meeting local needs and priorities. I had the pleasure of launching the Cheshire CLS Partnership on 19 May.

DEFENCE

Co-operative Capability Programme

Mr. Hancock: To ask the Secretary of State for Defence if he will make a statement on the costs and benefits of United Kingdom participation in the United States Navy's Co-operative Capability Program. [130379]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Robert Walmsley to Mr. Mike Hancock, dated 25 July 2000:

I am replying to your question to the Secretary of State for Defence about the costs and benefits of United Kingdom participation in the United States Navy's Co-operative Capability Program. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

I am pleased to say that the MoU for the UK's participation in the United States Co-operative Engagement Capability (CEC) programme was signed on 18th July 2000. The application of CEC technology will improve the RN's ability to detect, monitor and counter current and future air threats, reducing the risk of losing high value warships, as well as reducing the risk of casualties and fratricide. UK participation in CEC will also increase considerably the interoperability of UK and US Naval Forces. Royal Navy Type 23 Frigates are planned to be the first RN warships equipped with CEC. Other major surface warships will also be fitted with CEC in due course.

The estimated total procurement cost of integrating CEC into Type 23 and Type 45 is £174M and the whole life costs are estimated at around £250M. Both these figures are at 1999 prices.

The programme is still at an early stage: costs, performance and timing will be explored and refined before a Main Gate submission in 2004.

Royal Navy Vessels

Mr. Cox: To ask the Secretary of State for Defence if he will list the Royal Naval vessels under construction. [131471]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to my hon. Friend.

Letter from Robert Walmsley to Mr. Tom Cox, dated 25 July 2000:

I am replying to your questions to the Secretary of State for Defence about the number of Royal Navy vessels under construction. this matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

There are currently ten major Royal Navy vessels under construction. Three ASTUTE class submarines and two Landing Platform Docking (Replacement) vessels are being assembled at BAE SYSTEMS Marine yard at Barrow. The last two vessels of the Type 23 Class of Frigates are being fitted out at BAE SYSTEMS Marine yard at Scotstoun on the Clyde. Vosper Thornycroft (UK) Ltd (VT) is finishing construction of one and fitting out a further two Single Role Minehunters at its yard in Southampton.

As well as these Royal Navy vessels BAE SYSTEMS Marine at Barrow are also constructing the first Auxiliary Oiler for the Royal Fleet Auxiliary whilst the second of class is being built at BAE SYSTEMS Marine leased yard at Govan. The Allsa Troon yard in Ayrshire is currently involved in the build of the second prototype Landing Craft Utility as part of an order for ten such vessels to be carried on the Landing Platform Docking Replacement.

There is also a variety of small boats such as rigid inflatables being constructed/procured for the Royal Navy and the other services.

As well as the above, the Government has been able to announce recently details of orders for several new Royal Navy vessels. Appledore Shipbuilders in North Devon will be constructing two new Survey Vessels under sub-contract from VT with fabrication starting later this year. On 11 July the Secretary of State for Defence announced that orders for three new Type 45 Destroyers would be placed later this year, the first and third being assembled by BAE SYSTEMS Marine and the second by VT. Further orders are expected later this year for two Alternative Landing Ship Logistics, to be manned by the Royal Fleet Auxiliary.

Missiles

Mr. Hancock: To ask the Secretary of State for Defence how many AIM-120 B/C AMRAAMS missiles his Department plans to procure from Raytheon; and if he will make a statement. [131490]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Robert Walmsley to Mr. Mike Hancock, dated 25 July 2000:

I am replying to your question to the Secretary of State for Defence about the number of Advanced Medium Range Air to Air Missiles (AMRAAM) 120B/C MoD intends to procure from Raytheon Systems Company (RSC) in the USA. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

Disclosure of the information you request would harm UK defence and, accordingly, I am withholding it under exemption 1 of the Code of Practice on Access to Government Information.

Mr. Hancock: To ask the Secretary of State for Defence for what reason his Department is reducing its order for AMS Brimstone missiles; and if he will make a statement. [131498]

Dr. Moonie: The Ministry of Defence keeps the mix of weapons we require under review to ensure that our forward equipment programme reflects the circumstances of the world today and those we expect in the future. Brimstone will be one of a number of anti-armour weapon systems that we will be able to deploy. While there is still a firm requirement for the Brimstone missile, we have concluded that we will require fewer missiles than envisaged when the Brimstone contract was placed in 1996.

Frigates

Mr. Hancock: To ask the Secretary of State for Defence if he will estimate the cost to his Department of replacing 20 Type 22/23 frigates in the Royal Navy after 2010; and if he will make a statement. [131494]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Robert Walmsley to Mr. Mike Hancock, dated 25 July 2000:

I am replying to your question to the Secretary of State for Defence about the cost of replacing 20 Type 22123 frigates in the Royal Navy after 2010. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

Current plans envisage a new class of surface combatant which will enter service from around 2013 when the later Type 22 and Type 23 frigates pay off.

We expect a contract for the Future Surface Combatant to be placed with a prime contractor in 2007 following competition. The FSC should benefit from the innovative ideas arising from the Type 45 and CVF procurements and it will also exploit emergent technical innovations and concurrent engineering practice to achieve SMART procurement objectives.

It would, however, be premature to release details of the budgetary costs of these ships as this could prejudice the negotiations which are expected to take place with industry post initial Gate in mid 2002.

Defence Procurement Agency

Mrs. Ewing: To ask the Secretary of State for Defence how many military personnel by rank are currently working for the Defence Procurement Agency. [131632]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Robert Walmsley to Mrs. Margaret Ewing, dated 25 July 2000:

I am replying to your question to the Secretary of State for Defence asking how many military personnel by rank are currently working for the Defence Procurement Agency. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

There are a total of 606 military personnel working for the Defence Procurement Agency. The breakdown by rank is shown in the table attached.

	Staff
Navy rank:	
Rear Admiral	1
Commodore	4
Captain	14
Commander	42
Chief Officer (Royal Fleet Auxiliary)	1
Surgeon Commander	1
Lieutenant Commander	72
Lieutenant	22
Chief Petty Officer	8
Warrant Officer	7
Total	172

	Staff
Army rank:	
Major General	2
Brigadier	2
Colonel	9
Lieutenant Colonel	31
Major	89
Warrant Officer Class	15
Warrant Officer Class 2	13
Staff Sergeant	5
Sergeant	2
Lance Corporal	1
Total	169
RAF rank:	
Air Marshal	1
Air Commodore	3
Group Captain	5
Wing Commander	24
Squadron Leader	77
Flight Lieutenant	29
Flying Officer	1
Warrant Officer	5
Flight Sergeant	19
Chief Technician	58
Sergeant	40
Corporal	2
Aircrewman	1
Total	285

Nimrod

Mr. Salmond: To ask the Secretary of State for Defence what steps are being taken to eliminate the slippage in defence contracts with particular reference to slippage in Nimrod; when it is estimated that all Nimrod 4 aircraft will be operational; and how many are currently available for operation. [131591]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Robert Walmsley to Mr. Alex Salmond, dated 25 July 2000:

I am replying to your question to the Secretary of State for Defence about slippage in the Nimrod MRA4 programme. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

You asked what steps are being taken to eliminate the slippage in the Nimrod MRA4 programme. The Nimrod MRA4 contract was let with BAE SYSTEMS in December 1996 with an In-Service Date (ISD) of April 2003. Following technical and resource problems, BAE SYSTEMS advised the Defence Procurement Agency (DPA) in late 1998 that they could not meet this date. In May 1999, following extensive negotiations the contract was re-baselined with an ISD of March 2005, a delay of 23 months and with the MoD securing various benefits in compensation.

The DPA are working very closely with BAE SYSTEMS to ensure that all possible measures are taken to support delivery of the full operational capability in the required timescales, consistent with a March 2005 ISD.

You also asked how many Nimrod MRA4 aircraft are currently in service. Nimrod MRA4 is due to enter operational service in August 2004. The In Service Date (ISD) of March 2005 marks the delivery of the 7th aircraft, with the 21st and final aircraft due for delivery in December 2008.

BOWMAN

Laura Moffatt: To ask the Secretary of State for Defence what the procurement strategy is for BOWMAN. [132877]

Mr. Hoon: BOWMAN aims to provide a tactical combat radio communications system to replace Clansman, which as been in service since the mid-70s.

To deliver this project, we have been working with Archer Communication Systems Ltd. (ACSL), as our preferred supplier. ACSL has improved in recent months, but we have concluded that their proposal (submitted to us on 23 June) would not represent best value for money. We have, therefore, decided to hold a competition to meet the BOWMAN requirement. Through competition, we shall seek to achieve the best combination of performance, cost and timely delivery into service. The competition will offer substantial opportunities for participation for UK industry.

Kosovo

Mr. Gardiner: To ask the Secretary of State for Defence what plans he has to improve the armed forces' equipment capability as a result of lessons learned from Kosovo. [132675]

Mr. Hoon: I refer my hon. Friend to the oral statement I made on 24 July 2000, *Official Report*, columns 777–89.

DERA

Mr. McCabe: To ask the Secretary of State for Defence what plans he has for the future of the Defence Evaluation and Research Agency; and if he will make a statement. [132682]

Mr. Hoon: I refer my hon. Friend to the oral statement I made on 24 July 2000, *Official Report*, columns 777–89.

Thomson CSF

Mr. Hancock: To ask the Secretary of State for Defence what the total cost was of work placed to Thomson CSF by his Department in each of the last three years; what the projected value is of the contracts to them for the next five years; and if he will make a statement. [130378]

Dr. Moonie: The value of contracts placed by the Ministry of Defence with Thomson CSF in each of the last three years was:

Financial year	*£ million*
1997–98	44.5
1998–99	32.2
1999–2000	30.6

These figures are for prime contracts only, they do not include the value of any sub-contract received by Thomson CSF from MOD prime contractors.

It would not be appropriate to prejudge the results of any future competition for MOD contracts. It is therefore not possible to speculate on the projected value of the contracts which may be awarded to Thomson CSF in the

next five years. Thomson CSF are at liberty to tender for MOD contracts and such tenders will be considered on a competitive basis with tenders received from other companies.

Staff Secondments

Mr. Hancock: To ask the Secretary of State for Defence if he will list the name, position, and time of placement of senior staff in his Department who have been seconded to the defence industry in the last five years; to which companies; how many of those employees are still employed by his Department; and if he will make a statement. [130380]

Dr. Moonie: Details of Senior Civil Servants in my Department who have undertaken secondments to companies in the defence sector over the last five years are contained in the table. Of the ten individuals, three are no longer employed by the MOD and one is currently on loan to another Government Department. Encouraging interchange with the private sector has been the policy of successive governments.

Company	*Position*	*Time of placement*
April 1995-March 1996		
Raytheon	Director International Requirements	1 year 10 months (January 1995-October 1997)
April 1996-March 1997		
Avery Berkel	Business Development Director	1 year (October 1996-September 1997)
BAe	Project Director, European Consolidation	2 years 6 months (October 1996-March 1999)
April 1997-March 1998		
GEC Marconi	Commercial Director	1 year (June 1997-June 1998)
Thomson Marconi Sonar Ltd	In-Service Support Project	10 months (November 1997-September 1998)
April 1998-March 1999		
Marconi Electronic Systems	Customer Service Project	1 year 6 months (March 1999-September 2000)
April 1999-March 2000		
Northrup Grumman (USA)	UK Fellow for Defense Industry Strategy and Technology	1 year 6 months (October 1999-April 2001)
Raytheon (USA)	Manager of International Business	2 years (October 1999-October 2001)
Thomson CSF	Technical/Security Director	2 years (April 1999-April 2001)
April 2000		
Thomson CSF	Director	2 years (May 2000-May 2002)

Plutonium

Mr. Savidge: To ask the Secretary of State for Defence what plans his Department has to recycle plutonium from dismantled redundant nuclear warheads as civilian MOX fuel. [130678]

Mr. Spellar: I refer my hon. Friend to the answers I gave to my hon. Friend the Member for Blaenau Gwent (Mr. Smith) on 14 March 2000, *Official Report*, columns 104–05W and 17 July 2000, *Official Report*, columns 11–12W. The Ministry of Defence's remit is to examine all options for disposing of this material including its conversion into civilian MOX fuel. However, as the quantity of weapons grade plutonium which is surplus to Defence requirements is a very small percentage of the overall UK plutonium stocks, we shall be taking account of civil industry's plans for disposal of their much larger amounts. Disposal of such materials is, of course, a very complex matter and final decisions are unlikely for quite some time.

Porton Down

Mr. Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his answer of 27 June 2000, *Official Report*, column 434W, on Porton Down, if it is the assessment of the Chemical Defence Establishment that the nerve agent GF is more toxic to humans than sarin (GB). [130528]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Sir John Chisholm to Mr. Matthew Taylor, dated 25 July 2000:

I am replying to your parliamentary question about the relative toxicity of nerve agents since the laboratories at Porton Down are part of the Defence Evaluation and Research Agency.

The relative potency of the nerve agents GB and GF depends on the route of entry of nerve agent into the body, the conditions in which the exposure occurs and the toxicological end point chosen. It is not our policy, or that of the Ministry of Defence, to publish our assessment of the human toxicology of potential chemical warfare agents because to do so could aid proliferation. I am, therefore, withholding this information under Exemption 1 of the Code of Practice on Access to Government Information.

I am sorry that I cannot be more helpful on this occasion.

Mr. Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his answer on 27 June 2000, *Official Report*, column 435W, on Porton Down, for what reasons the Chemical and Biological Defence Establishment has compiled since 1970 an alphabetical list of individuals who took part in the service volunteer programme; and when this list was compiled. [130529]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Sir John Chisholm to Mr. Matthew Taylor, dated 25 July 2000:

I am replying to your parliamentary question about information relating to the service volunteer programme at Porton Down since the Porton Down laboratories are part of the Defence Evaluation and Research Agency (DERA).

Alphabetical lists of those attending DERA's Chemical and Biological Defence Sector and its predecessor organisations at Porton Down as volunteers have been maintained since about 1940 in order to provide a record of participants in the service volunteer programme. The lists contain the name and service number of the volunteers and their dates of attendance at Porton Down.

I hope this is helpful.

Mr. Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his answer on 27 June 2000, *Official Report*, column 435W, on Porton Down, if he will list the dates on which the Health and Safety Executive visited the Porton Down site between 1996 and 2000 in order to discuss specific issues. [130530]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Sir John Chisholm to Mr. Matthew Taylor, dated 25 July 2000:

I am replying to your parliamentary question about visits made by the Health and Safety Executive (HSE) to Porton Down since the laboratories at Porton Down are part of the Defence Evaluation and Research Agency (DERA).

As I explained previously, there have been two formal inspections since January 1996 during February 1996 and May 2000. HSE staff also visit the site either to seek our advice because of our expertise in specific areas or to discuss various aspects of our own operations at Porton Down. These visits occur relatively frequently and are arranged at all levels in the organisation. It is therefore not possible to provide dates as records of these visits are not kept centrally.

I am sorry that I cannot be more helpful on this occasion.

Mr. Salmond: To ask the Secretary of State for Defence how many people in the UK served at *(a)* Porton Down and *(b)* other chemical and biological warfare establishments; how many of these are suffering illnesses that they claim are attributable to exposure to chemical and biological warfare experiments; how many are in receipt of pensions for these illnesses; how many of these are in Scotland; and what the total expenditure is on these in Scotland. [131590]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Sir John Chisholm to Mr. Alex Salmond, dated 25 July 2000:

I am replying to your question about CBW experiments as the Chemical and Biological Defence sector at Porton Down is now part of the Defence Evaluation and Research Agency.

Since 1916, establishments based at Porton Down have been involved in the research and development that has underpinned the UK's chemical and biological defence capability. Throughout Porton Down's history, volunteers from the services have been a vital part of the research programme. Over 20,000 individuals have participated in projects aimed at developing protection against and treatment for the effect of chemical and biological agents. The majority have had no complaint about their attendance at Porton Down. We are, however, aware that there are some former volunteers who believe that they have suffered ill-health as a result of the trials in which they took part. I am afraid we are unable to provide the exact number of complainants as they have made their representations through a number of different channels.

Since 1 March 1998, we have responded to 42 enquiries from the War Pensions Agency concerning claims arising from taking part in the service volunteer programme at Porton Down. In each case, we have provided information about the particular trials in which an individual participated but we have not been informed whether these claims have been successful. We are, therefore, unable to answer your specific questions about the number of pensions and expenditure on them in Scotland.

We are not aware of any other establishments in the UK that have carried out chemical and biological defence research involving service volunteers.

I hope this explains the position.

Chemical Weapons

Mr. Llew Smith: To ask the Secretary of State for Defence if he will set out the quantities of *(a)* precursors for chemical weapons and *(b)* chemical weapon agents held at Porton Down research establishment, used for prophylactic research; on what dates the United Kingdom disposed of its chemical weapons; and what amount was disposed of on each occasion, in the last 10 years. [130852]

Dr. Moonie: The Chemical Weapons Convention (CWC) permits the retention of toxic chemicals and their precursors, where they are intended for purposes not prohibited under the Convention. Such permitted purposes include research, medical, pharmaceutical and protective purposes. Toxic chemicals and precursors are classified according to three Schedules, primarily on the basis of their usability as chemical weapons, the risk they pose to the Convention, and their commercial utility.

The UK, as a State Party to the CWC, is permitted to hold up to an aggregate of 1 tonne of Schedule 1 chemicals. The Chemical and Biological Defence Sector of the Defence Evaluation and Research Agency at Porton Down is licensed by the CWC National Authority to hold Schedule 1 chemicals for permitted purposes and is required to make an annual declaration of holdings and usage.

The declaration is not made public for reasons of national security and so I am withholding information about specific quantities under Exemption 1 of the Code Of Practice on Access to Government Information. However, total holdings are substantially less than the permitted maximum of 1 tonne.

In addition to Schedule 1 chemicals, Porton Down holds smaller quantities of Schedule 2 and 3 chemicals.

The UK abandoned its offensive chemical weapons capability in the 1950s. The bulk of residual stocks of munitions and agents were disposed of at that time. Approximately 4,500kg of bulk chemical agent dating from before 1946 was destroyed between 1993 and entry into force of the CWC in 1997. In addition, from time to time, munitions suspected of containing chemical agent dating from before 1946 are found in the UK, for example, during land remediation, and brought to Porton Down. Disposal takes place throughout the year as operational constraints permit. Over the last 10 years, 3,418 items of this type have been disposed of.

Chinook

Mr. Field: To ask the Secretary of State for Defence (1) if Sir William Wratten and Sir John Day knew the extent of his Department's legal claim against the FADEC manufacturer, Textron Lycoming, at the time of their investigation into the fatal crash of RAF Chinook ZD576; [131259]

(2) if the engineering member of the RAF board of inquiry into RAF Chinook ZD576 informed the other members of that board as to the precise nature of the Wilmington incident, in which an RAF Chinook was severely damaged in 1989 as a result of an FADEC fault. [131258]

Mr. Spellar *[holding answer 18 July 2000]:* In the short time available it has not been possible to establish whether, at the time of their investigation into the crash of RAF Chinook ZD576, Sir William Wratten and Sir John Day knew the extent of the Department's claim against Textron Lycoming. This litigation sought redress for faulty test procedures that caused a Chinook helicopter undergoing tests on the ground at Wilmington, USA to be severely damaged. We know that in their report to the RAF Board of Inquiry, the Air Accident Investigation Branch (AAIB) states:

> In view of reports of a number of ongoing service difficulties experienced with the operation of FADEC, the Engine Change Units and FADEC were examined in some detail.

The report goes on to say that:

> Strip examination of the engines indicated that both were running at high speed with turbines hot at the time of impact, and revealed no signs of pre-impact failure or malfunction that could have affected the operation of either engine.

Thus, as the evidence available indicated that the engines were working normally up to the point of impact, it was reasonable to conclude that FADEC could not have been a factor in the accident. The action taken by MOD arising out of faulty test procedures in the early days of the system's development programme had no relevance to the accident under investigation. It is therefore irrelevant whether Sir William and Sir John were aware of the litigation against Textron Lycoming. Similarly it is irrelevant whether the engineering member of the RAF Board of Inquiry into the Chinook ZD576 accident advised the other members of the Board about the test at Wilmington.

Mr. Rendel: To ask the Secretary of State for Defence (1) if Textron Lycoming was required to demonstrate it had validated the design of FADEC software for the Chinook Mk2 prior to its release into operational service; and if he will make a statement; [132454]

(2) if Boscombe Down was satisfied that the FADEC software for the Chinook Mk2 *(a)* met aviation software standard RTCA Do. 178A or JSP 188 in June 1994 and *(b)* was verifiable and suitable for its intended purpose in June 1994. [132455]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

RAF Carlisle

Mr. Martlew: To ask the Secretary of State for Defence how much his Department received for the sale of the RAF Carlisle site; what the estimated value of the site was at the time the decision was taken to close the base; and what the cost to his Department was of the clean-up of the site. [131407]

Dr. Moonie: The core sites at RAF Carlisle were sold to Carlisle City Council and Cumbria County Council in March 1999. The outlying sites, with the exception of site four which remains on the market, were sold to Alard Properties in March 2000. The prices paid by the purchasers remain commercially confidential and I am therefore withholding the information under exemption 7 of the Code of Practice on Access to Government Information. Archive research is needed to address the other points raised and I will write to my hon. Friend when this exercise has been completed. A copy of this letter will be placed in the Library of the House.

Departmental Computer System

Dr. Gibson: To ask the Secretary of State for Defence what steps he takes to ensure the security of information held on, or transmitted via, his Department's computer system. [132145]

Dr. Moonie *[holding answer 24 July 2000]:* The Defence Manual of Security mandates the baseline security requirements, which must be met before Communications and Information Systems are allowed to handle official information. Before any IT system is allowed to operate it must obtain a security approval known as accreditation from the security authorities. Electronic protective measures that are employed include the use of firewalls to protect systems, the identification and authentication of users and audit of user activities. All Ministry of Defence staff are required to read and agree to comply with the Security Operating System for the system that they will use.

The Ministry of Defence is continuously reviewing and seeking ways to improve, both the procedural and electronic security of its systems.

Service Personnel Children

Mrs. Ewing: To ask the Secretary of State for Defence how many military personnel by rank are currently working for the *(a)* British Army Education Service and *(b)* Army Training Service in the education of service personnel children. [131633]

Mr. Spellar: There are no military personnel employed to educate children of Service personnel attending Service children's school overseas. There are, however, two Warrant Officers Class 1 employed in Headquarters Service Children's Education in support functions.

Welbeck College, the Army's sixth form college, employs one Captain to teach core skills and one Warrant Officer Class 1 to teach physical education.

Service Pensions

Mrs. Ewing: To ask the Secretary of State for Defence if he will list the total cost to public funds of service pensions *(a)* nationally and *(b)* by region for the most recent financial year, indicating the number of ex-service personnel to which these are paid. [131593]

Mr. Spellar: The total expenditure on Service pensions for financial year 1999–2000 was £2.205 billion and is paid to around 335,000 pensioners. Analysis of this expenditure by region is not held centrally and could be provided only at disproportionate cost.

Gulf War Syndrome

Mrs. Ewing: To ask the Secretary of State for Defence if he will give a breakdown of the cost of potential claims

resulting from Gulf War related illnesses for *(a)* the UK and *(b)* Scotland, indicating for each the estimated numbers of claimants. [131596]

Mr. Spellar: As at 4 July 2000 the Ministry of Defence had received 1,841 notices of intention to claim from veterans and members of their families in respect of illness allegedly arising from the Gulf conflict, although no writs or properly formulated claims have so far been received. It will not be possible to estimate the overall cost of these claims until such time as specific allegations of negligence have been submitted together with an indication of an individual's symptoms, degree of disability and personal circumstances, which would determine the level of any award.

The Ministry of Defence does not record the number of intentions to claim by region.

Mrs. Ewing: To ask the Secretary of State for Defence how many people claiming to be suffering from Gulf War related illnesses there are in Scotland; and how many of these are in receipt of *(a)* pensions and *(b)* benefits as a result of these illnesses. [131637]

Mr. Spellar: The information required is either not available at all or is not held in the required form. I will write to the hon. Member setting out such information as is available and a copy of my letter will be placed in the Library of the House.

Service Personnel

Mrs. Ewing: To ask the Secretary of State for Defence if he will set out by service, rank, length of service and education and professional qualifications the total number of service personnel nationally and by region of the UK for the most recent year for which figures are available. [131636]

Mr. Spellar: This information is not held centrally and could be provided only at disproportionate cost.

Land Decontamination

Mrs. Ewing: To ask the Secretary of State for Defence if he will list all *(a)* current and *(b)* recently disposed of MoD lands that require environmental decontamination (i) nationally and (ii) by region of the UK. [131594]

Dr. Moonie: The Ministry of Defence has a policy of carrying out Land Quality Assessments in order to assess the Department's potential environmental liabilities. Individual budget holders within the Department are responsible for carrying out their own Land Quality Assessments, and such detailed information on contamination, is not held centrally. I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Veterans

Mr. Salmond: To ask the Secretary of State for Defence how many *(a)* Korean War veterans and *(b)* former Japanese prisoners of war there are in Scotland; how many are in receipt of forces pensions; and what the total expenditure is on these in Scotland. [131589]

Dr. Moonie: This information is not held centrally and could be provided only at disproportionate cost.

Food Sourcing

Mrs. Fitzsimons: To ask the Secretary of State for Defence what his Department's policy is on sourcing food supplies for the armed forces; and if he will make a statement. [132878]

Dr. Moonie: The supply of food for our armed forces is contracted to "3663". A key requirement of the contract, as with other procurement programmes, is that it should deliver value for money. 3663 are required to seek the best prices in the open market for the products we need. I am as keen, however, on seeing our Servicemen and women eating British products as I am for our contractor to secure the best value for money, and 3663 are required specifically to give full consideration to British products which we look to them to buy wherever they are competitive. 3663 are currently supplying a range of over 1,300 different products for our armed forces, including fresh, chilled and frozen commodities, a number of which are not made or grown in this country. The company advise that almost 1,000 of these are presently British.

We have given particular attention to meat procurement. We are currently sourcing 100 per cent. of our pork and 50 per cent. of our gammon and bacon from the UK, and I am pleased to announce that with effect from July our supplies of bacon and gammon have been 100 per cent. British sourced. Since the autumn of 1998 we have been supplying 100 per cent. British beef to our Service personnel based in the UK, following agreement by the EC to release British intervention beef, at competitive prices, for our use. Our supplies of British intervention beef will, however, start to run out progressively later this year and current market prices are likely to lead to a mix of British and imported beef for future supplies. We will, however, be working closely with farmers' representatives to ensure that we maximise the amount of British beef that can be supplied competitively. In the case of lamb, our efforts to source British products at competitive prices have so far been unsuccessful. The market has been unable to take up our offer of a substantial forward buy which we hoped might attract competitive prices. The main difficulties have included capacity issues (in particular butchery and blast freezing) and the narrow range of cuts we require, as well as price. Our efforts to source more British lamb are, however, continuing.

Condoms

Mr. Cohen: To ask the Secretary of State for Defence how many condoms have been purchased, and at what cost, over the past two years for supply to UK Service personnel; and what is the average supply per individual *(a)* in the UK, and *(b)* for each operation abroad. [131686]

Mr. Spellar: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Service Personnel Housing

Mr. Cox: To ask the Secretary of State for Defence how much Service personnel housing is owned by his Department *(a)* in the UK and *(b)* overseas. [132072]

Dr. Moonie: The Ministry of Defence owns 13,508 properties in the United Kingdom and 3,215 overseas.

The majority of Service Families Accommodation in England and Wales were sold on a 999 year lease to Annington Homes Ltd. in November 1996. The Ministry of Defence leases back those properties it needs to house Service personnel and their families.

Defence Medical Services

Mr. Menzies Campbell: To ask the Secretary of State for Defence what were the *(a)* inflow and *(b)* outflow of fully-trained qualified medical personnel in the Defence Medical Services in (i) 1993–94, (ii) 1994–95, (iii) 1996–97, (iv) 1998–99 and (v) 1999–2000; and if he will make a statement. [131022]

Dr. Moonie: *[holding answer 24 July 2000]:* The total number of personnel entering and leaving the Defence Medical Services between the years 1993–94 and 1999–2000 are listed in the table. It is not possible, without disproportionate effort, to identify separately those personnel who are professionally qualified on entering or leaving the Defence Medical Services.

	Inflow	*Outflow*
1993–94	604	986
1994–95	611	1,056
1995–96	335	1,283
1996–97	598	1,359
1997–98	742	730
1998–99	830	773
1999–2000	941	742

Notes:
1. Intake figures comprise medical and dental students entering as cadets, qualified doctors, dentist and nurses, nurse trainees, and other personnel who may or may not be professionally qualified on entering the Defence Medical Services.
2. Outflow figures comprise all personnel leaving the Defence Medical Services, whether professionally qualified or not.
3. The figures comprise mainly medical personnel, but include some medical administrative personnel.
4. Outflow figures include personnel leaving on premature voluntary retirement, completion of engagement or commission, redundancy, medical discharge, death or dismissal.

Lock Purchasing

Mr. Winnick: To ask the Secretary of State for Defence when the hon. Member for Walsall, North will receive a reply to his letter of 23 May concerning lock purchasing. [132445]

Dr. Moonie: The Ministry of Defence can find no trace of having received the letter in question. If my hon. Friend cares to forward a second copy, I will ensure that he receives a reply as quickly as possible.

EDUCATION AND EMPLOYMENT

Circulars

Mr. Clappison: To ask the Secretary of State for Education and Employment if he will list the circular documents which have been sent by his Department to *(a)* primary and *(b)* secondary schools since (i) 1 May 1997 and (ii) 1 January; and how many pages each document contained. [129784]

Jacqui Smith *[holding answer 12 July 2000]:* The documents sent automatically by this Department to all primary schools and all secondary schools since 1 January 2000 are listed in the table. I will write to the hon. Member with the information from 1 May 1997, including page numbers, as soon as it can be compiled, and place copies in the Libraries.

	Number of pages
Documents sent to all Primary schools from January 2000	
Consultation	
Teachers and staffing	
Professional Development Pack	41
Guidance—including information on statutory requirements	
Exclusions From School	2
Performance Management—Guidance for governors	20
Performance Management In Schools: includes Performance Management Framework Model Performance Management Policy	46
Pupil Records and Reports—guidance	8
School Teachers Pay and Conditions document 2000	92
School Teachers Pay and Conditions—guidance 2000	59
Capability Procedures for Teachers	8
Schools, "Parents" and "Parental Responsibility"	6
Summary Guidance on Disapplying the National Curriculum	3
Guidance—non statutory	
Curriculum guidance for the Foundation stage	128
Literacy and Numeracy	
Literacy and Numeracy Posters—Every Lesson Counts	5
National Literacy and Numeracy Strategies: Guidance on Teaching Able Children	11
The National Literacy Strategy, Phonics (with CD ROM)—Progression in phonics: materials for whole class teaching	36
The National Numeracy Strategy—Framework for teaching mathematics: Year 7	91
School Curriculum	
Art and Design. Schemes of Work for Key Stage 1 and 2	108
Guidance on Personal, Social and Health Education and Citizenship at Key Stage 1 and 2	21
Music. Schemes of Work for Key Stage 1 and 2	107

	Number of pages
Physical Education. Schemes of Work for Key Stage 1 and 2	168
Religious Education. Schemes of Work for Key Stage 1 and 2	154
School Management	
Index for Inclusion: Developing a Learning and Participation in schools	109
Managing staff sickness absence and checklist for managing sickness absence	4
Teaching Profession	
Employing Disabled Teachers—A good practice guide for schools	40
Information	
Literacy and Numeracy	
Numeracy Campaign Poster	1
National Numeracy Strategy (NNS) "BEAM" leaflets	15
School Management	
Data Collection Timetable: September 2000 to December 2001	2
Education Funding in England for 2000–01 A Guide for Heads and Governors	2
Extra Education Funding announced in the budget	3
Spectrum 28	7
Spectrum 29	11
Spectrum 30	9
Spectrum 31	14
Spectrum 32	15
Spectrum 33	8
Spectrum 34	8
Special Education	
SEN update 4	6
School Standards	
Beacon schools	1
Letter about school competitions—Write Here, Write Now	4
Removing the Barriers: Raising Achievement Levels for Minority Ethnic Pupils—Key Points for Schools	1
SEN update 4	10
The Queen's Commonwealth Day Message and Commonwealth Day Poster 2000—The Communications Challenge	4
Transforming Key Stage 3	2
We want to show the Educational benefits of the internet to all parents	1
Teaching Profession	
Are you aiming for headship—NPQH	1
Fast Track—Frequently Asked Questions	4
General Performance Management Arrangements—Video	1
General Teaching Council for England (poster)	1
GTC—Election Results—Staff Room Poster 5	2
GTC—listening to teachers	1
Induction Period for Newly Qualified Teachers	1
Leadership Programme for Serving Headteachers (LPSH)	1
Occupational Health Guidance: Summary	3
Pay and conditions for Teachers in England and Wales, 2000–01	4
Pay: The Future—New pay plans for teachers	2
Performance Threshold Standards Guidance on completing the application form	9
Performance management interviews—video	1
STRB—Teachers Pay 2000–2001	14
Teaching Reforms Brief No. 3	2
Teaching Reforms Brief No. 4—Teacher Reform Planner	1
Teaching Reforms Brief No. 5—Performance Threshold: How you can apply for the £2,000 pay rise	2
Teaching Reforms Brief No. 6—Career options for teachers	4
Teaching Reforms Brief No. 7—Standards Fund	4
Teaching Reforms Brief No. 8—Performance Management	1
Teaching Reforms Brief —The Leadership Group	4
Threshold Assessment Pr prompts for headteachers and cover note	14
Threshold Assessment Training	1
Your GTC, Your Vote	1
Documents sent to all Secondary schools from January 2000	
Consultation	
Teachers and Staffing	
Professional Development Pack	41
Guidance—including information on statutory requirements	
Exclusions From School	2
Performance Management—Guidance for governors	20

	Number of pages
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Schools, "Parents" and "Parental Responsibility"	6
Summary Guidance on Disapplying the National Curriculum	3
Guidance—non statutory	
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School Curriculum	
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Guidance on Personal, Social and Health Education at Key Stage 3 and 4	20
Key Stage 3 Schemes of Work—Physical Education	32
Key Stage 3 Schemes of Work—Art and Design	79
Key Stage 3 Schemes of Work—Geography	164
Key Stage 3 Schemes of Work—Modern foreign languages	108
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House of Lords reform	14
Letter about DfEE Careers Publications Which Way Now, Job File and It's Your Choice 2001	2
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Spectrum 31	14
Spectrum 33	8
Spectrum 34	8
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Beacon schools	1
Diana, Princess of Wales Memorial Award Nomination Pack: covering letter, newsletter, guidance notes and two posters	12
Letter about school competitions—Write Here, Write Now	4
Removing the Barriers: Raising Achievement Levels for Minority Ethnic Pupils—Key Points for Schools	1
The Connexions Service and Schools	4
The Queen's Commonwealth Day Message and Commonwealth Day Poster 2000—The Communications Challenge	4
Tomorrow's World Live 'How to claim over £1,250 worth of free tickets'	4
Transforming Key Stage 3	2
We want to show the Educational benefits of the internet to all parents	1
Special Education	
SEN update 4	6
Teaching Profession	
Are you aiming for headship—NPQH	1
Education Funding in England for 2000–01. A Guide for Heads and Governors	2
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GTC—Election Results—Staff Room Poster 5	1

	Number of pages
GTC—Listening to teachers	1
Induction Period for Newly Qualified Teachers	1
Leadership Programme for Serving Headteachers (LPSH)	1
Maths and Science Placement Scheme: Regional Listing of Trainees	3
National Numeracy Strategy (NNS) "BEAM" leaflets	15
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Professional Development Pack	41
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Teaching Reforms Brief No 4—Teacher reform planner	4
Teaching Reforms Brief No 5—Performance Threshold: How you can apply for the £2000 pay rise	2
Teaching Reforms Brief No 6—Career options for teachers	4
Teaching Reforms Brief No 7—Standards Fund	4
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Class Sizes

Mr. Clappison: To ask the Secretary of State for Education and Employment what percentage of pupils at *(a)* Key Stage 1, *(b)* Key Stage 2, *(c)* Key Stage 3, *(d)* Key Stage 4 and *(e)* in school sixth forms were in classes of 31 or more in (i) January 1997 and (ii) January 2000; and what estimate he has made of the percentage in each case who will be in classes of 31 or more in September 2000. [131678]

Ms Estelle Morris: The information is not available in the form requested. The available information is shown in the tables.

Estimates of class sizes in September for older children are not available.

Percentage of pupils in classes of 31 or more taught by one teacher in maintained primary schools in England 1997 and 2000 (provisional)

Position as at January

	Key stage				
Year	*1*	*2*	*3*	*Mixed*	*Total primary*
2000	11.0	38.2	21.2	26.0	26.5
1997	29.0	37.9	27.4	29.8	33.4

Percentage of pupils in classes of 31 or more taught by one teacher in maintained secondary schools in England 1997 and 2000 (provisional)

Position as at January

Year	*Mainly under 14*	*Mainly 14 and 15*	*16 or older*	*Overall*
2000	14.9	7.1	0.9	11.3
1997	11.2	5.7	1.0	8.7

Advanced Subsidiary and Advanced Level Qualifications

Mr. Clappison: To ask the Secretary of State for Education and Employment when the finalised specifications for the new Advanced Subsidiary and Advanced level qualifications to be introduced for teaching from September 2000 were made available to teachers. [131691]

Mr. Wicks: The finalised specifications for the new GCE Advanced Subsidiary and Advanced level qualifications to be introduced for teaching from September 2000 have been available to schools and colleges since January 2000. Copies of these documents have been placed on the awarding bodies' websites. In addition, the awarding bodies produced and issued hard copies of the specifications to all schools and colleges offering these qualifications.

Emotional and Behavioural Difficulties

Mr. Clappison: To ask the Secretary of State for Education and Employment what estimate he has made of the number of children with emotional and behavioural difficulties in *(a)* special and *(b)* mainstream schools; and what guidance he is giving to teachers in mainstream schools regarding the handling of challenging behaviour by children with emotional and behavioural difficulties. [131717]

Jacqui Smith: My Department does not collect statistics identifying children with special educational needs by specific categories. The total special needs population was shown as 1,700,000 on the last full return in 1999—just over 20 per cent. of the total school population.

This Government have demonstrated their commitment to improving education for all children with special needs. Schools are educating children with a wide range of needs, and so need a range of programmes and advice. We are supporting schools with a broad package of measures, including the SEN Programme of Action, the National Literacy and Numeracy Strategies and our Excellence in Cities programme.

To improve the education for children with emotional and behavioural difficulties in particular, this year we have:

provided £140 million through the Social Inclusion Pupil Support programme—guidance to support this programme, on pupil attendance, behaviour, exclusion and re-integration, was issued in July 1999;

developed On-Site Learning Support Units. We will increase the number of these units to over 1,000 in mainstream schools in England within two years. To help meet this target we announced earlier this year that £28 million is being provided to create a further 360 units in secondary schools and £8 million to pilot 60 units in primary schools. These units are school-based centres for pupils at risk of exclusion owing to behavioural problems; they provide tailored teaching and support programmes.

produced a revised SEN Code of Practice and guidance on thresholds to simplify, and to support better, teachers' assessment of a child's needs and their planning of appropriate strategies to address these. Both documents are currently out for consultation;

issued to all schools the Index for Inclusion produced by the Centre for Studies on Inclusive Education. This practical, self review tool will help all schools develop their policies for addressing barriers to participation pupils face, including those with emotional and behavioural difficulties;

consulted on additional guidance on promoting positive handling strategies for pupils with severe behavioural difficulties. This guidance will be issued in the autumn, to supplement existing guidance on Section 550A of the Education Act 1996.

In addition, we are planning further practical guidance on best practice in the education of children with emotional and behavioural difficulties, and on effective teaching for children with mental health problems.

We have also provided guidance on the wider issue of dealing with violent or very disruptive pupils. We do not expect teachers to keep troublemakers in the classroom at any cost, and have written to all headteachers so that they know they have our full support if they have to exclude such pupils permanently. The Secretary of State also announced at the National Association of Headteachers' conference on 1 June that he would be changing the guidance to exclusion appeal panels to indicate that where there has been violence or severe threat of violence it is inappropriate for a permanently excluded child to be re-instated to the same school.

Criminal Offences (School Premises)

Mr. Clappison: To ask the Secretary of State for Education and Employment how many *(a)* pupils, *(b)* teachers and *(c)* members of non-teaching staff have been the victims of (i) assaults and (ii) other criminal offences on school premises in each of the last 10 years. [131718]

Jacqui Smith: This information is not collected centrally. We have taken a range of measures to create safe and secure environments for pupils and staff. Since 1997–98, we have made specific grants to local education authorities in England to support expenditure of £22 million annually on school security measures. We have also published guidance, such as "School Security: Dealing with Troublemakers", produced with the Home Office.

Hawksworth Hall

Mrs. Curtis-Thomas: To ask the Secretary of State for Education and Employment what investigations his Department has conducted into allegations of child abuse at Hawksworth Hall; what the results of the investigations were; and what actions he proposes to take. [131968]

Jacqui Smith: The allegations of abuse at Hawksworth Hall were thoroughly investigated by the police and by child protection services in 1995. They concluded that there was not sufficient evidence for criminal prosecution. My Department subsequently considered the allegations, and as a result one former care worker was barred from working in relevant employment and placed on the Department's List 99.

We feel there are no grounds for any further action in the case of Hawksworth Hall, which closed in 1998. We are however fully committed to measures to safeguard children's welfare and protect them from unsuitable people. The Government recently published "Learning the Lessons," its response to "Lost in Care:" the Report of the Tribunal of Inquiry into the Abuse of Children in the former county council areas of Gwynedd and Clwyd since 1974. This sets out many of the measures being taken to protect the welfare of children in residential schools, or in the care of local authorities.

The Protection of Children Act 1999 makes provision for a new list of people who are unsuitable to work with children to be kept by the Secretary of State for Health, and further measures to protect children from unsuitable people are proposed in the Criminal Justice and Court Services Bill.

Ethnic Minorities

Mr. Cox: To ask the Secretary of State for Education and Employment how much section 11 funding has been allocated to each of the London borough councils in the current financial year. [132074]

Jacqui Smith: The education element of the Home Office's Section 11 Grant scheme ceased on 31 March 1999. It was replaced by a new grant, the Ethnic Minority Achievement Grant, administered by my Department. For 2000–01 £162.5 million will be available nationally to improve the attainment of ethnic minority, Traveller and refugee pupils. This represents an increase of 7 per cent. on the amount available for the same purposes in 1999–2000. The details requested are set out in the table. They include, separately, allocations under the Adult Ethnic Minority Achievement Grant which was also previously funded under Section 11.

£

LEA	*Ethnic minority and traveller achievement grant*	*Adult ethnic minority achievement grant*	*Total*
City of London	107,415	1,085	108,500
Camden	3,102,868	0	3,102,868
Greenwich	1,866,510	10,500	1,877,010
Hackney	4,442,766	0	4,442,766
Hammersmith	1,189,642	88,354	1,277,996
Islington	2,529,175	0	2,529,175
Kensington and Chelsea	1,219,975	13,000	1,232,975
Lambeth	3,603,405	34,000	3,637,405
Lewisham	2,543,947	0	2,543,947
Southwark	1,910,192	0	1,910,192
Tower Hamlets	8,095,454	81,254	8,176,708
Wandsworth	2,163,323	0	2,163,323
Westminster	2,136,538	15,000	2,151,538

£

LEA	Ethnic minority and traveller achievement grant	Adult ethnic minority achievement grant	Total
Barking	672,625	27,605	700,230
Barnet	1,190,476	0	1,190,476
Bexley	313,705	0	313,705
Brent	2,804,240	165,000	2,969,240
Bromley	166,547	25,822	192,369
Croydon	2,163,023	150,000	2,313,023
Ealing	3,556,921	0	3,556,921
Enfield	2,357,497	0	2,357,497
Haringey	3,526,622	0	3,526,622
Harrow	1,214,881	0	1,214,881
Havering	131,090	0	131,090
Hillingdon	872,091	80,624	952,715
Hounslow	2,279,528	0	2,279,528
Kingston upon Thames	309,329	0	309,329
Merton	913,930	0	913,930
Newham	1,038,976	0	1,038,976
Redbridge	2,228,929	106,900	2,335,829
Richmond upon Thames	164,041	0	164,041
Sutton	301,005	0	301,005
Waltham Forest	2,426,419	0	2,426,419
Total	63,543,085	799,144	64,342,229

Children with Learning Disabilities

Mr. Fearn: To ask the Secretary of State for Education and Employment what standard assessments are used in schools to assist children with learning disabilities to progress with their education. [132091]

Jacqui Smith: The introduction of Baseline Assessment from 1998 in all primary schools helps teachers plan to meet the learning needs of all pupils, including those with learning difficulties. The National Curriculum also provides a framework within which teachers have the flexibility to deliver programmes of study appropriate to the needs and abilities of the children they are teaching, and the assessment arrangements associated with it provide schools with a reliable and consistent analysis of pupil performance, enabling teachers to assess pupils' progress and develop their teaching strategies accordingly. More generally, the "Code of Practice on the Identification and Assessment of Special Education Needs" contains practical guidance for schools, local education authorities and others on how to identify, make provision for, and to monitor the progress of children with special educational needs, including those with learning disabilities. A variety of assessment procedures and ways of tracking pupils' progress are used, depending on the type and extent of a child's special educational needs.

Mersey Partnership

Mr. Ben Chapman: To ask the Secretary of State for Education and Employment if he will make a statement on the contribution made by Merseyside Training and Enterprise Council to the Mersey Partnership in each of the last five years. [132093]

Mr. Wicks: Merseyside TEC has been an active supporter of the Mersey Partnership since its inception both in cash terms and in Board representation. The TEC has made a financial contribution of £176,000 in each of the last five years.

The TEC Chief Executive has been a Board Member since the Mersey Partnership was established in 1993 and the TEC is also represented at senior manager level on the Mersey Partnership steering group, a membership forum that meets regularly to review progress.

Mr. Ben Chapman: To ask the Secretary of State for Education and Employment what assessment he has made of the likely contribution of the Merseyside Learning and Skills Council to the Mersey Partnership. [132094]

Mr. Wicks: Learning and skills are an integral part of wider economic development and regeneration activities. We will therefore expect the Merseyside Learning and Skills Council (LSC) to work closely with the Mersey Partnership. It will be for the LSC to decide how its resources might support the work of the Partnership.

British Sign Language

Mr. Sheerman: To ask the Secretary of State for Education and Employment how many employees in his Department are able to communicate in British Sign Language. [132103]

Mr. Wills: At the current time, the Department does not keep centralised records of those employees that are able to communicate in British Sign Language.

Mr. Trickett: To ask the Secretary of State for Education and Employment what guidelines are provided to educational institutions by his Department in relation to British Sign Language; and if he will make a statement. [132438]

Jacqui Smith: It is for Local Education Authorities and schools to determine how to provide best for deaf children in the light of local circumstances. The Code of Practice on the Identification and Assessment of Special Educational Needs includes guidance on the steps to be taken to identify and meet the needs of children with sensory impairments, including hearing difficulties.

The Department does not provide guidelines specifically on the use of British Sign Language. The Teacher Training Agency has set standards towards which teachers involved in the teaching of deaf children are encouraged to aim. These include standards on the use of British Sign Language as a means of teaching deaf children. In addition, teachers of whole classes of deaf children are required to gain a mandatory qualification, approved by the Secretary of State. Providers of courses leading to such a mandatory qualification are now required to bid against a national specification in order to run courses beginning in September 2001. The national specification requires that all participants completing the mandatory qualification for teaching deaf children should have a minimum competence in signing, equivalent to the Stage 1 qualification from the Council for the Advancement of Communication with Deaf People.

We have also supported the National Deaf Children's Society's quality standards in the education of deaf children, which do not favour any single approach to deaf education, but which do provide practical guidance to LEAs and schools on ways of educating deaf children, including the use of British Sign Language.

Deaf People

Mr. Sheerman: To ask the Secretary of State for Education and Employment how many deaf people he has appointed to educational bodies in the last three years. [132104]

Mr. Wills: As part of our commitment to the achievement of equal opportunity targets, and for monitoring purposes only, appointees to DfEE Non-Departmental Public Bodies voluntarily disclose whether they have a disability. However, information as to the nature of the disability is not requested so data on deaf appointees are unavailable. Of the 410 DfEE NDPB appointments and re-appointments since 1 May 1997, 30 applicants indicated they have a disability.

Parliamentary Questions

Mr. Sanell: To ask the Secretary of State for Education and Employment how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April have not received substantive answers, citing as the reason that the information is *(a)* not held centrally, *(b)* not held in the form requested or *(c)* not available. [132136]

Mr. Wills *[holding answer 24 July 2000]:* I refer the hon. Member to the reply I gave on 21 July 2000, *Official Report*, column 331W.

Further Education

Mr. Fearn: To ask the Secretary of State for Education and Employment what representations he has received about the allocation process of funding by the Further Education Funding Council to the further education colleges in Southport, as part of the national settlement. [132492]

Mr. Wicks: My right hon. Friend has received no representations about the allocation of funds by the Further Education Funding Council (FEFC) to further education colleges in Southport.

Higher Education (Access)

Mr. Boswell: To ask the Secretary of State for Education and Employment what plans he has to amend Section 68 of the Further and Higher Education Act 1992 in order for the Higher Education Funding Council for England to provide financial help for universities submitting plans for year-on-year improvements in the widening of access. [132529]

Mr. Wicks: The Government have no plans to amend Section 68 of the Further and Higher Education Act 1992.

Mr. Boswell: To ask the Secretary of State for Education and Employment how much additional funding will be made available to higher education institutes through HEFCE to facilitate access between 2000–01 and 2003–04. [132532]

Mr. Wicks: My right hon. Friend the Secretary of State for Education and Employment announced, on July 18, £20 million of additional funding to widen access to higher education in 2001–02. Further announcements will be made in due course.

Mr. Boswell: To ask the Secretary of State for Education and Employment what plans he has to consult representatives of higher education institutions on the criteria for access plans to be acceptable for additional funding. [132533]

Mr. Wicks: This is a matter for the Higher Education Funding Council for England which already negotiates annual operating statements that include a statement about widening access with all HE institutions. Further details will be available in due course.

Further Education Lecturers (PRP)

Mr. Boswell: To ask the Secretary of State for Education and Employment (1) how he proposes to consult the further education sector on matters connected with performance-related pay; [132534]

(2) if the criteria for performance-related pay for further education lecturers are intended to be identical for those teaching in state schools; and what steps he will take to secure this alignment or broad equivalence; [132535]

(3) how, in the absence of a statutory payment framework, he will secure performance-related payment to further education lecturers; [132536]

(4) which organisation will consider the pay and remuneration of further education lecturers including any matters related to their performance. [132537]

Mr. Wicks: A first meeting of representative bodies of employers, unions and officials in this Department has been arranged for Friday 28 July to discuss and take forward this initiative. The Government do not have a fixed model that it is intending to impose: we are intent on building on, and working within, existing national arrangements.

School Buildings and Facilities

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what provisions there are in PFI contracts for schools and LEAs on the control of and charging for out of school hours use of school buildings and facilities by the contractors in relation to *(a)* IT facilities, *(b)* sports facilities, *(c)* music facilities and *(d)* use of meeting rooms. [132742]

Jacqui Smith: The Department is not directly responsible for the procurement of schools PFI contracts, and therefore does not hold comprehensive information about the use of school facilities out of school hours. Provisions for any third party use are a matter for negotiation between the school, local education authority and the contractor and, as such, vary from contract to contract. Within schools PFI contracts, however, it is open to the local education authority and the schools concerned to permit their private sector partner to charge for the use of the facilities by others when they are not being used by the schools. There is no requirement, or expectation, that a school must make its facilities available to the wider community on a commercial basis, but allowing such use may encourage lifelong learning, help to reduce vandalism, and have the added benefit of reducing the cost of the scheme overall.

NORTHERN IRELAND

Sentences

Mr. McNamara: To ask the Secretary of State for Northern Ireland what representations he has received in respect of the sentences imposed on Darren James Neil, Michael Magowan, Andrew Timothy Lea and Matthew Shane Butcher. [124459]

Mr. Ingram: None.

Parliamentary Questions

Mr. Maclennan: To ask the Secretary of State for Northern Ireland how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April 2000 have not received substantive answers, citing as the reason that the information is *(a)* not held centrally, *(b)* not held in the form requested and *(c)* not available. [127435]

Mr. Mandelson: The information for the period requested is as follows:

(a) 0; one partial answer

(b) 0; 13 partial answers

(c) 2; 11 partial answers.

Mr. Stunell: To ask the Secretary of State for Northern Ireland how many written parliamentary questions were tabled to his Department between 19 October 1999 and 20 April; and how many have not received substantive answers, with disproportionate cost cited as the reason. [131222]

Mr. Mandelson: Of the 564 written parliamentary questions tabled between this period, 10 did not receive a substantive answer with disproportionate costs cited as the reason, and a further 12 received only a partial reply.

Plastic Baton Rounds

Mr. McNamara: To ask the Secretary of State for Northern Ireland what changes have been made to guidance concerning the deployment and use of plastic baton rounds since publication of the Patten report. [130995]

Mr. Ingram: No changes have been made since the publication of the Patten Report. New guidelines were produced by the Association of Chief Police Officers and were announced by the Home Secretary in a written answer to my hon. Friend the Member for Pendle (Mr. Prentice) on 27 July 1999, *Official Report*, columns 246–47W.

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many plastic baton rounds have been fired since publication of the Patten report; what the circumstances were of each use; and what reports by the Chief Constable were sent to *(a)* the Police Ombudsman and *(b)* the Police Authority. [130993]

Mr. Ingram: During the period 9 September 1999 to 17 July 2000, 33 plastic baton rounds were fired by the Royal Ulster Constabulary and one by the army. In each instance the Royal Ulster Constabulary came under attack by crowds throwing petrol bombs and other missiles including blast bombs. One complaint was received from a member of the public and this has been forwarded to the Independent Commission for Police Complaints. No reports have been sent to the Police Authority for Northern Ireland. On each occasion ACPO guidelines were followed.

Water Cannon (Portadown)

Mr. McNamara: To ask the Secretary of State for Northern Ireland what evaluation the Chief Constable has made of the use of water cannon in Portadown. [130994]

Mr. Ingram: Water cannon were used on three occasions in Portadown and provided an effective resource in creating distance between police and military lines and those threatening and using violence. The ability to deliver water in differing modes and at a varying pressure enabled a flexible and graduated response to the violence. While it was considered to be effective, it was one of a range of tactics and equipment used to counter serious violence.

Human Rights Commission

Mr. Barnes: To ask the Secretary of State for Northern Ireland when the Northern Ireland Human Rights Commission's Annual report will be published. [133031]

Mr. Mandelson: I am pleased to announce that the Northern Ireland Human Rights Commission's First Annual Report, covering the period up to the end of March 2000, has been laid before Parliament today. Copies are available in the Library.

Departmental Staff

Mr. Burstow: To ask the Secretary of State for Northern Ireland how many unfilled vacancies for permanent staff his Department has; what percentage of staff positions in his Department are vacant; what the monthly cost would be to his Department of employing civil servants in these positions; how many and what percentage of staff his Department employs on a temporary basis through employment agencies; how much his Department paid employment agencies to supply temporary staff in each of the last 12 months; and how much he expects to pay employment agencies to supply temporary staff in each of the next 12 months. [131429]

Mr. Mandelson: The NIO currently has:

(a) 34 unfilled vacancies for permanent staff;

(b) 2 per cent. of staff positions are vacant;

(c) the monthly cost of employing civil servants in these positions would be £59,000;

(d) five staff are employed on a temporary basis through employment agencies;

(e) 0.3 per cent. of staff are employed on a temporary basis through employment agencies;

(f) the amount paid to employment agencies to supply temporary staff in each of the last 12 months was:

	£000
July 1999	6.3
August 1999	7.1
September 1999	2.4
October 1999	5.0
November 1999	6.9
December 1999	4.9
January 2000	5.5
February 2000	8.5
March 2000	8.1

	£000
April 2000	2.6
May 2000	8.6
June 2000	5.7

(g) it is impossible to anticipate future months spend due to fluctuating requirements but is unlikely to be in excess of last year's figure.

Robert Hamill

Mr. Corbyn: To ask the Secretary of State for Northern Ireland when he expects to decide on holding a public inquiry under section 44 of the Police (Northern Ireland) Act 1998 into the circumstances surrounding the death of Robert Hamill. [132538]

Mr. Ingram: I would refer my hon. Friend to the oral answer my right hon. Friend the Secretary of State gave him on 19 July 2000, *Official Report*, column 358.

Public Processions

Mr. Thompson: To ask the Secretary of State for Northern Ireland (1) what consultations he has had with the Parades Commission about bringing into force parts of the Human Rights Act 1998 before 2 October for the purposes of the Public Processions (Northern Ireland) Act 1998; and what advice he received; [132579]

(2) what consultations he has had with the Human Rights Commission about bringing into force parts of the Human Rights Act 1998 before 2 October for the purposes of the Public Processions (Northern Ireland) Act 1998; and what advice he has received on this matter. [132432]

Mr. Ingram: The Government consulted widely with a number of individuals and organisations, including the Parades Commission and the Human Rights Commission, on this issue. It is not our practice to publish individual views unless the organisation concerned does so. In the consultation process, there was a wide range of views on the early incorporation, but a unanimous view that incorporation in October would have a positive effect.

Mr. Thompson: To ask the Secretary of State for Northern Ireland what consultations he has had with the Royal Ulster Constabulary about bringing into force parts of the Human Rights Act 1998 before 2 October for the purposes of the Public Processions (Northern Ireland) Act 1998; and what advice he received. [132580]

Mr. Ingram: Although this issue was discussed with the police, it was determined that whatever decision was made, it would not have any implications on their current position on the policing of parades.

Mr. Thompson: To ask the Secretary of State for Northern Ireland what plans he has to bring parts of the Human Rights Act 1998 into force before 2 October for the purposes of the Public Processions (Northern Ireland) Act 1998. [132433]

Mr. Ingram: During consultation, the Government received mixed views on the issue of early incorporation of the Human Rights Act. The Act will, however, come into force in October as planned.

WALES

Advisory Bodies

Tony Wright: To ask the Secretary of State for Wales if he will list all the *(a)* task forces, *(b)* action teams, *(c)* policy reviews and *(d)* other temporary advisory bodies with external members currently in existence within his Department; and on what date each body (i) was set up and (ii) is expected to terminate. [131444]

Mr. Paul Murphy: None.

Spending Review

Mr. Barry Jones: To ask the Secretary of State for Wales what discussions he has had with the First Secretary concerning the extra cash totals under the Comprehensive Spending Review for the *(a)* NHS, *(b)* education and *(c)* transport; and if he will make a statement. [132382]

Mr. Paul Murphy: I have discussed the spending review with the First Secretary on a number of occasions, and he welcomes the outcome as much as I do.

The increase for Wales resulting from extra spending in England announced in the spending review is:

£ million

	2001–02	2002–03	2003–04
Health	163	458	728
Education[1]	78	183	290
Transport	40	94	163

[1] Excluding Welsh increases as a result of increases in education funding for local government in England

The Assembly has the freedom to make its own spending decisions about the use of these extra resources in response to Welsh priorities, and this settlement will make a huge difference to the services it provides.

Lords Lieutenant

Mr. Baker: To ask the Secretary of State for Wales how many of Wales's Lords Lieutenant are *(a)* women and *(b)* members of an ethnic minority. [132142]

Mr. Paul Murphy *[holding answer 24 July 2000]:* There is one female Lord Lieutenant in Wales, the Lord Lieutenant of Powys, the hon. Mrs. Elizabeth Shan Legge-Bourke. There are not currently any Welsh Lord Lieutenants who are members of an ethnic minority.

Departmental Staff

Mr. Burstow: To ask the Secretary of State for Wales how many unfilled vacancies for permanent staff his Department has; what percentage of staff positions in his Department are vacant; what the monthly cost would be to his Department of employing civil servants in these positions; how many and what percentage of staff his Department employs on a temporary basis through employment agencies; how much his Department paid employment agencies to supply temporary staff in each of the last 12 months; and how much he expects to pay employment agencies to supply temporary staff in each of the next 12 months. [131425]

Mr. Paul Murphy: The Wales Office has seven unfilled vacancies for permanent staff, which represents 15 per cent. of staff positions. Costs for employing civil servants into these positions can only be provided yearly, the salary scales for these positions are:

Band A—Minimum £11,096, Maximum £14,850—1 vacancy

Band B—Minimum £12,272, Maximum £17,609—2 vacancies

Band C—Minimum £15,237, Maximum £22,736—2 vacancies

Band D—Minimum £19,297, Maximum £28,942—2 vacancies.

Four staff are employed on a temporary basis through employment agencies, which is 9.4 per cent. of the current staff complement.

The table shows the amount the Wales Office has paid to employment agencies to supply temporary staff in each of the last 12 months.

The Wales Office budget for 2000–01 for casual staff is £70,000. It is not possible to predict how much expenditure will be incurred to employ temporary staff in each of the next 12 months, because this will depend on whether vacancies can be filled with permanent staff, but expenditure will be within budget.

Payments made by the Wales Office in each of the last 12 months to employment agencies

Month	£
1999	
July	2,964.09
August	4,666.96
September	2,668.43
October	8,031.35
November	7,426.53
December	7,850.53
2000	
January	9,692.70
February	9,640.07
March	12,121.65
April	8,494.44
May	9,016.50
June	10,062.04
Total	92,635.29

New Deal

Mr. Evans: To ask the Secretary of State for Wales how many people who have participated in the New Deal in Wales had previously been unemployed for six months or more in *(a)* 1997, *(b)* 1998 and *(c)* 1999. [130986]

Mr. Paul Murphy *[holding answer 17 July 2000]:* This information could be provided only at disproportionate cost.

Ombudsmen

Mr. Caton: To ask the Secretary of State for Wales what discussions he has held with the First Secretary in the National Assembly for Wales about the implications for Wales of the implementation of recommendations in the Cabinet Office report on the Review of the Organisation of Public Sector Ombudsmen in England. [123522]

Mr. Paul Murphy: Although I meet regularly with the First Secretary to discuss a range of issues affecting Wales, we have not had discussions specifically about the implications for Wales of the Cabinet Office's report. The report proposes the creation of a single Ombudsman service for England by amalgamating the Parliamentary, Local Government and Health Service Ombudsmen. It will be for the National Assembly for Wales to consider the report's recommendations and to determine whether it would wish to follow the report's recommendations in relation to the Ombudsman service in Wales.

Mr. Caton: To ask the Secretary of State for Wales what assessment he has made of the implications for Wales of the implementation of the recommendations in the Cabinet Office report on the Review of the Organisation of Public Sector Ombudsmen in England. [123521]

Mr. Paul Murphy: This report proposes the creation of a single Ombudsman service for England by amalgamating the Parliamentary, Local Government and Health Service Ombudsmen, and does not affect Wales directly. It is for the National Assembly for Wales to consider the report's recommendations and to determine whether it would wish to follow the report's recommendations in relation to the Ombudsman service in Wales.

TREASURY

Non-Aggregate Minerals

Mr. David Heath: To ask the Chancellor of the Exchequer for what reason he is not proposing to introduce a tax on the extraction of non-aggregate minerals. [131917]

Mr. Timms: As aggregates are the largest tonnage of onshore minerals extracted, they generate the largest environmental impact, costed at around £380 million per annum in research conducted for DETR in 1997–99. The aggregates levy will send a permanent price signal about this damage, and provide an incentive for the construction industry to reduce waste and make more use of recycled material as substitutes. The scope of the levy was determined following extensive consultation with interested paries, which suggested that certain non-aggregate minerals should not be taxed. These minerals are not open to the same degree of substitution as aggregates. In some cases they are constituents of products subject to significant international competition, so the application of the levy to these materials would raise difficulties over the international competiveness of UK producers.

Correspondence

Mr. Winnick: To ask the Chancellor of the Exchequer when the hon. Member for Walsall, North will receive a reply to his letter of 23 May concerning lock purchasing. [132448]

Mr. Timms: There is no record of the correspondence being received. My hon. Friend would like to forward a copy, it will be dealt with as a matter of urgency.

Tax Law Rewrite

Mrs. Lawrence: To ask the Chancellor of the Exchequer if there have been further developments on the Tax Law Rewrite project. [133029]

Dawn Primarolo: I am pleased to tell the House that the Tax Law Rewrite project will soon reach a major milestone. Next week, the Inland Revenue will publish the project's first draft Bill, on capital allowances, for a final round of consultation. The Bill will be ready for introduction in Parliament by the end of the year. Earlier versions of this rewritten legislation have been extensively revised in the light of comments and suggestions from tax professionals and other interested parties. This continuous dialogue between the project team and business interests, tax practitioners, the legal profession and Inland Revenue specialist is a key feature contributing to the success of the project.

Aggregates Tax

Mr. Rogers: To ask the Chancellor of the Exchequer what factors were taken into account in considering the relative value to the environment of the introduction of the proposed aggregates tax and the rejection of the Quarry Products Association's New Deal package of voluntary measures. [132264]

Mr. Timms: The Government held discussions with the Quarry Products Association regarding its proposed package of voluntary measures for a number of months, but at the time of the Budget, no viable package was on offer. In particular, the QPA attached conditions relating to Government procurement which were considered to be inconsistent with EU procurement law and would have had potential negative implications for competition within the industry.

The levy will achieve environmental benefits by making the price of aggregates reflect the environmental costs of quarrying and by encouraging the use of recycled aggregates.

Spending Review

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his statement of 18 July 2000, *Official Report*, columns 219–44, on the Spending Review, and the document entitled "Prudent for a Purpose", Cm 4807, page 32, how he defines productivity for the purpose of his target of raising productivity; if his measure of gross domestic product per capita will incorporate regional price information; and if he will make a statement. [132248]

Mr. Timms: There are two measures of productivity for the purposes of the target concerned. One is output per worker, the other is output per hours worked. The source for both of these is the Organisation for Economic Co-operation and Development (OECD).

Gross Domestic Product (GDP) per capita for the UK expressed in real terms is estimated using price information which is collected from a wide range of consumer outlets and businesses, chosen to ensure that prices from all parts of the UK are represented.

Monetary Policy Committee

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 17 July 2000, *Official Report*, columns 98–99W, what representations he has received this year concerning new appointments to the Monetary Policy Committee; if he will publish the terms of reference that are used to draw up shortlists for appointments to the Monetary Policy Committee; and if he will make a statement. [131951]

Miss Melanie Johnson: The criteria for the appointment of external members of the MPC are set out in section 13(4) of the Bank of England Act 1998.

Stock Exchanges (Stamp Duty)

Mr. David Heath: To ask the Chancellor of the Exchequer if he will list the level of stamp duty payable on transactions at the stock exchanges in *(a)* London, *(b)* New York, *(c)* Frankfurt, *(d)* Amsterdam, *(e)* Zurich, *(f)* Milan, *(g)* Madrid and *(h)* Paris. [131918]

Miss Melanie Johnson: Transfers of shares in UK-registered companies are subject to UK stamp duty or stamp duty reserve tax (SDRT) wherever they are traded. Shares in non-UK companies may be traded in the UK without incurring UK stamp duties. The rate of stamp duty/SDRT on transfers of UK shares is 0.5 per cent.

The information on the taxes imposed by other jurisdictions is available from:

The Inventory of EU Taxes (16th Edition)

Taxation of Individuals in Europe (International Bureau of Fiscal Documentation)

The United States State Tax Handbook.

HIPC

Dr. Tonge: To ask the Chancellor of the Exchequer what proportion of the UK's unilateral debt cancellation initiative has been paid by *(a)* the Treasury and *(b)* Department for International Development. [132289]

Miss Melanie Johnson: As the Department responsible for public spending in support of development, of which HIPC debt relief is a major element, the funding for debt relief is provided by the Department for International Development. Additional resources have been included in the Department for International Development's budget for the costs of debt relief.

Dr. Tonge: To ask the Chancellor of the Exchequer what proportion of the UK's contribution to the Heavily Indebted Poor Countries Trust Fund is *(a)* from the Treasury budget and *(b)* from the Department for International Development budget. [132290]

Miss Melanie Johnson: The UK has pledged over $350 million to the HIPC Trust Fund. As the Department responsible for public spending in support of development, of which HIPC debt relief is a major element, the funding for debt relief is provided by the Department for International Development.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Roads

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions how much was allocated for road infrastructure in England and Wales in

(a) each year from 1993–94 to 2000–01 and *(b)* such future years for which information is available; and what proportion of that spending will be for funding PFI in each year. [130980]

Mr. Hill *[holding answer 17 July 2000]:* The table shows the figures for England between 1993–94 and 2003–04. Funding for road infrastructure in Wales is the responsibility of the National Assembly.

Spending on road infrastructure in England from 1993–94 to 2003–04

£ million

	National roads	*PFI content*	*Local roads*	*PFI content*	*London roads*	*Total*	*PFI content*	*Percentage PFI*
1993–94	2,062	—	2,139	—	[1]—	4,201	—	—
1994–95	2,038	—	2,485	—	[1]—	4,523	—	—
1995–96	1,760	—	2,468	—	[1]—	4,228	—	—
1996–97	1,573	—	2,372	—	[1]—	3,945	—	—
1997–98	1,483	—	2,342	—	[1]—	3,825	—	—
1998–99	1,355	—	2,313	—	[1]—	3,668	—	—
1999–2000	1,396	—	2,206	—	[1]—	3,602	—	—
2000–01	1,396	—	2,420	—	[1]—	3,816	—	—
2001–02	1,632	206	2,386	59	495	4,512	265	6
2002–03	1,803	220	2,504	103	633	4,940	323	7
2003–04	1,925	239	2,672	153	707	5,304	392	7

[1] n/a

Notes:

1. Figures include new construction, improvements and maintenance.
2. Before 2001–02, London figures are included in national or local roads as appropriate.
3. The London provision is notional. Actual expenditure is at the discretion of the Mayor.

Mersey Partnership

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions (1) what studies he has *(a)* undertaken and *(b)* evaluated on the sustainability of funding to the Mersey Partnership from the public sector; [131727]

(2) what value for money assessment he has made of the public sector contributions to the Mersey Partnership. [131729]

Ms Beverley Hughes: There have been no individual studies undertaken to look at the value for money and sustainability of funding to the Mersey Partnership from the public sector. For each Objective 1 bid a full appraisal has been undertaken which include assessments of value for money and the level of public sector contributions. Also, the Mersey Partnership's performance has been monitored primarily on a quarterly basis as Objective 1 claims are submitted; and a separate but connected process has been established for monitoring the use of the Merseyside Development Corporation's residual funding. In addition, the Regional Director of Government Office for the North West has been a member of the Mersey Partnership Board which is provided with quarterly progress reports.

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the effect of the expenditure of public funds by the Mersey Partnership in each of the last five years. [131726]

Ms Beverley Hughes: Government Office for the north west undertakes an assessment of progress against agreed outputs for the Mersey Partnership's Objective 1 funded activities each quarter. The latest claim was received at the beginning of June and the Mersey Partnership appear to be on course to meet all the outputs by 31 December 2000, and indeed have already surpassed some of the outputs signed up-to.

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions (1) what the sources were of public sector contributions to the Mersey Partnership in each of the last five years; [131724]

(2) what assessment he has made of the division between public and private sector in membership contributions to the Mersey Partnership in each of the last five years. [131728]

Ms Beverley Hughes: Funding for the Mersey Partnership over the past five years has been as follows:

Year	*Objective 1*	*Merseyside development corporation contribution fund*	*Membership contributions*	*Private sector contributions*	*Totals*
1995–96	609	—	415	359	1,383
1996–97	543	—	415	388	1,346
1997–98	605	—	412	472	1,489
1998–99	869	689	406	924	2,888
1999–2000	783	[1]781	382	778	2,724
Total	3,409	1,470	2,030	2,921	9,830

[1] Residual value of fund £155,000

Notes:

1. Includes all private sector income.
2. Includes other private sector income e.g. sponsorship.
3. From 1998–99 includes all private sector income from Tourism company (including "commercial" revenues generated).
4. 1998–2000 is 15 month year for TMP and 12 month year for Tourism.
5. Membership contributions included local authorities, Merseyside TEC, English Partnership and represent voluntary contributions as part of the partnership agreement.

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has for future public sector funding for the Mersey Partnership. [131725]

Ms Beverley Hughes: There are no specific plans as yet, but it is anticipated that the Mersey Partnership will be making an application to the new Objective 1 programme. However, any bid will be subject to the usual rigorous appraisal that takes account of value for money and the level of public sector support. Membership subscriptions received from public sector agencies are a matter for those organisations and they have to decide whether they are receiving value for money, although I understand most subscriptions are now underpinned by service level agreements.

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on spending under the principal expenditure headings using public funds by the Mersey Partnership in each of the last five years. [131730]

Ms Beverley Hughes: Expenditure by the Mersey Partnership over the past five years has been as follows:

£000

	1999–2000	*1998–99*	*1997*	*1996*	*1995*
Administration	377	302	236	284	208
Corporate Communications	613	589	—	49	367
Investor Services	342	319	495	329	—
Partnership Development	162	25	126	78	76
Research and Intelligence	105	144	—	—	—
Image Promotion/Public	—	132	657	559	948
Added Value Programmes	369	129	—	—	—
Tourism	681	538	—	—	—
Total	2,649	2,178	1,514	1,299	1,599

Operational ratios (Expressed as a percentage of total expenditure)	
Administrative overhead	15.2%
Full unallocated establishment cost	34.6%
Cost per job created (excluding tourism expenditure)	£1,172

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the resignation of the Chief Executive of the Mersey Partnership. [132088]

Ms Beverley Hughes: The resignation of the Chief Executive is a matter for him and the board of the Mersey Partnership. I understand the Chief Executive announced his intention to step down from the post at the end of July, and the board will appoint an interim manager until a new Chief Executive has been appointed.

Aviation

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what the remit and role are of the sectoral teams in the new Joint Aviation Requirement-Flight Crew Licensing Committee procedures proposed at the JAR-FCL Committee meeting of 8 to 11 May; and how the new procedures will improve the accountability of the JAR-FCL Committee and its Examination Sub-Committee to the Governments of the member states of the Joint Aviation Authorities. [132003]

Mr. Mullin: Under a reorganisation at the Joint Aviation Authorities its specialist committees will be replaced by sectorial teams. The exact remit and role of these teams are still being developed within the JAA. The actions of the JAA are generally accountable to the Governments of the JAA member states through the JAA board.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions for what reasons the provisions of Paragraph 10.2.1.1. of Section 5, Chapter 10 of the document, JAA administrative and guidance material, referring to harmonised conduct of the JAA ATPL theoretical knowledge examinations throughout Joint Aviation Authorities member states, have not been enforced. [132002]

Mr. Mullin: Paragraph 10.2.1.1 of Section 5, Chapter 10 of the JAA administrative and guidance material states an intention to harmonise the procedures for the conduct of JAA theoretical knowledge examinations. I can assure you that the UK applies the harmonised procedures.

The national aviation authorities in all JAA member states will be subject to a standardisation visit to ensure that the state complies with the agreed procedures. If these visits reveal that the state does not comply with the harmonised procedures, its licence holders will not benefit from the mutual recognition provisions of JAR-FCL.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if it is the Government's policy to ensure, through the Civil Aviation Authority, that the Joint Aviation Authorities introduce regulations that permit the harmonisation of JAA ATPL theoretical knowledge examination procedures in all member states of the JAA. [132000]

Mr. Mullin: Requirements for the harmonisation of theoretical knowledge examination procedures are already contained in the Joint Aviation Requirements—Flight Crew Licensing. The national aviation authorities in all JAA member states will be subject to a standardisation visit to ensure that the state complies with the agreed procedures. If these visits reveal that the state does not comply with the harmonised procedures, its licence holders will not benefit from the mutual recognition provisions of JAR-FCL.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions where responsibility lies in the Joint Aviation Authorities or Civil Aviation Authority for ensuring that the JAA ATPL

examination guidelines published at Attachment 2 to Paragraph 10 of Chapter 10, Section 5 of JAA Administrative and Guidance Material are followed. [132001]

Mr. Mullin: Attachment 2 to Paragraph 10 of Chapter 10, Section 5 of JAA Administrative and Guidance Material refers to the construction of individual theoretical knowledge examination questions. The responsibility for ensuring that these questions comply with the guidelines rests with the Joint Aviation Authorities' Flight Crew Licensing Committee through its Sub-Committee for Examinations and with the individual member states' subject expert teams.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions for what reasons the Joint Aviation Requirement-Flight Crew Licensing Committee is not minded to accept the proposals of the European Association of Airline Pilot Schools to review the central question bank and the learning objectives of the JAA ATPL theoretical knowledge examinations. [132004]

Mr. Mullin: I understand that this proposal was rejected because review by the European Association of Airline Pilot Schools would infringe the confidentiality of the central question bank. The Association has two representatives on the committee and should be fully aware of the reasons for the rejection of these proposals.

Child Safety

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions what funds have been allocated to Shrewsbury and Atcham borough council for *(a)* child safety and *(b)* safe routes to school, for each year since 1997. [131708]

Mr. Hill: Between 1996–97 and 1999–2000, Shropshire county council was allocated funding through the Transport Policies and Programme (TPP) system towards local safety schemes, integrated transport packages and minor works. Any funding for child safety schemes and safe routes to school would have been made from the local safety scheme element of these allocations. The table gives details of the total TPP allocations to Shropshire from 1996–97 to 1999–2000.

£ million

Year	*Total TPP allocation*
1996–97	4.328
1997–98	4.207
1998–99	3.364
1999–2000	4.348

From 2000–01 onwards, under the new Local Transport Plan system, authorities receive an integrated capital block allocation for all local transport and maintenance purposes—except schemes costing more than £5 million, which are funded separately. For 2000–01, Shropshire has been allocated £6.093 million for these purposes.

Housing Renovation

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions what funds have been allocated to Shrewsbury and Atcham borough council to reduce the backlog of housing renovation work for each year since 1997. [131707]

Mr. Mullin: The table shows the resources allocated to Shrewsbury and Atcham by central government to help finance their overall programme for housing investment. The decision about the share of this programme to be devoted to tackling backlog repairs in the council housing stock is a matter for the local authority.

£000

1997–98	1,429
1998–99	1,699
1999–2000	1,664
2000–01	2,581

The figures cover the main Housing Investment Programme (HIP) allocations and the resources allocated through the Capital Receipts Initiative (1997–98 to 1999–2000 only). The 2000–01 allocation includes resources for support for private sector renewal grants which was previously provided in a separate ring-fenced allocation.

Cyclists

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the damage to the environment caused by cyclists in *(a)* rural areas and *(b)* areas of outstanding natural beauty. [132065]

Mr. Mullin: My Department has made no such estimate. Together with Government agencies and non-governmental organisations, we seek to encourage responsible behaviour in the countryside by all users to ensure that damage is kept to a minimum.

Partnership Investment Programme

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of the abolition of the Partnership Investment Programme on the Government's 60 per cent. target for development on brownfield sites. [132571]

Ms Beverley Hughes: The necessary closure of the PIP scheme, following a European Commission decision, is not helpful to us in achieving the 60 per cent. target. However, this funding mechanism was only one method of achieving a target to which a number of programmes and policies contribute. We are determined to achieve that target. As announced in the Spending Review last week, we are making additional substantial resources available to the RDA's programmes, including £60 million this year and £150 million next year for physical regeneration.

Recycling and Composting

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the Government's recycling and composting targets for each of the next five years. [132569]

Mr. Mullin: The Government have set the following targets for recycling and composting of household waste:

to recycle or compost 17 per cent. of household waste in the financial year 2003–04

to recycle or compost 25 per cent. of household waste in the financial year 2005–06.

There are no specific targets for the recycling and composting of industrial and commercial waste. However the Government have set a target of, by 2005, reducing the amount of commercial and industrial waste landfilled to 85 per cent. of that landfilled in 1998.

Aircraft Noise

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what recent representations his Department has received about early morning air flights over the London Borough of Wandsworth. [132630]

Mr. Mullin: Over past three months one letter has been received from a resident of SW11(Battersea).

Beach Pollution (Southport)

Mr. Fearn: To ask the Secretary of State for the Environment, Transport and the Regions what *(a)* levels and *(b)* types of beach pollution were measured in Southport in each year since 1994. [132490]

Mr. Mullin: The bathing water at Southport passed the mandatory coliform standards of the Bathing Water Directive in 1994, 1996 and 1998 but failed in 1995, 1997 and 1999. I refer the hon. Member to my Department's annual publications "Bathing Water Directive, Detailed Summary of Survey Results, United Kingdom", available in the Library, for information on levels and types of beach pollution for each year in question. Details are also available on the Environment Agency's internet site: "www.environment-agency.gov.uk", and then follow "What's in your backyard".

Housing Investment Programme

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions which local authorities have scored better than average rating for their Housing Investment Programme assessment, [132511]

Mr. Mullin: Details of the performance assessment rating given to each housing authority in the 1999 Housing Investment Programme were included in the press notice (DETR 1160/99) issued on 7 December 1999, which announced housing capital allocations for 2000–01.

Water Additives

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what chemical compounds are added to water supplies by water companies; from what sources these compounds are derived; what is the *(a)* largest, *(b)* smallest and *(c)* average dosage added; what powers are available to him in respect of the addition of such compounds to the water supply; and what recent research his Department has (i) undertaken and (ii) evaluated into the environmental impact of increasing the levels of fluoride in water. [132420]

Mr. Mullin: The Water Supply (Water Quality) Regulations 1989 provide for approval by the Secretary of State of products, substances and processes used in the provision of public water supplies. The Secretary of State is advised on approvals issues by the Committee on Chemicals and Materials for Use in Public Water Supply. That Committee also considers the impact on the environment of residues from approved chemicals. The Secretary of State's list of approved products, which includes all chemicals approved for use in public water supplies, is published annually by the Drinking Water Inspectorate. The list is installed on the inspectorate's website, www.dwi.detr.gov.uk, and includes as a public health protection measure, conditions of approval that limit the maximum dosing concentrations.

Coastal Byelaws

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to take forward the recommendations of the Review of Byelaws for the Coast published in 1998. [132645]

Mr. Mullin: We shall implement the review's recommendations, which require legislation when parliamentary and other pressures permit. We have already published a voluntary code of best and safe practice for leisure craft users, and we are exploring options for a voluntary boat registration and identification scheme.

Departmental Staff

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions how many unfilled vacancies for permanent staff his Department has; what percentage of staff positions in his Department are vacant; what the monthly cost would be to his Department of employing civil servants in these positions; how many and what percentage of staff his Department employs on a temporary basis through employment agencies; how much his Department paid employment agencies to supply temporary staff in each of the last 12 months; and how much he expects to pay employment agencies to supply temporary staff in each of the next 12 months. [131435]

Ms Beverley Hughes: The number of permanent, casual and temporary staff employed by the Department of the Environment, Transport and the Regions (Centre), and cost associated with employing temporary staff, are set out in the tables. The Department does not have a target number of posts to be filled by permanent staff. Budgets for staff fall within the Department's running cost limits. Vacant posts are filled by permanent or casual staff, or by temporary staff, depending on the nature and duration of work.

Number of staff in DETR(C)

	Permanent	*Casual*	*Temporary*	*Total*
July 1999				
Number	3,844	50	195	4,089
Percentage	94.0	1.2	4.8	
August 1999				
Number	3,730	57	173	3,960
Percentage	94.2	1.4	4.4	
September 1999				
Number	3,773	61	164	3,998
Percentage	94.4	1.5	4.1	
October 1999				
Number	3,789	40.0	185	4,014
Percentage	94.0	1.0	4.6	
November 1999				
Number	3,820	39	162	4,021
Percentage	95.0	1.0	4.0	
December 1999				
Number	3,836	44	130	4,010
Percentage	95.7	1.1	3.2	

Number of staff in DETR(C)

	Permanent	*Casual*	*Temporary*	*Total*
January 2000				
Number	3,832	43	145	4,020
Percentage	95.3	1.1	3.6	
February 2000				
Number	3,872	43	171	4,086
Percentage	94.8	1.1	4.2	
March 2000				
Number	3,897	41	192	4,130
Percentage	94.4	1.0	4.6	
April 2000				
Number	3,912	39	148	4,099
Percentage	95.4	1.0	3.6	
May 2000				
Number	3,925	41	116	4,082
Percentage	96.2	1.0	2.8	
June 2000				
Number	3,946	39	157	4,142
Percentage	95.3	0.9	3.8	
April 2001				
Number	3,924	29	41	3,994
Percentage	98	0.7	1.0	

[1] Forecast number of staff in DETR(C) including casual and temporary staff—monthly forecast data are not available

	Staff costs	
	Temporary	*Permanent*
July 1999		
Number	195	195
Costs (£000)	292	252
August 1999		
Number	173	173
Costs (£000)	290	224
September 1999		
Number	164	164
Costs (£000)	276	212
October 1999		
Number	185	185
Costs (£000)	135	240
November 1999		
Number	162	162
Costs (£000)	294	210
December 1999		
Number	130	130
Costs (£000)	189	168
January 2000		
Number	145	145
Costs (£000)	212	188
February 2000		
Number	171	171
Costs (£000)	238	221
March 2000		
Number	192	192
Costs (£000)	290	249
April 2000		
Number	148	148
Costs (£000)	221	192
May 2000		
Number	116	116
Costs (£000)	172	150
June 2000		
Number	157	157
Costs (£000)	235	203
April 2001		
Number	41	41
Costs (£000)	725	637

Definitions:
Permanent = established civil servants
Casual = employed by the Department on a short-term basis, not exceeding one year
Temporary = employed on a temporary basis through employment agencies
Notes:
1. All staff numbers have been calculated on a full-time equivalent basis
2. DETR(C) staff numbers do not include Government Office, Agency and NDPB's therefore comparisons cannot be made with Cabinet/Treasury reports
3. Figures for temporary staff have been based on the total number of hours invoiced (based on 36 hour week)
4. Average cost for permanent staff to replace temporary staff are compared with Pay £15,538 per annum
5. Statistics for temporary staff may not be complete—local arrangements are in place—clarification of details could be obtained only at disproportionate cost
6. Monetary values are in £000.

Connex South Central

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 17 July 2000, *Official Report*, column 54W, on Connex South Central, what plans he has to introduce requirements for train operators to provide for a well planned and smooth changeover period between franchises in future franchise contracts. [132291]

Mr. Hill: The Franchising Director has produced a revised template franchise agreement for replacement franchises. This contains improved provisions for smooth transfer at the end of the franchises.

Radiological Protection

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions when the Government plan to implement the justification requirements of Euratom Directive 96/29 on radiological protection; and if he will make a statement. [130875]

Mr. Meacher: The Government are still considering the best means of implementing these requirements in the light of advice received from the Health and Safety Commission.

A63

Mr. David Davis: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the progress of and prospects for the proposed new junction on the A63 at Melton. [132652]

Mr. Hill: I have asked the Chief Executive of the Highways Agency, Mr. Peter Nutt, to write to the right hon. Member.

Letter from Peter Nutt to Mr. David Davis, dated 25 July 2000:

The Secretary of State for the Environment, Transport and the Regions has asked me to reply to your recent Parliamentary Question in which you asked if he "will make a statement on the progress of and prospects for the proposed new junction on the A63 at Melton".

In *A New Deal for Trunk Roads in England*, the Government confirmed its commitment to the scheme by stating that preparatory works would continue so that it could be taken forward without delay, subject to full appraisal and the views of the Regional Planning Bodies. We are currently waiting for the formal views of the Regional Planning Body on this scheme. It has responsibility for

preparing draft regional planning guidance, encompassing a long-term regional transport strategy, consulting on it, before its submission to Ministers for approval.

We are continuing preparation so as to be able to discuss very quickly with local people draft highway and compulsory purchase orders. If made, these orders would give the legal authority to build the scheme. Further progress would be dependent on any objections and associated statutory procedures.

If you wish to discuss any aspect of the above further, please contact Alan Burgess, the Highways Agency's Project Manager for the scheme, on 0113 283 5417.

Building Regulations

Mr. Dawson: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to publish proposals for amendments to Part H of the Building Regulations which deals with drainage and solid waste; and if he will make a statement. [132575]

Ms Beverley Hughes: A consultation paper was issued today setting out proposals for the revision of the Approved Document to Part H of the Building Regulations.

The new document provides guidance on sustainable urban drainage systems in order to satisfy requests for information on sustainable water use, and guidance on solid waste storage to encourage recycling.

As well as addressing a wide range of technical issues, the review of Part H has included the examination of the enabling legislation which sets out how the Building Regulations related to drainage and solid waste should be applied. This should enable all those involved with the provision of drainage for buildings to make better informed decisions on the system of drainage to be used.

Rural and Urban White Papers

Mr. Andrew George: To ask the Secretary of State for the Environment, Transport and the Regions when he proposes to publish the Rural White Paper. [132157]

Mr. Mullin: The Rural White Paper is being prepared in tandem with a White Paper on urban policy and we intend that both White Papers will be published when the House returns in the autumn.

Mr. Andrew George: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to publish the Urban White Paper. [132156]

Ms Beverley Hughes: The Urban White Paper is being prepared in tandem with a White Paper on rural policy and we intend that both White Papers will be published when the House returns in the autumn.

Fishing Vessels

Mr. Andrew George: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to publish *(a)* a consultation draft and *(b)* a final draft of the proposed safety code for fishing vessels under 12 metres in length. [132155]

Mr. Hill: I will consider shortly the current proposals and the views of the Fishing Industry Safety Group on a new safety regime for under 12 metres fishing vessels. Thereafter we will commence formal consultation in August on proposals to change the existing statutory safety regime, including a draft Code of Practice. Subject to the results of consultation we hope to publish the code by the end of the year.

Mr. Andrew George: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the need for new safety measures for under 12 metre fishing vessels. [132154]

Mr. Hill: Earlier this year, I reviewed the work undertaken by the Maritime and Coastguard Agency and the fishing industry to develop a new statutory safety regime for under 12 metre fishing vessels based on a code of safe practice. I also reviewed accident and search and rescue information for this sector. I will shortly consider current proposals, together with the views of the Fishing Industry Safety Group.

Aggregates and Other Minerals

Mr. David Heath: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the environmental impact of the extraction of minerals other than aggregates. [131923]

Ms Beverley Hughes: Part 1 of the London Economics study "The Environmental Costs and Benefits of the Supply of Aggregates", published in 1998, examined how far the estimates of the value of environmental impacts of aggregates could be transferred to the surface extraction of other minerals. It was found that extraction of other surface minerals does not create any specific or additional environmental impacts that were not identified in the case of aggregates. However, the estimates of the value of the costs cannot generally be transferred directly, because the size of the environmental impacts of different types of extractive operations vary, and there may also be specific local factors.

Mr. David Heath: To ask the Secretary of State for the Environment, Transport and the Regions what the constituent elements are of the average environmental cost of £1.80 per tonne associated with the extraction and transport of aggregates quoted in HM Customs & Excise press release Number 5 of 21 March. [131915]

Ms Beverley Hughes: Total environmental cost was estimated as at least £380 million tonnes per annum for 208 million tonnes of land-won primary aggregate. Just over half of the total estimated costs relate to local impacts of quarrying. The remainder relates to the non-local impacts of quarrying in National Parks and AONBs, generated by the application of the national survey results to such areas. It was assumed that quarries outside these areas have an impact only on those who live locally.

Mr. David Heath: To ask the Secretary of State for the Environment, Transport and the Regions what research he has commissioned to identify the environmental cost and benefits of the supply of minerals other than aggregates. [131921]

Ms Beverley Hughes: No research has been commissioned to identify the environmental cost and benefits of the supply of minerals other than aggregates.

Mr. David Heath: To ask the Secretary of State for the Environment, Transport and the Regions what the environmental costs per tonne are for each of the

16 crushed rock and sand and gravel quarries surveyed in the London Economics report into the supply of aggregates. [131916]

Ms Beverley Hughes: The quarries were selected in order to provide a coverage that was representative of all aggregate quarries in Great Britain in terms of source type, scale of output and population density. The methodology used could not generate robust estimates of environmental costs at the level of the individual quarry.

Mr. David Heath: To ask the Secretary of State for the Environment, Transport and the Regions for what reason the report he commissioned from London Economics into the supply of aggregates does not include a valuation of benefits: [131920]

Ms Beverley Hughes: The Government fully recognise the importance of aggregates to the economy. While there is a substantial body of information on the value and uses of aggregates, there had not previously been a valuation of the environmental effects of extraction.

The first phase of the research, published in April 1998, identified that the principal potential environmental benefits of aggregates extraction lie in the restoration of former quarries. Restoration could only be considered an externality—a benefit not reflected in the price of aggregates—if the value of the site was better after restoration than before operations began. It was not possible to identify any such sites in the time available. Most quarries are restored to a level in keeping with the surrounding landscape.

More generally, the survey method used assessed the value that respondents placed on the environmental impacts of quarries. This value therefore reflected the balance of perceived environmental benefits and costs of the quarry remaining open for its permitted lifespan.

Mr. David Heath: To ask the Secretary of State for the Environment, Transport and the Regions if the research he commissioned from London Economics into the supply of aggregates included survey questions designed to value the cost of aggregate supply from areas of outstanding natural beauty. [131922]

Ms Beverley Hughes: The research included a national survey to evaluate the costs of quarrying in areas of special environmental value. To elicit such values, respondents were asked about attitudes to quarrying in the Yorkshire Dales and Peak District National Parks. While attitudes to quarrying in other national parks or areas of outstanding natural beauty were not examined directly, the results of the national survey can be used to inform judgments about the values placed on quarrying in such areas. National planning policies for minerals are identical in the national parks and areas of outstanding natural beauty, reflecting the equivalent value society places on landscape protection in the two types of area.

Crossrail

Mr. Lidington: To ask the Secretary of State for the Environment, Transport and the Regions (1) who will have responsibility and over what timescale for taking forward the proposals on Crossrail contained in his Department's 10 year transport plan; and if he will make a statement; [132516]

(2) if it is his policy that the proposed Crossrail link should connect with the Chiltern Line; and if he will make a statement. [132517]

Mr. Hill: The Government's 10 Year Transport Plan announced last week by the Deputy Prime Minister envisages that an east-west rail link will go ahead. The shadow Strategic Rail Authority is currently undertaking a review of the possible east-west cross-London links and expects to report its findings to Ministers by the end of the year. Crossrail is one option for providing through services which will be considered and funding for preparatory work for an east-west rail link, such as Crossrail, was included in London's settlement under the spending review announced by my right hon. Friend the Chancellor last week. The Mayor will wish to consider Crossrail in the light of his priorities for an integrated transport strategy for London. A number of options exist for the westerly connections to the Crossrail option, including the Chiltern lines.

Chiltern Line

Mr. Lidington: To ask the Secretary of State for the Environment, Transport and the Regions who will be responsible for taking forward the capacity enhancements on the Chiltern line mentioned on page 47 of his Department's 10-year transport plan; what works will be included in these enhancements; over what timescale this will be; at what cost to public funds; and if he will make a statement. [132518]

Mr. Hill: The Chiltern franchise is one which the Franchising Director is currently re-negotiating and a decision surrounding a preferred bidder is expected shortly. When this decision is announced, the shadow Strategic Rail Authority will be in a position to provide capacity enhancement details on the Chiltern lines which have been developed as a part of the bidding process.

Central Railway plc

Mr. Lidington: To ask the Secretary of State for the Environment, Transport and the Regions what his policy is towards Central Railway plc in the context of his Department's 10-year transport plan. [132519]

Mr. Hill: The Government cannot comment on the proposals that are being developed by Central Railway plc, as I understand they may in due course be the subject of a Transport and Works Act application.

Seat Belts

Mrs. Ray Michie: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 2 May 2000, *Official Report*, columns 3–4W, on seat belts, what plans he has to publish the results of the public consultation exercise, being conducted by his Department, on draft regulations to require seat belts to be fitted to minibuses, coaches and buses which do not carry standing passengers. [132393]

Mr. Hill: Copies of the responses to the consultation exercise have been placed in the library of the Department of the Environment, Transport and the Regions where they can be viewed by appointment. A list of respondents has also been placed in the House Library. We plan to

write to all the respondents when the regulations are published, explaining changes made following the consultation.

Mrs. Ray Michie: To ask the Secretary of State for the Environment, Transport and the Regions what recent representations he has received about the provision of seat belts in buses carrying more than 16 passengers seats but incapable of exceeding 60 mph when they are used for school trips. [132392]

Mr. Hill: We have received 13 letters since the beginning of the year expressing concern about children being carried on buses without seat belts.

Mrs. Ray Michie: To ask the Secretary of State for the Environment, Transport and the Regions what grants are available in the UK to enable coach operators to fit seat belts in minibuses, coaches and buses used in transporting children to and from school and if he will make a statement. [132394]

Mr. Hill: We are not aware of any grants available specifically for this purpose. The majority of existing minibuses and coaches will already be equipped with seat belts, and we estimate that over 95 per cent. of new minibuses and coaches are now fitted with seat belts at the time of manufacture.

GMOs

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions what end use or uses are planned for the 250 hectares of GM herbicide-tolerant maize being produced annually in UK field trials. [132647]

Mr. Meacher: The Government's agreement with the industry body SCIMAC, which was announced on 5 November 1999, sets out what will happen to the Farm Scale Evaluations produce.

The GM maize does not currently have all the necessary approvals to enter the UK food or feed chain. Therefore, the GM maize (and the all of the other GM crops) being grown in this year's farm scale evaluations programme will be destroyed.

Should the GM maize receive full clearance for food or feed safety during the farm scale evaluations period, the resulting produce will be utilised within identity-preserved channels which will ensure that consumer choice can at all times be respected.

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the recent deliberations of the informal gathering of Environmental Ministers on GMOs in Paris. [132648]

Mr. Meacher: I represented the United Kingdom at an informal meeting of EU Environment Ministers in Paris between 14 and 16 July. On 14 July, the Presidency facilitated a discussion on genetically modified organisms (GMOs) whose purpose was to look at wider issues outside the strict framework of the current revision to Directive 90/220 on the deliberate release of GMOs to the environment.

No decisions were taken as a result of this informal discussion. Ministers agreed, however, that it is important to finalise the conciliation procedure between the Council and the European Parliament on the revised Directive 90/220 and to ensure that the Directive is implemented in a framework which takes account of wider issues such as labelling, traceability and liability.

The Commission indicated that it would present new proposals on labelling and traceability of GMOs and GMO products in the autumn. It also undertook to work with member states to ensure that decisions under Directive 90/220 can be taken in a way which respects both legal obligations and the need to provide a high level of protection for consumers and the environment.

Air Routes

Mr. David Stewart: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his Department's policy on varying the Cranford agreement at Heathrow to create more slots for fragile routes in the UK. [132528]

Mr. Mullin: My Department is currently undertaking a study into all aspects of airport capacity in South East England, having regard to future forecasts of demand. This is looking at a wide range of options: at this stage, nothing is ruled in and nothing is ruled out. However, there are currently no plans to modify the Cranford agreement.

Mr. David Stewart: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his Department's role in the creation of public service obligations on internal UK air routes between Heathrow and fragile rural locations. [132522]

Mr. Mullin: The use of public service obligations (PSOs) is governed by European Regulation 2408/92. This empowers member states to impose a PSO on a route serving a peripheral or development region or on a thin route to any regional airport, where such a route is considered vital for the economic development of the region in which the airport is located, and where an adequate standard of service would not be provided by air carriers having regard solely to their commercial interest. Those standards relate to the continuity, regularity, capacity and pricing of services.

The UK Government have imposed PSOs on certain lifeline routes serving the Scottish Highlands and Islands. There are no PSOs on routes to London. A judgment in the European Court of Justice suggests that any PSO would have to be city to city, and not airport specific.

Lone Parents

Mr. Willetts: To ask the Secretary of State for the Environment, Transport and the Regions how many tenants in local authority and housing association accommodation are lone parents; what proportion of the total they constitute; and what proportion of new tenancies in the past year have been given to lone parents. [132399]

Mr. Mullin: The figures requested are as follows (for England only):

Registered Social Landlords (RSL)

It is estimated that in March 1999 there were 180,000 lone-parent households living in RSL accommodation; about 17 per cent. of the total. (note 2)

There were 204,168 new RSL lettings between April 1999 and March 2000, comprising 143,135 general needs lettings and 61,033 supported housing lettings. Lone-parent households accounted for 39,534 lettings (19 per cent. of the total). (note 3)

Local Authorities

At the national level, there is less information available for local authority households than for RSL households. (note 4)

In 1998–99 there were an estimated 503,000 local authority households headed by lone parents; about 15 per cent. of the total.

Of these, 81,000 had been resident for less than a year (21 per cent. of the local authority households that had been resident for less than a year).

Notes:

1. A lone parent with dependent children is defined as any person who is not married or cohabiting and who has their dependent children (aged under 16 or 16–18 and still in full-time education) living with them. Lone parents might be single (never married), widowed, divorced or separated.

2. RSL Tenants' Survey, 1999–2000, carried out by MORI on behalf of The Housing Corporation. Estimates are subject to sampling variation.

3. New RSL lettings data is from CORE General Needs and CORE Supported Housing, April 1999 to March 2000.

4. Local authority figures given are estimates from a sample survey, the "DETR Survey of English Housing", and therefore are subject to sampling variation.

Planning Appeals

Angela Smith: To ask the Secretary of State for the Environment, Transport and the Regions what is his policy on recovering planning appeals in England. [132884]

Mr. Raynsford: Most planning appeals are transferred to the Planning Inspectorate for Inspectors to decide on behalf of the Secretary of State. Typically between 100 and 150 appeals have been recovered by the Secretary of State for his own determination, out of around 13,000 planning appeals each year. My right hon. Friend's policy for recovering cases is set out in the following guidelines:

1. Residential development of five or more hectares or of 150 or more dwellings regardless of size of site.
2. Proposals for development of major importance having more than local significance.
3. Proposals giving rise to significant public controversy.
4. Proposals which raise important or novel issues of development control.
5. Retail or leisure development over 9,000 sq m.
6. Proposals for significant development in the Green Belt.
7. Major proposals involving the winning and working of minerals.
8. Proposals which raise legal difficulties.
9. Proposals against which another Government Department has raised major objections.
10. Cases which can only be decided in conjunction with a case over which Inspectors have no jurisdiction (so-called "linked" cases).
11. There may on occasion be other cases which merit recovery because of the particular circumstances.

These criteria replace the previous guidelines for recovering appeals set out in the 1986 White Paper "Planning: Appeals, Call-In and Major Public Inquiries" (Command 43).

Packaging Regulations

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions what consultations on the packaging regulations and related matters he plans in 2000; and if he will make a statement. [133098]

Mr. Meacher: A consultation on the charging mechanism for registration fees for compliance scheme members was published in May and the responses to that paper will be considered and decisions announced in due course. I will also shortly be issuing a paper with business recovery and recycling targets that the Government propose for 2001. The Government do not intend to carry out any further consultations in 2000.

In late 1999, the Department of the Environment, Transport and the Regions announced that it intended to carry out a consultation on the accreditation system for reprocessors under the packaging regulations, and related matters. However, earlier this year, an application for Judicial Review was made to the courts of a decision taken by the Environment Agency as to who should and who should not be accredited as a reprocessor for the purposes of the packaging regulations. As the Department of the Environment, Transport and the Regions is a party to this litigation, the proposed consultation will now be deferred until a court ruling has been given.

I was also minded to consult industry on proposals that have been put to me to change the operation of the Packaging Waste Recovery Note (PRN) System, but in view of the need for industry to focus fully at this stage on achieving the packaging directive recovery and recycling targets, which must be met in 2001, I have decided to defer the decision on whether to consult on this matter until after the deadline for meeting the directive targets has been met next year.

Local Authorities (Electricity Suppliers)

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those local authorities which trade in electricity; and if he will make a statement. [130628]

Mrs. Liddell: I have been asked to reply.

The records of the Office of Gas and Electricity Markets show no local authorities as licensed electricity suppliers. As with any other legal person, a local authority which meets the requirements of licence exemption (set out in Statutory Instrument 1997 No. 989) may supply without a licence, and is not required to register with the regulator or the Department.

CULTURE, MEDIA AND SPORT

Millennium Dome

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport, pursuant to the answer to the right hon. Member for Wokingham (Mr. Redwood) of 9 June 2000, *Official Report*, column 397W, on the Millennium Dome, what average gross yield entrance receipt per visitor was anticipated for the Millennium Dome prior to 1 January. [126263]

Janet Anderson *[holding answer 20 June 2000]:* The average gross yield entrance receipt per visitor to the Millennium Dome anticipated prior to 1 January 2000, was £15.37.

Mr. Evans: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the number of schoolchildren from Wales who have visited the Millennium Dome free of charge. [131049]

Janet Anderson *[holding answer 17 July 2000]:* To date 23,000 schoolchildren from Wales have been allocated free school trips to the Dome.

Mr. Evans: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the number of people from Wales who have visited the Millennium Dome. [131050]

Janet Anderson *[holding answer 17 July 2000]:* There are various ways of purchasing tickets to visit the Dome, from Lottery outlets around the country, from the Dome Ticket Line, from travel and tourism companies and in person at the Dome. With so many possible purchase sources it is impossible to estimate the exact number of visitors from one particular location.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport when he last met Mr. Robert Bourne of Legacy plc; what representations he has received from *(a)* Mr. Robert Bourne and *(b)* Legacy plc; and what discussions he has had with Legacy plc regarding the future use of the Dome site. [131369]

Janet Anderson *[holding answer 18 July 2000]:* My right hon. Friend the Secretary of State for Culture, Media and Sport last met Robert Bourne on 30 March 2000. The future use of the Dome was not discussed. In December 1999 my right hon. Friend the Secretary of State took a decision to stand apart from the decision making process in recognition of the contacts which he has had with Robert Bourne of Legacy plc. Since December 1999, he has not received any representations from Robert Bourne or any other member of Legacy plc on the future use of the Dome.

Osborne House

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with the Secretary of State for Health regarding the use of surplus beds at Osborne convalescent home by recuperating NHS patients. [127312]

Mr. Chris Smith *[holding answer 22 June 2000]:* Osborne House Convalescent Home remains open until the middle of October 2000 to recuperating NHS patients who are serving or retired members of the armed forces or the civil service. There has been no reason to discuss this current facility with the Secretary of State for Health, although note has been taken of the substantial alternative private sector provision available on the Isle of Wight.

New Millennium Experience Company

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will list the firms of quantity surveyors employed by the New Millennium Experience Company since May 1997, the duration of their contracts and the remuneration paid to them in each case. [127309]

Janet Anderson *[holding answer 22 June 2000]:* The New Millennium Experience Company is currently employing Currie & Brown and Always Sayer and have done so since their contracts commenced in August 1997 and July 1998 respectively. As the contracts with both companies are ongoing, details of the fees paid to each are commercially confidential. Additional quantity surveying services have been provided by McAlpine Laing Joint Venture, as part of their construction management duties. The overall fee paid was calculated as a percentage of the construction cost, so it is not possible to separate the figure for the quantity surveying element of their work.

Mr. Cohen: To ask the Secretary of State for Culture, Media and Sport how much money was committed by the New Millennium Experience Company to underwrite the costs of the firework display on the River Thames on New Year's Eve. [128506]

Janet Anderson: The amount spent by the New Millennium Experience Company for the display, including fireworks, was £1.447 million.

Broadcasting and Telecommunications

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport if he will list those who have been formally invited to make submissions in respect of the forthcoming White Paper on broadcasting and telecommunications. [129686]

Janet Anderson *[holding answer 7 July 2000]:* My right hon. Friend has, in conjunction with the Secretary of State for Trade and Industry, sought views on the White Paper in a number of ways. The scope of the White Paper was announced to the House on 3 February 2000, *Official Report,* columns 729W and 668W. On 19 April 2000, *Official Report,* columns 499W and 548w, my right hon. Friends announced to the House that all views should be submitted in writing or via e-mail by 23 June and officials wrote on the same day inviting submissions from stakeholders in industry and related organisations, identified from those who had contributed to recent consultations on the topic. Details were widely publicised including on the official White Paper website (www.communicationswhitepaper.gov.uk). Further copies of the letter were sent out on request, to a total of 287 organisations and individuals. A list of their names has been placed in the Library.

As my right hon. Friends announced on 17 May 2000, *Official Report,* columns 125W and 131W, they also invited a number of experts to prepare papers and these were discussed at a seminar on 3 July. The expert team consisted of Sir Quentin Thomas (chair), David Cleevely, Liz Forgan, Andrew Graham, Janice Hughes, Mark Oliver, Damian Tambini and George Yarrow. The papers, with the report of the seminar's Chair, are also posted on the website, and copies have been placed in the Library, as announced on 21 July 2000, *Official Report,* columns 361W and 343W.

Millennium Festival

Mr. Sarwar: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on progress with the Millennium Festival in *(a)* Scotland and *(b)* the United Kingdom. [129931]

Janet Anderson: Through the commitment of the 11 UK National Lottery distributors, working in partnership with the New Millennium Experience Company, a £100 million Millennium Festival fund has been made available for national, regional and local Millennium celebrations in the year 2000.

The Millennium Festival in Scotland has provided £11 million to fund over 500 events throughout Scotland from the Highlands to the Borders. Highlights have included "The Thrie Estaties", a re-creation of one of Scotland's oldest pieces of drama recently performed in Fife and the Commonwealth Youth Games which will see young people from 14 countries coming to Edinburgh to compete in eight different sports. There have also been many hundreds of community events held across the country from Stewartry in Dumfries and Galloway to Inverness and Arbroath. The feedback received by the New Millennium Experience Company (NMEC) from smaller and local groups has been very positive.

A further £89 million has been made available for thousands of events, festivals, arts and sports activities which have been taking place throughout the year, across the rest of the UK. The Millennium Festival of Cycling celebrated the millennium with local family fun days, bike surgeries and a Cycle to Work day; the National Trust Coast Show has toured the UK coast with the Grand Turk, a replica 18th century frigate, providing an on-board exhibition of the maritime conservation work of the Trust and promoting public access to Britain's coastline; while the voice of young Britain has been heard on the internet radio station Youth FM, which has toured the UK with its mobile studio.

BBC (Independent Production Quotas)

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport when he expects to receive the report of the Director General of Fair Trading into the BBC's compliance with the independent production quotas for the year ending 31 March 1999; how long it has taken to report in previous years; for what reasons there was a delay this year; and if he will set a deadline for receiving such reports in future. [131568]

Janet Anderson: The Report of the Director General of Fair Trading into the BBC's compliance with the independent production quotas for the year ending 31 March 1999 is expected to be published in September. This is later than would normally be the case. The reporting period corresponds with the BBC's financial year (1 April to 31 March) and the Director General's report is usually published towards the end of the calendar year. The delay has been caused by the need to reach agreement on some issues of legal interpretation arising from the introduction of digital channels.

Hyde Park Cycle Way

Mr. Jenkin: To ask the Secretary of State for Culture, Media and Sport how many accidents caused by cyclists there have been on the Hyde Park cycle way since it was opened. [131998]

Mr. Alan Howarth: Responsibility for the subject of this question has been delegated to the Royal Parks Agency under its Chief Executive, William Weston. I have asked them to arrange for a reply to be given.

Letter from William Weston to Mr. Bernard Jenkin, dated 25 July 2000:

I have been asked by the Secretary of State for Culture, Media and Sport to reply to your Parliamentary Question about the number of accidents caused by cyclists on the Hyde Park cycle way since it was opened.

I am afraid I am unable to give you the information you have asked for. We keep a record of accidents involving injury to park users that are reported to the park manager or the Royal Parks Constabulary. The police do not investigate the cause of an accident on the cycle way unless there is evidence (or an accusation) that the cyclist was riding recklessly or dangerously, in which case the police would consider reporting the cyclist for prosecution.

The original cycle route in Hyde Park was opened in 1975 and records are no longer available for earlier years. We have no record of anyone being reported for prosecution for dangerous cycling as a result of an accident since the Royal Parks Agency came into existence in 1993.

Free Television Licence

Mr. Cox: To ask the Secretary of State for Culture, Media and Sport how many people living in the London Borough of Wandsworth will benefit from the introduction of a free television licence for a person aged 75 years or over. [131952]

Janet Anderson: Television licences cover households rather than individuals. Figures for the number of households which will benefit from the concession are not available. However, the 1991 Census County Report Series, published by the Office for National Statistics, shows the population of the London Borough of Wandsworth as 252,425 of which 2.10 per cent. were men aged 75 and over and 4.47 per cent. were women aged 75 and over.

Mr. Willetts: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 2 May 2000, *Official Report*, column 21W, if he will provide a breakdown of the £23.4 million cost of administering the concessionary television licence scheme for people aged 75 years and over. [131655]

Janet Anderson *[holding answer 24 July 2000]:* The estimated costs of administering free television licences for people aged 75 or over in 2000–01 are £24.3 million rather than £23.4 million as stated in my reply to the hon. Member of 2 May 2000, *Official Report*, column 20W, a transposition error for which I apologise. £3.3 million of these costs represent a carry over of set-up costs incurred in 1999–2000.

These costs will be met by the Department of Social Security, via payments to the BBC. The BBC is responsible for the administration of the scheme and has advised that a detailed breakdown of these costs is not readily available and could be obtained only at disproportionate cost and by diverting resources which would otherwise be devoted to the successful implementation of the scheme.

Stonehenge

Mr. Key: To ask the Secretary of State for Culture, Media and Sport what the total amount is spent by *(a)* his Department and its predecessor and *(b)* English Heritage since its establishment on (i) design work, (ii) public consultation and inquiries and (iii) other identifiable costs in connection with Stonehenge. [131535]

Mr. Alan Howarth *[holding answer 24 July 2000]:* I refer the hon. Member to the answer I gave him on 19 October 1999, *Official Report,* column 427W, giving details of costs up to mid October 1999. Since that date English Heritage has spent; (i) no money on design work, (ii) £23,758 on public consultation and inquiries, and (iii) £778,570 which includes consultancy fees relating to the new visitor centre, the World Heritage Site Management Plan and contributions towards the cost of the A303 improvement scheme at Stonehenge.

My Department and its predecessor Departments have not incurred any directly attributable costs in connection with Stonehenge. It is not possible meaningfully to apportion the cost of official time spent in respect of consultations and correspondence.

Mr. Key: To ask the Secretary of State for Culture, Media and Sport what price was paid for the site of the proposed Stonehenge visitors' centre at Countess East; and what price was paid for Countess Farm. [131534]

Mr. Alan Howarth *[holding answer 24 July 2000]:* The site for the new visitor centre at Countess Farm East has not yet been purchased. English Heritage is currently in negotiations with the owners so it would not be appropriate to comment further at this stage. Countess Farm West was purchased by the National Trust and no public money was involved.

World Cup

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport on what date the Minister for Sport wrote to the Football Association seeking information on the cost of England's World Cup 2006 bid. [132521]

Kate Hoey: As I advised the hon. Member in my answer to him on 24 July 2000, *Official Report,* column 416W, I wrote to the Chief Executive of the Football Association on 20 June 2000 to request details of his plans to publish accounts for the 2006 World Cup bid.

British Tourist Authority

Shona McIsaac: To ask the Secretary of State for Culture, Media and Sport when he will review the services and functions of the British Tourist Authority. [132835]

Janet Anderson: I am pleased to announce that, as part of a regular programme of reviews of non-departmental public bodies, my Department is commencing a review of the British Tourist Authority.

The terms of reference for the review, which will be conducted in two stages, are as follows:

To review the continuing need for the services and functions carried out by the British Tourist Authority (BTA) and consider how they can be provided more effectively in the future.

Stage One: Getting the organisation right

To determine whether there is a continuing need for the services provided by the BTA and to assess whether these services are best delivered by an NDPB.

To consider specifically:

the role and functions of the BTA, how its role has been affected by devolution and how and to what extent its functions contribute to the delivery of wider DCMS and governmental objectives;

the links BTA has or should have with other parts of the public sector and with private and voluntary sectors;

BTA's past performance against its aims, objectives, key targets and quality standards;

what BTA's customers and other interested parties (including their staff and trade unions) think about its role, performance and responsiveness to their needs; and whether there are any groups whose needs should be, but are not being addressed;

how the BTA should be organised to deliver responsive, efficient and quality services in future, and whether there is scope for other organisational options, such as abolition, market testing, merger, rationalisation, privatisation or strategic contracting out; and

examples of good practice in how BTA has delivered its services.

Stage Two: Improving performance

Taking account of the Stage One report, to consider how the BTA might make improvements in efficient, effective and responsive service delivery.

To consider specifically:

the BTA's aims and objectives and the part they play in delivering wider DCMS and governmental objectives;

performance targets and whether they are sufficiently comprehensive and stretching, and properly reflect the BTA's aims and objectives;

the structure and effectiveness of BTA's organisation and how it involves staff, including those at the front line, and their trade unions in the way it works;

partnership arrangements and opportunities for joint working with other bodies to enhance the efficiency and effectiveness of service delivery;

how the BTA can make better use of new technology to improve the delivery of its services and functions;

the BTA's relationship with its stakeholders and the stakeholders' views on how it can best meet their needs, and the way BTA could improve its responsiveness;

whether the BTA needs different freedoms and flexibilities to improve the delivery of its services;

the scope for increasing the current level of efficiency savings and income and to improve the utilisation of assets; and

whether the roles and reporting arrangements of the BTA, the Department and Ministers need clearer definition and whether they provide proper support for operational and policy work.

The aim is to complete the review in six months.

Arts (North)

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will publish the management and administration expenses of *(a)* Northern Arts and *(b)* North West Arts in each of the last three years. [132654]

Mr. Chris Smith: I have asked the Arts Council of England, which has responsibility for the English regional arts boards, to provide this information. When it is available, I will write to the hon. Member, and place a copy in the Library of the House.

Written Answers to Questions

Wednesday 26 July 2000

SOCIAL SECURITY

Back Pain

Mrs. Gordon: To ask the Secretary of State for Social Security what *(a)* number and *(b)* percentage of employees took early retirement on grounds of ill health related to back pain in the last five years for which figures are available. [129820]

Mr. Bayley: This information is not held.

Winter Fuel Allowance

Ms Keeble: To ask the Secretary of State for Social Security how much has been paid out in Winter Fuel Allowances to people in Northampton, North from 1997–98 to 1999–2000. [131946]

Angela Eagle: The administration of Winter Fuel Payments is a matter for Alexis Cleveland, the Chief Executive of the Benefits Agency. She will write to my hon. Friend.

Letter from Alexis Cleveland to Ms Sally Keeble, dated 25 July 2000:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how much has been paid out in winter fuel allowances to people in Northampton North from 1997–98 to 1999–2000.

Winter Fuel Payments (WFP) were introduced in the winter of 1997/98. For the winters of 1997/98 and 98/99 eligible people receiving Income Support (IS) or income based Jobseekers' Allowance (JSA (IB)) which included a pensioner premium, who were not living in residential care or a nursing home received payments of £50. All other eligible pensioners received £20 or £10 depending on their household circumstances. Where only one eligible pensioner lived in the household they would receive £20, otherwise they would receive £10 each.

Last winter, 1999/00 the amount of the payment increased to £100 for eligible households.

In 1997/98, WFP expenditure for Northampton North constituency was £321,340; in 1998/99, it was £298,540; and in 1999/00, it was £1,163,900.

I hope this is helpful.

Cold Weather Payments

Ms Keeble: To ask the Secretary of State for Social Security how much was paid out in cold weather payment in the years 1992–93 to 1996–97 in Northampton, North. [131945]

Angela Eagle: The administration of Cold Weather Payments is a matter for Alexis Cleveland, the Chief Executive of the Benefits Agency. She will write to my hon. Friend.

Letter from Alexis Cleveland to Ms Sally Keeble, dated 25 July 2000:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how much was paid out in cold weather payments in the years 1992–93 to 1996–97 in Northampton North.

Cold Weather Payments (CWP) are paid to people awarded Income Support (IS) or income-based Jobseekers' Allowance (JSA) (IB) with a pensioner or disability premium or if they have a child under 5, when the temperature criteria is met for their postcode. Payment is issued automatically without the need to claim.

The information requested on CWPs is not available. CWP information is collected by weather station area rather than by Benefits Agency district or MP constituency areas. There are no details held of CWPs before 1995–96. The weather station at Bedford covers the area which includes the Northampton North constituency.

In 1995–96, estimated expenditure for the area covered by Bedford weather station was £2,850,000 and in 1996–97, it was £1,509,000. There were four periods of cold weather triggered at Bedford in 1995–96 and three in 1996–97.

I hope this is helpful.

Household Incomes

Mr. Berry: To ask the Secretary of State for Social Security how many, and what percentage of, children were in households with below half average income in each year from 1990 to 1999, calculated on the basis of the *(a)* Family Expenditure Survey and *(b)* Family Resources Survey, for Great Britain only, and on the basis of (i) equivalising and (ii) not equivalising net disposable household income. [131957]

Mr. Bayley: The information requested on the basis of equivalised income is published annually in editions of Households Below Average Income, copies of which are in the Library. The latest available information relates to 1998–99.

Information is not available on the basis of not equivalising household income. Equivalising income is an inherent component of ranking households by income, for income distribution statistics such as those referred to here.

Community Project Volunteers

Mr. Gorrie: To ask the Secretary of State for Social Security what plans he has to reduce the barriers posed by the benefit rules to people who wish to volunteer for community projects. [132246]

Angela Eagle: People who are in receipt of Social Security benefits may undertake unlimited amounts of voluntary activity including participation in community projects without its affecting their benefit providing other eligibility conditions continue to be met. Any expenses they incur in connection with their voluntary work may also be reimbursed in full without it affecting their benefits.

We are aware of the concerns expressed in the Policy Action Team report on Community Self Help and the Performance and Innovation Unit's report on Active Ageing (Winning the Generation Game) that, nevertheless, barriers to volunteering still exist and we are considering the issues raised.

Service Personnel (Pensions Appeals)

Mr. Matthew Taylor: To ask the Secretary of State for Social Security how many *(a)* former service personnel and *(b)* members of their families have made appeals to the Pensions Appeals Tribunal since 1970 for compensation arising out of their participation in experiments at the chemical defence establishment Porton Down; how many have been awarded compensation; and how many are awaiting adjudication. [132775]

Mr. Bayley: The information is not readily available and could be obtained only at disproportionate cost.

Jobseeker's Allowance

Mr. Hopkins: To ask the Secretary of State for Social Security (1) how many Jobseeker's Allowance cases, resulting from refusals to claims based on regulations 51(2)(c) and 51(2)(b)(i) of the Jobseeker's Allowance Regulations 1996, are being stayed; and how many of the claimants involved are *(a)* men and *(b)* women; [132711]

(2) if he will estimate the number of *(a)* men and *(b)* women affected by (i) regulation 51(2)(c) and (ii) regulation 51(2)(b)(i) of the Jobseeker's Allowance Regulations 1996 for each of the last four years; [132712]

(3) what representations he has received in relation to the payment of Jobseeker's Allowance to term-time only workers; and if he will make a statement; [132714]

(4) if he will estimate the cost of restoring the entitlement to Jobseeker's Allowance for term-time only workers. [132715]

Angela Eagle: We have received representations about entitlement to Jobseeker's Allowance (JSA) or Income Support (IS) from ancillary workers and their representatives. The current legal position is that ancillary workers with an ongoing contract of employment, who are not entitled to Jobseeker's Allowance (JSA) or Income Support (IS) during term-time because of the hours they work, are also not entitled to JSA or IS during the school holidays.

This position, which reflects the original JSA provisions introduced in 1996, was confirmed by the decision of the Court of Appeal on 14 October 1999. The retrospective effect of the Court of Appeal decision means that there was never any entitlement to JSA during the school holidays for this group of ancillary workers. Leave to appeal to the House of Lords against the Court of Appeal decision was granted on 11 April.

Claims to JSA or IS by term-time workers are decided on an individual basis. We understand that no claims are being stayed under the formal staying provisions. However, the Appeals Service advise that as at 30 June there were 3,532 appeals involving term-time workers where decisions have been deferred pending the decision of the House of Lords. In addition, on the directions of Commissioners, 114 appeal cases are awaiting the outcome of the House of Lords cases. The gender breakdown is unknown and could be obtained only at disproportionate cost.

Information to estimate the number of men and women affected by regulation 51(2)(c) and regulation 51(2)(b)(i) of the Jobseeker's Allowance Regulations 1996 for each of the last four years is not available.

When JSA was introduced in 1996 the original intention of the legislation was that ancillary workers who were not entitled to benefit during term-time were also not entitled during school holidays. We have no accurate data on which to base a reliable estimate of the cost of extending entitlement to ancillary workers who are not entitled to JSA or IS during the school holidays because of the hours they work during term-time.

Benefit Fraud

Mr. Evans: To ask the Secretary of State for Social Security what the cost of social security fraud in the Ribble Valley was in each of the years between 1994 and 2000, broken down by type of benefit. [132725]

Mr. Rooker: Since 1998, Area Benefit Reviews (ABRs) have provided a continuous measurement of fraud and error in Income Support (IS) and Jobseeker's Allowance (JSA). It is currently not possible to provide a breakdown for other benefits.

Prior to 1998 no attempt was made to measure fraud in the Social Security system on the basis of areas and type of benefit.

Fraud figures are now available for each of the Benefits Agency's 13 Area Directorates (ADs). It is not possible to provide estimates of levels of fraud for specific towns, cities, counties or constituencies. Ribble Valley is part of AD8, which stretches from Liverpool and Chester in the south up to Workington in the north.

The ABR results estimate that the level of fraud in AD8 for the year ending September 1998 was £66 million, £47 million for IS and £19 million for JSA.

For the year ending September 1999, the figure reduced to £53 million, £37 million for IS and £16 million for JSA.

Ms Kelly: To ask the Secretary of State for Social Security when he will publish the report of the second inspection by the Benefit Fraud Inspectorate of the London borough of Croydon. [133413]

Mr. Rooker: The report by the Benefit Fraud Inspectorate of the second inspection of the London borough of Croydon has been published today and copies of the report have been placed in the Library.

The BFI previously reported on the London borough of Croydon in March 1999. Since then the authority has responded positively to their recommendations, introducing the verification framework, providing more training for benefit staff and investigating items of post returned under the 'Do Not Redirect' mail scheme.

Inspectors also found that Croydon had improved working practices, verification procedures and how greater assurance that claims it pays are valid. This has contributed to Croydon administering 15 per cent. fewer claims and a fall in benefit expenditure of over £6 million in 1999–2000.

Although Croydon has made progress the report states it can do more to improve the security of benefit administration. This involves more rigorously applying sanctions, such as prosecutions and administrative penalties to make fraudsters pay for their actions and using all counter fraud measures available under new statutory powers, such as appointing inspectors.

The report provides recommendations aimed at helping the council address existing weaknesses and to improve the administration of Housing Benefit and Council Tax Benefit, as well as counter fraud activities.

My right hon. Friend the Secretary of State is now considering the report and will be asking the council for their proposals in response to the findings and recommendations of the BFI.

Benefit Overpayments

Mr. Burstow: To ask the Secretary of State for Social Security, pursuant to his answer of 4 April 2000, *Official Report*, column 447W, on benefit overpayments, if he will estimate, in relation to the overpayments which took place on 17 and 18 January, the total *(a)* value of the benefits recovered so far, *(b)* number of customers who have repaid the overpayment in full and *(c)* number of customers who have paid none of the overpayment; and if he will estimate the total cost in administration and in unreturned benefit of the overpayment. [132360]

Angela Eagle: Administration of benefits and recovery of overpayments is matter for the Chief Executive of the Benefits Agency, Alexis Cleveland. She will write to the hon. Member.

Letter from Alexis Cleveland to Mr. Paul Burstow, dated 25 July 2000:

The Secretary of State has asked me to respond to your recent question asking pursuant to his Answer of 5th April, Official Report, column 447W, on benefit overpayments, if he will estimate, in relation to the overpayments which took place on 17th and 18th January, (a) the total value of the benefits recovered so far, (b) the total number of customers who have repaid the overpayment in full and (c) the total number of customers who have paid none of the overpayment; and if he will estimate the total cost in administration and in unreturned benefit of the overpayment.

The problem was caused by an incomplete file being erroneously passed to the Bankers Automated Credit Service for payment on 17th January, compounded by the correct file being reprocessed for payment on 18th January.

On 17th January 112,000 customers correctly received a payment into their bank accounts, while 60,000 customers did not receive the payment which was due. The following day, the same 112,000 customers received a duplicate of the payments into their accounts, while 60,000 received their payment a day late. The value of the duplicate payments amounts to £10.5million.

£7,311,107 has currently been repaid.

The information relating to the total number of customers who have repaid the overpayment in full, and the total who have paid nothing can only be obtained at disproportionate cost. It is however, estimated that over 68,000 have repaid in full, with a further 4,500 in the process of repaying. The balance approximately 39,000 have either not been pursued due to the small amount involved, or have refused to repay or have not responded to requests for repayment.

The estimated cost of administration is approximately £430,000, and the total currently unrecovered is approximately £3.2million.

I hope this is helpful.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Waste Incinerators

Mr. Öpik: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to seek to exclude farm and hunt kennel incinerators from the new European directive on waste incinerators; and if he will make a statement. [131477]

Mr. Hill: In negotiations on the European Parliament's proposed amendments to the waste incineration Directive proposal, the UK has made clear that it would like the text to exclude animal carcase incinerators provided that they are subject to alternative appropriate environmental regulation. We are now confident that the directive when it is adopted will include text intended specifically to exclude animal carcase incinerators with the proviso that the Commission intends to propose a revision to the animal waste directive providing for high environmental standards for incineration and co-incineration of animal waste.

Contaminated Land

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions (1) what steps he is taking to encourage research into contaminated land remediation; [132100]

(2) how much finance has been made available for research into the remediation of contaminated land, and how many hectares of such land have been remediated, in each of the last 10 years. [132098]

Mr. Mullin: Public funding is made available for contaminated land research on a variety of topics, including its remediation. This is undertaken by a number of bodies, including my Department, the Environment Agency, the Department of Trade and Industry, the Ministry of Agriculture, Fisheries and Food, English Partnerships, the Natural Environment Research Council, the Biotechnology and Biological Research Council, the Engineering and Physical Sciences Research Council, the Economic and Social Research Council, and the Medical Research Council. Further projects are being funded through various European programmes, including Life and the Fifth Framework Programme for Research and Development.

In addition, this type of research is an approved objective under the landfill-tax credit scheme.

It is not possible to provide a detailed breakdown of research specifically related to the remediation of contaminated land since funding programmes and individual projects within these programmes typically relate to wider issues than just remediation.

My Department has recently let a contract for a contaminated-land research audit. This aims to assess current contaminated-land research programmes and to identify gaps or duplication of effort and suggest ways to improve access to the results.

Figures for the amount of land that has been remediated in each of the last 10 years are not available. Most of this remediation has taken place as a result of voluntary action by landowners (for example, the redevelopment of brownfield sites). Statistics are not recorded when development takes place.

Croydon Tramlink

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what the net cost is of the Croydon Tramlink project under the Private Finance Initiative; what the value is of public

sector comparators in *(a)* pre-risk and *(b)* risk adjusted terms and what risks are identified as having been transferred; and if he will make a statement. [132269]

Mr. Hill: Croydon Tramlink was designed, built and is being operated by Tramtrack Croydon Ltd. (TCL), a private sector consortium, under a concession agreement with London Regional Transport made in 1996. Under the concession agreement TCL bear the risks associated with the construction and operation of the project. The Government made a fixed contribution of £125 million towards the projected capital cost of £200 million, in recognition of the wider benefits of Tramlink to the local area. TCL raised the remainder of the cost and run the system without public subsidy.

Best Value

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions to what extent the costs to local authorities of implementing the best value regime are allowed for in SSAs. [132440]

Ms Beverley Hughes: The Government added £24.25 million to the 2000–01 SSA totals to cover the cost of Best Value audit and inspection fees. Our spending plans for local government take into account the costs of implementing Best Value, together with the improvements in cost effectiveness that will flow from it.

A11

Mr. Spring: To ask the Secretary of State for the Environment, Transport and the Regions when he expects funding to be allocated for the upgrading of the A11 from Barton Mills to The Ford; and when he expects construction work to begin. [132539]

Mr. Hill *[holding answer 25 July 2000]:* Funding for the preparation of this scheme was confirmed in March this year.

The scheme is at an early stage in its development and progress is of course, dependent upon statutory procedures. It is therefore too early to identify a possible date for the start of works.

Railways (Wales)

Mr. Wigley: To ask the Secretary of State for the Environment, Transport and the Regions how much of the additional resources for rail transport, announced in the Spending Review 2000, will be ear-marked for railway services in Wales. [132793]

Mr. Hill: None of the additional resources announced in the Spending Review 2000 have been allocated to particular parts of Great Britain.

Waste Imports

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will make it his policy to prohibit the importation of waste for use in energy-from-waste plants. [131663]

Mr. Mullin: Existing policies on imports of waste are set out in the legally binding United Kingdom Management Plan for Exports and Imports of Waste, which came into effect in June 1996.

The UK Plan prohibits most waste imports for disposal, including imports of municipal waste for final disposal, in line with longstanding UK policies of encouraging developed countries to become as self-sufficient as possible in waste disposal. Consistent with the EC Waste Shipments Regulation (EEC) No. 259–93, though, the UK Plan cannot prohibit imports of wastes for recovery, which could include incineration with energy recovery. However, individual shipments of municipal wastes for recovery require the prior consent of the UK enforcement authorities. There may be grounds for objecting to proposed shipments if the primary purpose of the importing facility is to treat local wastes and those wastes will be displaced by the proposed imports.

Available data show that no imports of municipal waste have taken place since the UK Plan took effect.

Stagecoach

Mr. Barnes: To ask the Secretary of State for the Environment, Transport and the Regions if he will arrange for a transcript of the final report of the public inquiry into the operation by Stagecoach of Licence PC3233 to be placed in the Library. [132294]

Mr. Hill: In the interests of minimising public expenditure, Public Inquiries conducted by Traffic Commissioners are transcribed only when necessary, such as in the case of an appeal. There is currently no reason to incur the cost of transcribing the Inquiry in question.

Regional Government (North-west)

Mr. Evans: To ask the Secretary of State for the Environment, Transport and the Regions how many letters he has received in each of the last three years requesting an elected north-west regional Government. [132718]

Ms Beverley Hughes: In the last three years, we have received two letters supporting elected regional government in the north-west, one in 1999 and one in 2000.

Roads (Ribble Valley)

Mr. Evans: To ask the Secretary of State for the Environment, Transport and the Regions how many miles of new roads were built in the Ribble Valley constituency in each year from 1994 to 2000. [132719]

Mr. Hill: New highway construction (includes realignment and dualling) in the Ribble Valley constituency in each year from 1994 to 2000 is as follows:

Miles

	1994	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*
A	0.00	0.00	0.00	3.50	0.00	0.00	0.00
B	0.00	0.00	0.00	2.14	0.00	0.00	0.00
C	0.00	0.00	0.00	0.00	0.00	0.83	0.00
Footway	0.12	0.48	0.53	0.00	0.00	0.09	0.00
Motorway	0.00	4.62	0.00	0.90	0.00	0.00	0.00
Trunk road	0.00	2.13	0.00	0.08	1.02	2.31	0.00
Unclassified	0.31	1.32	0.63	0.96	1.55	2.15	0.22
Unadopted	1.25	0.41	0.69	0.00	0.81	1.56	1.23

Principal

Correspondence

Mr. Barry Jones: To ask the Secretary of State for the Environment, Transport and the Regions when he proposes to reply to the letter of 11 April, sent by the right hon. Member for Alyn and Deeside, concerning Mr. Davey of Deeside, CH5. [133130]

Ms Armstrong: I can confirm that a response to my right hon. Friend's letter has been sent, following a delay owing to an administrative error.

Mr. Barry Jones: To ask the Secretary of State for the Environment, Transport and the Regions when he proposes to answer the letter sent by right hon. Member for Alyn and Deeside of 2 June, regarding Mr. Herbert of Mold, Flintshire, CH7. [133129]

Ms Armstrong: I replied to this letter on behalf of the Secretary of State on 21 July.

M6

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions (1) how his Ten Year Transport Plan relates to the work of the West Midlands to North West multi-modal study; [132847]

(2) what impact the Ten Year Transport Plan will have on the proposal to widen the M6 motorway between junctions 11 and 16. [132846]

Mr. Hill: The Ten Year Transport Plan provides the resources to implement the outcomes from multi-modal studies. These studies exemplify our integrated approach to transport policy which we are applying to a series of transport problems around the country.

The West Midlands to North West multi-modal study is a good example. The aim of this study is to ensure that the M6 motorway retains its vital strategic role supporting the national economy. M6 Junction 11a-16 Widening and M6 Junction 16–19 Widening schemes were remitted for consideration in this study following the 1998 Roads Review. The study is also looking at the role that rail and public transport could play in easing the problems on the M6, and the scope for using new technologies, demand management techniques and giving priority to certain types of traffic to make better use of the existing infrastructure. The study will report in autumn 2001.

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions what action he proposes to take to relieve congestion on the M6 motorway between Junctions 6 and 10. [132848]

Mr. Hill: Over the next three years, the Highways Agency will be introducing Calmed Motorways measures on M6 Junctions 10–8 to regulate speed and reduce congestion and delays. The West Midlands Area Multi-Modal Study is looking at further measures to make best use of the M6 between Junctions 6–10 using speed and access control. The Birmingham Northern Relief Road will also provide a less congested alternative to the M6.

Roads (London)

Mr. Redwood: To ask the Secretary of State for the Environment, Transport and the Regions (1) for what reason one eastbound lane has been removed on the West Cromwell Road A4; [133168]

(2) how many new sets of traffic lights have been placed on the A316 from the M3 to the A4 in the last three years; [133165]

(3) for what reasons a narrow lane on the outside lane of the two lane dual carriageway A316 eastbound east of the junction with the B358 has been painted on, to narrow the two lanes cars can use; [133170]

(4) what is the hourly change in capacity of the A316 eastbound from the M3 to the A4 as a result of all the traffic management measures taken in the last three years. [133167]

(5) for what reasons the speed limit has been reduced on the A316 Country Way three lane dual carriageway. [133166]

(6) for what reasons three lanes have been reduced to two on the A4 at Queens Gate and Exhibition Road junctions. [133169]

Mr. Hill: This is a matter for the Mayor of London and Transport for London.

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the transfer of responsibility for London's trunk roads to Transport for London. [133246]

Mr. Hill: I am pleased to report to the House that the transfer of responsibility has been achieved effectively. Currently, however, Transport for London are developing expertise in key operational areas and the Highways Agency will be providing them with advice and support for a short handover period. This arrangement is the subject of a Service Agreement between the two bodies. Tfl are committed to achieving self-sufficiency as quickly as possible and it is envisaged that the assistance will generally be required until the autumn. The Treasury has agreed that the Agency may score this expenditure as extra-statutory and record it as special payments in their Appropriation Account.

Amber Rose

Mr. John D. Taylor: To ask the Secretary of State for the Environment, Transport and the Regions when the Marine Accident Investigation Branch will publish its report on the sinking of the Portavogie trawler, the 'Amber Rose', in October 1998; and if he will make a statement. [132717]

Mr. Hill: The Marine Accident Investigation Branch's (MAIB) report was sent to those involved in the accident, including the next of kin of the skipper, on Monday 24 July. It was made publicly available on Wednesday 26 July. Copies are available free of charge from the MAIB.

Tower Hamlets Housing Trust

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what the net present cost is of the Tower Hamlets Housing Trust project under the Private Finance Initiative; what the value is of the public sector comparators in *(a)* pre-risk

and *(b)* risk-adjusted terms; what risks are identified as having been transferred; and if he will make a statement. [132837]

Mr. Mullin: Information about the private finance agreement between Tower Hamlets Housing Action Trust (the HAT), Circle Thirty Three Housing Trust and its subsidiary Old Ford Housing Association (OFHA) is available on the DETR website at www.detr.gov.uk/ppp/2.htm#towerhamlets. The HAT's partners have agreed to invest £23 million, alongside the HAT's own investment of £55 million, to enable the HAT's programme for rehousing its tenants to proceed faster and at less cost to the taxpayer than would be possible with public funds alone. The risks transferred include the financial uncertainty arising from HAT tenants' right to choose between the London Borough of Tower Hamlets and OFHA as their future landlord.

Rail Transport

Mr. Wigley: To ask the Secretary of State for the Environment, Transport and the Regions if he will analyse the increase in expenditure on rail transport in each of the next three financial years, arising from the recent comprehensive spending review, between the expenditure he anticipates will be undertaken in England, Scotland, Wales and Northern Ireland. [133120]

Mr. Hill: The expenditure on rail announced in the Spending Review 2000 relates to Great Britain. It is not possible to provide a geographical breakdown at this stage. The distribution of expenditure will depend on progress with franchise replacement and on priorities for investment identified in the shadow Strategic Rail Authority's first strategic plan to be published in November.

Private Hire Vehicles

Mr. Ennis: To ask the Secretary of State for the Environment, Transport and the Regions what decision he has reached following the consultation on proposals to amend the law after the judgment in the case of Benson *v* Boyce. [133204]

Mr. Hill: After very careful consideration of all the responses received and bearing in mind the weight of all the arguments, I have decided that the only people who should be entitled to drive a licensed private hire vehicle in England and Wales, outside London, without themselves having the appropriate licence, should be people conducting legally necessary tests, either of the vehicle or the driver. I am advised that it is already legal for people without a private hire vehicle driver's licence to conduct such tests. Accordingly, no order is necessary under the Deregulation and Contracting Out Act 1994.

Docklands Light Railway

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions if he will provide a report on the progress of the Docklands Light Railway. [133205]

Mr. Hill: The Railway had an excellent year, the highpoint of which was the completion of the extension of the railway to Lewisham which the Deputy Prime Minister opened in November on budget and two months ahead of schedule.

On the 3 July 2000 ownership of DLR Ltd. passed from the Secretary of State for the Environment, Transport and the Regions to Transport for London.

Copies of the Annual Report and Accounts have been placed in the Libraries of both Houses.

Bull Bars

Mr. Leslie: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made on making car fronts safer and controlling bull bars. [133245]

Mr. Hill: "Tomorrow's Roads—Safer for Everyone", our road safety strategy, commits the UK to backing proposals for the European Commission to bring forward a Directive to make car fronts safer. The Government believe that a pedestrian protection Directive could ultimately secure a reduction in deaths and serious injuries to pedestrians of up to 20 per cent.

The Government also said in the road safety strategy that such a Directive would be the best way of preventing particularly dangerous bull bars being fitted to vehicles. As a part of our consideration of how best to tackle bull bars, we asked the Transport Research Laboratory (TRL) to do some test work comparing a range of typical bull bars and base vehicles. TRL's report on this is being published today and copies have been put in the House Library.

In summary, TRL recommend that an approval procedure for bull bars should be considered, with a test speed of 40km/h (25mph). They warn against a low speed test, which is the best we could demand in any national approval scheme. We believe this confirms our view that controls on bull bars should be introduced on a Europe-wide basis. TRL's research is a thorough piece of work, and their initial findings have enabled us to submit a technical proposal to the European Commission setting out how bull bars could be dealt with in the anticipated pedestrian protection Directive.

The Government do, however, recognise that there is a desire for action to be taken as quickly as possible. We have therefore also submitted a comparable technical proposal for amending the 'existing' external projections Directive to include a test for bull bars, as a quick interim measure. This second proposal was well received by other member states when it was initially tabled in early June, and we hope it will make swift progress..

HOUSE OF COMMONS

Parking Facilities

Mr. Brake: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if the Commission will introduce a workplace parking charge scheme. [131842]

Mr. Kirkwood: I refer my hon. Friend to the reply given to my hon. Friend the Member for Torbay (Mr. Sanders) on 12 April 2000, *Official Report*, column 149W.

Environmental Performance

Mr. Brake: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, (1) if the Commission will introduce measures and set targets to ensure the House of Commons improves its environmental performance by *(a)* conserving (i) energy, (ii) water, (iii) wood, (iv) paper and (v) other resources, *(b)* reducing waste, *(c)* phasing out substances damaging to health and the environment, *(d)* encouraging contractors to develop environmentally-preferable goods and services, *(e)* purchasing wood from sustainable sources, *(f)* drawing up emergency procedures for dealing with significant environmental risks, *(g)* ensuring buildings achieve a good standard of environmental performance, *(h)* following the Government's Green Claims Code and *(i)* ensuring staff work in an environmentally responsible manner; [131840]

(2) if the Commission will establish a target for the House of Commons *(a)* to buy electricity from renewable sources and *(b)* to switch from hydrofluorocarbons, perfluorobutane and sulphur hexafluoride to environmentally-preferable substitutes. [131841]

Mr. Kirkwood: This is a matter for the Serjeant at Arms; I have asked him to write to my hon. Friend.

HEALTH

Nurses Pay

Mr. Robathan: To ask the Secretary of State for Health what are the average rates of pay for nurses employed *(a)* on NHS Direct and *(b)* in the rest of the NHS. [106784]

Mr. Denham: The recently published results of the Department's August 1999 National Health Service Earning Survey, copies of which are available in the Library, show that the estimated average full-time equivalent salary for all qualified NHS nurses on national payscales was £19,300 after the pay awards for April 2000 are taken into account, and £22,200 if all other payments, e.g. allowances and overtime, are included. Information about the pay for nurses employed by NHS Direct cannot be separately identified from the pay of other qualified nurses.

Scientists

Mr. Sanders: To ask the Secretary of State for Health how many *(a)* clinical and *(b)* biomedical scientists there are within each range of the relevant payscales. [108306]

Mr. Denham: The information requested is in the tables.

Estimated number of clinical scientists directly employed by NHS Trusts, England

Spine Point	*Headcount*	*Whole-time equivalent*
Grade A:		
00	80	80
01	60	60
02	50	50
03	40	40
04	20	20
05	30	30
06	20	20
07	20	20
Other Grade A:	120	120
Grade B:		
08	90	80
09	70	70
10	180	170
11	70	70
12	90	90
13	150	140
14	100	90
15	90	80
16	190	170
17	120	110
18	80	80
19	150	150
20	80	80
21	60	60
22	90	90
23	30	30
24	180	180
Other Grade B:	480	450
Grade C:		
23	10	10
24	10	10
25	10	10
26	20	20
27	20	20
28	' —	' —
29	20	20
30	20	20
31	120	110
32	40	40
33	40	40
34	40	40
35	30	30
36	50	50
Other Grade C:	90	80
Other clinical scientists:	30	20
All clinical scientists:	3,300	3,150

' Indicates less than 5.
Note:
Totals based on unrounded figures.
Source:
Department of Health's August 1999 NHS Earnings Survey.

Estimates number of biomedical scientists directly employed by NHS Trusts, England

	Pre-April 1999		*Post-April 1999*	
Spine point	*Headcount*	*Whole-time equivalent*	*Headcount*	*Whole-time equivalent*
Trainee Grade:				
01	70	70	' —	' —
02	30	30	' —	' —
03	30	30	' —	' —
04	20	20	' —	' —
05	50	50	' —	' —
06	60	60	' —	' —
07	70	70	270	270
08	110	100	70	70
09	220	220	110	100
10	' —	' —	220	220
Other Trainee staff	130	130	130	130

Estimates number of biomedical scientists directly employed by NHS Trusts, England

	Pre-April 1999		Post-April 1999	
Spine point	*Headcount*	*Whole-time equivalent*	*Headcount*	*Whole-time equivalent*
Grade 1:				
14	160	160	—	—
15	210	210	160	160
16	210	200	210	210
17	200	190	210	200
18	180	160	200	190
19	220	210	180	160
20	240	210	220	210
21	2,420	2,040	240	210
22	880	800	2,420	2,040
23	370	340	880	880
24	170	160	370	340
25	[1]—	[1]—	170	160
Other Grade 1 staff	650	600	650	600
Grade 2:				
22	40	40	—	—
23	120	120	160	150
24	100	90	100	90
25	170	160	170	160
26	120	110	120	110
27	110	110	110	110
28	80	80	80	80
29	1,100	1,040	1,100	1,040
30	410	390	410	390
31	330	320	330	320
32	220	220	220	220
Other Grade 2 staff	410	400	410	400
Grade 3:				
30	20	10	20	10
31	30	30	30	30
32	20	20	20	20
33	680	670	680	670
34	290	280	290	280
35	190	190	190	190
36	210	210	210	210
Other Grade 3 staff	170	170	170	170
Grade 4:				
34	[1]—	[1]—	[1]—	[1]—
35	[1]—	[1]—	[1]—	[1]—
36	10	10	10	10
37	210	210	210	210
38	50	50	50	50
39	50	50	50	50
40	90	90	90	90
Other Grade 4 staff	50	50	50	50
Other biomedical scientists	70	60	70	60
All biomedical scientists	12,070	11,260	12,070	11,260

[1] Indicates a redundant spine point.

[2] Indicates less than 5, but greater than zero.

Note:

Totals based on unrounded figures.

Source:

Department of Health's August 1999 NHS Earnings Survey.

Mr. Hilary Benn: To ask the Secretary of State for Health what is the average level of pay for medical laboratory scientific officers on grade 1 of the payscale working in hospitals in the United Kingdom. [115488]

Mr. Denham: The recently published results of the Department's August 1999 National Health Service Earnings Survey, copies of which are available in the Library, show that the estimated average full-time equivalent salary for all Grade 1 NHS Medical Laboratory Scientific Officers (biomedical scientists) on national payscales was £16,800 after the pay awards for April 2000 are taken into account and rises to £22,100 if all other payments e.g. allowances and overtime, are included.

Health and Social Care (Rural Areas)

Mr. Hancock: To ask the Secretary of State for Health if he will assess the benefits of joint health and social care *(a)* planning and *(b)* provision in rural areas; and if he will make a statement. [127301]

Mr. Denham: We are persuaded of the benefits of joint health and social care planning and, where appropriate, provision. We have taken a number of significant steps to promote joint working.

Joint planning is especially important in rural areas where services are more dispersed and some people face problems of access. The provision of joint services across the spectrum of health and social care has been encouraged through use of the Partnership Grant, and by the flexibilities provided for in the Health Act 1999, and increasingly means that rural areas can be better served.

The partnership arrangements in the Health Act 1999 came into force in April 2000. The new flexibilities include pooling of funds, delegation of functions and money transfers. To date there have been 22 notifications of partnership arrangements, amounting to over £200 million of resources, of which nine are from local authority areas which would be described as largely rural. These include Devon, Warwickshire, Herefordshire, Gloucestershire, Wiltshire, Cumbria and North Yorkshire.

Infertility Treatment

Ms Atherton: To ask the Secretary of State for Health (1) what plans he has to make the provision of infertility treatment on the NHS a decision to be taken by central Government; and if he will make a statement; [128890]

(2) what measures he plans to introduce to increase the capacity of the NHS to provide infertility treatment. [128747]

Yvette Cooper: It is for health authorities to set their own priorities for the delivery of services and to consult locally in deciding on those priorities.

We will shortly be publishing the results of a survey into infertility provision across the country, which clearly demonstrate variations in the level of service provided. The Department will be examining ways to tackle unacceptable variations in service delivery while continuing to target our priority areas of cancer and heart disease.

NHS Pay

Mr. Matthew Taylor: To ask the Secretary of State for Health how many employees working within the NHS earn *(a)* the national minimum wage, *(b)* between the national minimum wage and £3.80 per hour, *(c)* between £3.80 per hour and £4.00 per hour, *(d)* between £4.00 per hour and £4.20 per hour, *(e)* between £4.20 per hour and £4.40 per hour and *(f)* less than £5.00 per hour; what the number of staff in *(a)* to (f) represent as a percentage of total NHS staff; and if he will make a statement. [108899]

Mr. Denham: The information requested is shown in the table.

We are committed to eliminating the worst instances of low pay. The new national minimum wage removes the worst excesses of low pay and ensures greater decency and fairness in the workplace. The recent settlements reached for National Health Service staff on national payscales will give the lowest paid staff in the NHS proportionately more pay—taking the lowest adult hourly rate to over £4 per hour.

Number of directly employed NHS staff by hourly salary—England

	Rates at August 1999				*Estimated rates at April 2000*[1]	
	All staff		*Staff on national payscales*[2]			
Hourly salary[4]	*Headcount (thousand)*	*As percentage of all staff*	*Headcount (thousand)*	*As percentage of all staff*	*Headcount (thousand)*	*As percentage of all staff*
<£3.60[3]	0.5	0.0	0.1	0.0	0.1	0.0
£3.60 to <£3.80	9.5	1.0	5.6	0.8	[5]—	0.0
£3.80 to <£4.00	50.4	5.2	35.0	4.9	[5]—	0.0
£4.00 to <£4.20	15.4	1.6	4.9	0.7	35.9	5.1
£4.20 to <£4.40	12.4	1.3	3.1	0.4	7.6	1.1
£4.40 to <£5.00	82.8	8.6	46.5	6.5	38.3	5.4
All staff below £5	170.9	17.7	95.3	13.4	82.0	11.5
All staff at or above £4	796.6	82.3	615.8	86.60	629.1	88.46
All directly employed NHS staff	967.6	100.0	711.1	100.0	711.1	100.0

[1] Figures reflect pay awards up to and including April 2000
[2] Estimates of pay awards for staff on local payscales are not available
[3] Staff earning less tan £3.60 per hour may do so because they are either: aged under 18, apprentices, receiving benefits in kind; or receiving only a proportion of their earnings directly from NHS trusts. No full-time adult payscales are less than £4 per hour
[4] Hourly earnings will be, on average, 13 per cent. higher with allowances and overtime added
[5] Indicates less than 100, but greater than zero

Source:
Department of Health's August 1999 NHS Earning Survey

Healthy Eating

Mr. Sarwar: To ask the Secretary of State for Health if he will *(a)* make a statement on the Government's proposals to encourage healthy eating among children and *(b)* ensure that the Government's efforts are co-ordinated across the United Kingdom with the devolved administrations. [129928]

Yvette Cooper: As part of the strategy to tackle the issues raised in the National Diet and Nutrition Survey of 4–18 year olds, which we published in June, we have set up a cross-Government working group on improving children's diet and physical activity in England. It involves Health and Education Ministers, the chair of the Food Standards Agency and the chair of the Health Development Agency. Already, through the Healthy Schools Programme, we are encouraging schools to present consistent, informed messages about healthy eating and food on offer from canteens, vending machines and tuck shops. Additionally we have recently announced that we will be spending £2 million this year to promote fruit and vegetable consumption among school aged children. Any further proposals to improve children's diet will be included in the National Plan for the National Health Service which is due to be announced later this month.

As public health is a devolved topic, any proposals in this area for Scotland, Wales and Northern Ireland are the responsibility of the devolved administrations who may develop dietary policy and initiatives which best meet their own particular needs. However, I intend to keep in close contact with my ministerial counterparts in the other UK countries and fully explore the opportunities for co-ordination in this area.

Fluoride

Mr. Etherington: To ask the Secretary of State for Health if he will list the research projects funded by his Department to investigate the chronic toxic effect of fluoride on body enzymes and proteins. [130198]

Yvette Cooper: The Department and its predecessors have not funded any specific research projects on the effects of fluoride on enzymes or other body proteins.

Mr. Etherington: To ask the Secretary of State for Health if he will list for each *(a)* health authority in England and Wales and *(b)* water company supplying artificially fluoridated drinking water the safety tests that are carried out in respect of (i) silicofluorides and (ii) hydrofluosilicic acid. [130204]

Yvette Cooper: All substances used in the treatment of water supplies must be approved by the Drinking Water Inspectorate acting on behalf of the Secretary of State for the Environment, Transport and the Regions. Disodium hexafluorosilicate (a silicofluoride) and hexafluorosilicic acid (also called hydrofluorosilicic acid) are approved for use in artificial fluoridation schemes under the Water Industry Act 1991, subject to compliance with a Code of Practice on the Technical Aspects of the Fluoridation of Water Supplies published by the Department of the Environment. This code covers the design, construction, operation and maintenance of fluoridation plant to ensure that the correct level of fluoride is added and there are fail-safe precautions against over dosing. The code includes a detailed specification for the two chemicals together with advice to water companies on how to check the purity of the chemicals against the specification.

In-vitro Fertilisation

Mr. Hancock: To ask the Secretary of State for Health how many in-vitro fertilization treatments have taken

place in each of the last five years in the United Kingdom; how many were *(a)* NHS-funded and *(b)* privately funded; and if he will make a statement. [130374]

Yvette Cooper: The information requested is not available centrally.

A recent Departmental survey of infertility provision showed that many health authorities could not distinguish their spending on infertility services from their general gynaecological budget. Many have difficulty identifying some or all of the treatments they purchase.

The Department has no access to information on the number of infertility treatments being privately funded.

Allergies

Dr. Kumar: To ask the Secretary of State for Health what plans he has to introduce a national framework for the provision of paediatric allergy services. [130996]

Yvette Cooper *[holding answer 17 July 2000]:* We are taking forward the National Service Framework (NSF) programme with the development of one new NSF per year. We will consider the proposed service area or care group for the next NSF against the criteria set out in "A First Class Service", as well as the priorities and targets identified in the National Plan.

Prostate Cancer

Mr. Ruffley: To ask the Secretary of State for Health (1) how many prostate-specific antigen blood tests were performed in *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000; [130743]

(2) how many new biopsy-proven cases of prostate cancer there were in *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000. [130750]

Yvette Cooper: The information requested is not currently available. The latest available figures of registrations of prostate cancer for 1991–1996. Figures for 1994–1996 are provisional.

Year	*Number*	*[1]Rate per 100,000*
1991	14,313	49.7
1992	15,823	54.8
1993	17,210	59.1
1994	19,200	65.6
1995	18,400	62.3
1996	18,900	63.5

[1] Rates are directly age-standardised to the European population

Mr. Ruffley: To ask the Secretary of State for Health how many *(a)* radical prostatectomy surgeries, *(b)* external beam radiation therapy courses and *(c)* radioactive seed implants (brachytherapy) for prostate cancer were performed in (i) 1997–98, (ii) 1998–99 and (iii) 1999–2000. [130748]

Yvette Cooper: The number of episodes where either a prostatectomy or radiotherapy for prostate cancer was performed, in NHS hospitals in England for 1997–98 to 1998–99 are shown in the table. Data for 1999–2000 are not yet available.

Number of Finished Consultant Episodes (FCEs[1]) for selected diagnoses and operations in NHS Trusts in England, 1997–98 and 1998–99

Diagnosis/operation	*1997–98*	*1998–99*
(a) Malignant neoplasm of prostate C61 (ICD10) with open excision of prostate M61 (OPCS 4R), or endorscopic resection of outlet of male bladder M65 (OPCS 4R).	6,468	6,366
(b) Malignant neoplasm of prostate C61 (ICD10) with Radiotherapy session Z51.0 (ICD10)	5,125	6,345

[1] An FCE is defined as a period of patient care under one consultant in one health care provider. The figures do not represent the number of patients, as one person may have several episodes within the year.

Notes:

Figures for 1997–98 are grossed for both coverage and unknown/invalid clinical data, but the figures for 1998–99 are ungrossed (i.e. no adjustments have as yet been made for shortfalls in data).

Source:

Hospital Episode Statistics (HES), Department of Health

Mr. Evans: To ask the Secretary of State for Health what the average waiting time is for *(a)* a body scan and *(b)* a bone scan following prostate cancer diagnosis. [132722]

Mr. Denham: This information is not collected centrally.

Coronary Heart Disease

Mr. Cox: To ask the Secretary of State for Health how many *(a)* men and *(b)* women were treated for coronary heart disease during the last 12 months. [130767]

Yvette Cooper: The number of admissions for coronary heart disease to National Health Service Trusts in England, by gender, for the financial year 1998–99, is shown in the table.

	Admissions
Male	186,585
Female	99,918
Sex not specified	103
Total	286,606

Meat Inspections

Mr. Gill: To ask the Secretary of State for Health which other EU countries are supportive of a meat inspection regime based upon risk analysis. [131100]

Ms Stuart: I am advised by the Food Standards Agency that at recent European Commission Working Group meetings on veterinary legislation, all European Union member states have expressed support for the Commission's initiative to fundamentally review ante- and post-mortem inspection procedures in slaughterhouses. All member states were of the view that the current meat inspection system should be re-assessed on the basis of risk. However, there were varying degrees of support for the extent to which it would be possible to move away from the present levels of official supervision and for plant operators to take responsibility for post-mortem inspection. Subsequent bilateral meetings between Food Standards Agency officials and representatives from the veterinary

authorities in France and the Netherlands have shown these countries to be very supportive of a risk-based approach to both official controls and meat inspection procedures.

Mr. Breed: To ask the Secretary of State for Health what assessment he has made of the possibility of introducing the hazard analysis and critical control point system into the meat hygiene service. [131810]

Ms Stuart *[holding answer 21 July 2000]:* Hazard Analysis and Critical Control Points (HACCP) is a food safety management system which places responsibility for the production of safe food on food business operators. HACCP is widely regarded as the most effective approach to preventing food safety problems but is not currently a mandatory requirement in the meat slaughtering sector. The European Commission's proposals for new food safety hygiene rules, presented by Commissioner Byrne at the Agriculture Council on 17 July, would extend HACCP-based controls to all food production, including meat slaughtering. We welcome these proposals and the opportunity they give to modernise official controls and meat inspection procedures. The new legislation is expected to take at least two years to negotiate, with a further interim phase needed for full implementation. I am advised that the Food Standards Agency will be consulting widely on the Commission's proposals in developing the United Kingdom's negotiating position.

In the meantime, the meat industry is being encouraged to adopt HACCP on a voluntary basis. In a survey in 1999 about 54 per cent. of red meat (full throughput) slaughterhouses and 71 per cent. of white meat (full throughput) slaughterhouses in Great Britain claimed to have a full HACCP system in place.

Hospitals, Shrewsbury

Mr. Paul Marsden: To ask the Secretary of State for Health, pursuant to his answer of 3 July 2000, *Official Report,* column 39W, on the Royal Shrewsbury Hospital, how many patients were treated for each of the treatments listed; and if he will make a statement. [131165]

Yvette Cooper: The information is not available in the requested format. The table relates to the numbers of operations performed at the Royal Shrewsbury Hospital between 1 April 1999 and 31 March 2000.

	Number
Hip operations	80
Knee replacements	5
Hernia operations	717
Cataract operations	1,546

Action is being taken specifically on both reducing waiting times for patients needing orthopaedic procedures and on improving services to them. We are also improving access to cataract services. In doing so, we will improve the volume of surgery and reduce waiting lists. A capital modernisation fund of £20 million over two years from 2000–01 will allow local services to modernise.

Mr. Paul Marsden: To ask the Secretary of State for Health what plans he has to visit the Copthorne South hospital buildings in Shrewsbury; and if he will make a statement. [131699]

Yvette Cooper: Due to heavy diary commitments, there are no plans at present for the Secretary of State for Health to visit the Copthorne South hospital buildings in Shrewsbury.

Modernisation Fund

Mr. St. Aubyn: To ask the Secretary of State for Health (1) if he will list each application which he has determined for support from the Modernisation Fund, referred to in Figure 11.5 of the Departmental report, indicating the health authorities to which each application related, the amount of each application, the date of each application, the date of his decision on each application and the amount awarded thereunder, since the establishment of the fund; [129688]

(2) if he will place in the Library a copy of each application to the Modernisation Fund, referred to in Figure 11.5 of the Departmental report, by a health authority which has been personally determined by ministers, and the reasons cited for such determination, since the establishment of the fund; [129689]

(3) if he will list each application to the Modernisation Fund, referred to in Figure 11.5 of the Departmental report, by a health authority which was *(a)* personally determined by ministers and *(b)* determined by officials, indicating in each case the amount of each application and the amount of each award, since the establishment of the fund. [129690]

Mr. Denham *[holding answer 17 July 2000]:* The table listing, by health authorities, the awards for the eighteen 1999–2000 Modernisation Fund budgets that were allocated via a bidding process has been placed in the Library.

Correspondence

Mr. Wilshire: To ask the Secretary of State for Health when he will reply to the letter from the hon. Member for Spelthorne dated 17 February relating to his constituent, Mrs. J. Stevens. [130653]

Ms Stuart *[holding answer 17 July 2000]:* I replied to the hon. Member on 24 July.

Abortion

Fiona Mactaggart: To ask the Secretary of State for Health what action he has taken to promote the uptake of the Royal College of Gynaecologists' guidelines entitled The Care of Women Requesting Induced Abortion. [131463]

Yvette Cooper: The Department has alerted all independent sector places carrying out termination of pregnancy to this new guideline. One of the conditions for approval is that practice should be guided by authoritative guidelines such as those from the Royal Colleges and we will monitor implementation during inspection visits. We expect the guideline to be used as the basis of local protocols that will promote the development of high quality services and take account of local needs and service provision.

In addition, the guideline will be considered as part of the national sexual health and HIV strategy currently being developed.

Health Spending

Mr. Hesford: To ask the Secretary of State for Health how much of the additional spending for health announced in the last Budget has been allocated to achieve specific targets; what the targets are for each health authority; and how much funding has been allocated to each target within each health authority. [131744]

Mr. Denham: Table 1 shows the elements of the additional spending for health announced in the last Budget that have been earmarked for health authorities to date, together with targets where appropriate. Table 2 shows the sums that have been allocated to each health authority to date. Other sums have been allocated other than to health authorities or are yet to be allocated.

Table 1:

Purpose	*£ million*
Additions to health authority any primary care group/trust unified allocations, to achieve financial balance, to improve waiting lists and times, to implement winter plans, including developing intermediate care services and to action recommendations of the National Institute for Clinical Excellence.	600
To reward performance against indicators for waiting, winter planning and financial balance. The money is allocated in stages throughout the year. The criteria used to assess whether health authorities receive payments are based on national benchmarks and locally agreed plans.	60
For further development of services for wheelchair users. Health authorities are able to use this money flexibly to meet local needs and priorities in wheelchair services.	4
For further development of smoking cessation clinics. This money supports the National Priorities Guidance targets for smoking, namely 150,000 smokers accessing services and 20,000 quitting long-term; which in turn supports a 1 per cent. fall in prevalence by April 2001.	4
Further funding for booked admissions to reduce waiting. By March 2001 booking should be taking place in all acute NHS Trusts, in at least two specialities/high volume procedures. By the same date amount two million patients will have received a booked appointment or admission to hospital.	10
To support extended access to primary care and access to extended services in primary care. No specific targets for health authorities yet set.	54.5
For nurse leadership initiatives enabling all ward sisters and charge nurses to attend a leadership programme.	2
To increase critical care capacity (£5 million for neo-natal services and £145 million for adult intensive care of which £2.5 million goes to support local service redesign). Allocations to individual health authorities will be announced shortly.	150
For a flu vaccination programme. This will be offered to all aged 65 and over, as well as the 'risk' population. The main objective is to reduce the number of deaths and serious illness in those groups most likely to be affected.	60
For information technology. Allocations to health authorities and targets to be finalised.	60
For the development of cancer networks and for a peer review assessment visiting process for cancer services.	3

Table 2: *£000*

Health Authority	*Additions to unified allocations*	*Performance fund*[1]	*Wheelchairs*[2]	*Booked admissions*[2]	*Access to primary care*	*Smoking cessation*[2]
Avon	11,390	285	275	216	1,035	267
Barking and Havering	4,893	0	0	0	444	114
Barnet	3,996	0	88	0	363	97
Barnsley	3,094	0	65	113	281	169
Bedfordshire	6,288	167	158	0	571	220
Berkshire	8,779	219	222	61	797	204
Bexley and Greenwich	5,262	0	0	0	478	128
Birmingham	13,075	327	287	530	1,188	315
Bradford	6,090	152	138	0	553	346
Brent and Harrow	5,869	0	131	199	533	259
Bromley	3,527	0	0	0	320	82
Buckinghamshire	7,360	184	193	0	669	169
Bury and Rochdale	4,858	0	112	0	441	277
Calderdale and Kirklees	7,079	177	166	96	643	170
Cambridge	7,948	0	248	94	722	182
Camden and Islington	6,131	0	105	194	557	360
Cornwall and Isles of Scilly	5,952	0	140	0	541	328
County Durham	8,095	202	173	260	735	190
Coventry	3,998	100	86	0	363	92
Croydon	3,958	99	0	0	359	96
Doncaster	3,800	95	84	78	345	209
Dorset	8,389	210	194	209	762	195
Dudley	3,571	0	89	0	324	84
Ealing, Hammersmith and Hounslow	9,204	230	186	219	836	221
East and North Hertfordshire	5,661	0	140	177	514	127
East Kent	7,382	185	0	0	670	175
East Lancashire	6,790	170	147	91	617	161
East London and The City	9,944	249	173	0	903	574
East Riding	6,916	173	165	0	628	389

Table 2: £000

Health Authority	Additions to unified allocations	Performance fund[1]	Wheelchairs[2]	Booked admissions[2]	Access to primary care	Smoking cessation[2]
East Surrey	4,598	0	0	0	418	109
East Sussex Bright and Hove	9,443	236	0	0	858	224
Enfield and Haringey	6,234	156	135	0	566	154
Gateshead and South Tyneside	4,915	123	103	0	446	274
Gloucestershire	6,205	155	158	106	564	145
Herefordshire	1,909	48	47	0	173	44
Hillingdon	2,989	75	70	0	272	74
Isle of Wight	1,649	41	35	0	150	38
Kensington, Chelsea and Westminster	6,122	153	100	182	556	145
Kingston and Richmond	4,061	102	1,934	0	369	93
Lambeth, Southwark and Lewisham	10,949	274	0	389	995	648
Leeds	8,981	0	207	0	816	503
Leicestershire	10,286	257	264	261	934	386
Lincolnshire	7,603	190	175	99	691	173
Liverpool	6,521	163	135	75	592	368
Manchester	6,514	163	123	145	592	356
Merton, Sutton and Wandsworth	7,853	0	0	0	713	193
Morecambe Bay	3,803	95	89	67	345	90
Newcastle and North Tyneside	6,333	158	137	0	575	361
Norfolk	8,847	0	177	45	804	211
North and East Devon	5,689	0	135	139	517	131
North and Mid Hampshire	5,586	140	156	0	507	131
North Cheshire	3,779	94	89	42	343	91
North Cumbria	3,803	0	91	0	345	211
North Derbyshire	4,393	110	107	0	399	103
North Essex	9,755	244	250	0	886	233
North Nottinghamshire	4,669	117	112	0	424	110
North Staffordshire	5,965	0	137	0	542	300
North West Lancashire	6,175	154	133	108	561	148
North Yorkshire	8,368	209	210	0	760	196
Northamptonshire	6,208	155	173	80	564	158
Northumberland	3,777	0	89	68	343	208
Nottingham	7,678	192	184	0	697	436
Oxfordshire	6,535	0	172	119	594	149
Portsmouth and South East Hants	6,394	0	152	0	581	149
Redbridge and Waltham Forest	5,469	0	133	0	497	135
Rotherham	3,082	77	74	0	280	180
Salford and Trafford	5,847	0	128	95	531	330
Sandwell	3,959	99	84	70	360	212
Sefton	3,605	0	84	0	327	209
Sheffield	6,907	173	151	0	627	388
Shropshire	4,817	120	121	147	438	113
Solihull	2,337	58	58	0	212	51
Somerset	5,561	139	138	0	505	129
South and West Devon	7,250	0	170	88	659	276
South Cheshire	7,715	193	193	0	701	179
South Essex	8,255	206	200	75	750	192
South Humber	3,725	93	91	0	338	86
South Lancashire	3,543	89	89	90	322	82
South Staffordshire	6,189	0	168	147	562	148
Southampton and South West Hants	6,302	158	170	132	572	145
Southern Derbyshire	6,694	167	158	107	608	155
St. Helens and Knowsley	4,553	114	95	0	414	244
Stockport	3,377	84	84	66	307	79
Suffolk	7,546	189	189	125	685	170
Sunderland	3,877	97	86	0	352	222
Tees	7,169	179	159	147	651	406
Wakefield	4,045	0	91	150	367	220
Walsall	3,190	80	75	153	290	182
Warwickshire	5,531	0	142	0	502	131
West Hertfordshire	6,054	0	149	0	550	142
West Kent	10,750	0	0	125	976	249
West Pennine	5,816	145	137	101	528	144
West Sussex	9,050	226	0	77	822	211
Western Surrey	6,860	172	0	195	623	161
Wigan and Bolton	7,410	185	114	77	673	177
Wiltshire	6,531	163	172	0	593	152
Wirral	4,213	105	95	125	383	237
Wolverhampton	3,136	0	70	0	285	179
Worcestershire	5,748	144	154	0	522	135

[1] Performance fund paid in quarterly tranches. Figures shown are for the first tranche.

[2] The additional funding announced in the Budget has been used to enhance an existing budget. Figures shown are for the full budget.

Therapists

Helen Jones: To ask the Secretary of State for Health how many *(a)* training places available for speech and language therapists and *(b)* applicants for places there were in each of the past 10 years. [130668]

Mr. Denham: These data are not collected centrally.

Data on the number of training places and the total number of applicants for places is a matter for the University and Colleges Admissions Service.

Mr. Gordon Marsden: To ask the Secretary of State for Health what assessment his Department has made of the *(a)* number of clinical placements available for physiotherapists and *(b)* recruiting requirements for physiotherapists. [131739]

Mr. Denham: The number of clinical placements available for physiotherapists is not held centrally. It is for education consortiums to assess the availability of sufficient, high quality clinical placements and commission the education and training to meet the needs of local health services.

The National Workforce Review document, "A Health Service of all the talents: Developing the NHS Workforce, Consultation Document on the Review of Workforce Planning" outlines wide-ranging and radical proposals and recommendations which look to address issues surrounding the way the National Health Service plans for, educates, trains and deploys its staff, to ensure that the NHS has the workforce required to deliver service priorities.

We are reviewing our assumptions about staff requirements in the light of the autumn 1999 census of NHS staff, the current survey of recruitment, retention and vacancy levels, and any other recent and relevant information.

Mr. Gordon Marsden: To ask the Secretary of State for Health what the ratio is of *(a)* speech and language therapists and *(b)* physiotherapists to service users in (i) Blackpool, Wyre and Fylde, (ii) the North West and (iii) nationally. [131741]

Mr. Denham: The data requested are in the table:

NHS Hospital and Community Health Services (HCHS): Therapists working within the speech and language therapy and physiotherapy areas of work, in England, North West Regional Office area and North West Lancashire Health Authority as at 30 September 1999

	England		*North West Region*		*North West Lancashire HA*	
	Whole time equivalent	*Numbers (headcount)*	*Whole time equivalent*	*Numbers (headcount)*	*Whole time equivalent*	*Numbers (headcount)*
Speech and language therapist	3,834	5,065	540	687	43	52
Population ratio per 100,000	7.71	10.18	8.18	10.40	9.22	11.12
Physiotherapist	11,803	14,808	1,707	2,116	111	144
Population ratio per 100,000	23.72	29.76	25.85	32.04	23.75	30.8

Note:
Figures are rounded to the nearest whole number
Source:
Department of Health Non-Medical Workforce Census
Office for National Statistics (ONS)

Mr. Gordon Marsden: To ask the Secretary of State for Health what assessment his Department has made of the impact on recruiting requirements for speech and language therapists of their increased responsibilities, with particular reference to dysphagic patients and children with special educational needs. [131735]

Mr. Denham: Following the Dearing Review of higher education in 1998, funding for training of speech and language therapists, chiropodists, dietitians, orthotists and prosthetics was transferred from the Department for Education and Employment to the Department of Health. This Department has commissioned consultants to carry out a labour market analysis of speech and language therapists. This will include any recruitment implications resulting from increased workload due to treating dysphagia patients and children with special educational needs.

Mr. Gordon Marsden: To ask the Secretary of State for Health what the retention rate was of speech and language therapists in the NHS in the last 12 months. [131742]

Mr. Denham: The information requested is not held centrally. The number of speech and language therapists (whole time equivalent) employed in the National Health Service increased by 17 per cent. between 1995 and 1999 (from 3,270 to 3,830).

Mr. Gordon Marsden: To ask the Secretary of State for Health what assessment his Department has made of research by Deborah Rossiter, of the Royal College of Speech and Language Therapists, into the recruitment and retention of speech and language therapists. [131737]

Mr. Denham: The research is being fed into the Department's current labour market analysis of the speech and language therapy profession.

Mr. Gordon Marsden: To ask the Secretary of State for Health what plans and targets his Department has for the recruitment of *(a)* speech and language therapists and *(b)* physiotherapists. [131743]

Mr. Denham: The national recruitment, retention and vacancy survey published in September 1999 gave us the latest authoritative data on staff vacancies from 98 per cent. of National Health Service trusts. It shows that only 3.3 per cent. of physiotherapist and 1.2 per cent. of speech and language therapist posts have been vacant for 3 months or more (in England). We are ensuring that effective recruitment and retention policies are in place to make the best use of trained staff and that training levels are sufficient to get a better match between supply and demand.

We are taking a number of steps which will help to address the issue of recruitment and retention of physiotherapists and speech and language therapists.

These include the publication of the framework for the management of human resources for the whole of the NHS, "Working Together: securing a quality workforce for the NHS", which sets targets for local employers to improve recruitment and retention year on year. We have issued guidance to the service on improving working lives and we will shortly be issuing guidance on Lifelong Learning and Continuing Professional Development.

We are also modernising services and modernising employment practice in the NHS: developing more supportive, flexible and family friendly working practices; extending and improving investment in lifelong learning and professional development; tackling violence and racism in the workplace; involving staff in the way services are delivered and in the changes and developments that affect their working lives.

We have accepted in full the pay increases recommended by the Pay Review Body for Nursing Staff, Midwives, Health Visitors and Professions Allied to Medicine (including physiotherapists) for 2000–01. The Review Body have recommended an across the board increase of 3.4 per cent. for 2000–01 and for the second year running these increases will be paid in full without staging. Taken together with last year's award, this means that physiotherapists will have received real terms increases of over 5 per cent., the best settlement for over 10 years.

Earlier this month, speech and language therapists accepted the pay offer for the years 2000–01 (3.25 per cent. or £300 whichever is the higher) and 2001–02 (a formula on which negotiations will be based) and the agreement will be promulgated to the NHS on 27 July 2000. Manufacturing Science and Finance Union, the main union representing speech and language therapists, balloted their speech and language therapist membership on the offer and the vote in favour of accepting the offer was 98 per cent.

Career prospects for speech and language therapists have been improved with the introduction on 19 May of a revised grading structure for speech and language therapists which extends the existing pay spine to match that of clinical psychologists.

Mechanically Recovered Meat

Mr. Gordon Prentice: To ask the Secretary of State for Health what safeguards are in place to ensure that mechanically recovered meat is not contaminated with specified risk material; and if he will make a statement. [131891]

Ms Stuart: I am advised by the Food Standards Agency that specified risk material (SRM) controls are designed to ensure that all SRM is completely separated from the parts of the carcases of cattle and sheep which might be used for food before any further processing, such as the production of mechanically recovered meat (MRM), can take place. These controls are rigorously supervised by the Meat Hygiene Service, which inspects each carcase individually to ensure that all traces of SRM have been removed before the health mark is applied. As an additional safeguard, the SRM rules also prohibit the use of vertebral column of cattle or sheep, which will have been in contact with SRM in the form of the spinal cord, in MRM production.

Air Quality

Mr. Sheerman: To ask the Secretary of State for Health (1) what guidance his Department gives on the frequency of air-changes in residential accommodation that is compatible with good health; [132083]

(2) what guidance his Department gives to asthma sufferers on the importance of air circulation in the domestic environment; [132084]

(3) what recent research he has commissioned on the link between asthma and air quality in the domestic and work environment; [132368]

(4) what steps he is taking to evaluate the role of air quality in home and business environments on health. [132085]

Yvette Cooper: The Health and Safety Executive has commissioned research into the relationship between certain substances and occupational asthma. It has also commissioned research to develop monitoring methods and improve workplace controls.

The Health and Safety Commission sets occupational exposure limits for some 500 substances. Virtually all hazardous substances that can cause ill health in the workplace are subject to control under the Control of Substances Hazardous to Health Regulations.

The Department also provides information for the public on air pollution and health in the form of an information pack. This pack contains a wide range of information, including leaflets and factsheets from organisations such as the National Asthma Campaign and the Lung and Asthma Information Agency that contains specific health advice for people with asthma. The pack also provides information on how to obtain Department of the Environment, Transport and the Regions leaflets on such issues as dust mites in the home, carbon monoxide poisoning in the home and damp and mould control for the home.

The Department's Committee on the Medical Effects of Air Pollutants has recently published advice on the health effects of air pollutants and this includes advice on precautions to take with pollutants indoors, including maintaining domestic appliances and ventilation. The importance of ventilation to improve air quality in the home is well understood and is enforced through the building regulations.

In 1997, the Department, together with the DETR jointly commissioned a research programme "The Effects On Health Of Exposure To Air Pollutants And Damp In The Home". This £1.3 million programme focused on air pollution in the home and its effects on health. Specific projects concentrated on exposure to indoor air pollutants in children and their mothers with asthma and exposure to particulate air pollution and respiratory illness. The projects are due for completion later this year when the results and conclusions will be assessed.

Pathology Services

Mr. Nicholas Winterton: To ask the Secretary of State for Health if he will make a statement on *(a)* the role of pathology services in the National Health Service and *(b)* what steps he has taken to increase recruitment and retention of staff in the pathology service. [132403]

Mr. Denham: Pathology services are an integral part of effective National Health Service diagnosis, treatment, patient care and screening programmes, they play an important role in protecting the public health in the new NHS.

The Department is currently developing a specific strategy for improving recruitment and retention; liaising closely with employers, the Royal College of Pathologists, professional bodies and trade unions to raise the profile of the work of pathology staff. In addition, the National Advisory Group for Scientists and Technicians has been charged to develop plans to improve workforce planning, education, training and career development.

Drinking Water (Chlorination)

Mr. Baker: To ask the Secretary of State for Health what representations he has received from *(a)* the Spina Bifida and Hydrocephalus Association, *(b)* the Pure Water Association and *(c)* other bodies regarding the chlorination of drinking water. [132345]

Yvette Cooper *[holding answer 24 July 2000]:* No representations have been received.

Mr. Baker: To ask the Secretary of State for Health if he will make a statement on the study commissioned by his Department into the use of chlorine-treated drinking water, with particular reference to *(a)* its cost, *(b)* when the report is expected and *(c)* the reasons for his Department's decision to commission the study. [132330]

Yvette Cooper *[holding answer 24 July 2000]:* The Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment advised that:

> We consider that there is insufficient evidence to conclude that the presence of chlorination by-products in tap-water increases the risk of adverse reproductive outcomes. We recommend, however, that the claimed associations between patterns of drinking-water intake and the incidence of adverse reproductive outcomes be investigated further, since any causal association would be of significant public health concern.

The statement was published in the 1999 Annual Report of the Committees on Toxicity, Mutagenicity and Carcinogenicity of Chemicals in Food, Consumer Products and the Environment. Copies of the Annual Report are in the Library, and may be found on the internet at http://www.doh.gov.uk/coc.htm.

In view of the Committee's advice, funding Departments (which include the Department of Health and the Department of the Environment, Transport and the Regions), commissioned the Small Area Health Statistics Unit (SAHSU) at Imperial College to undertake a case-control epidemiological study to examine whether there are adverse reproductive outcomes associated with chlorination by-products in drinking-water. The study is part of core funding of SAHSU, and is not costed separately. The first part of the study, which is investigating the hypothesis of an association between chlorination byproducts and stillbirths, low birth weight, birth weight distribution and sex ratio, is expected to report in the autumn of 2000. A proposed second phase will investigate the hypothesis of an association with certain congenital anomalies (cleft lip/palate, and major defects of the heart and of the abdominal wall), and is expected to take about 16 months to complete.

In addition, the Department of Health has commissioned the Medical Research Council Institute of Environment and Health to examine the techniques of systematic review and meta-analysis in environmental epidemiology and toxicology. The project, which costs £85,260, and which is expected to report by the end of 2002, will include consideration of epidemiological studies on chlorinated drinking-water and reproductive outcomes as one example of a body of research to which such techniques may be applied.

Mr. Baker: To ask the Secretary of State for Health what advice his Department gives to water companies regarding the chlorination of drinking water. [132347]

Yvette Cooper *[holding answer 24 July 2000]:* Chemical disinfection of drinking-water is an important part of the treatment of water to protect human health. There are, however, concerns that traces of the chemical by-products of disinfection processes may be harmful. Standing expert advisory committees, whose members are appointed by the Chief Medical Officer, have advised the Drinking Water Inspectorate (DWI) at the Department of the Environment, Transport and the Regions on the evidence linking the consumption of chlorinated tap-water with cancers and with adverse reproductive outcomes. The Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment concluded that:

> Overall, the further epidemiological studies fail to provide persuasive evidence of a consistent relationship between chlorinated drinking-water and cancer. It remains possible that there may be an association between chlorinated drinking water and cancer which is obscured by problems such as the difficulty of obtaining an adequate estimate of exposure to chlorination by-products, misclassification of source of drinking water (including the use of bottled water), failure to take adequate account of confounding factors (such as smoking status), and errors arising from non-participation of subjects.
>
> We therefore consider that efforts to minimise exposure to chlorination by-products remain appropriate, providing that they do not compromise the efficiency of disinfection of drinking-water.

The statement was published in March 2000 in the 1998 Annual Report of the Committees on Toxicity, Mutagenicity and Carcinogenicity of Chemicals in Food, Consumer Products and the Environment.

The Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment concluded that:

> We consider that there is insufficient evidence to conclude that the presence of chlorination by-products in tap-water increases the risk of adverse reproductive outcomes. We recommend, however, that the claimed associations between patterns of drinking-water intake and the incidence of adverse reproductive outcomes be investigated further, since any causal association would be of significant public health concern. We therefore consider that efforts to minimise exposure to chlorination by-products by individuals and water authorities remain appropriate, providing that they do not compromise the efficiency of disinfection of drinking water.

The statement was published in March 2000 in the 1999 Annual Report of the Committees on Toxicity, Mutagenicity and Carcinogenicity of Chemicals in Food, Consumer Products and the Environment. Copies of the Annual reports have been placed in the Library, and may be found on the internet at http://www.doh.gov.uk/coc.htm

The advice was passed on to water and sewerage companies, and water companies, in England and Wales, by DWI in Information Letter 12/99 on

14 July 1999. The letter included additional advice from DWI to the companies. The letter may be found on the internet at http://www.dwi.detr.gov.uk/regs/infolett/1999/info1299.htm

Mr. Baker: To ask the Secretary of State for Health what recent discussions officials in his Department have had with their counterparts in other Governments regarding the chlorination of drinking water. [132346]

Yvette Cooper *[holding answer 24 July 2000]:* There have been no recent discussions. However, officials keep in touch with scientific and regulatory developments in this area, through published literature, contact with scientists working in this field, involvement in preparation of World Health Organisation guidelines and evaluations, and through colleagues in the Department of the Environment, Transport and the Regions.

Mobile Phones

Dr. Gibson: To ask the Secretary of State for Health what assessment he has made of *(a)* the NRPB report and *(b)* the Stewart report on mobile phones. [132435]

Yvette Cooper: The most recent document concerning mobile phone base stations published by the National Radiological Protection Board (NRPB) is "Exposure to Radio Waves Near Mobile Phone Base Stations" (NRPB-R321 published June 2000). A summary is available at www.nrpb.org.uk. The contents of this report have been noted and copies have been placed in the Library.

The Stewart report published on 11 May made wide-ranging recommendations. We issued our initial response on the same day. The Department is keeping an overview of action taken by the appropriate Government Departments to respond to the report's recommendations. Progress is as follows:

Advice has already been issued to local education authorities and schools about base stations in an around school premises and the use of mobile phones by children.

Research recommendations are being taken forward by the Department of Health in conjunction with the Department for Trade and Industry, the research councils and industry. An announcement is planned for September.

The Department of Trade and Industry is also developing arrangements for information about mobile phones exposures to be made available and on measurement and auditing of base stations, for which schools are seen as the priority.

The Department of the Environment, Transport and the Regions will shortly be consulting on the principle and precise scope of possible changes to the planning process for mobile phone base stations.

The Department of Health will issue a leaflet later this year to be distributed widely and, specifically, to be available where mobile phones are sold.

Human Embryo Stem Cells

Dr. Gibson: To ask the Secretary of State for Health when he expects to receive the report from the Chief Medical Officer about the use of human embryo stem cells for medical research. [132436]

Yvette Cooper: The Chief Medical Officer's Expert Group on Therapeutic Cloning has completed its work on the potential benefits, risks and the ethical issues raised by developments in stem cell research and cell nuclear replacement. We are now considering the report's recommendations.

Human Papilloma Virus

Dr. Gibson: To ask the Secretary of State for Health what criteria will be used to set up the pilot schemes for human papilloma virus testing. [132504]

Yvette Cooper: The final criteria for selection of joint pilot sites for human papilloma virus testing and liquid based cytology have not yet been agreed by the Project Steering Group. They will broadly cover areas such as population size, high quality audit and historical information, number of smears taken annually and meeting national population coverage targets.

Liver Cancer

Dr. Gibson: To ask the Secretary of State for Health what assessment he has made of hepatitis C infection levels of Government cancer strategy in relation to liver cancer. [132117]

Yvette Cooper *[holding answer 24 July 2000]:* Studies carried out in a number of countries have shown that a percentage (generally about 1–5 per cent.) of individuals with chronic hepatitis C infection may progress to primary hepatocellular cancer. The Public Health Laboratory Service, in association with the British Association for the Study of the Liver, is setting up a surveillance system to monitor end stage liver disease attributed to hepatitis C.

As part of our modernisation programme for the National Health Service, we are taking action on a number of fronts to ensure prompt access to cancer diagnosis and treatment across the country. This will include improving liver cancer services.

Smoking

Mr. Hunter: To ask the Secretary of State for Health what his estimate is of the total tobacco consumption in the United Kingdom in *(a)* 1997, *(b)* 1998 and *(c)* 1999. [132340]

Yvette Cooper: The number of cigarettes released for home consumption in the United Kingdom were in *(a)* 1997 81.0 billion *(b)* 1998 75.3 billion, and *(c)* 1999 34.2 billion. It is not possible accurately to estimate overall cigarette consumption because of the effects of smuggling and forestalling.

Mr. Hunter: To ask the Secretary of State for Health if, before supporting the proposal for an EU Directive on the manufacture, production and sale of tobacco products he prepared a regulatory impact assessment on the proposal. [132339]

Yvette Cooper *[holding answer 24 July 2000]:* Yes. This assessment was available to the Scrutiny Committees of both Houses of Parliament examining the Directive proposals.

Mr. Hunter: To ask the Secretary of State for Health which members of staff of Action on Smoking and Health *(a)* have been and *(b)* are to be seconded to his Department; and to whom they will be responsible and report. [132342]

Yvette Cooper *[holding answer 24 July 2000]:* No member of the Action on Smoking and Health staff has been seconded to the Department and no decisions have been taken on any future arrangement.

Mr. Hunter: To ask the Secretary of State for Health if he intends to continue to authorise the use of the product descriptions *(a)* low, *(b)* light, *(c)* ultra light, *(d)* mild and *(e)* other similar terms relating to tobacco products. [132341]

Yvette Cooper *[holding answer 24 July 2000]:* As currently drafted, the Directive on Labelling, Manufacture and Sale of Tobacco Products would ban the use of such descriptions. The original European Commission proposal permitted member states to allow the terms to be used on tobacco products but the United Kingdom has argued strongly against any form of derogation.

Biomedicine

Mr. Wareing: To ask the Secretary of State for Health what plans Her Majesty's Government have to sign up to the European Convention on Human Rights and Biomedicine; and if he will make a statement. [131643]

Yvette Cooper *[holding answer 24 July 2000]:* The Convention on Human Rights and Biomedicine contains a wide range of complex ethical and legal provisions. The rights of patients, whether undergoing medical treatment or research, are central to the Convention. The provisions cover a mixture of devolved matters (such as consent to treatment) and reserved matters (such as embryo research). We are considering the most appropriate way forward in the light of devolution.

Public Records

Mr. Matthew Taylor: To ask the Secretary of State for Health if he will open for public inspection the file DT 33/2055 at the Public Record Office. [132752]

Mr. Denham: File DT 33/2055 contains records of the General Nursing Council for England and Wales (GNC). The decision whether or not to open the file for public inspection is a matter for the United Kingdom Central Council for Nursing, Midwifery and Health Visiting, the successor body to the GNC.

Official Visits

Mr. Matthew Taylor: To ask the Secretary of State for Health if he will list the visits outside Britain made by his Department's Permanent Secretary on official business since 1 January 1999, indicating the date and purpose of the visit in each case. [132751]

Ms Stuart: The Permanent Secretary visited Bonn, Germany on 17 to 18 May 1999 to discuss the German health system.

Health Service Managers

Mr. Burnett: To ask the Secretary of State for Health what guidance he issues to health authorities or trusts about employment contracts of senior administrative and managerial personnel employed by the NHS; and where they are published. [132708]

Mr. Denham: The National Health Service Executive have issued guidance to NHS trusts and health authorities on employment contacts in respect of:

the pay and conditions of service for NHS managers in trusts and health authorities who retain residual national arrangements, set out in Personnel Management (86)7 (which also included a model contract for general managers, amended by Health Service Guidance (96)1), and in Health Circular (89)1 (which also included model contract clauses for senior managers);

the pay and conditions for managers in health authorities, effective since 1 April 1998, set out in Health Service Circular 1998/017;

a service-wide policy restricting the use of short term contract for all staff working in the NHS, set out in Health Service Circular 1999/108; and,

guidance on the early termination of general and senior managers fixed term rolling employment contracts, set out in Health Service Circular 199/138 and Health Service Circular 1999/140.

Copies of these are in the Library. Guidance published since 1996 is also available on the Department's website.

Medical Inquiries

Mr. Burnett: To ask the Secretary of State for Health if he will introduce legislation to require the General Medical Council to hold its inquiries in public and to put the conclusions of its inquiries into the public domain. [132706]

Ms Stuart: Much of the fitness to practise work of the General Medical Council is already conducted in public. Decisions that a doctor is not fit to practise are always made public.

The General Medical Council is undertaking a "Structural and Legal Review" of its fitness to practise procedures. The GMC will publish its proposals for modernisation later this year. We will need to consider how far they meet the rising expectations of the public and Parliament for fundamental changes to the way the GMC deals with doctors who do not meet the expected standards of conduct and performance set by the profession. If the Council cannot deliver the reform that is necessary we will act to put into place effective measures for the protection of the public.

Mr. Burnett: To ask the Secretary of State for Health what guidance he issues on non-judicial inquiries into events in the NHS; how many of such inquiries have been conducted; how many reports of such inquiries have been put in the public domain; and how many such inquiries have been carried out by employees of the NHS since May 1997. [132707]

Ms Stuart: Non-statutory inquiries into events in the National Health Service are carried out at many levels of NHS management as part of the management process. They may be initiated internally by staff, through formal mechanisms such as the NHS Complaints Procedures, or through external agencies. Some inquiries may be staffed from within the NHS organisation while others will have the benefit of independent members. No general guidance

has been issued, although specific information on the NHS Complaints Procedures was issued under cover of Executive Letter (96)19, copies of which are available in the Library.

Full details of these inquiries are not held centrally. For information on inquiries established by the Department since December 1997 I refer the hon. Member to the reply given to the hon. Member for North Devon (Mr. Harvey) on 25 July 2000, *Official Report*, columns 499–500W. all those inquiries listed have either reported publicly or intend to do so.

Waiting Lists

Mr. Evans: To ask the Secretary of State for Health (1) how many people in Ribble Valley waited *(a)* between six and 12 months, *(b)* between 12 and 18 months and *(c)* over 18 months for an in-patient appointment; [132723]

(2) how many people in Ribble Valley waited *(a)* between three and six months, *(b)* between six and nine months and *(c)* over nine months for their first out-patient appointment; [132724]

(3) how many people from the Ribble Valley died while on an NHS waiting list between 1994 and 2000. [132727]

Mr. Denham: Patients waiting for a first out-patient appointment at Blackburn, Hyndburn and Ribble Valley Health Care National Health Service Trust at 31 March 2000 for all specialities, were:

waiting 13–25 weeks—516 patients

waiting over 26 weeks—147 patients and

total waiting over 13 weeks—663 patients.

Patients waiting for an in-patient appointment at Blackburn, Hyndburn and Ribble Valley Health Care NHS Trust at 31 March 2000 for all specialities, were:

between 6 and 12 months—857 patients

between 12 and 18 months—48 patients and

over 18 months—none.

Information relating to the number of people from Ribble Valley who died on an NHS waiting list is not collected centrally.

Note:

The waiting list information available is collected centrally by the Blackburn, Hyndburn and Ribble Valley Health Care NHS Trust and not by area of residency.

Prescription Charges

Mr. Tynan: To ask the Secretary of State for Health what provision is made in relation to prepayment prescription charges for payment to be made in instalments by direct debit instalments. [132364]

Ms Stuart: In England prescription pre-payment certificates (PPCs) are not available by instalments. To introduce payment on a sliding scale, by instalments or by direct debit, would inevitably increase administrative costs. This would in turn lead to higher season ticket fees, and so reduce the potential savings and make them less attractive for those who continue to use them. However, we recognise that some people may have difficulty in finding the fee for an annual PPC in one payment, which is why we have also made PPCs available for four-monthly periods at a cost of £31.40.

FOREIGN AND COMMONWEALTH AFFAIRS

Absenteeism

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what the level of absenteeism was in *(a)* his Department, *(b)* its agencies and *(c)* its related public bodies in the last year for which figures are available; what his estimate is of the total cost of this level of absenteeism to public funds in each of the last five years; and if he will make a statement. [131321]

Mr. Hain *[holding answer 18 July 2000]:* In 1999–2000 staff in the Department took an average of eight days of sickness absence. Based on an average salary cost (including superannuation and national insurance) the cost to the FCO was £5.5 million. These figures include absences at the FCO's only Executive Agency, Wilton Park, which employs around 40 staff, and the FCO's non-departmental public bodies, all of which employ fewer than seven staff. The cost of this level of absenteeism in the previous four years would have been £5.3 million in 1998–99, £5.3 million in 1997–98, £5.4 million in 1996–97 and £5.4 million in 1995–96. The average number of days of sickness absence in the British Council's operations in the United Kingdom in 1999–2000 was 5.3 days at a total cost of £726,829. The cost of this level of absenteeism in the previous four years would have been £701,882 in 1998–99, £680,825 in 1997–98, £660,401 in 1996–97 and £640,589 in 1995–96.

Nepal

Mr. Gerrard: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what reports he has received regarding the demonstrations held in the Kailali district of Nepal and in Katmandu by bonded labourers demanding their freedom; [132308]

(2) if he will make early representations to the Government of Nepal urging it to release bonded labourers from slavery. [132309]

Mr. Hain: We are aware of the demonstrations. The announcement made by the Nepalese Government on 17 July to abolish bonded labour will be well received by those campaigning against it.

Indian Sub-continent (UK Visits)

Mr. Gorrie: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to reduce the obstacles presented to citizens from the Indian sub-continent wishing to visit their immediate family in the UK. [132244]

Mr. Vaz: The 1999 Immigration and Asylum Act provided for the restoration of appeal rights for people refused visas to visit close family members in the UK. The new appeal right, which will apply to many visitors from the sub-continent, will come into effect from 2 October, and will provide a further, independent review of refusal decisions.

We are making every effort to improve the visa service, particularly in the sub-continent. At my request, there was an independent high level review of the Immigration Section in Islamabad last month, which made recommendations for improvements in the service there. We are in the process of implementing those.

Chagos Islands

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs when the study of the options for repatriating the Ilois People to the Chagos Islands was commissioned; what it has cost to date; when it will be completed; what epidemiological studies have been undertaken of the displaced Ilois People since their evacuation from their home islands; and if he will place in the Library copies of Government papers relating to the evaluation of such studies. [132049]

Mr. Battle: The initial stage of the feasibility study of the physical problems and possible environmental impact of any resettlement in the outer islands of the British Indian Ocean Territory was commissioned in March. The work to date will cost about £55,000. It is being borne by the Government of the territory. The first report, copies of which will be placed in the Library of the House shortly, has identified the need for further study and data collection of issues such as the availability of groundwater. This could take up to 12 months. The timing of more detailed work is uncertain at present. In part it will be influenced by the outcome of the further scientific studies identified by the consultants.

Her Majesty's Government have not undertaken any epidemiological studies in Mauritius of the Ilois.

Ambassadors and Commissioners

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British ambassadors and high commissioners on 1 January in each of the last 10 years were *(a)* women and *(b)* members of an ethnic minority; and if he will express the number in each category as a percentage of the total number of ambassadors and high commissioners. [132501]

Mr. Hain: The number of women who were British Ambassadors or High Commissioners on the 1 January in the past 10 years is as follows:

Year	*Number*	*Percentage*
1990	3	2.4
1991	3	2.3
1992	2	1.5
1993	3	2.2
1994	3	2.2
1995	3	2.2
1996	5	3.5
1997	7	4.9
1998	7	4.9
1999	7	4.9
2000	7	4.9

On 1 January 1994 and 1 January 1995 one Ambassador (0.7 per cent.) was of minority ethnic origin.

Moldova

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on bilateral relations with Moldova and his Department's assessment of the political situation in that country. [131836]

Mr. Vaz *[holding answer 25 July 2000]:* Bilateral relations with Moldova are good. Our Ambassador in Bucharest is also accredited to Moldova and he and his staff visit regularly. Her Majesty's Government, through Foreign and Commonwealth Office and Department for International Development technical assistance, support projects designed to promote economic and democratic development. This year bilateral assistance has supported a range of projects including police training, training of journalists, an education programme for teachers and work in the conflict prevention field. The Under-Secretary of State for International Development opened the Department for International Development's office in Chisinau in June 2000.

Her Majesty's Government hope that the current debate over the constitutional issues in Moldova will not undermine the prospects for economic reform. HMG remain concerned about the situation in Transdniestria and support the work of the OSCE Mission to Moldova in promoting a political settlement. HMG continue to press Russia to comply with commitments made at the OSCE Istanbul summit in November 1999 to complete withdrawal from Moldovan territory by the end of 2002. Her Majesty's Government have contributed £100,000 to the OSCE voluntary fund to assist with this withdrawal and has offered, in principle, to provide resettlement training for the Russian troops based in Transdniestria.

Diplomatic Missions

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish figures recording the number of outstanding parking and other minor traffic violation fines incurred by diplomatic missions and international organisations in the United Kingdom during the year ending 31 December 1999. [133341]

Mr. Battle: At the end of 1999, unpaid fines in respect of parking and other minor traffic violations incurred by members of diplomatic missions and international organisations in the United Kingdom totalled 5,112. In April this year the Foreign and Commonwealth Office wrote to all diplomatic missions and international organisations in the United Kingdom giving them the opportunity to either pay their outstanding fines or appeal against them if they considered that they had been issued incorrectly. As a result payments totalling £36,120.00 were received leaving a total of 4,124 unpaid fines for 1999. The following table details diplomatic missions and international organisations which have more than 10 fines outstanding.

Mission	*Number of fines outstanding*
Nigeria	536
Angola	399
UAE	285
Egypt	152
Iran	125
Morocco	120
Qatar	117
Algeria	109
Turkey	103
Jordan	96

Yugoslavia

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what sanctions the United Kingdom implements in relation to the Federal Republic of Yugoslavia. [133342]

Mr. Hain: The UK implements the provisions of United Nations Security Council resolution 1160 (1998), which imposed an arms embargo on the Federal Republic of Yugoslavia and a prohibition on arming and training for terrorist activities there.

The UK also implements the following measures, imposed by the European Union in relation to the Federal Republic of Yugoslavia, which are designed to target the Milosevic regime.

- an arms embargo and an embargo on the supply of equipment which might be used for internal repression or terrorism
- a selective visa ban
- a ban on the provision of Government-financed export credit and other forms of export finance
- a selective freeze of funds and investment ban
- an oil embargo (with specified exemptions including in relation to Kosovo, Montenegro and the EU's Energy for Democracy programme).

The EU flight ban in relation to the Federal Republic of Yugoslavia has been suspended until 31 March 2001.

Sanctions

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the sanctions and arms embargoes currently implemented by the United Kingdom. [133343]

Mr. Hain: As of today's date, the United Kingdom implements mandatory UN sanctions, imposed by the UN Security Council acting under Chapter VII of the Charter of the United Nations, in relation to Afghanistan, Angola, Eritrea, Ethiopia, Iraq, Liberia, Rwanda, Sierra Leone, Somalia, Sudan and the Federal Republic of Yugoslavia. UN sanctions in relation to Libya have been suspended.

The United Kingdom implements, in addition, sanctions imposed by the European Union in relation to Afghanistan, Bosnia and Herzegovina, Burma, China, the Democratic Republic of Congo, Croatia, Libya, Sudan and the Federal Republic of Yugoslavia.

In accordance with a decision of the OSCE, the United Kingdom implements arms embargoes on Armenia and Azerbaijan. There are also national arms embargoes on Iran and Zimbabwe.

A list of sanctions regimes and arms embargoes implemented by the UK is in the Library of the House. Annexed to this is a summary of additional UK restrictions on the export of strategic goods. These documents are also available on the FCO website and are updated each time there are changes to sanctions regimes implemented by the UK, or to UK restrictions on the export of strategic goods.

Indonesia

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with his EU counterparts concerning the imposing of an arms embargo in Indonesia. [132541]

Mr. Battle: The EU Presidency declaration of 17 January made clear that the EU would continue to follow closely events in Indonesia and strictly implement the EU Code of Conduct on arms exports. We regularly discuss the situation in Indonesia with EU partners. EU Ambassadors in Jakarta recently made a joint demarche to President Wahid on 17 July covering the situation in Maluka.

Separately, the UK has made quite clear that Indonesia is on notice that we will move within the EU to reimpose restrictive measures, if we see a repetition of the type of state-sponsored violence perpetrated in East Timor. We are closely monitoring the situation in the provinces of Indonesia.

Sudan

Mr. Tynan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement concerning plans for the restoration of the joint electoral system in Sudan. [132162]

Mr. Hain: We have noted statements by the Government of Sudan to the effect that National Assembly elections will be held in the Autumn. I discussed the prospects for elections with the Sudanese Foreign Minister on 18 July and he repeated that his Government was indeed committed to holding elections.

We look to the Government to proceed with elections, and to lift the State of Emergency, as soon as possible.

Feira Presidency Conclusions

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the planned effect of Article 50 of the Feira Presidency conclusions on European Communities' legislation on sport. [129918]

Kate Hoey: I have been asked to reply.

Article 50 of the Feira Presidency conclusions recognises the important role that sport can play in social policy. As we have set out in our sports strategy 'A Sporting Future For All' the Government firmly believe that sport has an important role to play in fostering social inclusion. The UK is represented on a working group of sports officials, set up under the Portuguese Presidency looking at the specific characteristics of sport. Their report will be discussed by the Sports Ministers in November.

TRADE AND INDUSTRY

Correspondence

Mr. Wilshire: To ask the Secretary of State for Trade and Industry when he will reply to the letter from the hon. Member for Spelthorne dated 12 April relating to his constituent, Miss R. Whittaker. [130652]

Mr. Alan Johnson *[holding answer 17 July 2000]:* I replied to the hon. Member on behalf of the Secretary of State earlier today.

Electricity Suppliers

Mr. Gareth R. Thomas: To ask the Secretary of State for Trade and Industry when his Department intends to

publish its Code of Practice for licence-exempt electricity suppliers; what arrangements it will make for its monitoring operation; and if he will make a statement. [131674]

Mrs. Liddell: Representatives of electricity industry trade associations together developed a voluntary code of practice for licence-exempt suppliers, but have not yet published or implemented the code. I would encourage them to do so.

Renewable Energy

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what discussions he has had with Ministers and officials in the Department of the Environment, Transport and the Regions about co-ordinating renewable and sustainable energy projects and the regeneration programme. [131993]

Mrs. Liddell: Officials in DTI and DETR keep in touch with each other on matters relating to regeneration and sustainable energy projects.

The location of renewable energy projects is determined largely by the availability of resources and ease of connection to the electricity supply system.

Earlier this year my hon. Friend the Minister for Housing and Planning announced a strategic approach to renewable energy planning. Under the leadership of the Government Offices for the Regions, regional assessments and targets for renewable energy provision are being prepared based upon, and where necessary updating, resources studies. It is our intention that Regional Development Agencies will have a key role to play in this work.

BAe

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry what conditions were attached to the grant of £530 million to BAe systems in respect of the company's future employment levels in the UK; and if he will make a statement. [131892]

Mr. Alan Johnson: Conditions in the A3XX launch investment contact, as with all other launch investments, remain commercially confidential.

We estimate that the A3XX will create 22,000 new jobs (8,000 in BAe SYSTEMS and the UK supply chain, and 14,000 new induced employment) and safeguard a further 62,000 jobs (20,000 on current Airbus programmes and 42,000 in induced employment).

Launch investment is a risk and revenue sharing Government investment in the design and development of specific civil aerospace projects in the UK. The investment is not a grant and is repayable at a real rate of return, usually via levies on sales of the product developed.

Trade Bodies

Mr. Rogers: To ask the Secretary of State for Trade and Industry (1) what criteria he uses to determine whether a trade body is representative of an industry and should be consulted in the formulation of a policy decision; [132261]

(2) what his policy is in determining whether a trade body is representative of an industry; [132262]

(3) what percentage of an industry must a trade body represent to be considered representative of that industry. [132263]

Ms Hewitt: It is not the place of the Government to tell industry how to organise its own representative bodies. However, in the Best Practice Guide for the Model Trade Association the Government have identified the key characteristics that we feel trade associations should have as representatives of their industry.

They should represent the whole of a commercial or industrial sector and seek to cover all products, services and processes.

They should also ensure that their members represent a substantial proportion of the sector (both in terms of output and members).

Furthermore, before consulting trade associations or any other organisations representing industry, the Government is guided by the Code of Practice (How to conduct written consultation exercises) issued by the Cabinet Office, which sets out the guiding principles for effective consultation.

Design in Business Week

Mr. Sheerman: To ask the Secretary of State for Trade and Industry what steps he is taking to promote the Design in Business Week in the Autumn. [132082]

Ms Hewitt: Design in Business Week is an annual event run by the Design Council and its promotion is a matter for the Design Council.

The Design Council is to be congratulated on running Design in Business Weeks. Last year, it worked with some 120 organisations to run events which demonstrated the contribution that Design makes to innovation and competitiveness, attracting a business audience of 10,000. The week this year will run from 27 October to 3 November and I wish the Design Council even greater success than last year.

Bioremediation

Mr. Sheerman: To ask the Secretary of State for Trade and Industry how much money has been made available by his Department for the purposes of research into bioremediation in each of the past 10 years. [132099]

Mr. Byers: The table gives an estimate of the amount of money spent through the OST Science Budget to the academic community, and the DTI Innovation budget to industry for research into bioremediation.

	£
1990–91	240,000
1991–92	110,000
1992–93	405,000
1993–94	785,000
1994–95	1,060,000
1995–96	1,620,000
1996–97	3,010,000
1997–98	3,770,000
1998–99	3,960,000
1999–2000	4,360,000

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Trade and Industry how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April have not received substantive answers, excluding those not answered *(a)* citing disproportionate costs, *(b)* stating that the information is not available, not held centrally, or not held in the form requested or *(c)* citing commercial or other confidentiality. [132130]

Mr. Byers *[holding answer 24 July 2000]:* Very few Parliamentary Questions will not have been answered substantially for reasons other than those specified in the hon. Member's question. In addition to the information provided in the answers to the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) on 23 June 2000, *Official Report,* column 313W and 29 June 2000, *Official Report,* column 576W, a further 12 Parliamentary Questions received answers indicating that the Minister would write with further information.

Mr. Stunell: To ask the Secretary of State for Trade and Industry how many written parliamentary questions were tabled to his Department between 19 October 1999 and 20 April; and how many have not received substantive answers citing disproportionate cost as the reason. [132467]

Mr. Byers: Of the 1,707 written parliamentary questions answered during this period, 25 answers cited disproportionate costs as the reason for not providing part or all of the information requested.

Mobile Phones

Dr. Gibson: To ask the Secretary of State for Trade and Industry what discussions he has had with the mobile phone industry about labelling mobile phones with their radiation levels. [132434]

Ms Hewitt: Officials have held discussions with the mobile phone industry following the publication of the report of the Independent Expert Group on Mobile Phones (the Stewart Report), which recommended that information on SAR values for mobile phones be readily accessible to consumers.

SAR is the Specific Energy Absorption Rate. It is the rate at which energy is absorbed by unit mass of tissue in an electromagnetic field. SAR is the measurement unit used in the exposure guidelines of the National Radiological Protection Board and the International Commission on Non-Ionizing Radiation Protection. Mobile phones do not emit ionising radiation.

In the Government response to the Stewart Report recommendations we agreed that the consumer should have access to SAR values when purchasing a mobile phone and that SAR measurements should be displayed at all points of sale, with each mobile phone, and on the world wide web. It is important that SAR values should be viewed in context, for example by comparing the SAR value against the recommended exposure limits.

This recommendation will be implemented when the European standard on the test methodology for SAR measurement is adopted.

Press Releases

Mr. Lansley: To ask the Secretary of State for Trade and Industry how many press releases have been issued so far this year; and what the total cost of the production and issuing of press releases was in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* 2000 to date. [132781]

Mr. Byers: The DTI has issued 520 press releases since 1 January 2000.

The cost of distributing press releases was:

(a) 1997—£184,669;

(b) 1998—£230,560;

(c) 1999—£211,268;

(d) 2000 (to date)—£105,701.

Science and Innovation White Paper

Dr. Gibson: To ask the Secretary of State for Trade and Industry when he intends to publish the White Paper on Science and Innovation; and if he will make a statement. [133102]

Mr. Byers: I am today publishing the White Paper, "Excellence and Opportunity, a science and innovation policy for the 21st century".

I have arranged for copies to be placed in the Libraries of both Houses.

Post Offices

Dr. Cable: To ask the Secretary of State for Trade and Industry what plans he has to increase Post Office Counters investment in commercially viable sub-post offices in urban areas which are not areas of social deprivation. [132798]

Mr. Byers: In the first instance, it is for the Post Office, in partnership with sub-postmasters and the National Federation of Subpostmasters, to determine the scope for additional investment in the modernisation of commercially viable urban sub-post offices to provide an improved level of service.

ECGD

Dr. Cable: To ask the Secretary of State for Trade and Industry for what reason total managed expenditure for the Export Credits Guarantee Department is planned to fall from £0.9 billion in 1999–2000 to zero in 2003–04; and if he will reconcile this planned fall with the figures provided in the 1998 Comprehensive Spending Review. [132797]

Mr. Caborn: Total managed expenditure for the Export Credits Guarantee Department almost entirely consists of the refinancing of previously issued export finance loans.

The net figure falls from £0.9 billion in 1999–2000 to zero in 2003–04 because the level of repayments on previously re-financed loans is projected to rise progressively to equal the forecast level of new refinancing advances.

It is not possible to reconcile with the figures in the 1998 Comprehensive Spending Review as the refinancing programme did not commence until after the Review.

Astra

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry (1) for what reason his Department is seeking to have documents relating to the Astra case destroyed; [131507]

(2) what public interest justifications for the retention of documents relating to the Astra case he considered in making the decision not to retain them; [131508]

(3) if he will require the Official Receiver to retain documents relating to the Astra case. [131510]

Dr. Howells: The accounting records of Astra Holdings plc are under the control of the Official Receiver as liquidator of the company following a winding-up order made by the court on 13 January 1999.

Having established that the records were no longer required for the purposes of the liquidation, the Official Receiver proposed to utilise his powers under insolvency legislation and destroy the records. However, he became aware that third parties were interested in retaining the accounting records, for reasons unconnected with the liquidation.

In view of the competing demands for the preservation of the records, the Official Receiver has sought direction from the court on the question of their destruction, or continued preservation and custody. A court hearing to determine this matter is awaited and until then the records will be stored at public expense.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry if he will place in the Library a copy of his reply to the organisation Killing Secrets on the question of Astra documents. [131509]

Dr. Howells: Copies of my letters of 29 April and 19 May 2000 to Killing Secrets will be placed in the Library.

Ilisu Dam

Dr. Tonge: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 2 May 2000, *Official Report*, column 27W, on the Ilisu Dam, what direct contact he has had since May with the Turkish Government concerning consultations with those directly affected by the Ilisu Dam. [132542]

Mr. Caborn: My right hon. Friend the Secretary of State for Trade and Industry has had no direct contact with the Turkish Government on this matter.

Dr. Tonge: To ask the Secretary of State for Trade and Industry when he expects the full environmental impact assessment report on the Ilisu Dam to be complete. [132540]

Mr. Caborn: The latest information is that the full Environmental Impact Assessment Report will not be available before September 2000 at the earliest.

CULTURE, MEDIA AND SPORT

Millennium Dome

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will list the parliamentary questions tabled since May 1997 concerning the Dome which have not been answered on the grounds of *(a)* commercial confidentiality and *(b)* public interest. [127820]

Janet Anderson *[holding answer 26 June 2000]:* Of the 1,100 questions that have been answered on the Millennium Experience since May 1997, 72 questions have been answered on which information requested has been declined on the grounds of commercial confidentiality.

Sport England

Mr. Breed: To ask the Secretary of State for Culture, Media and Sport if he will provide a breakdown of the basis on which Sport England forecasts the Lottery draw-down for 2000–01. [130520]

Kate Hoey: The drawdown for 2000–01 was based on the estimated payment profile of individual awards. This included budgeted drawdown for payment on major schemes such as the English Institute of Sport and the Commonwealth Games Stadium. The budget for 1999–2000 included some provision for drawdown on these two major schemes, but progress payments were delayed, which has led to the increase in the amount to be paid out this financial year.

Mr. Breed: To ask the Secretary of State for Culture, Media and Sport on what basis Sport England estimates the percentage increase in the Lottery drawn-down for 2000–01 over the figure for 1999–2000. [130517]

Kate Hoey: The method used by Sport England for estimating the drawdown year on year is based on the estimated payment profile of individual awards, and not on a percentage increase of the previous years drawdown.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Culture, Media and Sport on how many occasions he deposited papers in the Library in response to parliamentary questions tabled to his Department between 19 October 1999 and 20 April. [131230]

Mr. Chris Smith *[holding answer 20 July 2000]:* Papers were deposited in the Library on 40 occasions in response to parliamentary questions tabled to my Department between 19 October 1999 and 20 April 2000.

This figure excludes instances where either my ministerial colleagues or I promised to write to right hon. and hon. Members in response to a parliamentary question.

Mr. Stunell: To ask the Secretary of State for Culture, Media and Sport how many written parliamentary questions tabled to his Department between 19 October 1999 and 20 April have not received substantive answers, citing as the reason commercial or other confidentiality. [132464]

Mr. Chris Smith: Twenty questions tabled to my Department between 19 October and 20 April 2000 have not received substantive answers citing as the reason commercial or other confidentiality.

My Department always aims to provide a substantive reply to hon. Members' questions. Where this is not possible due to commercial or other confidentiality, we endeavour to provide as helpful and as detailed a reply as possible based on the information that is available. In these cases a partial rather than a substantive answer is given.

Art Thefts

Mr. Gordon Prentice: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 12 June 2000, *Official Report*, column 500W, on missing works of art, for what reasons the theft on 9 January 1997 of rings and cameos from the Sir John Soane's Museum was not included in this list. [132512]

Mr. Alan Howarth: My letter of 4 July to my hon. Friend in response to his parliamentary question asking the Secretary of State to list the items missing, stolen or unaccounted for from the national collections did not refer to the Sir John Soane's Museum because it is not a national museum. Copies of my letter were placed in the Library of the House on 4 July.

Football Regulator

Ms Walley: To ask the Secretary of State for Culture, Media and Sport what progress he has made on the implementation of the Football Task Force report; and if he will make a statement on the Football Foundation and the proposed regulatory body. [132497]

Kate Hoey: The Government will respond to the Football Task Force's final report, Football Commercial Issues, shortly. My right hon. Friend the Prime Minister, with the football authorities, yesterday launched the Football Foundation, the new partnership body which will distribute development funding for the sport, and I refer my hon. Friend to the answer given by my right hon. Friend the Secretary of State the Under-Secretary of State to my hon. Friend the Member for Liverpool, Garston (Maria Eagle) on 24 July 2000, *Official Report*, columns 414–15W.

Foreign Artefacts

Mr. Mackinlay: To ask the Secretary of State for Culture, Media and Sport what representations have been received from foreign Governments about the return of *(a)* aboriginal human remains and *(b)* artefacts removed from aboriginal tombs and graves that are held in United Kingdom museums, Government departments and agencies, and learning and research institutions; and if he will make a statement. [131838]

Mr. Alan Howarth *[holding answer 25 July 2000]:* The subject of ancestral remains was raised by the Australian Prime Minister Mr. John Howard during his meeting with my right hon. Friend the Prime Minister on, following which they issued a joint statement. No other foreign governments have made representations in recent years.

Mr. Mackinlay: To ask the Secretary of State for Culture, Media and Sport if he will list those art, cultural and folk artifacts that foreign Governments have requested be returned to their country of origin and which are currently held in *(a)* public institutions and *(b)* private collections within the United Kingdom; and if he will make a statement. [131837]

Mr. Alan Howarth *[holding answer 25 July 2000]:* The following are the requests received from foreign governments:

For the Parthenon Sculptures from the Government of Greece; for the Koh-I-Noor diamond from the Governments of India and Pakistan and for items from the India Office Library from the Governments of India, Pakistan, Burma, Nepal and Bangladesh.

Mr. Mackinlay: To ask the Secretary of State for Culture, Media and Sport what inventory has been made of *(a)* aboriginal human remains and *(b)* artefacts removed from aboriginal tombs and graves, held in museums, Government departments and agencies, and learning and research institutions within the United Kingdom; and if he will make a statement. [131839]

Mr. Alan Howarth *[holding answer 25 July 2000]:* No central inventory exists at present. It is a matter for each individual institution holding such items to compile their own records.

National Lottery

Mr. Evans: To ask the Secretary of State for Culture, Media and Sport what proportion of Lottery ticket receipts has been spent in Wales through the National Lottery Charities Board. [131030]

Kate Hoey: Up to the end of March 2000, the proportion of total Lottery ticket receipts paid out by the National Lottery Charities Board for grants in Wales was 0.2 per cent.

Mr. Evans: To ask the Secretary of State for Culture, Media and Sport how much money has been spent by people in Wales on lottery tickets. [131031]

Kate Hoey: Up to the end of March 2000, £2.01 billion had been spent on Lottery tickets in Wales.

Mr. Evans: To ask the Secretary of State for Culture, Media and Sport how many projects have unsuccessfully applied for grants to the National Lottery Charities Board; and if he will list the amount of each of these grants. [131032]

Kate Hoey: Up to 21 July 2000.

Of the 98,026 grant applications that the National Lottery Charities Board (NLCB) has received since it was established in 1995, 62,253 (63 per cent.) were unsuccessful.

Of these, 11,985 applications were for less than £5,000 (total value was £45,142,978); 18,483 applications were for between £5,000 and £50,000 (total value £392,399,544); 25,259 applications were for between £50,000 and £250,000 (total value £3,195,740,682); and 6,526 applications were for over £250,000 (total value £4,144,673,961).

Items in lieu of Tax

Mr. Leslie: To ask the Secretary of State for Culture, Media and Sport if he will list the allocation of items

accepted in lieu of tax made in the financial year *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000. [133355]

Mr. Alan Howarth: The information my hon. Friend requests is as follows:

Table 1: Allocation of items accepted in lieu of tax made in the financial year 1997–98

Item	*To whom allocated*	*Date of allocation*
Two German drawings, by Martin Schongauer and Jorg Breu the Elder	British Museum	9 June 1997
Peacock Gown	National Trust for display at Kedleston Hall, Derbyshire	9 June 1997
Torbock Archives	Cumbria County Council for retention at Cumbria Record Office and Somerset District Council for retention at Somerset Record Office	14 June 1997
A 17th century pair cased alarm striking watch by Edward East	National Museums and Galleries on Merseyside for display at the Prescot Museum	18 June 1997
Staffelsee by Wassily Kandinsky	Ashmolean Museum	18 June 1997
A Queen Anne walnut longcase clock by Daniel Quare	Worshipful Company of Clockmakers Museum	27 August 1997
Throckmorten papers	Warwickshire County Council for retention at Warwickshire Record Office and the Shakespeare Birthplace Trust	21 August 1997
Regency furniture	Victoria and Albert Museum (in-situ at Longleat House)	5 November 1997
The Armagnac Manuscript for the Two Trials of Joan of Arc	Victoria and Albert Museum	7 February 1998
Portrait of Lord Thurlow by George Romney	House of Lords Collection Trust	7 February 1998
Portrait of Mary Leiter by Alexander Cabanel	National Trust for display at Kedleston Hall, Derbyshire	7 February 1998
Still Life with an upturned roemer by Willem Claez Heda	Norfolk County Council for display at the Castle Museum, Norwich	7 February 1998
Mrs. Leahart and her Children by Arthur Hughes	Tyne and Weir Joint Museums Committee for display at the Laing Art Gallery, Newcastle	7 February 1998
A painting by Aert Van Der Neer	Ashmolean Museum	7 February 1998
Macclesfield Silver	Victoria and Albert Museum	18 February 1998
Twenty two miniature Iron Age shields	British Museum	18 March 1998

Table 2: Allocation of items accepted in lieu of tax made in the financial year 1998–99

Item	*To whom allocated*	*Date of allocation*
The Archive of Lord Clark of Saltwood	Tate Gallery	8 April 1998
Simon Bening illumination	Victoria and Albert Museum	10 May 1998
A Still Life with flowers and fruit upon a ledge in a park setting by Jan van Huysum	National Trust for display at Dudmaston	7 June 1998
The Cobbold Family portrait by Thomas Gainsborough	The Gainsborough House Society	9 June 1998
Four paintings by Pierre Bonnard, Amedeo Modigliani and Claude Monet	Fitzwilliam Museum	15 June 1998
Hawkins family Archive	Cornwall County Council for retention at the Cornwall County Record Office	22 June 1998
The Sherborne Missal	British Library	30 June 1998
An ormolu and enamel automaton clock by Thomas Weekes	Leeds City Council for display at Temple Newsam House	15 September 1998
A collection of works from Clevedon Court, North Somerset	National Trust for display at Clevedon Court	2 October 1998
Two paintings by Charles de Lafosse	National Trust for display at Basildon Park, Berkshire	5 November 1998
Kay-Shuttleworth papers	National Trust for retention at Lancashire Records Office	2 February 1999
Furniture from Gawthorpe Hall, Lancashire	National Trust for display at Gawthorpe Hall	4 February 1999
A View of the European Factories at Canton by William Daniel	National Maritime Museum	19 February 1999
Needlework Casket	Victoria and Albert Museum	8 March 1999

Table 3: Allocation of items accepted in lieu of tax made in the financial year 1999–2000

Item	*To whom allocated*	*Date of allocation*
A pair of Delft cream Pans made by Adrianus Kocks	Historic Royal Palaces	4 May 1999
Portrait of David Garrick by Johann Zoffany and Le Manchot by David Teniers the Younger	Ashmolean Museum	10 May 1999
Saint Teresa's Vision of a Dove by Sir Peter Paul Rubens	Fitzwilliam Museum	17 June 1999
Portrait of Cesare Alessandro Scaglia, Abbé of Stafforda and Mandanici, 1634 by Sir Anthony Van Dyke	National Gallery	7 September 1999
The Temple of Poseidon at Sunium (Cape Colonna) by Joseph Mallord William Turner	Tate Gallery	28 September 1999
Landscape with Phaeton's Petition to Apollo by Richard Wilson	National Museums and Galleries on Merseyside for display at the Walker Art Gallery	28 September 1999
The Powis Archive	Shropshire County Council for retention at Shropshire Records and Research Centre	29 September 1999
Shuttleworth family and estate papers	Lancashire County Council for retention at Lancashire Record Office	28 October 1999
Composition B with Red by Piet Mondrian	Tate Gallery	5 November 1999
An equirotal cab-phaeton	Museum of London	20 November 1999

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Table 3: Allocation of items accepted in lieu of tax made in the financial year 1999–2000

Item	*To whom allocated*	*Date of allocation*
Master of the Rolls ceremonial robe of circa 1784	Permanent Exhibition of the History of Legal Robes and Costumes for display at the Royal Courts of Justice in the Strand, London	3 December 1999
The Ballad Seller by Henry Walton	Tate Gallery	3 December 1999
Two portraits of Admiral and Mrs. Bligh by John Russell	The Captain Cook Memorial Museum	22 December 1999
A Charles II studded leather coffer	Leeds City Council for display at Temple Newsam House	13 December 1999
Manuscript by John Bellemain	British Library	22 January 2000
The papers of Sir Henry Page Croft	Churchill College, Cambridge	28 February 2000
A group of medals awarded to Colonel Mark Sever Bell	Royal Engineers Museum	6 March 2000

Hospitality Contact Group

Mr. Caplin: To ask the Secretary of State for Culture, Media and Sport which Government departments are represented on the Tourism and Hospitality Contact Group; and what arrangements he is putting in place to publicise it. [133356]

Mr. Chris Smith: The Tourism and Hospitality Contact Group, set up by the Government to ensure close working between Departments on policies affecting tourism, includes representatives from the following Departments:

Department for Culture, Media and Sport

Ministry of Agriculture, Fisheries and Food

Cabinet Office (Regulatory Impact Unit)

HM Customs and Excise

Department for Education and Employment

Department of the Environment, Transport and the Regions

Foreign and Commonwealth Office

Home Office

Small Business Service

Department of Trade and Industry

HM Treasury

Department of Enterprise, Trade and Investment (Northern Ireland

Scottish Executive

National Assembly for Wales.

Representatives from the English Tourism Council and British Tourist Authority also attend the Group's meetings.

I am arranging to place the representatives' contact details on the DCMS website. Details will also be publicised through the English Tourism Council.

CABINET OFFICE

Computer Disasters

Mr. Fabricant: To ask the Minister for the Cabinet Office what research she has undertaken into the likely effects of a computer disaster occurring to the principal departments of state; and what contingency measures have been taken to reduce the impact of a disaster. [130964]

Mr. Ian McCartney: I refer the hon. Member to my reply to the hon. Member for Mid-Bedfordshire (Mr. Sayeed) on 21 July 2000, *Official Report*, column 370W.

Modernising Government

Mrs. Brinton: To ask the Minister for the Cabinet Office what discussions have taken place between her Department and the Department of the Environment, Transport and the Regions, on the place of sustainable development in relation to modernising Government. [131989]

Mr. Stringer: The Cabinet Office Regulatory Impact Unit has been leading on the commitment in the Modernising Government White Paper to produce an integrated system of impact and appraisal tools in support of sustainable development. The Department of the Environment, Transport and the Regions have been closely involved in this, for example running a pilot exercise to test the Policy Makers Checklist and contribute to proposals for an integrated approach to appraisal. DRTR will also be working with the Centre for Management and Policy Studies which has a remit to identify and promote best practice in policymaking.

Permanent Secretaries

Mr. Baker: To ask the Minister for the Cabinet Office how many permanent secretaries in the Civil Service are *(a)* women and *(b)* members of an ethnic minority; and if she will express the number in each category as a percentage of the total. [132502]

Mr. Stringer: With effect from 7 August there will be three women Permanent Secretaries in the Civil Service which is 8 per cent. of the total. They are Rachel Lomax, Department of Social Security, Mavis McDonald, Cabinet Office and Juliet Wheldon, Treasury Solicitor, who is the first woman to occupy this post. No Permanent Secretary is from an ethnic minority background.

Departmental Staff

Mr. Burstow: To ask the Minister for the Cabinet Office how many unfilled vacancies for permanent staff her Department has; what percentage of staff positions in her Department are vacant; what the monthly cost would be to her Department of employing civil servants in these positions; how many and what percentage of staff her Department employs on a temporary basis through employment agencies; how much her Department paid employment agencies to supply temporary staff in each of the last 12 months; and how much she expects to pay employment agencies to supply temporary staff in each of the next 12 months. [131439]

Mr. Stringer: There are currently approximately 150 unfilled vacancies in my Department; this is approximately 8.5 per cent. of staff positions. The estimated monthly cost

of filling these vacancies, based on average salaries per grade, including ERNIC and superannuation costs, is £339,237.00.

My Department currently employs 45 temporary staff. This represents 2.5 per cent. of total staff numbers.

In each of the last 12 months the amounts paid by my Department to employment agencies were as follows:

	£
July 1999	93,793.63
August 1999	114,958.87
September 1999	126,714.45
October 1999	111,927.39
November 1999	108,047.59
December 1999	81,414.78
January 2000	97,304.51
February 2000	146,355.06
March 2000	203,174.28
April 2000	65,671.40
May 2000	177,558.80
June 2000	134,168.62

Estimates of my Department's expected payments to employment agencies to supply temporary staff in each of the next 12 months are not available and could be provided only at disproportionate costs.

Ministerial Travel

Mr. Pearson: To ask the Minister for the Cabinet Office if she will revise her guidance on ministerial travel to include the Rover 75 series in the makes and models of car available to the Government Car Service. [132293]

Mr. Ian McCartney: The Government Car and Despatch Agency is currently undertaking a thorough evaluation of the suitability of the Rover 75, along with other cars, as a model for use by the Government Car Service. The Agency's report is expected shortly.

Parliamentary Questions

Mr. Stunell: To ask the Minister for the Cabinet Office how many written parliamentary questions tabled to her Department between 19 October 1999 and 20 April 2000 have not received substantive answers, citing as the reason commercial or other confidentiality. [132463]

Mr. Stringer: Between 19 October 1999 and 20 April 2000, there have been no questions tabled to the Cabinet Office which did not receive substantive replies citing as the reason commercial or other confidentiality.

Service Standards

Mrs. Heal: To ask the Minister for the Cabinet Office if she will make a statement on the performance of the main Departments and Agencies against the six service standards for central Government over the financial year 1999–2000. [133344]

Mr. Ian McCartney: I have arranged for a report on the performance of the main Departments and Agencies to be placed in the Libraries of the House. This is the first report on performance against the revised service standards announced in the Modernising Government White Paper, and reflects the Government's commitment to openness and to reporting transparently on our performance.

In most cases, Departments' performance in responding to correspondence from the public has improved over the past year, although performance varies widely and there is still room for improvement overall. Ministers are determined that performance should continue to improve through the introduction of new technology and the overhaul of outdated procedures. The performance of the main Departments and Agencies is summarised in the table.

Against the other standards, the report shows that visitors to public offices are usually seen within 10 minutes of their appointment, and that most visitors without an appointment are seen within the designated target. All Departments have at least one telephone inquiry point, and calls to designated numbers are usually answered promptly. Use of the internet is increasing rapidly and all the main Departments dealing with the public have websites, publicise their complaints procedure on-line, and, in most cases, are able to accept e-mailed inquiries. The report also shows some of the innovative ways in which Departments and Agencies are consulting their users and making their services more accessible.

Department/Agency	*Target (working days)*	*Total volume*	*Percentage of responses within target*	*Target 2000–01 (working days)*	*Agencies included in Departments return*
Ministry of Agriculture, Fisheries and Food	15	72,296	92	15	Yes
Cabinet Office	15	5,771	99	15	Yes
Crown Prosecution Service	10	Not available	88	10	n/a
Department for Culture, Media and Sport	18	28,841	81	18	No
HM Customs and Excise	10	472,806	94	10	n/a
Ministry of Defence	20	10,220	84	20	Yes
Department of Education and Employment	15	96,009	90	15	No
Employment Service (Jobcentres/Chief Executive Office)	10/15	Not available/846	90/97	10/15	
Department of the Environment, Transport and the Regions	15	153,159	89	15	No
Driving Standards Agency	15	27,052	99	15	
Driver and Vehicle Licensing Agency (DVLA)	15	557,483	97	15	
Highways Agency	15	28,354	83	15	
Maritime and Coastguard Agency	15	35,887	92	15	
Vehicle Inspectorate	15	2,469	100	15	

Department/Agency	Target (working days)	Total volume	Percentage of responses within target[1]	Target 2000–01 (working days)	Agencies included in Departments return
Foreign and Commonwealth Office	20	46,480	84	20	No
Government Offices for the Regions	Maximum 15	n/a	80/99	15	n/a
Department of Health	20	[4]58,287	48	20	No
Medicines Control Agency	7	5,842	93	7	
NHS Pensions Agency	20	17,355	100	20	
Home Office	20	223,958	64	20	No
UK Passport Agency	10	105,826	81	10	
HM Prison Service	20	72,076	94	20	
Inland Revenue[7]	20	[8]—	84	15	n/a
Intervention Board	10	14,002	92	10	n/a
Lord Chancellor's Department	20	6,047	88	20	No
Court Service	20	5,606	93	15	
HM Land Registry	5	352,500	100	5	
Department of Social Security	20	34,446	63	20	No
Benefits Agency	10	1,104	78	10	
Child Support Agency	10	n/a	66	10	
War Pensions Agency[9]	10	275,000	98	10	
Department of Trade and Industry	15	102,366	96	15	No
Companies House	10	35,000	98	5	
Employment Tribunal Service	10	363,000	97	10	
Patent Office	5	7,782	100	5	
Insolvency Service	15	226,290	97	15	
Radiocommunications Agency	15	200,340	98	15	
HM Treasury	15	24,671	36	15	No

[1] Performance has been rounded up or down to the nearest whole figure.
[2] MAFF's Regional Service Centres have a 10 working day target.
[3] Performance in responding to complaints only.
[4] Total volume covers public correspondence sent to Ministers or to the Department as a whole. It does not include correspondence sent direct to individual branches or units.
[5] Performance is measured by an independent research company sending a 'mystery letter' each quarter to each job centre (total of 4,000 letters a year). The company assesses the letters for quality as well as speed or reply.
[6] Correspondence received by the Ministerial Correspondence Unit.
[7] The Inland Revenue merged with the Contributions Agency (CA) in April 1999. Former CA staff are currently working a target of responding to 95 per cent. of customer inquiries (not just correspondence) within 20 working days. During the period of this report, they received some 53,000 inquiries and responded to 99 per cent. within target. All Inland Revenue staff are working towards a 15 day correspondence target for 2000–01.
[8] Inland Revenue offices received some 74,000,000 items of correspondence during the reporting period; however, this figure includes all internal post. There are no facilities for the collation of separate figures for external correspondence.
[9] Target for Chief executive's correspondence is 20 working days. During the reporting year, 762 items were received with 99 per cent. answered within target.

Northern Ireland Departments and the NIO

Department/Agency	Target (working days)	Total volume	Percentage of responses within target[1]	Target 2000–01 (working days)
Department of Agriculture	15	109,279	100	15
Department for Social Development	15	175	99	15
Department of Education	15	4,205	89	15
Department of Environment	15	8,581	91	15
Department of Finance and Personnel	15	6,995	100	15
Department of Enterprise, Trade and Investment	15	21,000	98	15
Department for Regional Development	15	12,113	98	15
Department of Health, Social Services and Public Safety	15	1,487	100	15
Child Support Agency	10	935	91	10
Driver and Vehicle Licensing	3	14,793	100	3
Driver and Vehicle Testing Agency	15	670	100	15
Public Record Office	14	2,999	99	14
Rate Collection Agency	10	56,100	96	10
Social Security Agency	15	19,863	96	10
Training and Employment Agency	5	4,000	100	5
Northern Ireland Office	15	4,344	79	15
Northern Ireland Prison Service	15	1,800	96	15
Compensation Agency for Northern Ireland	10	213,000	96	10

[1] Performance has been rounded up or down to the nearest whole figure

EDUCATION AND EMPLOYMENT

Pupil Expenditure (Greater London)

Mr. Cox: To ask the Secretary of State for Education and Employment how much money was spent per pupil attending *(a)* primary and *(b)* secondary schools in the Greater London area in each of the last three years. [124750]

Ms Estelle Morris: The following table sets out spending per pupil in both primary and secondary schools in the Greater London area, from 1996–97 to 1998–99 (provisional), the last three financial years for which figures are available. The figures are based on Net Institutional Expenditure.

£

	Pre-primary and primary	*Secondary*
1996–97	2,050	2,760
1997–98	2,080	2,810
1998–99	2,220	2,900

Provisional

The following table sets out the resources being made available in Greater London for primary and secondary schools, as part of the drive to raise standards. These figures are not comparable with the Net Institutional figures set out above. The special and specific grants total include the money for schools announced in the Budget on 21 March.

£

	Cash		*Real terms 2000–01 prices*[1]	
	Primary	*Secondary*	*Primary*	*Secondary*
Standard spending assessment per pupil				
1997–98	2,570	3,350	2,780	3,620
1998–99	2,720	3,510	2,850	3,690
1999–2000	2,870	3,650	2,930	3,730
2000–01	2,980	3,800	2,980	3,800
Special and specific grants per pupil				
1997–98	30	30	40	30
1998–99	40	40	40	40
1999–2000	150	130	160	130
2000–01	300	260	300	260

[1] Calculated using Treasury GDP deflators published 29 June 2000

PFI Contracts (Schools)

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what the estimated rate of return on capital is to the contractors under the PFI contracts for schools. [131350]

Jacqui Smith: The Department is not a signatory to any school PFI contracts and therefore does not have full information about the commercial details of these deals. However, our monitoring of deals signed recently suggests that contractors are likely to receive a return on capital of some 8–9 per cent. from PFI schemes in schools.

Performance-related Pay

Mr. Clappison: To ask the Secretary of State for Education and Employment, pursuant to his answer of 16 March 2000, *Official Report*, column 295W, when he expects to have figures for the total cost of administering the performance-related pay scheme. [131675]

Ms Estelle Morris: It is not possible to say when the total cost will be known.

Mr. Clappison: To ask the Secretary of State for Education and Employment how many representations he received in support of his plans requiring teachers to participate in the assessment of other members of the teaching staff in their schools. [131698]

Ms Estelle Morris: Representations expressing support were received from the National Association of Head Teachers, the National Employers' Organisation for Schoolteachers and the Secondary Heads' Association.

Mr. Clappison: To ask the Secretary of State for Education and Employment what assessment he has made of the average time currently spent in training *(a)* a primary school head teacher and *(b)* a secondary head teacher in the administration of performance-related pay; and what has been the cost of such training. [131714]

Ms Estelle Morris: In England, primary and secondary headteachers were invited to attend a one day threshold assessment training event in March or April. They were also invited to attend a further half day follow-up training event in June. The costs associated with the training events form part of the contracts the Department has with outside companies and are, therefore, commercial in confidence.

In Wales, each headteacher was offered one day's training and the vast majority have attended. The cost of this training in Wales, which was completed on 11 July, is not yet known.

We do not have details about any additional training such headteachers may have undertaken.

Mr. Clappison: To ask the Secretary of State for Education and Employment what role he requires *(a)* deputy heads and *(b)* teachers to play in the assessment of other members of a school's teaching staff for the purpose of performance-related pay in (i) primary and (ii) secondary schools. [131716]

Ms Estelle Morris: The Secretary of State's original intention was that a headteacher could request input from their teamleaders or other senior members of staff who had a more direct overview of a teachers' work to assist in assessing threshold applications. This applied in both primary and secondary schools. Following the outcome of the judicial review brought by the NUT the threshold assessments have been put on hold and there is now no contractual duty for such staff to assist the headteacher in assessments.

Mr. Clappison: To ask the Secretary of State for Education and Employment if he expects teachers other than departmental managers to assist heads in carrying out assessments for performance-related pay. [131796]

Ms Estelle Morris: The Secretary of State's original intention was that a headteacher could request input from their teamleaders or other senior members of staff to assist in assessing threshold applications. The Guidance that accompanied the School Teachers' Pay and Conditions Document made clear that this should only reasonably apply to teachers with managerial responsibilities who have an overview of the relevant aspects of the work of the teachers concerned. Following the outcome of the judicial review brought by the NUT the threshold

assessments have been put on hold and there is now no contractual duty for such staff to assist the headteacher in assessments.

Mr. Clappison: To ask the Secretary of State for Education and Employment what assessment he has made of the effect of the decision of Mr. Justice Jackson on 14 July on the formula for payments from his Department to local authorities in respect of threshold payments as set out in paragraphs 3 to 15 of Annex A of Special Grant report 61; what modifications he plans to make to the timescale for payments set out in those paragraphs; and whether he intends to proceed on the basis of Special Grant report 66 for making payments. [131797]

Ms Estelle Morris: The Government remain committed to the introduction of a threshold for teachers, providing an additional £2,001, backdated to September 2000, for all teachers who demonstrate the characteristics of effective teaching.

The need to refer the standards for assessing teachers against the threshold to the School Teachers Review Body, following Mr. Justice Jacksons' judgment will have the effect of delaying teachers assessments and so payments to successful teachers. As a consequence, we will not seek parliamentary approval for Special Grant Report 66 which will be replaced with a revised report in autumn setting out a new timetable for payments to local authorities.

Mr. Hancock: To ask the Secretary of State for Education and Employment what the total cost is to the Government of the performance-related pay threshold payments; what proportion this is of the £1 billion set aside for the increase in teachers' pay; and if he will make a statement. [132075]

Ms Estelle Morris: The Government have undertaken to fund each full-time equivalent teacher passing the threshold at an annual rate of £2,357. This comprises the threshold uplift of £2,001 increased by 17.8 per cent. for pension and national insurance contributions. The total cost of the threshold will depend on the number of teachers who pass the assessment, as will the proportion this represents of the £1 billion available until March 2002.

Mr. Hancock: To ask the Secretary of State for Education and Employment what estimate he has made of the cost of paying assessors to visit schools for the performance-related pay threshold payments; and if he will make a statement. [132076]

Ms Estelle Morris: DfEE has contracted Cambridge Education Associates (CEA) to manage the appointment, deployment and quality assurance of external assessors in England. The cost associated with this contract are commercial in confidence. Assessors in Wales will be managed by consortiums of Welsh local education authorities. The cost of the Department's contracts with the Welsh consortia has not yet been finalised.

Mr. Hancock: To ask the Secretary of State for Education and Employment how much money has been set aside as travel expenses for assessors to visit schools in connection with the performance-related threshold payments; and if he will make a statement. [132077]

Ms Estelle Morris: There is no separate fund set aside for travel expenses for assessors.

Mr. Hancock: To ask the Secretary of State for Education and Employment what the costs were of writing, printing, and distributing the printed materials associated with the performance-related pay threshold; and if he will make a statement. [132078]

Ms Estelle Morris: It is not possible to provide this information as many of the materials were produced and distributed under commercial contract.

Mr. Hancock: To ask the Secretary of State for Education and Employment in relation to the performance-related pay threshold payments for teachers, how much headteachers' training has cost the Government; and if he will make a statement. [132079]

Ms Estelle Morris: The costs associated with the training events form part of the contracts the Department has with outside companies and are, therefore, commercial in confidence.

Mr. Hancock: To ask the Secretary of State for Education and Employment how much has been spent on recruiting and training the assessors for the threshold application forms in connection with performance-related pay for teachers; and if he will make a statement. [132080]

Ms Estelle Morris: The costs associated with the recruitment and training of external Assessors form part of the contracts the Department has with outside companies and are, therefore, commercial in confidence.

Edinburgh Road Special School, Holt

Mr. Prior: To ask the Secretary of State for Education and Employment if he will make a statement on the future of the Edinburgh Road School for Children with Special Needs in Holt, Norfolk. [132374]

Jacqui Smith: In October 1999 Norfolk LEA served Notice on the Secretary of State of its proposal to relocate the existing Edinburgh Road Special School to a new site in Sheringham. The statutory process involves local consultation, the serving of the Notice by the LEA, a period for objections followed by consideration by the Secretary of State during which he will consider, among other information, advice from HMI.

Today I have informed the hon. Member and Norfolk LEA that my right hon. Friend the Secretary of State is minded to approve the proposals, subject to the necessary planning permission being granted.

Teacher Training

Mr. Clappison: To ask the Secretary of State for Education and Employment how many applications have been received for courses of postgraduate initial teacher training commencing in September; and how many had been received at the same stage *(a)* in 1999 and *(b)* in 1997, broken down in each case into those applying by subject for secondary training, separately identifying those applying for maths, foreign languages, science and technology; and if he will list the Government's targets for recruitment for those subjects for September. [131676]

Ms Estelle Morris: Targets for 2000–01 for England are given in the table.

	Number
Mathematics	1,850
English and Drama	2,160
Science	2,690
Modern Foreign Languages	2,050
Technology	2,000
History	900
Geography	1,090
PE	1,200
Art	850
Music	630
RE	665
Other	330
Margin for flexibility	200
Total	16,615

Notes:

1. Targets are for undergraduate combined with postgraduate.
2. The margin for flexibility is equivalent to the provision the Teacher Training Agency had last year to "vire" places between secondary subjects within certain parameters, but is now given explicitly.

Source:

Department for Education and Employment

Applications for postgraduate initial teacher training courses are only available on an England and Wales basis. Latest available figures for secondary teacher training by subject together with comparative figures for the previous year and 1997 are given in the table.

	19 July 1997	*17 July 1999*	*15 July 2000*
Mathematics	1,289	1,345	1,292
English and Drama	2,829	2,694	2,756
Science	2,738	2,868	2,907
Modern Foreign Languages	2,275	1,967	2,282
Technology	1,275	1,186	1,319
History	1,864	1,580	1,567
Geography	1,082	1,029	995
PE	1,339	1,366	1,481
Art	1,341	1,124	1,190
Music	494	562	548
RE	732	704	653
Other	578	511	473
Total	17,836	16,936	17,463

Note:

The above figures are for applications as entered on the GTTR computer system.

Source:

Graduate Teacher Training Registry (GTTR).

The number of trainees recruited onto mathematics postgraduate initial teacher training courses declined between 1994–95 and 1998–99, and there was a similar decline in the number of trainees recruited onto science postgraduate initial teacher training courses between 1996–97 and 1998–99. In October 1998 'golden hello' incentives were announced for teacher trainees taking a postgraduate certificate of education in mathematics or science. Such trainees received £2,500 during their training and a further £2,500 on going on to take up a relevant teaching post. Recruitment to these subjects in 1999 was up on the previous year.

My right hon. Friend the Secretary of State announced on 30 March 2000 that £6,000 training salaries would be introduced for postgraduate trainees starting initial teacher training courses from September 2000. New style 'golden hello' incentives of £4,000 were announced for postgraduate trainees in mathematics, science, modern foreign languages, information technology and design and technology, who successfully complete their induction and go on to take up a relevant teaching post. Since the announcement, postgraduate application figures for secondary initial teacher training as provided by GTTR are 15 per cent. higher for mathematics, 21 per cent. higher for science, 61 per cent. higher for modern foreign languages and 53 per cent. higher for technology than for the same period from the end of March to July last year. Applications for postgraduate secondary subjects taken together are 38 per cent. higher than for the same period last year from the end of March to July last year.

Beanfield Community College

Mr. Clappison: To ask the Secretary of State for Education and Employment what consultations have been carried out regarding the decision to close the sixth form of Beanfield Community College in order to bring about its reconfiguration as Corby Community College under the Fresh Start policy; what assessment he has made of the effect of this closure on the education of members of the present lower sixth in the college; and if he will make a statement. [131677]

Mr. Wicks: The proposals to close the sixth form at Beanfield Community College were decided under the new arrangements for local decision making. Since September 1999, most decisions on statutory proposals have been taken by local School Organisation Committees. Statutory guidance requires those bringing forward proposals to consult all interested parties, and also requires School Organisation Committees to satisfy themselves before deciding proposals with a significant post-16 dimension that all interested parties have been fully consulted and their views explicitly addressed.

AS Levels

Mr. Clappison: To ask the Secretary of State for Education and Employment if he will make a statement on the policy of university admission authorities towards AS levels; and how many universities he expects to use AS levels as predictors of likely A level performance. [131692]

Mr. Wicks: Universities are responsible for their own admissions policies. Initial indications are that they will consider the new AS level qualifications as early predictors of A level performance and make conditional offers that include, alongside A levels, AS qualifications as evidence of breadth. The position will be clearer once the HE prospectuses are published early in 2001. A guidance note for HEIs on changes to the post-16 curriculum in England, Wales and Northern Ireland was published by UCAS in June 2000 in conjunction with the Department and the regulatory authorities. Copies will be placed in the Libraries.

Examination Fees

Mr. Clappison: To ask the Secretary of State for Education and Employment how much schools were

charged in respect of examination fees for *(a)* GCSE examination entries and *(b)* A levels in each year of the last five years. [131693]

Mr. Wicks: As schools are charged individually and may have arrangements with more than one awarding body to buy a range of qualifications of which GCSE and GCE A level are but two, it is not possible to provide precise figures. Estimates of the amounts charged to maintained schools (including grant maintained schools) in England, Northern Ireland and Wales, based on the number of reported entries and the average fee charged for each qualification in each year are set out in the table:

£ million

	GCSE	*GCE A level*
1995	77.5	8.83
1996	81.9	9.3
1997	83.5	10.5
1998	84	11.5
1999	88.8	12.6

Note:
This information has been provided by the Joint Council for General Qualifications.

The increases in charges are due to higher numbers of entries, as well as to take account of inflation.

City Academies

Mr. Clappison: To ask the Secretary of State for Education and Employment what his most recent estimate is of the number of City Academies that will be in place in September 2001. [131694]

Ms Estelle Morris: Initial discussions are under way with a number of potential sponsors and LEAs about possible City Academies. It is too early to say when the first City Academies will be established.

Classrooms

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment if he will list the new primary and secondary classrooms built in Shrewsbury and Atcham since 1997. [131706]

Jacqui Smith: Local education authorities may draw on a number of different sources for funding to build new classrooms. The Department does not currently collect information on how local authorities use their Annual Capital Guideline allocations, nor on what building projects are funded from authorities' own resources. Details of projects in the Shrewsbury and Atcham constituency funded under the New Deal for Schools initiative, which included new classrooms, were given to my hon. Friend on 8 May 2000, *Official Report*, columns 291–92W. In addition, Shropshire local education authority has received £2.6 million under the Class Size Initiative. Two new infant classrooms have been built in the Shrewsbury and Atcham constituency: one at Greenfields County Primary School, and one at Springfield County Infant School.

Assistant Heads

Mr. Clappison: To ask the Secretary of State for Education and Employment what estimate he has made of the number of teachers likely to be appointed to the post of assistant head in the first year of its operation. [131715]

Ms Estelle Morris: Schools and, for centrally employed staff, LEAs will be free to appoint assistant headteachers as needed within their management structures, and within the resources they have available. Given the widely differing circumstances of individual schools, we have not attempted to estimate the total number likely to be appointed, although it is unlikely that any school will need a leadership group (including headteacher, deputy headteachers and assistant headteachers) of more than seven.

The DfEE will provide a grant of £2,356, comprising £2,000 plus 17.8 per cent. for national insurance and pension contributions, in academic year 2000–01 for all classroom teachers and advanced skills teachers appointed on a permanent basis by 31 December 2000 to assistant head teacher posts.

Agency and Supply Teachers

Mr. Clappison: To ask the Secretary of State for Education and Employment what his most recent assessment is of the proportion of teaching posts in *(a)* primary and *(b)* secondary schools, occupied by agency or supply teachers; and how many were so occupied for each of the last three years. [131719]

Ms Estelle Morris: The numbers of short-term (i.e. contracts of less than four weeks) agency or other supply teachers employed on the third Thursday in January 1997, 1998, 1999 and 2000 in the maintained nursery, primary and secondary sector in England are as follows:

	Nursery/primary	*Secondary*
January 1997		
Number of agency/supply teachers	8,300	4,400
Percentage of all qualified teachers	4.2	2.3
January 1998		
Number of agency/supply teachers	8,300	4,000
Percentage of all qualified teachers	4.2	2.1
January 1999		
Number of agency/supply teachers	8,900	4,500
Percentage of all qualified teachers	4.5	2.3
January 2000		
Number of agency/supply teachers	10,500	5,300
Percentage of all qualified teachers	5.2	2.7

Note:
Figures are rounded to the nearest 100

The numbers of short-term supply teachers employed will vary because of the effect of seasonal factors. Many local authorities explained that the growth in the January 2000 supply teachers was due to the flu epidemic.

There was a growth of 6,900 full-time equivalent regular teachers in the maintained schools sector between January 1998 and January 2000.

Sure Start

Mr. Cohen: To ask the Secretary of State for Education and Employment if he will make a statement on the impact of Sure Start in Waltham Forest. [132375]

Yvette Cooper: I have been asked to reply.

Waltham Forest Sure Start received a grant of £1,772,200 from February 2000, and has begun to work towards the 12 demanding objectives in the Sure Start Public Service Agreement. The overall aim of the Sure Start programme in Waltham Forest is to give every child the best start in life. The impact of the programme will be assessed in a major evaluation programme which we expect to be under way later this year.

Teaching Costs

Mr. Cox: To ask the Secretary of State for Education and Employment what the average cost is per year of employing a school teacher at *(a)* a primary school and *(b)* secondary school in the Greater London area. [132634]

Ms Estelle Morris: The estimated cost of employing a full-time school teacher (including heads and deputies) in the maintained nursery, primary and secondary sector in Greater London from 1 April 2000 is shown in the following table.

£

	Nursery/primary	*Secondary*
Average salary	26,900	28,500
Employer costs[1]	4,000	4,200
Total cost	30,900	£32,800

[1] Includes 7.5 per cent. National Insurance and 7.4 per cent. pension costs.

Note:

Figures are rounded to the nearest 100.

Investors in People

Miss McIntosh: To ask the Secretary of State for Education and Employment which organisation will be responsible for administering and awarding Investors in People from 1 April 2001. [132684]

Mr. Wicks: From 1 April 2001 the Learning and Skills Council will be responsible for Investors in People services including advice, client support, assessment and recognition services. For advice and support for small and medium sized organisations the LSC will contract with the Small Business Service.

Assessment and recognition services will be provided by Investors in People regional quality centres.

Departmental Staff

Mr. Burstow: To ask the Secretary of State for Education and Employment how many unfilled vacancies for permanent staff his Department has; what percentage of staff positions in his Department are vacant; what the monthly cost would be to his Department of employing civil servants in these positions; how many and what percentage of staff his Department employs on a temporary basis through employment agencies; how much his Department paid employment agencies to supply temporary staff in each of the last 12 months; and how much he expects to pay employment agencies to supply temporary staff in each of the next 12 months. [131436]

Mr. Wills *[holding answer 25 July 2000]:* The Department is recruiting externally to fill 60 vacancies for permanent staff at present, across a range of grades, from administrative assistant to Senior Civil Service Band 2.

There are also posts which are in the process of being filled by movement of existing staff (for example by promotion or lateral transfer) and which may be temporarily unfilled. The number varies daily but is commonly between 3 and 5 per cent. of total staff numbers.

The monthly cost to the Department of employing staff in the vacant positions currently being advertised is approximately £126,614.

The Department employs approximately 85 agency workers on an average working day, this figure is approximately 2 per cent. of the overall number of people employed by the Department.

The Department paid employment agencies approximately £104,166 each month in the last 12 months to supply temporary staff. The Department expects to pay employment agencies approximately £112,500 each month in the next 12 months to supply temporary staff.

Joint Venture Company (Leeds)

Mr. Gunnell: To ask the Secretary of State for Education and Employment under what circumstances the services to be operated by the proposed joint venture company in Leeds will be returned to the sole control of the LEA. [132513]

Ms Estelle Morris *[holding answer 25 July 2000]:* Leeds City Council, the local education authority, will be responsible for ensuring that services to schools, pupils and parents in Leeds are delivered on its behalf to an agreed specification under the contractual arrangement with the proposed joint venture company. The joint venture company will take day-to-day responsibility for delivery, and will have the power to take the necessary operational decisions. The contract will be for a fixed period, not yet determined. Towards the end of the contract, the Secretary of State and Leeds City Council will need to come to a view on arrangements for the future delivery of relevant services.

Higher Education

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will project against annual Government spending plans to 2004 the real unit of resource per student in higher education on the assumption of *(a)* no increase in student numbers and *(b)* steady progress towards a target of 50 per cent. participation by young people. [132530]

Mr. Wicks *[holding answer 25 July 2000]:* My right hon. Friend the Secretary of State for Education and Employment last week announced an extra £100 million for higher education in 2001–02 on top of the increase announced in November 1999. Compared to 2000–01 the projected real-terms increase in unit cost per full-time equivalent student in 2001–02 if student numbers remained at 2000–01 levels, would be 2.2 per cent. If the number of students increases in line with plans for 2001–02, which are compatible with meeting the Government's target that 50 per cent. of 18 to 30-year-olds should have the opportunity to benefit from higher education by the end of the decade, then the real-terms unit cost will be about 0.5 per cent. above that in 2000–01. My right hon. Friend has yet to announce the allocation of funding for higher education for 2002–03 and 2003–04.

Term-time Workers

Mr. Hopkins: To ask the Secretary of State for Education and Employment if he will estimate the number of term-time only workers who are *(a)* women under 45, *(b)* women over 45, *(c)* men under 45 and *(d)* men over 45; and what is the average per capita annual income of each group. [132713]

Ms Estelle Morris: This information is not held centrally.

Education Funding (Bury)

Mr. Chaytor: To ask the Secretary of State for Education and Employment if he will list for Bury MBC in each of the last four years *(a)* the total revenue allocation for education from non-SSA budget headings, *(b)* the total capital allocation for education and *(c)* the annual percentage change for *(a)* and *(b)*. [131387]

Ms Estelle Morris: The total revenue and capital allocations for education from 1997–98 to 2000–2001 for education outside the Education Standard Spending Assessment for Bury Metropolitan borough council are shown in the following table along with the annual percentage increase.

The revenue allocation for 1997–98 includes grant to cover for the cost of the nursery voucher scheme. This was funded from Education Standard Spending from 1998–99. The revenue allocations for 2000–01 does not include Nursery Grant for which data are not yet available. Since 1997–98 spending per pupil in England has increased by £300 in real terms.

£

	Revenue allocations	*Annual percentage increase*	*Capital allocations*	*Annual percentage increase*
1997–98	2,306,783	—	968,050	—
1998–99	1,705,347	–26	2,039,207	111
1999–2000	3,345,615	96	3,970,250	95
2000–01	5,133,028	53	4,759,253	20

School Meals

Mr. Willis: To ask the Secretary of State for Education and Employment what plans he has to ensure that all local education authorities provide state school primary aged children with the choice of a hot school meal, with particular reference to the implementation of the Education (Nutritional Standards for School Lunches) (England) Regulations 2000. [132716]

Jacqui Smith: We do not have the statutory power to require local education authorities and schools to provide hot meals for maintained primary pupils. This is because cold food that is provided in line with our new nutritional standards can be just as nutritious as hot food. We shall nevertheless make clear, in our forthcoming complementary guidance to school caterers, the importance of making hot meals available, especially during the winter months.

NORTHERN IRELAND

Police Oversight Commissioner

Mr. McNamara: To ask the Secretary of State for Northern Ireland what annual budget is set aside for the police Oversight Commissioner, broken down into convenient budget heads; what representations he has received regarding the moneys to be allocated for this purpose. [130421]

Mr. Ingram: The Government are currently in discussion with Mr. Constantine, the Oversight Commissioner, as to the resources he will require.

Lords Lieutenant

Mr. Baker: To ask the Secretary of State for Northern Ireland how many of Northern Ireland's lord lieutenants are *(a)* women and *(b)* members of an ethnic minority. [132143]

Mr. Mandelson: The information is as follows:

(a) 1

(b) 0.

Plastic Baton Rounds

Ms Kelly: To ask the Secretary of State for Northern Ireland how many proposals his Department received to undertake a study to examine an alternative to plastic baton rounds, in accordance with recommendation 71 in the Patten report; what institution has been commissioned to undertake this research; when a decision was made on who would conduct the research; when the research commenced; which individuals are undertaking the research; and what the expected completion date is. [132032]

Mr. Ingram: I have established a UK-wide Steering Group to lead the research project. The Group comprises representatives of the Association of Chief Police Officers, Her Majesty's Inspector of Constabulary, the Home Office, the Ministry of Defence, the Police Scientific Development Branch of the Home Office, the Police Authority for Northern Ireland, the Royal Ulster Constabulary and the Northern Ireland Office. The Steering Group was formed in June of this year and held its first meeting on 8 July. The first phase of the project will be completed by the end of this year. One organisation has been suggested as a potential candidate to undertake the research.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what steps he has taken to investigate which institutions, organisations and individuals have the necessary expertise to conduct an independent study to find an alternative to the plastic baton round. [131024]

Mr. Ingram: The first phase of the research project involves a literature review that will be undertaken by the Police Scientific Development Branch of the Home Office—an organisation with recognised and extensive expertise in this area. This work will involve investigating which institutions, organisations and individuals ought to have a role to play in contributing to the research programme to find an acceptable, effective and less potentially lethal alternative to the plastic baton round.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what the terms of reference will be for the independent study to find an alternative to the plastic baton round. [131025]

Mr. Ingram: The Terms of Reference which have been set for the Steering Group leading the research project are as follows:

Objective

To establish whether a less potentially lethal alternative to baton rounds is available; and to review the public order equipment which is presently available or could be developed in order to expand the range of tactical options available to operational commanders.

Task

In the light of the recommendations in the Patten Report for a research programme to find an acceptable, effective and less potentially lethal alternative to the Plastic Baton Round, and for the RUC to be equipped with a broader range of public order equipment, to provide advice to the Secretary of State for Northern Ireland in a report as follows:

Phase 1 (Defining operational objectives and literature review)

Define the operational objective against which less potentially lethal weapons must be tested;

Prepare a literature review of less potentially lethal weapons available or under research.

Examine the literature review against the operational objective.

Phase 2 (Evaluating the literature review, preparing business case and directing further research as necessary)

Formulate proposals for further research on less potentially lethal weapons which would benefit from further research and which have the potential for successful transfer to the operational field, setting out the timings and the costs of that research; and

Prepare business case.

Phase 3 (Research)

As directed under Phase 2, conduct further research, evaluate performance and safety, and establish deployment costs.

Phase 4 (Operational objectives and Public Order Equipment)

Define operational objectives for public order equipment;

Prepare a report on the tactical deployment of a range of public order equipment in Northern Ireland, covering as wide a range of equipment as possible.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what changes have been made to police training programmes concerning use of plastic baton rounds since publication of the Patten report. [131026]

Mr. Ingram: Since the publication of the Report of the Independent Commission on Policing for Northern Ireland, officers undergoing baton gun training have also been involved in a wider training programme including equal opportunities, community and race relations, the effects of Human Rights legislation and the use of force. Baton gun training specifically highlights the use of force, human rights matters, their issue, deployment and use together with command and control protocols, tactical deployment procedures and the criteria for their use. Officers in command positions undertake training in the issue, deployment and use of baton guns at both tactical and strategic levels and concentrate on accountability and human rights issues associated with the use of force.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what *(a)* organisations and *(b)* individuals have been consulted in order to implement the Patten Commission proposal for a research programme to find an alternative to the plastic baton round. [131027]

Mr. Ingram: My right hon. Friend the Secretary of State for Northern Ireland has consulted with ministerial colleagues about the establishment of, and terms of reference for, a Steering Group to lead the research project. The first phase of the research project will involve consultation with other organisations and individuals.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what estimate he has made of the cost of a research programme to find an alternative to the plastic baton round; and if he will make a statement on how he will ensure best value is achieved and evaluated. [131028]

Mr. Ingram: The Government have made the necessary funding available for phase one of the research project which involves a literature review undertaken by the Police Scientific Development Branch of the Home Office. This research will help to determine the level of funding required for the remainder of the project. The principles of economy, efficiency and effectiveness will guide the research project.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what proposals he has to invite tenders from those with the expertise to conduct a research programme to find an alternative to the plastic baton round. [131029]

Mr. Ingram: None at this stage.

Royal Ulster Constabulary

Ms Moran: To ask the Secretary of State for Northern Ireland when he plans to publish Her Majesty's Inspectorate of Constabulary's year 2000 report on the Royal Ulster Constabulary. [133347]

Mr. Ingram: Her Majesty's Inspectorate of Constabulary (HMIC) 1999–2000 Report will be published today Wednesday 26 July 2000. Copies of the report have been placed in the House of Commons Library. The report will also be available to the public from today.

Criminal Injuries Compensation

Ms Moran: To ask the Secretary of State for Northern Ireland when he will respond to the report made by Sir Kenneth Bloomfield following his review of criminal injuries compensation in Northern Ireland, published in July 1999. [133348]

Mr. Mandelson: After careful consideration of Sir Kenneth Bloomfield's detailed report on the fitness for purpose of criminal injuries compensation arrangements in Northern Ireland, I am today able to announce the Government's broad proposals for the future of the scheme. The detail will be published next year for consultation in the form of a draft Order in Council.

I must first place on record my gratitude and thanks to Sir Kenneth Bloomfield and his colleagues on the review for a most diligent and thorough investigation into the legislation and workings of the current criminal injuries compensation scheme. Their terms of reference asked them to advise the Government on:

the fitness for purpose of criminal injuries compensation arrangements in Northern Ireland in the light of the experiences of victims of terrorist violence . . .

and their research led them to consider many harrowing accounts of death and injury from victims of criminal violence, and to judge the extent to which the compensation scheme met their needs. The review team submitted their report last July when Sir Kenneth said that it would be difficult to argue that the statutory scheme in Northern Ireland is ungenerous, taken as a whole. As a result, the main thrust of their recommendations is designed to re-prioritise the scheme.

Before addressing the report I must stress this Government's commitment to the provision of fair and equitable compensation for innocent and deserving victims of violent crime, and their particular desire to ensure proper arrangements to recognise the additional suffering of victims of terrorist violence and civil unrest in Northern Ireland.

The major structural change proposed by the review team is the introduction of a tariff-based scheme with the tariff calculated on the average value of awards in Northern Ireland. This will provide a more transparent and straightforward system, and will allow claims to be settled more quickly. I have decided to accept this recommendation and extend it to apply to all claims and not just to those arising from less serious injuries, as recommended by the review. This will provide for consistency in the value of awards. The review also recommended that a tariff approach would largely make legal assistance in the making of claims unnecessary, and I have accepted this conclusion. Legal costs will therefore no longer be met by the scheme. Instead, Victim Support (NI) will be funded to provide assistance along the same lines as they currently do in GB. I have also decided that the right of appeal to the court should, in the future, no longer be necessary as part of a tariff-based scheme. The review recommended retention of court involvement for reasons which were persuasive at the time, but which should prove less so as progress is made across a range of issues on the wider political front. I therefore propose to replace it with an independent appeals tribunal, along the lines of the Criminal Injuries Compensation Appeals Panel. This will allow appeals to be processed more quickly, with less formality, and with less potential for retraumatising victims.

I have also agreed changes as recommended by the review in eligibility for awards, and in exclusion from or reduction in awards. More flexible arrangements will apply under the new scheme to those claiming as a result of psychiatric illness, there will be more generous bereavement support payments to a wider group of relatives, and the current statutory time limits for lodging a claim will be replaced by a flexible approach which will allow claims to be made, in certain circumstances, long after the incident. Future cases will also be capable of being reopened for a limited period on strict medical grounds. It is also proposed to introduce a penalty points system to regulate the effect of previous criminal convictions on awards. The same provisions will also apply to convictions for terrorist offences.

Finally, to address the concerns raised by Sir Kenneth in his report over inadequate financial assistance to past victims of the Troubles, I am also promising a further commitment of funds from next April to take forward the implementation of his report into victims of the Troubles "We Will Remember Them". In total this will represent a substantial package aimed at alleviating the financial hardships and other suffering inflicted on many by violence during the Troubles. Details of how this money will be dispersed will be announced in due course.

In conclusion, I have accepted some two thirds of the 64 recommendations made by Sir Kenneth and his team. I believe these decisions, which were arrived at only after lengthy consideration, represent the best way to ensure for the future a fair and equitable system of criminal injuries compensation which will recognise the suffering of innocent victims of violent crime.

Government Information

Mr. McNamara: To ask the Secretary of State for Northern Ireland what is *(a)* the longest, *(b)* the shortest and *(c)* the average number of days taken by his Department to acknowledge receipt of letters requesting information under the Code of Practice on Access to Government Information at its *(a)* London and *(b)* Belfast office. [131361]

Mr. Mandelson: Thirteen Open Government requests were received by the Belfast office in the period 1 January 1999 to 30 June 2000. The longest time taken to acknowledge these requests was three working days, the shortest was the day of receipt and the average was 1.3 working days.

In the same period, one request was received by the London office. There is no record of that being acknowledged. However, a review of documents, instigated as a result of that request, will be completed shortly and a substantive reply will be provided to my hon. Friend without further delay.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Northern Ireland how many parliamentary questions were tabled to his Department between 19 October 1999 and 20 April which requested information, pursuant to his previous answers. [132462]

Mr. Mandelson: Between 19 October 1999 and 20 April 2000, 14 parliamentary questions were tabled which were pursuant to previous answers.

DEFENCE

Defence Clothing and Textiles Agency

Mr. Duncan Smith: To ask the Secretary of State for Defence if the appointment of Mr. Bill Finch as Product Development Manager at Feuchter went before the Advisory Committee on Business Appointments following his retirement as Contracts Branch Director of the Defence Clothing and Textiles Agency. [129731]

Mr. Spellar *[holding answer 7 July 2000]:* Under the Cabinet Office rules on the acceptance of outside appointments by Crown servants, only applications from officials at 3-Star/Deputy Under Secretary level and above are considered by the Prime Minister's Advisory Committee. Mr. Finch's application to join Feuchter was approved under these rules by officials within the Ministry of Defence.

Extraction/Insertion Pod

Mr. Hancock: To ask the Secretary of State for Defence what the cost has been to his Department of the development of the Extraction Stroke Insertion Pod for UK use; and what the expected cost will be to bring this into service; and if he will make a statement. [130377]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Michael Hancock, dated 26 July 2000:

I have been asked to reply to your question about the extraction/insertion pod for UK use since the work to which you refer was carried out as part of DERA's Pathfinder programme.

Pathfinder was launched by the then Defence Research Agency in 1992 in order to strengthen the industry participation in the research programme that MOD contracted from DRA. A concept study of the AVPRO EXINT pod was carried out as a Priority Pathfinder, which DERA funded from its own resources, in 1996. About £39K was contributed to the study by DERA to look at the aeromedical aspects of the pod. A report was issued on the completion of the study and AVPRO subsequently put forward proposals for further work to the Ministry of Defence (MOD). At the present time these proposals have not been taken up.

I hope this is helpful.

Royal Navy Vessels

Mr. Davidson: To ask the Secretary of State for Defence if he will make a statement on the existing procedures by which the names of new Royal Navy vessels are determined. [131565]

Dr. Moonie: The procedure for determining the names of Royal Navy and Royal Fleet Auxiliary vessels is well established. Proposals are initiated by the Ships' Names and Badges Committee (SNBC), comprising representatives from the principal naval command areas. Names, reflecting an appropriate theme across all vessels of a class, are addressed early in the procurement cycle. The Committee consider a number of criteria such as promoting links with communities, the geographical spread of names and opportunities to revive names with an honourable history of service. Selected names are then submitted through Controller of the Navy and the Chief of Naval Staff to the Under Secretary of State for Defence for approval. In the case of major vessels, final approval is sought from Her Majesty the Queen.

Co-operative Capability Programme

Mr. Hancock: To ask the Secretary of State for Defence what estimate he has made of the cost to the Government of participating in the US Navy's Co-operative Engagement Capability; and if he will make a statement. [131497]

Dr. Moonie: I refer the hon. Member to the answer I gave him on 25 July 2000, *Official Report*, column 542W.

Chinook Crash, Mull of Kintyre

Mr. Hancock: To ask the Secretary of State for Defence if the Accident Investigations Branch inspector investigating the fatal crash of Chinook ZD576 on 2 June was able to determine that the SuperTANS navigational equipment was *(a)* switched on after impact and *(b)* functioning prior to impact; and if he will make a statement. [131795]

Mr. Spellar: The Air Accidents Investigation Branch team that carried out the independent technical investigation for the RAF Board of Inquiry into the Mull of Kintyre accident reported that the SuperTANS navigation unit recovered from the cockpit wreckage was slightly fire scorched but with little apparent impact damage. The On/Off switch was found in the Off position. However, subsequent examination by the manufacturer clearly showed the unit had been operating until impact, and it appeared that the switch position had been altered by the effect of the impact.

Mr. Hancock: To ask the Secretary of State for Defence what independent analysis was made of the SuperTANS navigation equipment from the wreckage of RAF Chinook ZD576; and if he will make a statement. [131794]

Mr. Spellar: As part of the technical investigation after the Mull of Kintyre accident, a detailed investigation of the SuperTANS navigation unit was carried out by the manufacturer, RACAL Avionics Ltd., under the direction of the Air Accidents Investigation Branch. Only the manufacturer had the necessary expertise to interrogate this equipment.

Missile Defence System

Ann Clwyd: To ask the Secretary of State for Defence, pursuant to his answer of 27 June 2000, *Official Report*, column 433W, on the Missile Defence System, what criteria the UK will use to determine its response should the United States choose to make a request for assistance in the deployment of a nuclear missile defence system. [132566]

Mr. Hoon: We have made clear we would consider any request carefully in light of the circumstances at the time, taking into account relevant factors including the implications for UK defence. However, we do not yet know whether, or in what circumstances, we might receive such a request, so it is too early to indicate in more detail how or on what basis we might respond.

Republic of Cyprus

Mr. Cox: To ask the Secretary of State for Defence what the current deployment is of British service personnel in the Republic of Cyprus. [132702]

Mr. Spellar: Currently 312 UK service personnel are based in the Republic of Cyprus as part of the UN Force in Cyprus (UNFICYP).

Landmines

Mr. Cox: To ask the Secretary of State for Defence how many British service personnel are involved in landmine destruction, indicating the countries in which they are deployed. [132701]

Mr. Spellar: British Service personnel are not currently involved in landmine destruction per se. But they do provide technical expertise, management and specialist skills to support mine action programmes worldwide. As at 1 July, personnel were deployed as follows:

As Senior Technical Adviser to the UN Mine Action Co-ordination Centre in Kosovo.

As Senior Technical Adviser to the UN Mine Action Centre in Bosnia.

As a Staff Officer within the Humanitarian Demining Training Centre at the US Army's Engineer School.

As Head of Technical Unit at the Geneva International Centre for Humanitarian Demining.

Additionally, in Bosnia, as part of the Stabilisation Force (SFOR), UK military personnel are involved in the co-ordination and monitoring of mine clearance; emergency disposal of mines and unexploded ordnance as required; and mine awareness training. Similar work is undertaken in Kosovo. We also maintain an Explosive Ordnance Disposal detachment in the Falkland Islands.

Military Overstretch

Mr. Cox: To ask the Secretary of State for Defence what estimate he has made of the extent of the military overstretch faced by the UK's armed forces. [132696]

Mr. Spellar: The Government remain concerned at the degree of overstretch our armed forces have been subject to due to undermanning and the recent high level of Operational tempo. We are determined to drive this down.

Undermanning as at 1 May 2000 was:

The Naval Service—1,016

Army—7,968

RAF—922.

The RAF is now in broad manning balance; the Naval Service and Army will be on target in 2002 and 2005 respectively.

As at 1 June 2000, the percentage of armed forces personnel committed to operations were:

The Naval Service—32.39 per cent.

Army—27 per cent.

RAF—12.65 per cent.

This is a significant improvement on the position at the height of Kosovo, when, for example, the Army had 47 per cent. of its trained personnel committed to operations.

UN/NATO Shared Assets

Mrs. Ewing: To ask the Secretary of State for Defence if he will list all UK/NATO shared assets *(a)* nationally and *(b)* by UK region for the most recent year for which figures are available. [131635]

Mr. Spellar *[holding answer 25 July 2000]:* The information requested is not readily available; however, I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Service Recruitment

Mrs. Ewing: To ask the Secretary of State for Defence if he will list by service, corps and regiment, recruitment levels nationally and by region of the UK for the most recent year for which figures are available. [131592]

Mr. Spellar *[holding answer 25 July 2000]:* Details on armed forces recruitment levels are not held centrally in the format requested. Information is held, however, on the number of selections, by Government Office region. It should be noted that selection figures indicate those personnel who have been chosen to enter the Services. For many, the actual date of intake into the armed forces will have fallen outside the year of selection.

The selections during the period 1 April 1999 to 31 March 2000, by Service and Government Office region, are reproduced in the table.

Government office region	*Naval Service*[1]	*Army*[2]	*RAF*[3]
North East	431	1,339	237
North West	454	1,425	351
Merseyside	315	735	175
Yorkshire/Humberside	454	1,452	329
East Midlands	307	730	205
West Midlands	306	1,071	187
Eastern	320	637	345
London	302	702	108
South East	537	902	212
South West	951	1,495	449
Wales	294	1,152	240
Scotland	595	1,616	376
Northern Ireland	94	337	95
Unknown	—	1	77
Total	5,360	13,594	3,386

[1] Naval Service data are for Other Ranks only.
[2] Army data are for Other Ranks only.
[3] RAF data includes Officers and Other Ranks.

Departmental Assets

Mrs. Ewing: To ask the Secretary of State for Defence what is the total value of assets belonging to his Department *(a)* nationally and *(b)* by UK region; and if he will break down the assets by (i) estates, (ii) kit and (iii) plant and machinery for the same areas for the most recent financial year. [131634]

Mr. Spellar *[holding answer 25 July 2000]:* I regret the information sought is not held centrally and could be provided only at disproportionate cost. A summary of the total value of assets belonging to the Department as at 31 March 1999 is as follows:

	£ billion
Land and buildings	13.5
Fighting equipment	27.9
Plant and machinery and vehicles	4.6
Capital spares	8.4
IT and communications	1.2
Assets in course of construction	9.5
Total	65.1

I shall in future be publishing a summary of the values of assets held in Ministry of Defence's annual Departmental Resource Account (DRAc) under the new

resource accounting and budgetary arrangements. The first such account will cover the 1999–2000 financial year and will be laid before Parliament later this year following NAO examination.

The National Asset Register published in November 1997 provides some information on location of land and buildings by region. It is planned to publish an updated version of this with values later this year.

Nuclear Submarines

Mr. Burnett: To ask the Secretary of State for Defence how many nuclear submarines carrying conventional weapons are currently operational. [132710]

Mr. Spellar: All 15 Royal Navy submarines carry conventional weapons. Currently, nine (three Vanguard Class Trident submarines, three Trafalgar Class and three Swiftsure Class) are operationally available. Submarines in this category may be deployed at sea, in port, or carrying out trials, training or maintenance. In every case they are operational now or at very short notice. The specific operational readiness of each submarine is, however, classified and is being withheld under Exemption 1 of the Code of Practice on Access to Government Information.

CR Gas

Mr. McNamara: To ask the Secretary of State for Defence (1) what *(a)* quantity, *(b)* strength and *(c)* type of CR gas was deployed on 16 October 1974 at HM Prison Maze; [131390]

(2) how many inmates of HM Prison Maze gave blood samples for analysis following the use of CR gas at HM Prison Maze in October 1974; what the results of blood analysis were; where the data are stored; and what follow-up studies have been made. [131388]

Mr. Spellar: As far as can be ascertained from surviving records, some 200 hand-held spray devices containing 0.05 per cent. CR were held at HM Prison Maze at that time, but were not used (although CS smoke was used). We have no record of blood samples being taken at the prison at that time.

Mr. McNamara: To ask the Secretary of State for Defence what evaluation he has made of *(a)* the effectiveness of CR gas in keeping public order and *(b)* the circumstances in which CR gas may be deployed. [131389]

Mr. Spellar: The term CR refers to the chemical agent Dibenzoxazepine. Dibenzoxazepine has severe short-term incapacitating effects which have been well documented in the medical literature (for example, in Medicine, Science and Law, October 1973). CR may be deployed and authorised for use by the Armed Forces in certain special circumstances, particularly where it might enable the use of firearms to be avoided.

Defence Munitions Establishment, Gosport

Mr. Rapson: To ask the Secretary of State for Defence what plans he has for the Defence Munitions establishment at Gosport. [133357]

Mr. Spellar: In common with the rest of the Defence Logistics Organisation, Defence Munitions has been set challenging savings and efficiency targets. A number of significant savings initiatives have already been delivered from the constituent parts.

Previous efficiency studies such as Options for Change and Front Line First have, by and large, resulted in DM Gosport in Hampshire being a net inheritor of tasks and resources. Consequently the Depot has escaped the hard root and branch reviews which other parts of Defence Munitions have been subject to. To address the efficiency issue at DM Gosport a review of work practices and Depot management structure was initiated late 1999. The Study Team identified, as a first step, business efficiencies which, if implemented, would result in reductions of up to 30 per cent. of the total number of posts of 650.

I was advised in February that further work was necessary. This was undertaken by a team comprising Depot staff and Trades Union representatives, which was supported by consultants to build upon the team's work, and charged with identifying the precise future optimum business processes and management structure of the Depot. This further work has now completed and indicates that post reductions in the order of 46 per cent. are possible without detriment to the output of the Depot.

A "without commitment" Preference Exercise carried out at the Depot has identified that the majority of redundancies would be achieved voluntarily. While the probability of job losses is always unwelcome, it is crucial that we take advantage of new business processes (such as multi-skilling, operator self inspection, exploitation of new technology, and outsourcing of a number of support functions) if we are to ensure that we are able to maximise investment on front line defence capability and continue to give best value for money to the taxpayer.

I also hope that these changes will better place DM Gosport to win future commercial contracts for weapon processing and associated work, therefore securing job opportunities for the future.

Departmental Secondments

Mr. Willis: To ask the Secretary of State for Defence, how many staff were seconded from the private sector to his Department from *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to the latest date for which figures are available, stating in each case the companies from which staff have been seconded. [109074]

Dr. Moonie *[pursuant to the reply, 8 February 2000, c. 109–10W]:* A correction is required to the information given for secondments from the private sector to the Ministry of Defence for the period May 1998 to April 1999. During this period there were 20 inward secondments, not 19 as stated, as there were two secondees from Rolls-Royce for this period, not one. The corrected information is in the table.

May 1998 to April 1999

	Number
GEC Marconi Radar and Defence	1
Private Finance Panel Ltd.	1
Tarmac ServiceMaster	1
British Nuclear Fuels	2
AWE plc	1
Gardiner & Theobald	1
TI Group	1
British Aerospace	3
Devonport Management Ltd.	1
Simmons & Simmons	1
Wragg and Co	1
Defence Acquisition Group	2
PA Consulting Group	1
Dibb, Lupton Alsop	1
Rolls Royce	2
Total	20

AGRICULTURE, FISHERIES AND FOOD

Bottom-set Gillnets

Mr. Hancock: To ask the Minister of Agriculture, Fisheries and Food what plans he has to reduce the use of bottom-set gillnets; and if he will make a statement. [130382]

Mr. Morley: I have no such plans at present. The Sea Mammal Research Unit is currently trialling a range of gear modifications, including the use of acoustic deterrents (pingers) with Cornish fishermen, in order to reduce the scale of cetacean bycatch. If these measures prove effective, I will encourage their use in all similar UK fisheries.

Parliamentary Questions

Mr. Stunell: To ask the Minister of Agriculture, Fisheries and Food how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April 2000 did not receive substantive answers, citing as the reason that the information was *(a)* not held centrally, *(b)* not held in the form requested and *(c)* not available. [131197]

Mr. Morley *[holding answer 18 July 2000]:* According to our records, of the 1,189 written parliamentary questions tabled during this period, we answered seven questions where the information was not held centrally, nine where the information was not held in the form requested and 34 where the information was not available.

Mr. Stunell: To ask the Minister of Agriculture, Fisheries and Food how many written parliamentary questions tabled to his Department between 19 October 1999 and 20 April 2000 have not received substantive answers, citing as the reason commercial confidentiality or other confidentiality. [131228]

Mr. Morley *[holding answer 20 July 2000]:* For this period there were 1,189 written parliamentary questions tabled, of which seven did not receive substantive answers, citing as the reason commercial or other confidentiality.

Felling Licences

Mr. Chope: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 8 March 2000, *Official Report*, column 723W, on tree felling licences, what the outcome was of the investigation by the Forestry Commission into allegations that the RSPB had felled trees which were not included in the felling licence for Avon Heath Country Park; and if he will make a statement. [132357]

Mr. Morley *[holding answer 24 July 2000]:* The Forestry Commission has not yet completed its investigation. I shall write to the hon. Member when I have further information.

Departmental Staff

Mr. Burstow: To ask the Minister of Agriculture, Fisheries and Food how many unfilled vacancies for permanent staff his Department has; what percentage of staff positions in his Department are vacant; what the monthly cost would be to his Department of employing civil servants in these positions; how many and what percentage of staff his Department employs on a temporary basis through employment agencies; how much his Department paid employment agencies to supply temporary staff in each of the last 12 months; and how much he expects to pay employment agencies to supply temporary staff in each of the next 12 months. [131440]

Mr. Morley *[holding answer 25 July 2000]:* Pay budgets within my Department are decentralised so the above information could be provided only at disproportionate cost.

Meat Hygiene Service

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food when he will publish the 1999–2000 Annual report and Accounts for the Meat Hygiene Service. [133345]

Mr. Nick Brown: The 1999–2000 annual report and accounts for the Meat Hygiene Service have been laid before Parliament. Copies are available in the Library of the House.

PRIME MINISTER

Business Appointments

Mr. Roy: To ask the Prime Minister if he has received the third report of the Advisory Committee on Business Appointments; and if he will make a statement. [133247]

The Prime Minister: The Committee has submitted its third report to me and I have today placed copies in the Libraries of both Houses. Since 1975 the Committee has advised the Prime Minister of the day on the propriety of business appointments that Crown servants wish to take up when they leave the Crown service. Following a recommendation of the Committee on Standards in

Public Life, it now also provides advice directly to former Ministers on their business appointments. The Committee's third report provides an account of their work in 1999–2000.

The Committee has an important role, and I am very grateful to all the members for giving their time so freely to it.

Standards in Public Life Report

Mr. Hinchliffe: To ask the Prime Minister when the Government intend to respond to the Sixth report of the Committee on Standards in Public Life. [133414]

The Prime Minister: The Sixth Report of the Committee on Standards in Public Life, which focused on implementation of the Committee's First Report, was published in January. It concluded that the process of reform of standards of ethical behaviour in public life that had been set in train following the publication of its First Report had been a success and made a number of further recommendations. I am grateful to Lord Neill and his Committee for their continued work in this vital area.

I have published today the Government's response to the Committee's Sixth Report (Cm 4817) and copies are available in the Library.

Parliamentary Questions

Mr. Stunell: To ask the Prime Minister on how many occasions he has deposited papers in the Library in response to parliamentary questions tabled to his Department between 19 October 1999 and 20 April. [132465]

The Prime Minister: Sixteen.

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Wednesday 26 July. [132363]

The Prime Minister: This morning I had meetings with Ministerial colleagues and others. In addition to my duties in the House I will have further such meetings later today.

INTERNATIONAL DEVELOPMENT

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for International Development how many of the written parliamentary questions tabled to her Department between 19 October 1999 and 20 April have not received substantive answers, citing as the reason that the information is *(a)* not held centrally, *(b)* not held in the form requested and *(c)* not available. [132469]

Clare Short: Of the 574 written parliamentary questions tabled to my Department between 19 October 1999 and 20 April 2000, one did not receive a substantive answer because the material was not held centrally, two because the information was not held in the form requested and four because the information was not available.

SCOTLAND

Post Offices

Mr. Sarwar: To ask the Secretary of State for Scotland if he will make a statement on changes to the payment of benefits and pensions and the effect on post offices *(a)* in Glasgow and *(b)* in Scotland. [127716]

Dr. Reid: The Government are committed to investing £480 million in the automation of the entire post office network, allowing the move to paying benefits and pensions by automated credit transfer to start in 2003. This will not prevent people from continuing to collect their benefits in cash from their local post office if they prefer.

In addition, the Government have recently unveiled a further package of measures to modernise the post office network, giving opportunities for significant new business and securing its future. As an example, from 27 July Lloyds TSB customers will be able to carry out basic banking transactions at 2,000 post offices throughout Scotland free of charge, underlining the potential for post offices to provide an ever-increasing range of services to local communities.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Scotland on how many occasions he has deposited papers in the Library in response to parliamentary questions tabled to his Department between 19 October 1999 and 20 April. [132466]

Dr. Reid: Two.

WALES

Spending Review

7. **Mr. Donald Anderson:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary about the effect of the 2000 spending review on transport in Wales. [130883]

Mr. Hanson: I discuss many aspects of transport with the First Secretary during our regular meetings. The settlement announced for Wales last week has given Wales an extra £299 million transport consequential under the Barnett Formula. As my hon. Friend will be aware, any decisions on how the settlement is allocated within Wales will be for the Assembly to decide and will be announced in their budget plans later this year.

There will also be scope under European Structural funded schemes for ambitious transport infrastructure projects, which the National Assembly for Wales will evaluate alongside all other bids.

12. **Mr. Flynn:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary about the effect of the 2000 spending review on police funding in Wales. [130888]

Mr. Paul Murphy: I meet the First Secretary regularly to discuss a range of issues.

Last Wednesday's announcement by the Home Secretary of an extra £1.6 billion for police funding in England and Wales for the next three years is very good news. It represents an average annual increase in police funding of 7 per cent. and will mean a further 4,000 recruits for England and Wales, bringing the total to 9,000 extra recruits over the next three years. Police forces in North Wales, Dyfed Powys and Gwent will also benefit from extra funding in recognition of the special challenges which they face in policing sparsely populated rural areas.

14. **Mrs. Lawrence:** To ask the Secretary of State for Wales what discussions he has had with the Assembly First Secretary about the effect of the 2000 comprehensive spending review on EU structural funds in Wales. [130890]

Mr. Paul Murphy: I have discussed this matter with the First Secretary on a number of occasions.

The settlement covers in full the increase in EU Structural Funds receipts, outside of the Barnett formula, and he welcomes it as much as I do.

15. **Mr. Martyn Jones:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary about the effect of the 2000 spending review on police chief constables in Wales. [130891]

Mr. Paul Murphy: I meet the First Secretary regularly to discuss a range of issues.

Last Wednesday's announcement by the Home Secretary of an extra £1.6 billion for police funding in England and Wales for the next three years is very good news. It represents an average annual increase in police funding of 7 per cent. and will mean a further 4,000 recruits for England and Wales, bringing the total to 9,000 extra recruits over the next three years. Police forces in North Wales, Dyfed Powys and Gwent will also benefit from extra funding in recognition of the special challenges which they face in policing sparsely populated rural areas.

It will be for individual chief constables in Wales to determine how they spend the funds allocated to them.

17. **Mrs. Betty Williams:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary about the effect of the 2000 spending review on education in Wales. [130893]

23. **Mr. Denzil Davies:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary about the effect of the 2000 spending review on education in Wales. [130899]

Mr. Paul Murphy: I met with the First Secretary on a regular basis in the run-up to the 2000 Spending Review.

I welcome the excellent settlement secured for Wales, which includes amounts consequential on allocations to the Department for Education and Employment.

18. **Ms Julie Morgan:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary about the effect of the 2000 spending review on health and social services in Wales. [130894]

Mr. Hanson: My right hon. Friend, the Secretary of State met with the First Secretary on a regular basis in the run-up to the 2000 Spending Review.

The excellent settlement secured for Wales includes amounts consequential on allocations to the Department of Health which can be allocated by the National Assembly to improve healthcare.

Minimum Wage

8. **Mr. Caton:** To ask the Secretary of State for Wales what discussions he has held with the First Secretary about the impact of the national minimum wage on the Welsh economy. [130884]

Mr. Paul Murphy: I regularly meet the First Secretary of the National Assembly for Wales and discuss a number of issues including the Welsh economy.

The minimum wage has brought substantial benefits to large numbers of people, especially women and part-time workers, without any indication of significant adverse effect on employment or economy in Wales.

Common Agricultural Policy

9. **Mr. Gareth Thomas:** To ask the Secretary of State for Wales if he will make a statement on progress on reform of the common agricultural policy in relation to upland farming in Wales. [130885]

Mr. Hanson: A major reform arising from Agenda 2000 CAP reforms was contained in the European Commission's Rural Development Regulation, relating to Less Favoured Areas (LFAs). The new scheme for the LFAs, which constitute 80 per cent. of Wales, was submitted to the European Commission last December by the National Assembly for Wales. Commission approval is expected in the near future.

Local Government Settlement

11. **Mr. Llew Smith:** To ask the Secretary of State for Wales what discussions he has had with the First Secretary regarding the consultation over the local government settlement for Wales. [130887]

Mr. Hanson: The Secretary of State had regular meetings with the First Secretary in the run-up to the 2000 Spending Review. The settlement we have secured for Wales includes amounts consequential on allocations to the Department for Environment, Transport and the Regions for local government. It will of course be for the National Assembly to decide how the consequential amounts will be allocated in Wales, and it is currently consulting on its joint review of the standard spending assessment formula for distribution of grant to local authorities in Wales.

Rural Development

13. **Mr. Simon Thomas:** To ask the Secretary of State for Wales when he last discussed sustainable rural development with the First Secretary; and if he will make a statement. [130889]

Mr. Hanson: My right hon. Friend discusses a range of rural issues in his weekly meeting with the First Secretary and I discuss rural development matters in my regular liaison meetings with Assembly Cabinet members. The National Assembly for Wales has what we believe is a unique duty, set out in section 121 of the Government

of Wales Act 1998, to make a scheme setting out how it proposes to promote sustainable development in the exercise of its functions.

Exchange Rate

16. **Miss McIntosh:** To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary on the impact of the level of the pound on farmers; and if he will make a statement. [130892]

Mr. Paul Murphy: I have regular weekly meetings with the First Secretary and we discuss a wide range of topics. I understand that the majority of the agrimonetary compensation out of the total £10.6 million promised to Welsh dairy, beef and sheep farmers at the No. 10 Agriculture Summit on 30 March will be paid between August and December this year. We also are hopeful that the Agenda 2000 CAP reforms and the Rural Development Plan will enable Welsh farmers to achieve a sustainable agricultural industry.

Farm Incomes

19. **Mr. Fabricant:** To ask the Secretary of State for Wales when he will meet the First Secretary to discuss farm incomes in south Wales. [130895]

Mr. Paul Murphy: I meet the First Secretary on a regular weekly basis and we discuss a wide range of issues. I am hopeful that the Rural Development Plan for Wales, coupled with support from Objectives 1, 2 and 3 of the European Structural Funds and the industry's own resilience and coherent approach to rural development, will result in an improved level of farm incomes not only in south Wales but the whole country.

EU Structural Funds

20. **Mr. Alan W. Williams:** To ask the Secretary of State for Wales if he will make a statement on match funding for Objective 1 structural funds for west Wales and the valleys. [130896]

Mr. Paul Murphy: The excellent spending review settlement for Wales announced last week included an additional £421 million to cover in full the increase in EU Structural Funds receipts in Wales, outside of the Barnett formula. This settlement unlocks funding within the Block to meet the match funding requirement.

I have talked with the First Secretary and the Assembly Finance Secretary who agree that as a result of this settlement, no worthwhile Objective 1 project will be held back by lack of resources.

Organic Farming

21. **Mr. Öpik:** To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary about promoting organic farming. [130897]

Mr. Paul Murphy: I meet the First Secretary on a regular weekly basis and we discuss a wide range of issues. I understand that the National Assembly has committed nearly £3 million to the organic farming scheme in its first year of operation. The scheme pays grants to farmers to help them through the period of conversion to organic farming. I also welcome the launch of the Centre for Organic Excellence in Aberystwyth on 10 July, which will help the Assembly achieve its aim of converting 10 per cent. of agricultural land to organic production by 2005.

Pensioners

22. **Mr. John Smith:** To ask the Secretary of State for Wales what recent representations he has made to the Secretary of State for Social Security on behalf of Welsh pensioners. [130898]

Mr. Hanson: As a member of the Inter Ministerial Group on Older People I regularly discuss pensioner issues.

During the course of this Parliament, an extra £6.5 billion over and above inflation, will be spent on pensioners. Of this, half is going to help the poorest third of pensioners primarily through increases to the Minimum Income Guarantee and Winter Fuel payments.

The Minimum Income Guarantee will benefit 94,000 pensioners in Wales. This will be increased in line with earnings throughout the remainder of this Parliament.

A comprehensive strategy has been put in place by this Government to tackle pensioner poverty. This targeted approach ensures that more help is directed towards those pensioners that need it most.

Ambulance Response Times

24. **Mr. Edwards:** To ask the Secretary of State for Wales if he will meet the First Secretary to discuss the implementation in Wales of national targets for ambulance response times. [130900]

Mr. Hanson: I have no plans to discuss this issue at present but would be happy to include this item in my regular discussions with the First Secretary or the Assembly Health Secretary.

NHS Waiting Lists

25. **Mr. Clifton-Brown:** To ask the Secretary of State for Wales what discussions he has had with the National Assembly for Wales regarding NHS waiting lists. [130901]

Mr. Hanson: Regular discussions about the NHS in Wales are held with both the Assembly First Secretary and the Assembly Health Secretary and waiting lists are often included on the agenda.

The National Assembly are keen to reduce waiting lists as much and as soon as possible. Together with providing additional funding for this purpose, they have set strict targets to be met by Health Authorities.

Manufacturing Industry

Mr. Ben Chapman: To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary on manufacturing industry in Wales. [130879]

Mr. Paul Murphy: The First Secretary and I meet on a regular basis and discuss a number of issues including manufacturing in Wales. Overall, manufacturing output in Wales for the four quarters to the first quarter of 2000 was 2.9 per cent. higher than this corresponding period a year earlier.

TREASURY

Savings

Mr. Love: To ask the Chancellor of the Exchequer how much was invested in individual savings accounts in their first year of operation *(a)* in total and *(b)* net of transfers from other savings instruments; how much was invested in (i) TESSAs and (ii) PEPs in their first year of operation; and if he will make a statement. [127835]

Miss Melanie Johnson: Individual Savings Accounts attracted a total of over £28 billion in their first year 1999–2000, which is around a third more than the sum put into PEPs and TESSAs in their last year of operation of 1998–99. This excludes proceeds from matured TESSAs subscribed to cash components of ISAs or TESSA only ISAs. The proportion of funds which is attributable to new savings is not available.

Only £480 million was subscribed to PEPs in their first year (1987) compared to over £16 billion subscribed to the stocks and shares components of ISAs in their first year. The amount invested in TESSAs in their first year (1991) was around £7.3 billion, whereas the cash component of ISAs attracted some £12.3 billion in their first year.

Census Forms

Mr. Tyrie: To ask the Chancellor of the Exchequer, pursuant to the oral statement of the Economic Secretary on 5 July 2000, *Official Report, Standing Committee D*, column 15, with whom the status of the commitment to ensure that census forms will read, "What is your religion? This question is voluntary, has been checked"; and if he will make a statement. [131365]

Miss Melanie Johnson: Under the provisions of Section 3(1) of the Census Act 1920, for the purpose of enabling any Order in Council directing a census to be taken to be carried into effect, the Chancellor of the Exchequer may make regulations with respect to the forms to be used in the taking of a census.

If the Census (Amendment) Bill, as currently drafted were to become law, then subsequent to the necessary Amendment Order being made providing for particulars in respect of religion to be added to those already approved by Parliament for inclusion in the 2001 Census, I will make, on behalf of the Chancellor, regulations setting out the form and wording of the particular question on religion to be included on the 2001 Census forms. This would include the statement that the question is voluntary.

Legal advisers for the Office for National Statistics have confirmed that the authority to include such a statement on the census form would fall within the provision of Section 3(1) of the Act, once the Act has been amended to provide for such particulars to be included without penalty for not doing so.

In my statement to the Standing Committee D on 5 July, I announced my intention to make such a statement on the 2001 Census form to be included in regulations, should the Bill receive Royal Assent.

HIPC

Ms Walley: To ask the Chancellor of the Exchequer if he will make a statement on the World Bank's refusal to include *(a)* Haiti, *(b)* Bangladesh and *(c)* Nigeria in the Heavily Indebted Poor Countries programme. [130992]

Miss Melanie Johnson: The list of countries eligible for debt relief under HIPC is not fixed, nor does the UK Government regard it as fixed. Any country which is eligible for concessional lending from the IMF and World Bank, which has established a track record of reform and sound programmes and which faces an unsustainable debt burden, beyond available debt relief mechanisms, can qualify for debt relief under the HIPC Initiative. It is then, of course, a matter for the country itself to chose to opt for HIPC debt relief.

Working Families Tax Credit

Mr. Fraser: To ask the Chancellor of the Exchequer if he will make a statement on the rate of up-take of the Working Families Tax Credit in Dorset. [130836]

Dawn Primarolo: The number of families in receipt of Working Families Tax Credit at the end of May 2000 is provisionally estimated at 1,056,000. The number in receipt of Family Credit at the end of May 1999 is estimated at 821,000.

Mr. Cox: To ask the Chancellor of the Exchequer how many families receive the Working Families Tax Credit. [132625]

Dawn Primarolo: The number of families in receipt of the Working Families Tax Credit at the end of May 2000 is provisionally estimated at 1,056,000.

Mr. Willetts: To ask the Chancellor of the Exchequer how many recipients of the Working Families Tax Credit work in the *(a)* public and *(b)* private sectors. [132698]

Dawn Primarolo: Estimates could not be made without incurring disproportionate cost. Information on the sector of the employer is not relevant for determining eligibility for Working Families Tax Credit or calculating the value of the award, and is not captured to the computer system used for the statistical analysis of these awards.

Mr. Willetts: To ask the Chancellor of the Exchequer if he will provide a breakdown by region of the number of recipients of the Working Families Tax Credit. [132700]

Dawn Primarolo: The number of families in receipt of Working Families Tax Credit (WFTC) at the end of May 2000 is provisionally estimated at 1,056,000. The breakdown by country and Government Office Region is as follows:

Thousand

Country and Government Office Region	*Provisional estimate of number of recipients of WFTC at end-May 2000*
United Kingdom	1,056
England	855
North-East	62
North-West	154
Yorkshire and Humberside	119
East Midlands	83
West Midlands	107
East of England	72
London	78

Thousand

Country and Government Office Region	*Provisional estimate of number of recipients of WFTC at end-May 2000*
South-East	96
South-West	84
Wales	62
Scotland	101
Northern Ireland	37

Lost Working Days

Mr. Gibb: To ask the Chancellor of the Exchequer how many working days were lost to individual action in *(a)* 1996, *(b)* 1997, *(c)* 1998 and *(d)* 1999. [131116]

Miss Melanie Johnson: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Nick Gibb, dated 26 July 2000:

As National Statistician I have been asked to reply to your recent question about the number of working days lost to industrial action.

The table below shows the number of working days lost to labour disputes in the United Kingdom for each year since 1996.

Number of working days lost due to labour disputes in the UK

	Number
1996	1,303,300
1997	234,700
1998	282,400
1999	241,800

Source:
Office for National Statistics

National Minimum Wage

Mr. Sarwar: To ask the Chancellor of the Exchequer if he will estimate the average take-home pay of workers benefiting from the National Minimum Wage *(a)* before the Budget in March and *(b)* following the measures announced in the Budget. [130956]

Dawn Primarolo: The Government are pursuing a comprehensive strategy to ensure that every individual shares fairly in the increasing prosperity of the nation. As a result of personal tax and benefit changes announced in Budget 2000 and previous Budgets, households will be, on average, £460 a year better off. Households with an individual in receipt of the National Minimum Wage will be, on average, £1,500 a year better off.

Mr. Cox: To ask the Chancellor of the Exchequer how many *(a)* men and *(b)* women have benefited from the introduction of the national minimum wage to date. [132107]

Miss Melanie Johnson: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Pullinger to Mr. Tom Cox, dated 26 July 2000:

I have been asked to reply to your recent question regarding the number of men and women who have benefited from the introduction of the National Minimum Wage (132107). I am replying in the absence of the National Statistician.

Definitive estimates on the number of people that have been affected by the national minimum wage are not yet available. Currently available estimates for assessing the effect draw on data from both the New Earnings Survey and the Labour Force Survey, and recognise the particular value that each survey adds to the quality and analytical details that can be provided. However, the latest adjusted estimates are mainly based on data for the Spring (March-May) 1999 Labour Force Survey. The reference period spans the implementation date for the National Minimum Wage Act on 1 April 1999. This means adjusted estimates are unlikely accurately to measure the effect of this legislation since there are employees who could have been earning below the minimum wage rates in March 1999, before the law took effect.

The currently available estimates for March-May 1999 were published in an Office for National Statistics (ONS) First Release on 14 October 1999 and show that the number of people earning below the minimum wage rates set in April 1999 had fallen significantly between 1998 and 1999. A copy of this first release is available in the House of Commons Library.

ECOFIN Council

Mr. Hood: To ask the Chancellor of the Exchequer what the outcome was of the ECOFIN Council held in Brussels on 17 July; and if he will make a statement. [131570]

Miss Melanie Johnson: I attended the meeting of the Economic and Finance Council of Ministers.

Draft conclusions on the taxation of savings and the Code of Conduct were circulated by the Presidency and adopted without amendment.

The Presidency concluded that it was not possible to adopt the draft conclusions on Money Laundering because the question of how broad a definition of predicate offences to include in the Directive would need to be discussed further. The extent to which lawyers and accountants should be included in the scope of the directive also requires further consideration. It was hoped political agreement would be possible at the September ECOFIN meeting.

Conclusions were adopted without discussion on Undertaking for Collective Investment in Transferable Securities (UCITS) and Accounting Standards.

The Commission presented its communication on a Global Strategy for the Protection of the Community's interests, noting it intended to resubmit to InterGovernmental Conference its proposal for a European Public Prosecutor (EPP). The Council agreed conclusions to maintain momentum on fight against fraud, but did not support the Commission on the EPP.

On Lisbon follow-up it was agreed that ECOFIN would discuss in November reports on the Quality and Sustainability of Public Finances and Structural Performance indicators.

A mandate for the Group of Wise Persons was agreed unanimously. A copy has been placed in the House of Commons Library.

Conclusions on enlargement were adopted. ECOFIN agreed to discuss exchange rate policy and economic and financial stability in EU candidate countries at a future meeting.

Household Incomes

Mr. Berry: To ask the Chancellor of the Exchequer, pursuant to his answer of 12 July 2000, *Official Report*,

column 592W, on the effect of the minimum wage on household income of different income deciles, what estimate he has made of the percentage effect on the population estimated in *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000 to have below half average household income. [132020]

Dawn Primarolo: The Government are implementing a comprehensive strategy to tackle the causes of child and pensioner poverty. The National Minimum Wage, in providing a statutory level beneath which pay cannot fall, forms part of that strategy.

The National Minimum Wage was introduced in April 1999. It is therefore not possible to estimate its effect on incomes in 1997–98 and 1998–99. Income information for 1999–2000 will be available next year in "Households Below Average Income" which is produced by the Department for Social Security.

Tax Allowances

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the revenue yield for the next five financial years of restricting the value for the purpose of income tax of *(a)* the personal allowance and *(b)* age related allowances to the value of the basic rate of income tax; and if he will make a statement. [132271]

Dawn Primarolo: The estimated revenue yield in a full year from restricting the personal allowance to the basic rate would be £2.7 billion in 2000–01. Because of the tapered withdrawal of the age-related personal allowances, there is no relief for them at the higher rate and there would be no Exchequer effect from restricting them.

This estimate is based on the Survey of Personal Incomes and consistent with the March 2000 Budget.

Letter from John Pullinger to Mr. Tom Cox, dated 26 July 2000:

I have been asked to reply to your recent question regarding the number of men and women who have benefited from the introduction of the National Minimum Wage (132107). I am replying in the absence of the National Statistician.

Definitive estimates on the number of people that have been affected by the national minimum wage are not yet available. Currently available estimates for assessing the effect draw on data from both the New Earnings Survey and the Labour Force Survey, and recognise the particular value that each survey adds to the quality and analytical details that can be provided. However, the latest adjusted estimates are mainly based on data for the Spring (March - May) 1999 Labour Force Survey. The reference period spans the implementation date for the National Minimum Wage Act on 1 April 1999. This means adjusted estimates are unlikely accurately to measure the effect of this legislation since there are employees who could have been earning below the minimum wage rates in March 1999, before the law took effect.

The currently available estimates for March - May 1999 were published in an Office for National Statistics (ONS) First Release on 14 October 1999 and show that the number of people earning below the minimum wage rates set in April 1999 had fallen significantly between 1998 and 1999. A copy of this first release is available in the House of Commons Library.

Pesticides Tax

Mr. Alan Simpson: To ask the Chancellor of the Exchequer, pursuant to his answer of 21 June 2000, *Official Report*, column 215–16W, on pesticides tax, if he will list each of the meetings held with organisations named in the question. [132313]

Mr. Timms: I have had a number of meetings with interested parties, including industry representatives and the RSPB. In addition, I have read a number of written representations.

Government Borrowing

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he has revised his plans for announcements concerning debt management as referred to in his written answer of 12 June 2000, *Official Report*, column 462W; and if he will make a statement. [132250]

Miss Melanie Johnson: There have been no subsequent changes to the Government's financing remit since the statement of 12 June.

Fuel Duty

Mr. Brake: To ask the Chancellor of the Exchequer, pursuant to his answer of 17 July 2000, *Official Report*, column 99W, concerning payment of duty on fuel products at the terminal instead of the point at which they leave the refinery, if he will carry out a strategic environmental appraisal of this policy. [132644]

Mr. Timms: The potential environmental impact is only one consideration of this policy. Any change would also impact on revenue flow, Customs resources and accounting systems and revenue security. There are no plans to review the policy.

Aggregates Tax

Mr. Fearn: To ask the Chancellor of the Exchequer what assessment he has made of the effect on employment in coastal areas of the introduction of the proposed aggregates tax. [132493]

Mr. Timms: All of the revenues raised from the levy will be recycled back to business through a cut in employer National Insurance contributions (NICs) and a new 'Sustainability Fund' aimed at delivering local environmental benefits. It is not possible to say precisely what the effect of the levy, the cut in employer NICs and the Sustainability Fund will be on the aggregates and construction industries, since this will depend, among other things, on future employment trends and the degree to which firms switch to recycled materials.

Mr. Rogers: To ask the Chancellor of the Exchequer what the principal objectives are of the proposed aggregates tax. [132431]

Mr. Timms: The main objective of the aggregates levy is to bring about environmental benefits by making the price of aggregates better reflect their true environmental costs, and encouraging the use of recycled aggregates.

In addition, some of the revenues from the levy will be used for the new 'Sustainability Fund' aimed at delivering local environmental benefits to areas subject to the environmental costs of aggregates extraction. The Government will be consulting shortly on how this fund can best be used.

Audit and Accountability Steering Group

Ms Walley: To ask the Chancellor of the Exchequer if the central Government Audit and Accountability Steering Group will have objectives relating to environmental sustainability; and if there are members of the Steering Group with expertise in environmental sustainability. [132572]

Mr. Timms: The terms of reference for the review by Lord Sharman of central Government audit and accountability have not yet been discussed by the Steering Group. The members of the Steering Group include a former senior official of the Department of the Environment, Transport and the Regions.

Spending Review

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his oral statement of 18 July 2000, *Official Report*, columns 219–29, when he will publish full public service agreements for all departments; and if he will make a statement. [132677]

Mr. Andrew Smith: I plan to do so on 28 July.

Disabled Persons Tax Credit

Mr. Willetts: To ask the Chancellor of the Exchequer if it is his policy that, when the Disabled Persons Tax Credit is replaced in 2003, the Employment Tax Credit will be paid to childless disabled people. [132697]

Dawn Primarolo: Final decisions on the precise details of the ETC will be taken nearer the time of its introduction. When the new credits are introduced in 2003 payments to the working disabled will continue to be made to both those with and without children.

Correspondence

Mr. Barry Jones: To ask the Chancellor of the Exchequer when he proposes to reply to the letter of 4 April, sent by the right hon. Member for Alyn and Deeside, concerning Mr. Marguson of Deeside. [133131]

Mr. Timms: There is no record of this letter having been received. If my right hon. Friend would send a copy to me it will be dealt with as soon as possible.

Mr. Barry Jones: To ask the Chancellor of the Exchequer (1) when he proposes to answer the letter of the right hon. Member for Alyn and Deeside, of 6 June, concerning Mr. Collard of Deeside, Flintshire; [133132]

(2) when he proposes to answer the letter sent by the right hon. Member for Alyn and Deeside, regarding Mr. Peck of Deeside, Flintshire, on 9 June. [133128]

Mr. Timms: I have already done so.

Euro

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer (1) which studies his Department has *(a)* commissioned, *(b)* reviewed and *(c)* undertaken that examine the cost to (i) UK businesses and (ii) euro zone business of preparing for introduction of the euro; and if he will make a statement; [132901]

(2) which studies his Department has *(a)* commissioned, *(b)* reviewed and *(c)* undertaken that examine the cost to (i) UK businesses and (ii) euro zone business of preparing for introduction of the euro; and if he will make a statement. [132899]

Miss Melanie Johnson: The Treasury has neither commissioned nor undertaken studies of this nature. The cost of a changeover would depend on the overall approach taken and the decisions made by individual businesses.

ENTRUST

Mr. Baker: To ask the Chancellor of the Exchequer what steps he is taking to ensure best use of public money by ENTRUST. [131666]

Mr. Timms: ENTRUST does not determine where funds generated through the landfill tax credit scheme are spent. The Government are keen to promote more spending of contributions on recycling and re-use, particularly the recycling of household waste. The Government set out in the Waste Strategy 2000 ways in which they hope to achieve this and intend to consult interested parties on these proposals.

Mr. Baker: To ask the Chancellor of the Exchequer what recent assessment he has made of the *(a)* efficiency and *(b)* funding distribution policies of ENTRUST. [131665]

Mr. Timms: Funds are donated by landfill site operators to environmental bodies. ENTRUST has no part in deciding which projects receive funding. The landfill tax legislation sets out the broad categories of environmental projects that can qualify for funding.

As the regulator of the landfill tax credit scheme, it is ENTRUST's job to ensure that the money is properly spent by qualifying environmental bodies in ways governed by the landfill tax regulations, and that no direct benefit passes to the contributors. HM Customs and Excise, which audits ENTRUST's performance to ensure that it meets an acceptable standard, is satisfied that ENTRUST has appropriate systems in place to identify abuses and revoke the approval of non-compliant bodies.

Mr. Baker: To ask the Chancellor of the Exchequer if he will make it his policy to abolish ENTRUST and redirect landfill tax moneys to local authorities. [131667]

Mr. Timms: No. The Government have set out in the Waste Strategy 2000 that they will explore options for amending the landfill tax credit scheme to contribute more to the objective of increased recycling, including helping local authorities to raise recycling levels.

Financial Services Authority

Dr. Cable: To ask the Chancellor of the Exchequer when the Financial Services Authority submitted its response to the Cruickshank report. [132802]

Miss Melanie Johnson: The FSA's response to the Cruickshank report will be published alongside the Government's own response to the report.

Debt Management Office

Mrs. Lawrence: To ask the Chancellor of the Exchequer if he will make a statement about the UK Debt Management Office's annual report and accounts. [133248]

Miss Melanie Johnson: The DMO's annual report and administrative accounts for 1999–2000 are being published today. Copies have been deposited in the Libraries of both Houses.

HOME DEPARTMENT

Travellers

Mr. Coaker: To ask the Secretary of State for the Home Department what assessment he has made of the effectiveness of the powers available to *(a)* local authorities and *(b)* the police to deal with travellers; and what discussions he has had with (i) local authorities and (ii) the police about strengthening these powers. [131888]

Mr. Charles Clarke: We consider that the statutory powers currently available are adequate provided that they are used effectively and at an early stage when necessary.

There has been some concern that guidance on dealing with trespass by travellers needs clarifying in some respects. My right hon. Friend the Secretary of State for the Environment, Transport and the Regions (DETR) has, therefore, today published a revision to DETR Circular 18–94 to local authorities on the use of their powers to deal with unauthorised camping. A copy has been placed in the Library.

We also propose to publish shortly, jointly with the DETR, a revision to the Good Practice Guidance "Managing Unauthorised Camping", aimed at ensuring there is clarity over the use of the relevant powers. In addition, research into the effectiveness of this Guidance has been commissioned and is expected to report in the Autumn. Further changes to the Guidance may be considered at that time.

It is the Government's view that there needs to be adequate site provision if unauthorised camping is to be managed properly. The DETR is about to commission research into the availability and condition of local authority Gypsy sites. The results will be considered as part of the next spending review. In the meantime, the Minister of State for the Environment, Transport and the Regions, my hon. Friend the Member for Greenwich and Woolwich (Mr. Raynsford), announced in his reply to my hon. Friend the Member for Harrow, West (Mr. Thomas) on 24 July 2000, *Official Report,* columns 398–404W, that his Department would be making available over the next three years £17 million to help local authorities to improve and refurbish a limited number of existing sites. Details of the scheme will be published in the autumn.

There are regular discussions involving Ministers, Members of Parliament, local authorities and the police about all aspects of the Government's policy on travellers.

Transsexual People

Dr. Lynne Jones: To ask the Secretary of State for the Home Department when he received the report of the Interdepartmental Working Group on Transsexual People; and when he proposes to publish it. [132882]

Mr. Straw: The Interdepartmental Working Group reported to me just before Easter. I am most grateful to members of the Working Group and those who contributed to it for the thoroughness of their work. Since Easter, I have consulted ministerial colleagues in other Government Departments and the devolved Administrations.

I have today placed copies of the report in the Library. Similar arrangements are being made in the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly. The report will be placed on the Home Office website. Hard copies may be obtained on application to my Department.

The report will be considered carefully within Government.

Sexual Offences Review Report

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department when the sexual offences review report will be published. [132520]

Mr. Charles Clarke *[holding answer 25 July 2000]:* I can confirm that the "Setting the Boundaries: reforming the law on sex offences", report of the review of sex offences, is being published today.

My right hon. Friend the Home Secretary set out the terms of reference for the review in his reply to my hon. Friend the Member for Nottingham, South (Mr. Simpson) on 25 January 1999, *Official Report,* columns 80–81W. The review was asked to look at the law in England and Wales and to make recommendations that will provide clear and coherent sex offences that protect the individual, particularly children and more vulnerable people from abuse and exploitation; enable abusers to be appropriately punished; and were fair and non-discriminatory in accordance with the European Convention on Human Rights and the Human Rights Act 1998.

This review was open and inclusive—it involved many stakeholders directly in its Steering Group and advisory External Reference Group, and consulted with many more at a series of conferences and seminars. It has looked at the evidence from research and the experience of law reform in other countries. The review has now completed its report to Government. It has made far-reaching recommendations to strengthen the effectiveness and protection of the law for children, raised important questions about the nature of the protection that should be offered to vulnerable people, proposed codifying and clarifying the law on consent in rape and setting the law on a fair and non-discriminatory basis for men and women whether as victim or offender. It also recommends new laws for dealing with the trafficking of human beings for sexual exploitation and the use of children in sexual exploitation, as well as looking at penalties and treatment.

The issues involved are sensitive and complex ones, on which there will be differing views. It is a long time since we have had such a thorough and comprehensive set of proposals on the law of sex offences, based on careful thought and consultation. But these proposals are just that—recommendations made to Government by a broadly based review, set up to provide the framework for further debate. The review involved many people from outside the civil service from many different groups and backgrounds, as well as civil servants from a wide range

of departments. Before the Government can come to a conclusion on any of them, we need further input and views on what is recommended. This is the start of a real debate on what we think the law should be and how it should be framed.

We would like views on all of the proposals in the report. The review has posed some specific questions, but we want reactions to all the recommendations. We would like to know how well they would work, whether they would add to the protection of the vulnerable, whether they would apply fairly, equitably and with justice and whether there would be any effects or consequences that have not yet been identified.

The Government particularly welcome the proposals to strengthen the law for children and vulnerable people—we have made great strides in tackling the issues of evidence for children and vulnerable people and it is time that the offences in the criminal law were revised to ensure robust and comprehensive protection for the weakest in our society. It is important to get the law right while ensuring that vulnerable people are not deterred from seeking advice from statutory authorities. We would welcome views on the proposals that relate to the protection of children and vulnerable people—what the impact and consequences of those would be. We welcome the review's clarity on the importance of the age of consent and the need to maintain it at 16.

The Government do not think it would be right to take a view on the proposals in the report until they have been scrutinised and tested in consultation. This report and its proposals are not an end but a beginning—the report provides a carefully argued framework for consideration by all those who are affected, personally or professionally, by these proposals. The report is being made widely available in summary and full form, both in hard copy and on the Home Office website. It is free and available on request, as is a supporting volume of evidence. The period for consultation is long—until March 2001—to give time for the full implications of the proposals to be considered. I look forward to an important social debate that will help the Government frame proposals for a safe just and tolerant society.

Copies of the report and summary have been placed in the Library and the Vote Office.

Fire Service

Mr. Cawsey: To ask the Secretary of State for the Home Department if he will announce planned future capital provision for the Fire Service in England and Wales. [133349]

Mr. Mike O'Brien: To assist the fire service in improving its efficiency and effectiveness, I am increasing credit approval provision for the service from its current level of £35.7 million to £59.7 million in 2001–02. Planned provision will be sustained at that level in 2002–03 and increased by a further £2 million to £61.7 million in 2003–04.

Access to Government Information

Mr. Paul Clark: To ask the Secretary of State for the Home Department when he intends to publish the 1999 report on the operation of the Code of Practice on Access to Government Information. [133351]

Mr. Straw: I have published this report today. Copies have been placed in the Library.

Horserace Betting Levy

Mr. Caplin: To ask the Secretary of State for the Home Department when he intends to publish the fifth report on the impact of the National Lottery on the horserace betting levy. [133352]

Mr. Mike O'Brien: An update on the impact of the National Lottery on the horserace betting levy has been published today. I am arranging for copies to be placed in the Library.

The paper, which has been prepared by the Home Office's Economic and Resource Analysis Unit, examines continuing trends in off-course betting expenditure and their relationship to the horserace betting levy.

The analysis indicates, that in 1999, off-course betting expenditure was about 14.7 per cent. below the level it would have reached in the absence of the National Lottery and that, by implication, the horserace betting levy raised £9–10 million less than it may otherwise have done.

This is broadly consistent with the findings of the first four reports.

As the Government have already announced their intention to abolish the horserace betting levy system, it is not our intention to commission any future reports in this series.

Asylum Seekers

Mr. Cawsey: To ask the Secretary of State for the Home Department when he will announce the appointment of the Asylum Support Adjudicators. [133353]

Mr. Straw: I have pleasure today in announcing the appointment of the following Asylum Support Adjudicators, under section 102 of and Schedule 10 to the Immigration and Asylum Act 1999:

Asylum Support Adjudicators	*Appointments*
Chief Asylum Support Adjudicator	Mrs. Sehba Haroon Storey
Deputy Chief Asylum Support Adjudicator	Ms Gillian Carter
Asylum Support Adjudicators	Mrs. Sarah Breach
	Mr. Laurence Brass
	Mr. Alan Ponting
	Dr. Ethlyn Prince
	Mrs. Susannah Walker

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many local authorities in areas to which asylum seekers are being dispersed have designated a named individual as a contact for the National Asylum Support Service and the Home Office; and if he will make a statement. [132383]

Mrs. Roche: The National Asylum Support Service has regular contact with local authorities, but no local authorities have designated a named individual as a contact point for the National Asylum Support Service. Local authorities who wish to exchange information with the Immigration and Nationality Directorate about

individuals who may be subject to immigration control must register a named person as the contact point. Some 549 local authorities have designated a named individual.

Detention and Training Orders

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many *(a)* boys and *(b)* girls have been sentenced to a detention and training order broken down by (i) sentencing court area, (ii) offence and (iii) type of accommodation they were placed in; and if he will make a statement. [125341]

Mr. Boateng *[holding answer 12 July 2000]:* The detention and training order was implemented on 1 April 2000. Information provided by the Youth Justice Board for England and Wales indicates that between 1 April and 30 June 2000, 1,475 detention and training orders were made, 1,383 against boys and 92 against girls. There were 1,234 boys placed in Prison Service accommodation, 109 in secure training centres and 40 in local authority secure units. There were 61 girls in Prison Service accommodation and 31 in local authority secure units.

The available information on sentencing court area and offence is set out in the tables.

Detention and training order: 1 April to 30 June 2000

Sentencing court	*Male*	*Female*
Acton	4	0
Aldridge and Brownhills	1	0
Ashby-de-la-Zouch	1	0
Aylesbury Crown Court	8	0
Barking	5	0
Barnet	1	0
Barnsley	4	0
Barnstaple and South Molton	1	0
Barrow-in-Furness Crown Court	4	0
Basildon	7	0
Bath and Wansdyke	0	1
Batley and Dewsbury	2	0
Bedford	4	1
Bexley	3	0
Birmingham	40	0
Birmingham Crown Court	10	1
Blackburn, Darwen and Ribble	1	0
Blackfriars Crown Court	0	2
Blackpool and Fylde	2	0
Bodmin	2	0
Bolton Crown Court	4	1
Bolton	12	0
Bournemouth and Christchurch	1	0
Bournemouth Crown Court	4	0
Bradford Crown Court	4	0
Bradford	9	0
Brent	3	1
Brentford	1	0
Brighton and Hove	2	0
Bristol Crown Court	2	0
Bristol	6	1
Bromley	2	0
Bromsgrove and Redditch	1	0
Burnley Crown Court	2	0
Burton-upon-Trent	2	0
Bury	2	1
Bury St. Edmunds Crown Court	1	0
Calderdale	5	0
Camberwell Green	10	0
Cambridge	3	0
Cannock	3	0
Canterbury and St. Augustine	3	0
Canterbury Crown Court	1	0
Cardiff	11	3
Cardiff Crown Court	16	1
Carlisle	4	1

Detention and training order: 1 April to 30 June 2000

Sentencing court	*Male*	*Female*
Central Buckingham	1	0
Central Criminal Court	6	0
Channel	1	0
Chelmsford Crown Court	4	1
Chester	1	0
Chester Crown Court	6	0
Chesterfield	4	0
Chester-le-Street	3	0
Chichester	2	0
Chichester and District	1	0
City of London	3	0
Corby	1	0
Coventry Crown Court	1	0
Coventry	11	2
Crawley	3	0
Croydon	7	0
Croydon Crown Court	2	0
Cynon Valley	1	0
Dacorum	4	0
Darlington Crown Court	5	0
Denbighshire	4	1
Derby and South Derbyshire	11	0
Derby Crown Court	11	3
Doncaster Crown Court	1	0
Doncaster	18	0
Dudley	9	0
Durham Crown Court	2	0
Durham	6	0
East Berkshire	3	0
East Derbyshire	1	1
East Hertfordshire	1	0
Eastbourne and Hailsham	1	1
Ellesmere Port and Neston	1	0
Enfield	1	0
Exeter and Wonford	2	2
Faversham and Sittingbourne	1	1
Flintshire	4	0
Furness	2	0
Gateshead	3	0
Gloucester Crown Court	2	0
Gloucester	9	0
Grantham	2	1
Great Yarmouth	2	0
Grimsby and Cleethorpes	7	0
Guildford Crown Court	1	1
Haringey	4	2
Harrow	4	0
Harrow Crown Court	3	0
Hartlepool	2	0
Harwich	0	1
Hastings and Rother	2	0
Haverfordwest Crown Court	1	0
Haverhill and Sudbury	1	0
Havering	1	0
Hereford Crown Court	3	0
Herefordshire	2	0
High Peak	3	0
Houghton le Spring	4	0
Hounslow	1	0
Huddersfield	6	0
Huntingdon	1	0
Hyndburn	5	0
Inner London Sessions House	24	5
Ipswich	4	0
Isle of Wight	5	0
Isleworth Crown Court	3	3
Keighley	3	0
Kendal and Lonsdale	3	0
Kettering	4	0
Kingston upon Hull	14	0
Kingston upon Thames	2	0
Kingston upon Thames Crown Court	3	1
Knowsley	13	0
Lancaster	1	0
Leeds Crown Court	15	1
Leeds	18	0
Leicester Crown Court	8	0

Detention and training order: 1 April to 30 June 2000

Sentencing court	*Male*	*Female*
Leicester	20	0
Lewes Crown Court	3	0
Lincoln Crown Court	1	0
Lincoln	4	0
Liverpool	18	1
Liverpool Crown Court	11	0
Loughborough	1	0
Lower Rhymney Valley	2	0
Luton	10	0
Luton Crown Court	1	0
Macclesfield	1	0
Maidstone Crown Court	3	0
Maldon and Witham	1	0
Manchester (Crown Square) Crown Court	12	0
Manchester (Minshull Street) Crown Court	3	0
Manchester	13	2
Mansfield	11	2
Medway	3	0
Merthyr Tydfil	4	1
Merthyr Tydfil Crown Court	3	0
Mid Kent	2	0
Mid Warwickshire	2	0
Mid North Essex	1	0
Milton Keynes	4	2
Miscellaneous	97	10
Mold Crown Court	2	0
Neath and Port Talbot	2	1
Newark and Southwell	3	0
Newcastle and Ogmore	1	0
Newcastle upon Tyne	8	0
Newcastle upon Tyne Crown Court	3	0
Newcastle-Under-Lyne and Pirehill North	2	0
Newport Crown Court	1	0
Newport	8	0
North Avon	2	0
North East Suffolk	4	1
North East Hampshire	1	0
North Gloucestershire	3	0
North Hertfordshire	1	0
North Lincolnshire	4	0
North Tyneside	6	0
North West Essex	2	0
North West Surrey	1	0
Northallerton and Richmond	1	0
Northampton Crown Court	5	1
Northampton	5	0
Northern Oxfordshire	1	0
Norwich	1	1
Nottingham	20	1
Nottingham Crown Court	14	0
Nuneaton	6	0
Oldham	5	1
Oxford	4	0
Oxford Crown Court	3	0
Peterborough	2	0
Peterborough Crown Court	4	1
Plymouth Crown Court	0	1
Poole	9	0
Portsmouth Crown Court	8	0
Preston	4	1
Preston Crown Court	5	0
Reading	2	0
Redbridge	1	0
Rochdale, Middleton and Heywood	10	0
Rochford and Southend	1	0
Rotherham	12	0
Rugby	3	0
Salford	2	0
Salisbury	3	0
Scarborough	8	1
Sedgefield	7	0
Sedgemoor	2	0
Selby	2	0
Sheffield Crown Court	12	0
Sheffield	9	0
Shrewsbury	4	0
Shrewsbury Crown Court	5	0

Detention and training order: 1 April to 30 June 2000

Sentencing court	*Male*	*Female*
Skegness	1	0
Snaresbrook Crown Court	10	0
Solihull	4	0
South Cheshire	1	1
South East Cornwall	1	0
South East Hampshire	17	2
South East Northumberland	4	0
South Hampshire	9	1
South Sefton	4	0
South Somerset	1	0
South Tyneside	2	1
South West Surrey	1	0
South Western Magistrates Court: Lambeth and Wandsworth Youth Courts	4	0
Southampton Crown Court	3	0
Southampton	12	0
Southend Crown Court	1	0
Southwark Crown Court	1	0
South-West Essex	1	0
St. Albans	5	0
St. Helens	1	0
St. Albans Crown Court	2	0
Stafford Crown Court	3	0
Staffordshire Moorlands	3	0
Stockport	4	0
Stoke-on-Trent	4	3
Stoke-on-Trent Crown Court	3	0
Stourbridge and Halesowen	1	0
Stratford Magistrates Court	12	1
Sunderland	15	1
Sutton	4	0
Sutton Coldfield	15	1
Swansea	1	0
Swansea Crown Court	2	0
Swindon	9	0
Swindon Crown Court	4	0
Tameside	6	0
Tamworth	3	0
Taunton Crown Court	2	0
Teesside and Wear Valley	1	0
Teesside Crown Court	6	0
Teesside	16	0
Telford (Shifnal, Wrekin, Wenlock)	6	0
Thames	8	2
Thanet	9	0
Torbay	1	0
Trafford	6	0
Truro Crown Court	0	1
Truro	0	2
Uxbridge	3	0
Vale of Glamorgan	2	0
Vale Royal	2	0
Wakefield	2	0
Walsall	8	0
Waltham Forest	3	0
Warley	2	0
Warrington	4	0
Warwick Crown Court	3	0
Watford	2	0
Wellingborough	1	0
West Allerdale	4	0
West Berkshire	1	1
West Bromwich	3	0
West Devon	1	0
West Kent	1	0
West London	13	1
West Norfolk	0	1
West Wiltshire	7	0
Weymouth and Portland	1	0
Wigan District	9	0
Wigan (Leigh Division)	1	0
Wimbledon	2	0
Winchester Crown Court	1	0
Wirral	10	1
Wolverhampton Crown Court	3	0
Wolverhampton	7	1
Wood Green Crown Court	7	0

Detention and training order: 1 April to 30 June 2000

Sentencing court	*Male*	*Female*
Woodspring	1	0
Worcester Crown Court	9	0
Worksop	1	0
Worthing	2	0
Wrexham Maelor	6	0
Wyre	1	0
Ynys Mon/Anglesey	3	0
York Crown Court	1	0
York	13	1
Total	1,383	92

Note:
It has not been possible in all cases to record which courts passed the DTOs. The miscellaneous figure denotes these cases.

Detention and training order: 1 April to 30 June 2000

Offence type	*Male*	*Female*
Arson	50	4
Breach of Statutory Order	168	4
Burglary	410	8
Criminal Damage	6	0
Death or Injury by Reckless Driving	2	0
Drugs	43	8
Fraud and Forgery	12	0
Public Order	119	11
Racially Aggravated	22	0
Robbery	190	9
Sexual	19	0
Theft and Handling	285	23
Vehicle Theft	354	2
Violence against Person	245	45
Other offences not detailed	396	14
Total	2,321	128

Note:
The number of offences is greater than the number of DTOS because more than one offence may be associated with the sentence.

Dr. Vis: To ask the Secretary of State for the Home Department (1) how many children have received a detention and training order, broken down by *(a)* age, *(b)* gender and *(c)* race, since its introduction; [129699]

(2) how many boys and girls aged under 18 years have been sentenced by each court to a detention and training order. [129700]

Mr. Boateng: The detention and training order was implemented on 1 April 2000. Information provided by the Youth Justice Board for England and Wales indicates that between 1 April 2000 and 30 June 2000, 1,475 detention and training orders were made, 1,383 against boys and 92 against girls. The available information on age and ethnicity is set out in the tables. Information on sentencing court was contained in the reply I gave to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) today.

Age	
12 years	6
13 years	25
14 years	280
15 years	80
16 years	394
17 years	612
18 years	78
Total	1,475

Ethnicity	
Asian, Bangladeshi	1
Asian, Indian	2
Asian, Other	12
Asian, Pakistani	22
Black, African	14
Black, Caribbean	53
Black, Other	25
Chinese	1
Mixed, Other	15
Mixed, White and Asian	7
Mixed, White and Black	8
Mixed, White and Black Caribbean	36
Not Available	69
Other Ethnic Group	8
White, British	1,172
White, Irish	16
White, Other	14
Total	1,475

Police (Kent)

Mr. Wyatt: To ask the Secretary of State for the Home Department (1) what contribution his Department will make towards the extra staff required by Kent County Constabulary to enforce the provisions of the Kent County Council Bill and the Medway Council Bill; [130934]

(2) how many extra police he estimates will be needed by Kent County Constabulary to enable effective enforcement of the provisions of the Kent County Council Bill and Medway Council Bill; [130933]

(3) how many *(a)* meetings, *(b)* e-mails and *(c)* telephone calls there have been between his Department and Kent County Constabulary to discuss the Kent County Council Bill and Medway Council Bill. [130932]

Mr. Charles Clarke *[holding answer 17 July 2000]:* Meetings were held between the Home Office, Kent County Constabulary and the Trading Standards Authority to investigate the principle of the Kent County Council Bill and the Medway Council Bill before they were deposited. Additional meetings and telephone calls have been held between the Home Office and the solicitors representing the Kent County Constabulary. The Home Office submitted a report on the Bills and Kent Country Constabulary met any concerns.

Records are not kept centrally of the number of meetings held, e-mails exchanged, or telephone calls received or made by the Department on any specific subject.

The Chief Constable has advised me that he does not anticipate that enforcing the provisions of the Bills will impose any significant increased demand on police resources. He is confident that the Bills will enhance Kent's existing intelligence led policing and lead to increased efficiency for individual officers investigating individual crimes.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for the Home Department how many written parliamentary questions tabled to his Department between 19 October

1999 and 20 April 2000 have not received answers, citing as the reason commercial confidentiality or other confidentiality. [131229]

Mr. Straw *[holding answer 20 July 2000]:* My Department answered a total of 2,751 written parliamentary questions between 19 October and 20 April 2000.

It is always my practice to provide as full a reply as possible to all parliamentary questions, and to provide all relevant information even where that specifically requested is not available. Where, occasionally, information is withheld, the reasons for non-disclosure are consistent with the exemptions contained within the Code of Practice on Access to Government Information Section Second Edition (1997). For example:

information which could harm national security or defence, (paragraph 1a);

information whose disclosure could prejudice the enforcement or proper administration of the law, including the prevention, investigation or detection of crime, or the apprehension or prosecution of offenders (paragraph 4b);

information whose disclosure could endanger the life or physical safety of any person, or identity the source of information or assistance given in confidence for law enforcement or security purposes (paragraph 4f); and

information whose disclosure could lead to improper gain or advantage or would prejudice negotiations or the effective conduct of personnel management, or commercial or contractual activities (paragraph 7a).

Crime Statistics

Mr. Clappison: To ask the Secretary of State for the Home Department how many offences were committed in the borough of Hertsmere in each of the last four years for which figures are available, broken down by type of offence; and what the clear-up rate was in each case. [131948]

Mr. Charles Clarke: The latest available data for notifiable offences recorded by the police in Hertsmere are given in the table. No data are available for the year to March 1997 due to substantial changes in boundaries.

	Year to March 1998		*Year to March 1999*		*Year to March 2000*	
	Offences	*Percentage cleared up*	*Offences*	*Percentage cleared up*	*Offences*	*Percentage cleared up*
Violence against the person	296	75.3	661	64.8	1,000	39.3
Sexual offences	89	100.0	29	41.4	60	36.7
Robbery	43	27.9	28	10.7	49	4.1
Burglary[1]	—	—	904	15.6	1,054	7.5
Theft and handling	2,600	15.2	2,481	13.0	3,026	8.7
Fraud and forgery	373	25.7	293	19.1	466	9.9
Criminal damage	1,355	14.8	1,242	11.1	1,516	7.5
Drug offences[1]	—	—	118	[2]115.3	103	95.1
Other notifiable offences	54	72.2	51	45.1	59	20.3
Total	5,657	21.7	5,807	21.7	7,333	14.0

[1] Data for the year to March 1998 are not available

[2] Clear up rates are based on crimes detected in a given period compared to crimes recorded in that period, because some crimes detected in the period may have been recorded in a previous one the clear up rate can exceed 100 per cent.

Notes:

1. The rules for recording crimes changed in April 1998 which led to a large increase in the number recorded, see Home Office Statistical Bulletin 18/99 'Recorded Crime Statistics, England and Wales April 1998 to March 1999' for more details

2. The definition of clear ups changed in April 1999, to exclude certain types of police action that would previously have been recorded as clear ups, and led to a decrease in clear up rates, see Home Office Statistical Bulletin 12/00 'Recorded Crime Statistics, England and Wales April 1999 to March 2000' for more details

Young Remand Prisoners

Mr. Clappison: To ask the Secretary of State for the Home Department how many *(a)* 15 and *(b)* 16-year-olds were held on remand in adult prisons according to the most recent figures available; and if he will list the prisons concerned. [131723]

Mr. Boateng: On 30 June 2000, the latest date for which figures are available, the numbers were:

Prison	*15-year-olds*	*16-year-olds*
Altcourse	0	1
Doncaster	12	13
Norwich	1	2
Total	13	16

Alcohol

Mr. Ben Chapman: To ask the Secretary of State for the Home Department (1) what discussions he has held with alcohol retailers on measures they are proposing to help prevent high percentage volume beers, lagers and ciders from reaching under-age drinkers; [132255]

(2) if he will discuss with alcohol retailers the display and marketing of high alcohol volume percentage beers, lagers and ciders. [132257]

Mr. Mike O'Brien: I refer my hon. Friend to the reply I gave him on 21 July 2000, *Official Report*, columns 362–63W.

Mr. Ben Chapman: To ask the Secretary of State for the Home Department (1) if he will make a statement on the numbers of recorded incidents of criminal damage that have involved the consumption of alcohol by the perpetrator, indicating the proportion which involved under-age drinkers; [132243]

(2) if he will make a statement on the numbers of recorded non-vehicle related thefts *(a)* nationally and *(b)* on Merseyside that have involved the consumption of alcohol by the perpetrator, indicating the proportion which involved under-age drinkers; [132253]

(3) if he will make a statement on the number of recorded burglaries *(a)* nationally and *(b)* on Merseyside that involved the consumption of alcohol by the perpetrator, indicating the proportion which involved under-age drinkers; [132265]

(4) if he will make a statement on the number of recorded crimes *(a)* nationally and *(b)* on Merseyside that involve the consumption of alcohol by the perpetrator, indicating the proportion which involved under age drinkers; [132258]

(5) if he will make a statement on the number of recorded violent crimes *(a)* nationally and *(b)* on Merseyside that have involved the consumption of alcohol by the perpetrator, indicating what proportion involved under age drinkers; [132272]

(6) if he will make a statement on the numbers of recorded incidents of criminal damage on Merseyside that have involved the consumption of alcohol by the perpetrator; [132274]

(7) if he will make a statement on the numbers and proportion of recorded incidents of criminal damage on Merseyside which involved under age drinkers in each of the last three years. [132310]

Mr. Charles Clarke: The information requested is not available. The police do not routinely provide information on the perpetrators of the offences that they record, and for many offences the perpetrator will not be known.

Estimates of the proportion of offences in which alcohol is involved have come from various ad-hoc studies. The figures they give vary somewhat according to the samples of offences taken, and the methodology of the studies. Moreover, it is difficult to say whether the misuse of alcohol was the cause of an offence, or merely a contributory factor.

One recent study looked at arrestees in five police force areas in 1996–97. This showed that 25 per cent. tested positive for alcohol, ranging from 42 per cent. in Sunderland to eight per cent. in Manchester. The proportion of offenders arrested for violent crime, burglary, non-vehicle related thefts and criminal damage that tested positive for alcohol is shown in Table 1. Information on the age of the arrestees is not available.

Table 1: Proportion of arrestees testing positive for alcohol

Main offence	*Percentage of arrestees testing positive for alcohol*
Grievous bodily harm	17
Actual bodily harm	38
Burglary dwelling	26
Burglary non-dwelling	16
Theft from the person	0
Theft from a shop	12
Criminal damage	46

Note:
Based on Table D.5 in "Drugs and crime: the results of research on drug testing and interviewing arrestees", by Trevor Bennet, Home Office Research Study 183, Home Office, 1998. Only offences for which there are large enough numbers are included in Table 1

The British Crime Survey also asks victims who had some knowledge of the person(s) who committed crimes against them mentioned in the survey whether they considered the perpetrator to be under the influence of drink or drugs. Table 2 presents results.

Table 2: Violence involving alcohol and/drugs (percentages): 1996 British crime survey

	Offender under influence of alcohol	*Offender under influence of drugs or alcohol*
Domestic violence	32	38
Mugging	17	25
Stranger violence	53	57
Acquaintance violence	54	53
All contact crime	41	48

Source:
The 1996 British crime survey: England and Wales, Home Office Statistical Bulletin 19–96. Home Office, 1996.

According to the most recent statistics, the number of offenders found guilty or cautioned for drunkenness in England and Wales in 1998 was 53,587. The number of those found guilty or cautioned under 18 was 8,487. For Merseyside the number of offenders was 8,602: 1,649 of these were aged under 18.

Mr. Ben Chapman: To ask the Secretary of State for the Home Department if he will make a statement on the timetable for introducing a new offence of knowingly permitting the sale of alcohol to an under-18-year-old. [132105]

Mr. Mike O'Brien: It is currently an offence under section 169(1) of the Licensing Act 1964 for the holder of a liquor licence knowingly to allow any person to sell intoxicating liquor to a person under 18. Under the Private Member's Bill introduced by my hon. Friend the Member for Pudsey (Mr. Truswell), the Licensing (Young Persons) Bill, this offence will be amended to include any person who works in licensed premises in a capacity, whether paid or unpaid, which gives him authority to prevent the sale. The Bill has so far enjoyed wide support and was successful at Second Reading in the House of Lords on 14 July. We therefore hope that the extended offence will become law this year.

Mr. Ben Chapman: To ask the Secretary of State for the Home Department what plans he has to discuss with the brewing industry measures they are proposing to tackle anti-social and criminal behaviour by under-age drinkers. [132307]

Mr. Mike O'Brien: The Minister of State, my hon. Friend the Member for Norwich, South (Mr. Clarke), has this year chaired two seminars with representatives of the brewing, hospitality and leisure industry, and other interested groups to discuss this and other matters relating to the links between alcohol and crime. A further seminar is due to take place in September. A range of initiatives within a strategic action plan should flow from this work.

The Government have already been encouraged by the industry's approach to social responsibility. A good example was the launch of the Brewers and Licensed Retailers Association's Partnership Initiative on 29 March this year. The Initiative is part of an ongoing industry-wide strategy to promote retailer responsibility across the licensed trade. It opens the way to direct industry involvement in crime and disorder partnerships, and will enable them to make a positive contribution to

public order policies at local level. The aim of the initiative is to facilitate this involvement by setting up a database of company nominees and actively seeking to place them in local partnerships through liaison with local authorities.

Life Signs Monitoring Systems

Mr. Key: To ask the Secretary of State for the Home Department if the sensors in the life signs monitoring systems produced by Mandel UK Ltd. have been approved by *(a)* the Department of Trade and Industry and *(b)* the National Radiological Protection Board; and if he will make a statement. [131777]

Mr. Straw *[holding answer 24 July 2000]:* I understand that the life signs monitoring system has been approved by Department of Trade and Industry and the National Radiological Protection Board.

Mr. Key: To ask the Secretary of State for the Home Department in which locations life signs monitoring systems are to be installed in police cells by Wiltshire Constabulary; and at what cost. [131770]

Mr. Charles Clarke *[holding answer 24 July 2000]:* Wiltshire Constabulary are installing a life signs monitoring system in the new custody suite at Melksham. I understand the cost of equipping the 20 cells will be approximately £55,700 excluding cabling and enclosure costs.

Prisoner Rehabilitation

Mr. Fearn: To ask the Secretary of State for the Home Department what training exists for prisoners to assist them with their rehabilitation. [132505]

Mr. Boateng: The Government's clearly stated aims for the Prison Service are to reduce re-offending and to protect the public. To achieve the objective of reducing re-offending the Prison Service seeks to provide constructive regimes which address offending behaviour, improve education and work skills and promote law abiding behaviour in custody and on release.

The Prison Service offers three general offending behaviour programmes, Enhanced Thinking Skills, Reasoning and Rehabilitation and Problem Solving, suited to prisoners convicted of offences related to sex, drugs and violence. There is also a family of specialist programmes for sex offenders. These programmes have been accredited by an independent panel of experts as being effective in reducing re-offending. Government funding has allowed the Prison Service to double the number of accredited programmes delivered over the period 1999–2002 and to develop new programmes to address a wider range of offending behaviour, including drug related crime.

Education in prison focuses on a core curriculum of basic educational skills, life and social skills and Information Technology skills. Together with opportunities to gain National Vocational Qualifications, these training opportunities enhance the prospects of a prisoner's employability.

As preparation for release, an Inmate Development and Pre-Release programme is offered at a number of establishments, while others run an eight week preparation for work course which provides the opportunity to acquire nationally recognised accredited skills. In addition, resettlement prisons and specialist resettlement units provide a range of training facilities to enable prisoners to return satisfactorily to the community.

Training Schemes (Prisons)

Mr. Fearn: To ask the Secretary of State for the Home Department which prisoners are eligible to follow training schemes provided within HM prisons. [132491]

Mr. Boateng: The purpose of education and training in prisons is to address the offending behaviour of prisoners by improving their employability and so reduce the likelihood of their re-offending on release. All prisoners, including those removed from association, in segregation units or in hospital units, should have the opportunity to participate in educational activities.

Prisoners under 18 years of age must spend on average at least 30 hours per week engaged in purposeful activity, including education, training, work, physical education and offending behaviour programmes.

All prisoners allocated to work undertake an induction programme which covers health and safety issues, first aid, and workshop practice.

Offending Behaviour Programmes seek to address the cognitive deficits (poor thinking skills) which cause prisoners to offend in order to prevent recidivism. To be successful, they must be targeted on those prisoners who have been assessed as having the kinds of cognitive deficits which the existing programmes are seeking to address. This inevitably means that some prisoners are excluded from participation.

Press Releases

Mr. Lansley: To ask the Secretary of State for the Home Department how many press releases were issued this year to date; and what the total cost of production and issuing of these press releases was in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* 2000 to date each year. [132772]

Mr. Straw: The information for my Department is as follows:

	Number
1997	386
1998	524
1999	450
2000	[1]250

[1] To date

The primary cost of issuing press releases relates to their electronic distribution which is carried out through the Central Office of Information, and postage. No central records of other costs which might be involved (eg faxing, e-mail) is available.

Electronic news distribution costs were:

	£
1999	21,095
1998	21,095
1997	[1]27,764

[1] When the service included some hand delivery of press releases

Postal costs varied according to the number of press releases issued in the year and were approximately £15,000 in 1997, £19,500 in 1998 and £12,000 in 1999.

Costs to date for 2000 are £11,374 for electronic distribution costs and for postage costs £6,750.

Violent Crime

Mr. Cox: To ask the Secretary of State for the Home Department how many representations he has received from victims of crimes of violence in the last 12 months. [132703]

Mr. Charles Clarke: The Department receives representations from victims of crime of violence on a wide range of issues. Details are not collated centrally.

Prison Service

Gillian Merron: To ask the Secretary of State for the Home Department what progress has been made in setting up a pay review body for prison governors, prison officers and related grades for the Prison Service in England and Wales, and in modernising the arrangements for industrial relations; and if this will extend to these grades in the Northern Ireland Prison Service. [133354]

Mr. Boateng: Agreement has been reached to set up a pay review body to make independent recommendations to the Government on the pay of prison governors, prison officers and related grades for the Prison Service in England and Wales. This review body would operate on the lines of the five existing review bodies which deal with 1.3 million public sector employees. Like the existing review bodies, it would have a secretariat from the independent Office of Manpower Economics.

This establishment of an independent pay determination mechanism would be under the provisions of Section 128 of the Criminal Justice and Public Order Act 1994 as part of a comprehensive programme of improvement in prison service management.

It is also my right hon. Friend the Home Secretary's intention, when Parliamentary time allows, to replace Section 127 with a reserve statutory power and a voluntary industrial relations agreement. Section 127, as it stands, makes it unlawful for officers of a prison to take industrial action. The voluntary agreement which has been accepted by the Prison Governors' Association (PGA), the Prison Officers' Association (POA) and the National Executive Committee (NEC) will be put to a special POA delegates conference in August. This will mean that they have agreed not to induce, support or authorise industrial action. In recognition of this we will provide them with a new disputes procedure which will include independent arbitration. The voluntary agreement, which will be legally binding, will give my right hon. Friend the Home Secretary the power to seek injunctive relief.

My right hon. Friend the Home Secretary intends to use the provisions of the voluntary agreement instead of those in Section 127, while awaiting Parliamentary time to effect the changes in legislation. However, it is clear on all sides that Section 127 would be used in the event of a breakdown of the agreement.

Together, I hope these measures will create a new climate for industrial relations in the Service. They clear the way for more constructive dialogue on a wide range of issues by modernising the way that this key group of public sector workers deal with their employer.

The remit of the pay review body would also have the scope to make an independent determination in relation to the pay of prison governors, prison officers, night patrol officers and prison auxiliaries in the Northern Ireland Prison Service based on submissions made to it by that Service.

The implementation of this agreement and the delivery of the intentions I have outlined are dependent on my being satisfied that the state of industrial relations within prisons is such as to enable the effective and efficient management of the Service.

Such a state cannot be said to have been attained in the light of the current withdrawal of good will by the POA, but I will keep the situation under constant review.

Police (Medical Retirement)

Dr. Cable: To ask the Secretary of State for the Home Department how many medical retirements from the police there have been in the last 10 years as a result of periodontal deformities which exceed 3 mm. [132801]

Mr. Charles Clarke: The information requested is not available centrally and could be obtained only at disproportionate cost.

Under the Police Pensions Regulations 1987 (as amended) a police officer may be retired on the ground that he or she is permanently disabled. For these purposes disablement means inability, occasioned by infirmity of mind or body, to perform the ordinary duties of a male or female member of the force. It would be a matter of fact whether a periodontal deformity could render a police officer unable to perform the ordinary duties of a police officer.

Dr. Cable: To ask the Secretary of State for the Home Department when his Department's approved medical standards for police recruitment were last approved *(a)* in total and *(b)* in respect of periodontal conditions. [132800]

Mr. Charles Clarke: The Home Office Guidelines on Medical Standards of entry to Police Forces were first issued to forces on 13 February 1995. They were endorsed by the Association of Local Authority Medical Advisers and the Association of Chief Police Officers' Joint Working Group on Organisational Heath, Safety and Welfare. The guidelines were reviewed and re-issued to forces on 3 March 1998. No separate review has been undertaken of periodontal conditions, in relation to which the current guidelines recommend that forces should consider carefully any candidate with evidence of poor dental hygiene.

DNA

Mr. Dalyell: To ask the Secretary of State for the Home Department if he will refer to the Law Commission the question whether the restrictions on the use of DNA to be found in section 643(B) of the Police and Criminal Evidence Act 1984 should be maintained. [131478]

Mr. Charles Clarke: I am looking at this issue carefully to determine whether to propose changes to section 64 (3B) of the Police and Criminal Evidence Act 1984. I do not consider it necessary at present to seek advice from the Law Commission on this issue.

Ms Elaine Moore

Mr. McNamara: To ask the Secretary of State for the Home Department what progress he has made in settling on a figure to compensate Ms Elaine Moore following her wrongful arrest and imprisonment in July 1998. [131362]

Mr. Straw: I am not aware of any application for compensation having been received by the Home Office in respect of Ms Moore's case. If an application is received, it will be dealt with in the usual way. It falls to me, as Secretary of State, to decide whether in principle an applicant qualifies for compensation. The amount of any award is determined by the independent assessor, Sir David Calcutt QC.

LORD CHANCELLOR'S DEPARTMENT

Enforcement Procedures Review

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the Enforcement Procedures Review which was due to end in June. [133350]

Mr. Lock: We have been engaged in a comprehensive review of the enforcement of civil court judgments since 1998 and the first phase ended in June 2000. In that phase we have:

- examined the present methods available for enforcement of county court and High Court judgments;
- assessed their effectiveness; and
- identified what changes would be necessary to enhance the effectiveness of the current methods of enforcement.

Copies of the paper on this work have been placed in the Libraries of both Houses. It outlines the conclusions reached to date. Many of the proposals have already been exposed in consultation. This paper provides information on the current state of play of the enforcement review. The proposals remain subject to refinement, particularly as we examine in more detail the issues arising from the second phase of the review. Its terms of reference are:

- to implement costs recommendations (including the production of a unified set of Rules of Court for enforcement); and
- to identify, in the light of the amended procedures and revised powers of bailiffs, the type of agent(s) or form of agency which should be responsible for carrying out those enforcement procedures; and to make costed recommendations.

I am also pleased to announce that Professor Beatson has now submitted to the Lord Chancellor his "Independent Review of Bailiff Law: Report", copies of which have also been placed in the Libraries of both Houses. This report will inform the work of the second phase of the review.

It is the Government's intention to issue a White Paper after the review is complete. It will also cover some issues which arise in the enforcement of the orders of the criminal courts.

Access to Justice (Funding)

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department on how many occasions since May 1997 his Department has *(a)* authorised and *(b)* refused requests for funding in exceptional individual cases, under section 6(8)(b) of the Access to Justice Act 1999, for representation before (i) a tribunal, (ii) an inquest and (iii) a public inquiry. [R] [132709]

Mr. Lock: Before 1 April 2000, the Lord Chancellor had the power to direct the Legal Aid Board to grant legal aid in exceptional individual cases, under section 4 of the Legal Aid Act 1988. Since 1 April, when the Access to Justice Act came into force, he may direct or authorise the Commission, under section 6(8)(a) of the Act, to fund cases in those circumstances he chooses to specify. He may also authorise funding in exceptional individual cases under section 6(8)(b) of the Act, but only where the Legal Services Commission asks him to do so. In March, the Lord Chancellor issued detailed directions setting out the circumstances in which he would expect the Commission to request his authorisation. The numbers of directions and authorisations the Lord Chancellor has given, and of refusals by him and the Commission, are shown in the table.

	Directed or authorised		*Refused*	
	1988 Act	*1999 Act*	*1988 Act*	*1999 Act*
Tribunals	0	1	2	0
Inquests	2	6	0	1
Public inquiries	0	0	0	1

Parliamentary Questions

Mr. Stunell: To ask the Parliamentary Secretary, Lord Chancellor's Department how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April have not received substantive answers, excluding those not answered *(a)* citing disproportionate cost, *(b)* stating that the information is not available, not held centrally, or not held in the form requested and *(c)* citing commercial or other confidentiality. [132461]

Mr. Lock: I refer the hon. Member to the written answer that I gave him on 18 July 2000, *Official Report*, column 162W and to the written answer I gave to the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) on 22 June 2000, *Official Report*, column 295W.

Written Answers to Questions

Thursday 27 July 2000

TRADE AND INDUSTRY

Post Offices

Mr. Breed: To ask the Secretary of State for Trade and Industry how many post offices are within *(a)* three miles and *(b)* five miles of a digital telephone exchange; and if he will make a statement. [131802]

Mr. Alan Johnson: I understand from the Post Office that all but around 500 post offices are within approximately 3 km of a digital telephone exchange, enabling ISDN connections. At those offices where a normal ISDN connection is not possible an equivalent satellite link will be installed.

Regional Selective Assistance

Mr. Redwood: To ask the Secretary of State for Trade and Industry how many offers of regional selective assistance made since May 1997 have received EU approval. [131826]

Mr. Byers *[holding answer 21 July 2000]:* Under the RSA scheme the vast majority of offers do not require approval. Of those that do, four have been approved since May 1997.

Mr. Redwood: To ask the Secretary of State for Trade and Industry for which Ford plant regional selective assistance was offered. [131827]

Mr. Byers *[holding answer 21 July 2000]:* Bridgend and Swansea.

Mr. Redwood: To ask the Secretary of State for Trade and Industry which non-motor companies have received offers of regional selective assistance; and how many have received their first payment. [131823]

Mr. Byers *[holding answer 21 July 2000]:* For reasons of commercial confidentiality, details of offers are not routinely published until after the first payment of grant. Information on such offers of £75,000 or more can be found in "Labour Market Trends".

Mr. Redwood: To ask the Secretary of State for Trade and Industry if the payments of regional selective assistance to Vauxhall Motors Ltd. and Ford Motor Co. Ltd. have received EU approval. [131828]

Mr. Byers *[holding answer 21 July 2000]:* Yes.

Mr. Redwood: To ask the Secretary of State for Trade and Industry (1) when Toyota received *(a)* offers and *(b)* payment of Regional Selective Assistance as detailed in a press release on 14 June 1999; [131825]

(2) how much Regional Selective Assistance *(a)* Rover Group Ltd., *(b)* Jaguar Cars Ltd., *(c)* Peugeot Motor Co. plc, *(d)* Vauxhall Motors Ltd. and *(e)* Ford Motor Co. Ltd. have received since May 1997; [131822]

(3) what payments have been received and grants given to *(a)* Rover Group Ltd., *(b)* Jaguar Cars, *(c)* Peugeot Motor Co. plc, *(d)* Vauxhall Motors Ltd. and *(e)* Ford Motor Co. by his Department since May 1997; and which of these received European Commission approval. [133144]

Mr. Byers *[holding answer 21 July 2000]:* The policy under successive Governments has been that payments of Regional Selective Assistance are a commercial matter between the company and the Government and are not normally disclosed. Details of offers of grant of £75,000 or more are given in "Labour Market Trends". The offer to Toyoda Gosei Company Ltd. (part of the Toyota group) was made in May 1999 and did not require EC approval. The Rover engine project (Hams Hall) and Jaguar Cars project received EC approval.

ECGD

Dr. Cable: To ask the Secretary of State for Trade and Industry (1) what the planned net profit is of the ECGD for each year of the 2000 Spending Review (2001–2004); and how this figure would differ if loans by the ECGD were required to earn a 6 per cent. return; [132452]

(2) if he will list the net profit or loss for the ECGD in the last three years; and how this would have varied had the agency been required to record returns below 6 per cent. as a loss. [132457]

Mr. Caborn *[holding answer 25 July 2000]:* ECGD is set the financial objective by Ministers of breaking even over the longer term on its new business account. Given the nature of ECGD's business and the highly uncertain nature of the risks which it covers, it will clearly be many years before the outcome of any particular year's business can be known. In recognition of this, Ministers have set ECGD a more measurable objective of achieving a ratio (Reserve Coverage Ratio) of at least 1.5 between its reserves and estimates of expected losses on amounts at risk under its guarantees.

ECGD is currently preparing its 1999–2000 accounts, which will be laid before the House in the autumn. The in-year surplus/deficit for the previous three years is as follows:

£ million

	Surplus/deficit	*Reserve coverage*
1996–97	1,032.3	2.4
1997–98	(514.3)	1.0
1998–99	136.9	1.3

ECGD does not currently operate to a capitalised regime. This will be introduced by April 2002 as announced by my right hon. Friend the Secretary of State for Trade and Industry in its Mission and Status Review. The House will have an opportunity to debate the specific proposals for the ECGD Trading Fund including the proposals for the capital-charging regime.

Dr. Cable: To ask the Secretary of State for Trade and Industry when he expects the Review of the ECGD to be published. [132795]

Mr. Caborn *[holding answer 26 July 2000]:* I refer the hon. Member to the answer given to my hon. Friend the Member for Eccles (Mr. Stewart) on 25 July 2000, *Official Report*, columns 520–21W.

Dounreay

Mr. Maclennan: To ask the Secretary of State for Trade and Industry if he will place in the Library the assessment made by the UKAEA of the potential routes by which radioactive particles could have reached the beaches on and near Dounreay, Caithness. [132037]

Mrs. Liddell *[holding answer 26 July 2000]:* I am happy to meet this request. UKAEA prepared a report, "Dounreay Particles" for the Scottish Environmental Protection Agency (SEPA) earlier this year. UKAEA has agreed that a copy of this report should be placed in the Library.

Export Promotion

Dr. Cable: To ask the Secretary of State for Trade and Industry what the size is of the joint DTI-FCO budget for export promotion referred to in paragraph 15.2 of the Spending Review 2000; and how much was spent by these two Departments on export promotion in *(a)* 1997, *(b)* 1998 and *(c)* 1999. [132453]

Mr. Caborn *[holding answer 25 July 2000]:* The total budget for 2000–01 for the trade development and promotion activities of British Trade International (branded as Trade Partners UK) is approximately £187 million. This includes administration costs and programmes of support for business, but excludes certain FCO overheads. A breakdown is provided in the answer given to the hon. Member for North Norfolk (Mr. Prior) on 21 June 2000, *Official Report*, columns 184–85W.

For previous years the information is:

£ million

	1997–98	*1998–99*	*1999–2000*
DTI			
Programme expenditure	54	58	57
Administration costs	24	24	25
FCO			
Administration costs[1]	[2]—	130	[3]139

[1] Including overheads
[2] The FCO did not collate information on budgets for export promotion only prior to 1998–99. Expenditure for commercial work in 1997–98, which was primarily for export promotion, was £156 million
[3] Estimated

Universal Bank

Dr. Cable: To ask the Secretary of State for Trade and Industry what role the proposed Universal Bank within the Post Office will play in relation to the sale of financial products, with particular reference to *(a)* ISAs and *(b)* stakeholder pensions. [132799]

Mr. Alan Johnson *[holding answer 26 July 2000]:* We await the Post Office's business plan for the Universal Bank later in the year.

Wind Generation

Mr. Maclennan: To ask the Secretary of State for Trade and Industry if he will list for each year since 1995 *(a)* the installed United Kingdom wind generation capacity and *(b)* the electricity it generated; and if he will make a statement. [132581]

Mrs. Liddell *[holding answer 26 July 2000]:* The information required is as follows:

Year	*Contracted capacity (MW)*[1]	*Electricity Generation (GWh)*[2]
1995	76.224	379.510
1996	97.491	482.953
1997	132.288	656.935
1998	137.748	873.047
1999	148.722	[3]492.597

[1] The totals for contracted capacity (in Megawatts) are cumulative
[2] One Gigawatt hour (GWh) = 1,000 Megawatt Hours (MWh)
[3] The total for 1999 is less than that of 1998 because the contracts of wind projects supported under the First and Second Rounds of the Non-Fossil Fuel Obligation ceased at the end of 1998 and the compilation of further statistical data on their operation for 1999 and subsequent years has been discontinued

The Government have a target of generating 10 per cent. of the UK's electricity from renewable sources by 2010, subject to the cost to consumers being acceptable. We expect both onshore and offshore wind to be needed to meet this target. The Government are taking a range of measures to encourage renewables including a proposed obligation on electricity suppliers, exemption of renewable energy from the Climate Change Levy and an expanded research and development programme. We are also considering the scope for limited additional support for more expensive technologies, including offshore wind.

Parcelforce

Mrs. Browning: To ask the Secretary of State for Trade and Industry what percentage by volume of Parcelforce's *(a)* domestic and *(b)* international mail is (i) under 10kg and (ii) between 10 and 20kg in weight; and if he will breakdown the above categories into (1) business to business post, (2) business to customer post and (3) non-business post. [132796]

Mr. Byers *[holding answer 26 July 2000]:* This is a commercial matter for the Post Office. It has informed me that:

of UK parcels sent by businesses some 70 per cent. go to other businesses—the remainder go to home address.

of export parcels sent by businesses some 75 per cent. go to other businesses—the remainder go to home addresses.

of business-originated parcels within the UK some 80 per cent. is under 10kg in weight—only a fraction of the remainder is over 20kg in weight.

of export parcels from businesses about 85 per cent. are under 10kg—again, only a fraction of the remainder is over 20kg in weight.

Rover

Mr. Burden: To ask the Secretary of State for Trade and Industry what assistance is being planned for the Rover supply chain during the interruption to production of the Rover 75 while the production line is being moved from Oxford to Longbridge. [133760]

Mr. Byers: In April I announced a fund of £12 million to support the Rover supply chain in the West Midlands. This fund will now be available to assist companies in all regions of England who are heavily dependent on the revenue from supplying parts for the Rover 75. Some £5 million remains uncommitted in the fund for this purpose.

North West Development Agency

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry what arrangements exist for his Department to consult the North West Development Agency on matters relating to economic and industrial development in the region. [132048]

Mr. Caborn: Monthly meetings take place between Ministers and all Regional Development Agency (RDA) Chairmen, which provide a regular opportunity for discussion and consultation. In addition, RDA Chairmen and Chief Executives meet DTI ministers on many occasions, and RDAs have contributed to written consultations on numerous policy proposals.

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry on how many occasions in the last 12 months his Department's officials consulted the North West Development Agency on decisions it is taking in relation to economic development in the region. [132047]

Mr. Caborn: My officials in both HQ and the Government Office for the North West are in regular contact with the North West Development Agency, ensuring our policies on regional economic development are tailored to regional needs. Contact has taken the form of individual meetings, seminars and written communication.

MOX Fuel (Japan)

Mr. Chaytor: To ask the Secretary of State for Trade and Industry if he will exercise his power as sole shareholder in BNFL to ensure that the full costs attributable to the return of the MOX fuel from Japan are clearly indicated on the Company's financial accounts. [132296]

Mrs. Liddell: I understand that BNFL is making full financial provision in its accounts for the MOX Demonstration Facility (MDF) data falsification events.

Former Miners (Health)

Dr. David Clark: To ask the Secretary of State for Trade and Industry how many former miners have attended the full medical assessment process at each of the spirometry centres in Durham and Newcastle; and what the figures are for each of the other centres in Great Britain. [132871]

Mrs. Liddell: As at 17 July, the number of full medical assessments per centre was:

Centre	*Number of assessments completed*
Ayr	44
Barnsley	7
Cannock	5
Chesterfield	4
Coventry	12
Durham	8
Edinburgh	83
Glasgow	79
Leeds	12
Lochore	57
Manchester	13
Mansfield	77
Mexborough	32
Mountain Ash	130
Newcastle	11
Newport	289
Nottingham	58
Pontefract	45
Sheffield	76
Swansea	217
Domiciliary visits	139
Total	1,398

Healthcall have the capacity to carry out 2,500 assessments per month now, rising steadily by September, but the actual throughput at each centre depends greatly on the speed with which solicitors send in the completed Claims Questionnaires and record holders release medical records. The rate at which solicitors are returning completed Claims Questionnaires and Mandates has picked up, but we still urge solicitors to do all they can to increase the numbers being sent to us. We have the capacity to deal with them.

Coal State Aid Scheme

Mr. Coaker: To ask the Secretary of State for Trade and Industry what progress has been made on the coal state aid scheme; and if he will make a statement. [133735]

Mrs. Liddell: I am pleased to announce that on 26 July the UK Government formally applied to the European Commission for their approval to pay operating aid to United Kingdom coal producers over the period to July 2002. This notification follows extensive consultation by my Department with coal producers and purchasers to ensure that the scheme we are proposing meets the Government's objectives spelled out in the Secretary of State for Trade and Industry's announcement of 17 April, and complies with European regulations.

Our application to the Commission comprises an outline of our proposed scheme and a "Modernisation, Rationalisation and Restructuring Plan" as required by the European Coal and Steel Communities Treaty and subsequent decisions. These documents have been placed in the House of Commons Library.

The European Commission must now consider our proposed scheme over the next three months.

Merchant Navy Day

Mr. Flynn: To ask the Secretary of State for Trade and Industry if he will ensure that the Red Ensign is flown from departmental buildings on Merchant Navy Day, 3 September. [132967]

Dr. Howells: I refer my hon. Friend to the answer given today by my hon. Friend the Parliamentary Under-Secretary of State for the Home Department.

Ministerial Duty Roster (Summer)

Mr. Gibb: To ask the Secretary of State for Trade and Industry if he will publish the daily ministerial duty roster for his Department during the summer adjournment. [133065]

Mr. Byers: It is not the normal practice of the Government to publish a daily Ministerial Duty Roster. The Department will ensure that it has sufficient cover through the summer recess in line with the requirements of the Ministerial Code.

Companies House

Gillian Merron: To ask the Secretary of State for Trade and Industry if he has reached a decision on the future of Companies House following the review announced by the Minister for Competitiveness on 16 February 2000, *Official Report*, column 557–58W. [133762]

Mr. Alan Johnson: The first stage of the review of Companies House has now been completed. I am pleased to say that the review has confirmed that Companies House is performing well, both in meeting its own objectives and targets and in contributing to the achievement of wider Government objectives such as our e-Government strategy. Its standards of customer service are high, as shown by the award in 1998 of its third Charter Mark, and customers are generally satisfied with the service they get from Companies House. Companies House is already providing a wide range of services electronically. The CH Direct service offers electronic access to images of all documents dating back to 1995. All the major returns (except accounts) can be filed electronically. Plans are well advanced to introduce facilities to incorporate new companies electronically and to simplify the process for e-filing generally following the passing of the Electronic Communications Act 2000. Companies House is on track to have all services available electronically well in advance of the Government target of 2005.

The functions carried out by Companies House—the incorporation of companies, registration of information about their continuing operations and provision of information to the public—are and will continue to be essential to ensuring effective, competitive markets. The Review has confirmed that those functions are best delivered by retaining Companies House as an Executive Agency and that there is a continuing role for the private sector in the delivery of Companies House services.

The issue now is how Companies House can perform even better in future. I want to see Companies House continue to improve the quality of its services, setting and maintaining high standards of customer service and responsiveness to customer needs. Customers rightly look to Companies House as a reliable source of accurate and up-to-date information and we must ensure that it meets those expectations. Companies House will need to continue to modernise to improve the quality, range and flexibility of its services. Its operation is increasingly based on electronic interaction with customers, rather than the processing of paper, and this trend will continue, in line with the increasing use of e-commerce throughout the economy. Companies House's main operating system is now some 15 years old. It lacks flexibility and is not best-suited to supporting such an operation. It will therefore need to be replaced. The transition to a new system will need to be managed carefully and taken step by step to ensure that there is no interruption in the business. Substantial investment in IT will be required over the next three years or so to achieve this. Funding will be available from the cash reserves Companies House has built up during its period as a Trading Fund. This investment will lay the basis for an even more successful next five years.

The report of stage 1 of the review of Companies House has been placed in the Library of the House.

Stage 2 of the review is now starting and will be completed in the autumn. As I announced in February, this second stage will consider whether any changes should be made to the way in which Companies House operates, including its aims and objectives, targets and financial controls. It will also consider in more detail the costs and funding of the investment in new systems.

Coal Authority

Mr. Denis Murphy: To ask the Secretary of State for Trade and Industry when the Coal Authority's report and accounts for 1999–2000 will be laid before Parliament. [133736]

Mrs. Liddell: I have today laid a copy of the report before Parliament.

Subsidies

Mr. Redwood: To ask the Secretary of State for Trade and Industry if he will reconcile his answers of 17 July 2000, *Official Report*, column 27W, Ref. 130308 and 130309/10, concerning regional selective assistance for companies manufacturing cars, with particular reference to the two lists of companies. [133455]

Mr. Byers: The answer to Ref. 130308 concerned companies which received payments of grant since May 1998.

The answer to Ref. 130309/10 concerned offers made since May 1997.

Two of the companies, Vauxhall and Ford, shown in the list of those receiving payments since May 1998, had offers made before May 1997. They are therefore excluded from the list of offers made since May 1997.

Mr. Redwood: To ask the Secretary of State for Trade and Industry if he has European Commission Competition Directorate approval to *(a)* subsidise the coal industry and *(b)* grant a subsidy to Toyoda. [133066]

Mr. Byers: I am seeking approval from the European Commission to a subsidy scheme to help the UK coal industry.

Toyoda Gosei Company Ltd.—part of the Toyota Group of companies—received an offer of £1.7 million Regional Selective Assistance (RSA) in May 1999. Under the terms of the Motor Vehicle Framework for State Aid, no prior EU approval was required.

Iran

Ms Southworth: To ask the Secretary of State for Trade and Industry if there are trade sanctions against Iran. [133734]

Dr. Howells: There are no United Nations trade sanctions against Iran. A UK national arms embargo was imposed on 1 March 1993. It covers all goods and technology on the Military List as well as items entered in Group 0 in Annex 1 of the European Council Decision

94/942/CFSP on the export of dual-use goods, as amended. An amendment was announced on 28 January 1998 to clarify that licences would not be approved for any equipment where there was knowledge or reason to suspect that it would go to a military end-user or be used for military purposes. The exception is equipment which would not normally require an export licence but is deemed licensable under the Weapons of Mass Destruction (WMD) end-use control and where WMD concerns are not subsequently substantiated.

All applications for export licences to Iran are considered by an interdepartmental committee of advisers and representatives from the DTI, Foreign and Commonwealth Office and Ministry of Defence. This committee meets once a month and makes recommendations on each application which are subsequently submitted to Ministers in the three Departments for approval. This procedure reflects the concerns that the Government has about exports to Iran and ensures that all licensing decisions are consistent with our policy.

Oil and Gas Licensing

Mr. David Stewart: To ask the Secretary of State for Trade and Industry what has been the outcome of the 9 Landward Round of Oil and Gas Licensing. [133737]

Mrs. Liddell: I am pleased to announce the award of 37 licences to 21 companies for onshore oil and gas exploration over 123 blocks. Licensees will now need to obtain any necessary consents from local planning authorities, who will take account of any environmental concerns, and to agree access terms with landowners before carrying out any on-site activities on these licences.

The UK's onshore oil and gas industry has a strong future, as shown by the high level of interest in this round. The areas covered by the awards range from Scotland to southern England, and include acreage never previously considered for oil and gas exploration. It is encouraging to see licences going to new applicants from both the UK and overseas.

Over 60 blocks are for mines gas and coalbed methane, offering the potential for new jobs in former mining communities. This gas will now contribute to the UK's energy supply rather than being wasted.

Applications involving five companies are still being considered and I will make a further announcement when any outstanding issues have been resolved.

Competition Commission

Mr. Simon Thomas: To ask the Secretary of State for Trade and Industry in what way Welsh interests are represented on the Competition Commission; and by whom. [133266]

Dr. Howells: The Competition Commission is not set up to represent different geographical areas. Its members are chosen on merit and experience.

Institute of Arable Crops Research

Dr. Tonge: To ask the Secretary of State for Trade and Industry what financial assistance his Department has provided through the Biotechnology and Biological Sciences Research Council to the Long Ashton Research Station of the Institute of Arable Crops Research since 1997; and what this financial assistance is intended for. [132854]

Ms Hewitt: The main form of the Biotechnology and Biological Sciences Research Council (BBSRC) funding support to the Long Ashton Research Station (LARS) is via the Competitive Strategic Grant, which provides funding for basic and strategic research programmes that map onto BBSRC's priorities and underpins LARS's mission. Unlike university grants, for which the Higher Education Funding Councils provide the infrastructure element of "dual funding", the Competitive Strategic Grant and capital funding meets the full costs of the various programmes. BBSRC has also provided equipment and minor works grants. In addition, BBSRC has awarded funds to LARS for research projects which LARS scientists have won in competition with other scientists from the bioscience community.

The table shows the funding of the Long Ashton Research Station from the Biotechnology and Biological Sciences Research Council since 1997:

£000

	1997–98	*1998–99*	*1999–2000*
Competitive Strategic Grant	3,415	3,435	3,065
Equipment	175	180	180
Minor Works	70	85	55
Research Grants	675	980	875
Total BBSRC Funding	4,335	4,680	4,175

PFI Contracts

Mr. Alan Williams: To ask the Secretary of State for Trade and Industry in how many of his Department's PFI contracts KPMG has been an adviser. [132859]

Dr. Howells: KPMG was an adviser in one PFI/PPP contract involving the Department and its agencies.

Gas-fired Power Station, Anglesey

Mrs. Betty Williams: To ask the Secretary of State for Trade and Industry when he will announce his decision on Burlington Resources (Irish Sea) Ltd.'s proposal to build a gas-fired power station at Rhosgoch on the Isle of Anglesey. [133738]

Mrs. Liddell: The Government have received new information on the proposal to build a new 560 MW gas-fired power station at Rhosgoch, Anglesey. This was refused approval on 9 November 1999 on energy policy grounds and a direction under section 14(3) of the Energy Act 1976 to that effect was issued. However, as in all such cases, the Government indicated that they would be willing to reconsider their decision should new information come to their attention that there had been a significant change in circumstances.

The Government have now received new information which warrants reconsideration of the proposal, not least on local and environmental grounds. After re-evaluating the further information, the Government have concluded that the proposal should not be halted on energy policy grounds and that the direction of 9 November 1999 should be revoked.

However, local planning and other clearances are still required under section 36 of the Electricity Act 1989.

I have placed copies of the Press Notice and the decision letter in the Library of the House.

Data Protection

Mr. Wyatt: To ask the Secretary of State for Trade and Industry (1) which Minister in his Department has the lead responsibility for data protection in relation to websites; and if he will make a statement; [133053]

(2) what recent representations he has received relating to the proposed prosecution of electricity generating companies under data protection law; [133070]

(3) what powers he has in addition to those of the Data Protection Commissioner to prosecute companies in violation of data protection law. [133069]

Ms Hewitt: My Department has no responsibility for the protection of data held at or accessible through websites. My Department has no special powers to mount prosecutions under the Data Protection Act. We have received no representation about prosecutions of electricity generating companies under that Act, but are aware of the public interest in the recent security breach at the website of the supply business of PowerGen. While the standards of security of websites are not regulated, my Department takes seriously its responsibility for promoting good information security to business. This is one of the vital factors in ensuring confidence in e-business. My officials have therefore had discussions with the company to understand the circumstances that led to the security breach, how the company solved the technical issues and how the business community as a whole might learn from their experience. I understand that the company resolved the vulnerability quickly and are making great efforts to learn how their management controls allowed it to happen. They intend to make public the results of their inquiries. Furthermore, we are exploring with the company how best we might disseminate the lessons learnt to improve the performance of all those UK companies who are rising to the challenge of working on-line.

Advisory Bodies

Tony Wright: To ask the Secretary of State for Trade and Industry if he will list all the *(a)* task forces, *(b)* action teams, *(c)* policy reviews and *(d)* other temporary advisory bodies with external members currently in existence within his Department; and on what date each body (i) was set up and (ii) is expected to terminate. [131446]

Mr. Byers: I refer my hon. Friend to the answer given today by my hon. Friend the Parliamentary Secretary, Cabinet Office to him and to my hon. Friend the Member for Eastwood (Mr. Murphy), *Official Report*, column 799w.

Departmental Groups

Mr. Stunell: To ask the Secretary of State for Trade and Industry if he will list each group that is responsible to his Department, with significant and plural membership from outside the civil service, and to which the Nolan rules on non-departmental public bodies do not apply and for each such group, if it *(a)* is a company limited by guarantee, *(b)* is a charity, *(c)* has no formal legal basis, and *(d)* has some other legal basis giving details. [131238]

Dr. Howells *[holding answer 24 July 2000]:* I refer my hon. Friend to the answer given today by my hon. Friend the Parliamentary Secretary, Cabinet Office to my hon. Friends the Members for Eastwood (Mr. Murphy) and for Cannock Chase (Tony Wright), *Official Report*, column 799w. All groups listed for this Department come under category *(c)*.

Directors' Remuneration

Dr. Cable: To ask the Secretary of State for Trade and Industry when he will introduce legislation to give greater executive responsibility to shareholders in respect of directors' remuneration. [132803]

Dr. Howells: The Department of Trade and Industry published a consultation paper on directors' remuneration last year which put forward a number of proposals for improving disclosure of directors' remuneration and boards' accountability to shareholders. My right hon. Friend the Secretary of State for Trade and Industry will make an announcement shortly on the Government's response to the consultation.

Departmental Initiatives

Dr. Lynne Jones: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 19 July 2000, *Official Report*, column 174W, if he will list all departmental initiatives between May 1997 and 18 July 2000 requiring bids from voluntary organisations and local authorities for funding together with the total resources allocated to these initiatives, the number of successful bids and the proportion this represents of total bids received; and what data he collects on the average cost of preparing the bids for funding through each initiative. [132668]

Dr. Howells: A detailed breakdown of the Department's activities is given in the annual Expenditure Plans Report "Trade and Industry: The Government's Expenditure Plans (Cm 4611)", published by The Stationery Office Ltd.

The Department of Trade and Industry does not collate information on the types of organisation applying for funding and such information could be compiled only at disproportionate cost. Applicants are not required to provide details of their application costs to the Department.

Govan Shipyard

Mr. Redwood: To ask the Secretary of State for Trade and Industry what undertakings the Government gave to Govan Shipyard when it was bought by BAE Systems with regard to environmental liabilities. [130306]

Dr. Reid *[holding answer 13 July 2000]:* I have been asked to reply.

No undertakings in respect of environmental liabilities at the Govan shipyard were given to BAE Systems. As reported to the Scottish Parliament, the Scottish Executive, however, has entered into an agreement with Clydeport

plc, who own the site, in relation to environmental improvements. Any aid will be provided under the European Union conditions applying at the time.

INTERNATIONAL DEVELOPMENT

AIDS (Africa)

Mr. Streeter: To ask the Secretary of State for International Development if she will list the value of each project she is currently funding in Africa dealing with HIV/AIDS that would rate as principal expenditure under her PIMS marker system. [131621]

Mr. Foulkes *[holding answer 20 July 2000]:* The Policy Information Market System (PIMS) provides a framework which measures the extent to which DFID's projects and programmes are being targeted on key policy areas. PIMS covers bilateral commitments with a value of £100,000 or over. Contributions to multilateral agencies are excluded because they do not analyse their expenditure in the same way.

There are 34 policy information markers which are scored according to which policy areas are targeted, either as a Principal or Significant objective. Principal objectives are those which are fundamental to the design of a programme or project, without which it would not be undertaken. Significant objectives are those which, although important, are not one of the primary reasons for undertaking the activities. Scoring against PIMS is an all-or-nothing procedure with the total commitment value or expenditure counting against each of the PIMS awarded to the project. As DFID policy areas are mutually supportive and overlapping, most new commitments contribute, to and are marked against, two or more markers.

Some 46 bilateral projects dealing with HIV/AIDS in Africa, launched since 1997, are currently being funded that would rate as principal expenditure under DFID's PIMS market system. The total commitment for these projects is £82.9 million. A list will be placed in the Library of the House.

Mr. Streeter: To ask the Secretary of State for International Development what proportion of her Department's expenditure on HIV/AIDS in Africa will be marked as *(a)* principal and *(b)* significant under her Department's PIMS marker system; and what proportion is (i) multilateral and (ii) bilateral. [131615]

Mr. Foulkes *[holding answer 20 July 2000]:* The Policy Information Marker System (PIMS) provides a framework which measures the extent to which DFID's projects and programmes are being targeted on key policy areas. PIMS covers bilateral commitments with a value of £100,000 or over. Contributions to multilateral agencies are excluded because they do not analyse their expenditure in the same way.

There are 34 policy information markers which are scored according to which policy areas are targeted, either as a Principal or Significant objective. Principal objectives are those which are fundamental to the design of a programme or project, without which it would not be undertaken. Significant objectives are those which, although important, are not one of the primary reasons for undertaking the activities. Scoring against PIMS is an all-or-nothing procedure with the total commitment value or expenditure counting against each of the PIMS awarded to the project. As DFID policy areas are mutually supportive and overlapping, most new commitments contribute to, and are marked against, two or more markers.

The PIMS marker system excludes multilateral expenditure, although DIFD also contribute to HIV/AIDS through multilaterals. Our bilateral expenditure on HIV/AIDS in Africa from 1992–93 to 1999–2000 recorded under the PIMS marker system was as follows:

£ million

	Principal	*Significant*
1992–93	2 (50%)	2 (50%)
1993–94	2 (50%)	2 (50%)
1994–95	7 (78%)	2 (22%)
1995–96	11 (79%)	3 (21%)
1996–97	14 (74%)	5 (26%)
1997–98	15 (79%)	4 (21%)
1998–99	15 (75%)	5 (25%)
1999–2000	13 (57%)	10 (43%)

Mr. Streeter: To ask the Secretary of State for International Development how much was spent on principal AIDS programmes in Africa in financial year 1998–99 following her departmental PIMS marker system. [131617]

Mr. Foulkes *[holding answer 20 July 2000]:* The Policy Information Marker System (PIMS) provides a framework which measures the extent to which DFID's projects and programmes are being targeted on key policy areas. PIMS covers bilateral commitments with a value of £100,000 or over. Contributions to multilateral agencies are excluded because they do not analyse their expenditure in the same way.

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In financial year 1998–99, £15 million was spent on programmes in Africa of which the principal purpose under the PIMS marker system is to combat HIV/AIDS. A further £5.4 million was spent on programmes which are marked as having a significant contribution to combat HIV/AIDS under the PIMS marker system.

Nepal

Mr. Gerrard: To ask the Secretary of State for International Development what discussions she has had with the Government of Nepal regarding the situation of indigenous groups and untouchables who are the victims of bonded labour in Nepal; and if she will make a statement. [132312]

Mr. Foulkes: Our officials have in recent weeks been in dialogue with senior Government of Nepal officials in the Home Ministry and Prime Minister's Office in support of the campaign to make bonded labour illegal in Nepal. I am pleased to report that the Government of Nepal decided on 17 July to make this practice illegal and in so doing cancelled all related debts. The challenge now is how to ensure legislation is enforced, and to support these individuals in securing future livelihood opportunities. In addition to existing UK support to an Integrated Social Development Programme which works directly with bonded labourers and untouchables, we have informed the Government of Nepal that the UK is ready to assist further in the rehabilitation of bonded labourers. We are also working to mobilise the support of other donors.

Disabled People

Mr. Rowe: To ask the Secretary of State for International Development what steps she has taken to ensure that the 1999 annual report of her Department is made available to blind and visually impaired people. [133105]

Mr. Foulkes: Given the relatively specialist nature of many of our publications, we have not normally made them available systematically in audio, braille or large print formats. The Departmental Report falls into this category. In the case of such publications, we consider any requests for audio or braille formats case by case and in the light of the provisions of the relevant legislation. We are however looking to continue to improve the accessibility of our publications for blind and visually impaired people, particularly in the case of those publications aimed at a broader public audience. This includes reviewing the scope for making more use of large print and audio formats, as well as ensuring the availability of material in appropriate formats via the internet.

UN Consolidated Appeals

Ms Julie Morgan: To ask the Secretary of State for International Development if she will list the contributions her Department has made to UN Consolidated Appeals over the last three years. [132485]

Mr. Foulkes: According to UN figures, in the last three years (1997–1999) the UK contributed some US$170 million (£112 million) to UN consolidated appeals. This is broken down as follows:

1997—US$51,913,597 (£34.2 million)

1998—US$51,329,562 (£33.8 million)

1999—US$66,893,817 (£44.0 million).

Further details of UK contributions can be found in the tables below. However, these figures are reliant on data received through the UN's reporting systems, and do not necessarily give a full picture of UK funding.

UK contributions to UN consolidated appeals—1997

US$

Country/region	*Amount*
Afghanistan	8,477,420
Albania	291,035
Angola	514,317
Brazil	168,350
Bulgaria	144,355
Cambodia	1,065,645
Caucasus	3,013,995
Chechnya	274,193
Colombia	32,200
Former Yugoslavia	16,364,746
Ghana	300,000
Great Lakes	6,728,323
Haiti	146,726
Iraq	3,794,996
Laos	238,710
Liberia	2,184,317
Madagascar	68,637
Malawi	209,677
North Korea	798,387
Peru	80,645
Tajikistan	3,242,774
Sierra Leone	318,460
Solomon Islands	17,121
Somalia	609,732
Sri Lanka	1,227,703
Sudan	1,589,068
West Africa	12,065
Total	51,913,597

UK contributions to UN consolidated appeals—1998

US$

Country/region	*Amount*
Afghanistan	7,693,260
Angola	3,190,630
Eritrea	285,000
Former Yugoslavia	5,532,938
Great Lakes	6,450,940
Kosovo	1,680,791
Liberia	725,333
Sierra Leone	753,103
Sudan	31,333,716
Total	51,329,562

UK contributions to UN consolidated appeals—1999

US$

Country/region	*Amount*
Afghanistan	3,459,961
Angola	8,883,016
Burundi	350,000
Caucasus	1,450,000
Democratic Republic of Congo	550,000
East Timor	4,060,492
Great Lakes/Central Africa	277,936,549
Sierra Leone	242,925
Somalia	480,000
South Eastern Europe	39,024,792
Sudan	7,885,481
Uganda	137,150
Total	66,893,817

Ministerial Duty Roster (Summer)

Mrs. Gillan: To ask the Secretary of State for International Development if she will publish the daily Ministerial Duty Roster for her Department during the summer adjournment. [133071]

Mr. Foulkes: It is not the normal practice of the Government to publish a daily Ministerial Duty Roster. This Department will ensure that it has sufficient cover through the summer recess in line with the requirements of the Ministerial Code.

SOLICITOR-GENERAL

European Convention on Human Rights

32. **Miss McIntosh:** To ask the Solicitor-General what assessment he has made of the impact of cases brought under the European Convention on Human Rights on the work load of the CPS. [131296]

The Solicitor-General: The significance of the Human Rights Act 1998 on the work of the CPS was recognised at an early stage, and a high priority has been given to ensure that preparations are well under way for implementation of the Act in October 2000.

An assessment of the impact of the Human Rights Act was carried out by the CPS in conjunction with other prosecuting agencies, the Home Office, Lord Chancellor's Department and the Treasury.

In consultation with other prosecuting agencies and leading external human rights experts, the CPS has developed a comprehensive training course for CPS prosecutors. The training programme aims to reach over 3,000 key staff before the end of July.

This training programme and the continued guidance and advice that CPS staff will receive will ensure that cases giving rise to Human Rights issues will be dealt with in a wholly professional and effective manner. Initially, we expect that human rights problems will be raised in ordinary cases, and they will be dealt with in the ordinary way. We have anticipated additional costs, and there is no doubt that they will arise.

Crime Victims

33. **Mr. Paterson:** To ask the Solicitor-General if he will make a statement on measurement of the satisfaction of victims of crime with the Crown Prosecution Service. [131297]

The Solicitor-General: A key objective in the criminal justice system Strategic Plan 1999 to 2002 is

> to meet the needs of victims, witnesses and jurors within the system.

Victim satisfaction is currently measured by the British Crime Survey, conducted by the Home Office. This focuses on satisfaction with police performance. As the CPS takes on an enhanced role in relation to victim care, an inter-agency steering group will consider how best to measure victim satisfaction with CPS performance.

A witness satisfaction survey, conducted by BMRB Social Research on behalf of the Home Office, is to take place this month and next. The CPS co-operated with the planning of this survey, which will obtain a broad indication of the level of satisfaction of witnesses with their treatment by criminal justice agencies.

Domestic Violence

34. **Mr. Kidney:** To ask the Solicitor-General if he will make a statement on the role of the CPS in ensuring the effective prosecution of incidents of domestic violence. [131298]

The Solicitor-General: Violence against women is a serious crime with serious consequences for victims, families and whole communities.

The Crown Prosecution Service regards violence in a domestic context as particularly serious. Prosecutors will therefore consider the full range of prosecution options, whether or not the victim is willing or able to attend court as a witness.

The CPS is fully committed to working with its partners in the criminal justice system to fight against domestic violence.

Treasury Solicitor

35. **Ms Buck:** To ask the Solicitor-General what criteria were adopted in the selection process for the recently appointed Treasury Solicitor. [131299]

The Solicitor-General: The essential criterion used in selecting the new Treasury Solicitor was whether he or she could fulfil the role. This means that the successful candidate should, among other things, be able personally to give advice to Ministers on a range of legal issues, often of a highly sensitive nature; be able to act as the Chief Executive of the Treasury Solicitor's Department, which is an executive agency; be able to act as Head of the Government Legal Service with overall responsibility for recruitment, training and career development of some 1,300 Government lawyers; and, finally, be able to implement the Modernising Government programme within the Government Legal Service. Miss Juliet Wheldon, who is the new Treasury solicitor, fully meets all of these requirements.

Prosecution Times

36. **Mr. Geraint Davies:** To ask the Solicitor-General what assessment he has made of the effectiveness of the co-operation between the Crown Prosecution Service, the police and the courts in reducing the average time taken between arrest and sentencing of criminals. [131300]

The Solicitor-General: The Crown Prosecution Service is continuing to improve working practices with the police and courts to improve performance, building on recommendations made by both the Narey report and Glidewell. Measures taken include: advance information in every early hearing case; a reduction in the number of first hearings; more lawyer time spent on preparing for trials though the deployment of designated caseworkers; and reducing duplication and delay by moving towards co-locating CPS staff with police staff in joint criminal justice units.

Crown Prosecution Service

Mr. Ben Chapman: To ask the Solicitor-General if he will make a statement on morale in the Crown Prosecution Service. [131292]

The Solicitor-General: The SR 2000 settlement for the CPS, which was announced last week, was a good settlement and was well received by staff in the CPS. It will provide a much needed boost to hard pressed prosecutors and caseworkers. As a result, the CPS's budget in 2001–02 will be 12 per cent. higher in real terms than now. This is on top of the additional funding of £15.8 million for 2000–01 which I announced on 26 June 2000. These increases will address the concerns about resource constraints which were identified in the recent staff survey and stress audit.

Helen Jones: To ask the Solicitor-General what plans he has to introduce guidance for the Crown Prosecution Service on decisions to drop cases on grounds of lack of credibility of a witness where the witness suffers from mental health problems. [132903]

The Solicitor-General: None. The Code for Crown Prosecutors issued by the DPP under section 10 of the Prosecution of Offences Act 1985 gives guidance to prosecutors for use when deciding whether or not a case should be prosecuted. The code states that Crown Prosecutors must be satisfied there is enough evidence to provide a realistic prospect of conviction before a case may be prosecuted. When considering this, prosecutors will consider the admissibility and reliability of the evidence. This will include considering the credibility of each witness and any factors which impact on a witness's credibility. The code is presently under review and a revised edition will be published later this year.

The CPS is working with other criminal justice agencies to take forward initiatives recommended in the report "Speaking Up for Justice". The recommendations of the report aim to improve access to justice for vulnerable or intimidated witnesses. These initiatives include measures designed to assist vulnerable witnesses, including those with a disability, to give evidence in court proceedings. The availability of such measures will be a relevant consideration for prosecutors when making prosecution decisions.

Ministerial Duty Rota (Summer)

Mr. Garnier: To ask the Solicitor-General if he will publish *(a)* the Ministerial Duty Rota for his Department during the summer adjournment and *(b)* the dates between which (i) the Attorney-General and (ii) the Solicitor-General will be on annual leave during the adjournment and not available for official duties. [133159]

The Solicitor-General: It is not normal practice of Government to publish a daily Ministerial Duty Roster. This Department will ensure that it has sufficient cover through the summer recess in line with the requirements of the Ministerial Code. Likewise, it is not normal practice to disclose Ministers' holiday plans, as this is personal information.

Overseas Visits

Mr. Garnier: To ask the Solicitor-General what official overseas visits the Law Officers plan to make during the summer adjournment. [133160]

The Solicitor-General: I am making no official visits overseas during the summer adjournment. My right hon. Friend the Attorney-General is visiting the following countries on official business: (i) South Africa, to attend the International Association of Prosecutors Conference in Cape Town; (ii) Germany, to see the Army Prosecuting Authority's court system in Bielefeld; (iii) Brazil, to attend the First World Congress for Attorneys-General in Sao Paulo; and (iv) China, to attend, at the personal invitation of the Deputy Procurator General, the Asia Crime Prevention Foundation in Beijing.

Merchant Navy Day

Mr. Flynn: To ask the Solicitor-General if he will ensure that the Red Ensign is flown from departmental buildings on Merchant Navy Day, 3 September. [132960]

The Solicitor-General: I refer my hon. Friend to the answer given today by the Parliamentary Under-Secretary of State for the Home Department.

CPS (Essex)

Mr. Bob Russell: To ask the Solicitor-General if he will order an inquiry into the handling by the Essex Crown Prosecution Service of a case of alleged careless driving in respect of a fatal accident at Colchester on 6 May 1999; and if he will make a statement. [131076]

The Solicitor-General *[pursuant to his reply, 19 July 2000, c. 174]:* The fatal road traffic accident which happened in Colchester on 6 May 1999 was a tragedy. Understandably, the family of the deceased feels let down by the decision of the Crown Prosecution Service not to continue with the prosecution of the defendant for the offence of careless driving.

On 10 July 2000, *Official Report*, column 174W, I informed the hon. Member in a written answer that I would be speaking to the Chief Crown Prosecutor to discuss the circumstances of the case.

I have now met with the Chief Crown Prosecutor for Essex and the Branch Crown Prosecutor responsible for the prosecution team. I am satisfied with the explanation that I have been given as to why the criminal prosecution in this case was discontinued.

The history of the proceedings is this: the police were instructed to issue summons against the defendant for careless driving on 21 September 1999.

The case was listed at Colchester magistrates court for 9 November 1999 but was adjourned by agreement to 7 December to enable the defence to look at the prosecution statements. After the defendant entered a not guilty plea a pre-trial review was fixed for 21 December 1999. At the review the defence requested an adjournment to look into possible defects in the motor vehicle which the defendant was driving when the incident occurred. On 11 January 2000 the defence confirmed that the issue of defects to the motor vehicle would not be pursued. On the same day a medical report was faxed to the court which suggested that the defendant had a medical condition that would have affected her driving.

As the prosecution had not seen this medical evidence before it asked for the case to be adjourned for the Crown to look at the report and consider obtaining its own medical report. The case was therefore adjourned until 22 February 2000. However, on 26 January the defence made a request to the court that as the date and venue fixed was not convenient for the defence the matter be adjourned until 2 May 2000.

Meanwhile, a first medical report obtained on behalf of the prosecution was received at the CPS Branch Office on 14 February 2000. Unfortunately, the report was sent in an envelope marked "personal" so therefore was not opened until the lawyer dealing with the case returned from annual leave two weeks later. Hearing dates which had been fixed by the court (i.e. 4 and 18 April and 16 and 30 May) had to be adjourned at the request of the prosecution, so that points raised in the medical report which had been obtained could be clarified. Further medical reports were obtained by the prosecution on 25 April and 24 May 2000.

During the week of 1 May there was a case conference with the prosecution team at which it was concluded that it would not be possible to prove the case against the defendant. This was in the light of the evidence that the defendant was suffering an epileptic fit at the relevant time and therefore was not "driving". Consideration was given to proceeding with the case on an alternative basis but alternative charges were statute barred.

As I said, I have spoken at length with both the Chief Crown Prosecutor and the Branch Crown Prosecutor. Both took this case extremely seriously. Indeed the Branch Crown Prosecutor who had immediate carriage of the case pursued it in what I would describe as an exemplary manner. But the plain fact is that the Crown Prosecution Service could not prosecute—indeed it would have been unlawful to do so—in the face of the medical evidence.

The Chief Crown Prosecutor for Essex and I, either separately or together, will be happy to meet the hon. Member if he so wishes, to discuss the case.

DEFENCE

Strategic Defence Review

Mr. John Smith: To ask the Secretary of State for Defence what progress has been made by his Department in its strategic environmental appraisal of the Strategic Defence Review; and if he will make a statement. [133603]

Dr. Moonie: The study phase of the Strategic Environmental Appraisal concluded in March of this year and my Department's review of its recommendations has now also been completed. I am able to announce to the House that I am publishing the report and will place a copy in the Library of the House.

Centre for Defence Medicine

Mr. Menzies Campbell: To ask the Secretary of State for Defence how many beds the Centre for Defence Medicine in Birmingham will house; what the projected size is of its outpatient throughput; what the size is of its civilian catchment area; and if he will make a statement. [132473]

Dr. Moonie: The Centre for Defence Medicine (CDM) will have academic teaching and clinical roles and will be a centre of excellence for military medicine. It will be relatively small at the beginning and will develop steadily over a number of years. The clinical element will be similar to the arrangements at the Ministry of Defence Hospital Units, with, initially, one ward of 32 beds staffed and managed by Defence Medical Services (DMS) personnel and other DMS personnel integrated throughout the host Trust. DMS personnel will treat both Service and civilian patients. It is envisaged that when the CDM is fully developed its clinical side will have an annual throughput of some 2,700 Service outpatients. The catchment area for civilian patients will be the same as for the host Trust, the University Hospital Birmingham, within the West Midlands region. As a major tertiary care provider, the Trust treats patients from throughout the country and the DMS personnel will also have the opportunity to treat such patients.

Mr. Menzies Campbell: To ask the Secretary of State for Defence what incentives are *(a)* in place and *(b)* being planned to improve the retention rates for fully qualified medical personnel in the Defence Medical Services. [132167]

Dr. Moonie: A number of measures to improve retention in the Defence Medical Services (DMS) have been taken or are under active consideration. The decision to open the Centre for Defence Medicine (CDM) at Birmingham in April 2001 has been enthusiastically welcomed by members of the DMS. It is intended that the CDM will become, in partnership with its host Trust, University Hospital Birmingham NHS Trust, together with the University of Birmingham, a prestigious centre of expertise in military medicine, which we are confident will encourage retention of DMS personnel.

The frequency of operational deployments has been reduced for some specialties in Bosnia by the development of a multinational hospital facility at Sipovo, and work is in hand for a similar facility in Kosovo. Distinction Awards were introduced with effect from 1 April 1999 to bring DMS consultants' pay more closely into line with that of their NHS counterparts. Common terms of service have been agreed for medical and dental officers and pay spines based on these were submitted to the Armed Forces Pay Review Body in January 2000 for approval in principle. Future pension arrangements for medical and dental officers are also under review; a number of options are under consideration but no decisions have yet been taken. Common terms of service have also been agreed for nurses and work is in hand on the delivery of common terms of service for medical technicians. This year we introduced an annual Continuous Attitude Survey among all DMS personnel which will help inform our work on measures to improve retention.

Mr. Menzies Campbell: To ask the Secretary of State for Defence what *(a)* medical training facilities, *(b)* military facilities and *(c)* field hospitals will be housed in the new Centre for Defence Medicine in Birmingham. [132549]

Dr. Moonie: The Centre for Defence Medicine is envisaged as being the future professional focus for the Defence Medical Services, with academic, research and teaching roles as well as a significant clinical function. The Centre will be accommodated in a mix of facilities which will, as appropriate, either be shared with our civilian partners or run by military personnel. The latter will include a headquarters, wards staffed and managed

by military medical personnel, mess facilities and domestic accommodation. There are no plans to locate any Field Hospitals at the CDM. There is, however a Territorial Army Field Hospital at Birmingham, some of whose members are employed by the host Trust, the University Hospital Birmingham NHS Trust.

Defence Medical Services

Mr. Menzies Campbell: To ask the Secretary of State for Defence (1) what the recommended manpower level is for consultants in *(a)* burns and plastics and *(b)* accident and emergency in the Defence Medical Services; [132165]

(2) how many consultants are employed in *(a)* burns and plastics and *(b)* accident and emergency in the Defence Medical Services. [132163]

Dr. Moonie: The Defence Medical Services' post-Strategic Defence Review (SDR) requirement for consultants in burns and plastic surgery and accident and emergency, and the number of consultants employed in these specialties as at 1 April 2000 are as follows:

	Post-SDR consultant requirement	*Manning as at 1 April 2000*
Burns and Plastic Surgery	10	2
Accident and Emergency	23	3

Mr. Menzies Campbell: To ask the Secretary of State for Defence (1) what percentage of the establishments for *(a)* general practitioners, *(b)* orthopaedic surgeons and *(c)* anaesthetists in the Defence Medical Services are currently filled; [132169]

(2) what the post-Strategic Defence Review establishments are for *(a)* general practitioners, *(b)* orthopaedic surgeons and *(c)* anaesthetists in the Defence Medical Services. [132168]

Dr. Moonie: The Defence Medical Services' post-Strategic Defence Review (SDR) operational and retained task requirement for general medical practitioners, consultant orthopaedic surgeons and anaesthetists, and the numbers employed in these specialities as at 1 April 2000 are as follows:

	Post-SDR operational and retained task requirement	*Manning as at 1 April 2000*	*Percentage manned*
General medical practitioners	437	208	48
Consultant orthopaedic surgeons	28	9	32
Consultant anaesthetists	120	30	25

Note:
Figures include those in Command and Staff posts but exclude trainees.

Mr. Menzies Campbell: To ask the Secretary of State for Defence (1) how the overall recommended manpower strength of the Defence Medical Services has changed since June 1999; and whether there has been an increase in the actual strength; [132551]

(2) how many field hospitals the Defence Medical Services can deploy simultaneously; [132471]

(3) how many of the regular personnel to be recruited into Defence Medical Services will be *(a)* direct entry qualified personnel and *(b)* trainees. [132550]

Dr. Moonie: I will write to the right hon. and learned Member and a copy of my letter will be placed in the Library of the House.

Ministry of Defence Hospital Units

Mr. Menzies Campbell: To ask the Secretary of State for Defence what assessment his Department has made of the advantages of maintaining a single service identity for the Military District Hospital units. [132166]

Dr. Moonie: The Ministry of Defence Hospital Units (MDHUs) are part of the tri-Service Defence Secondary Care Agency and it is the Ministry of Defence's policy that they should be manned by personnel of the three Services, but that responsibility for recruitment, career management and promotion should remain with the single Services. The MDHUs are located in areas where there were previously single Service hospitals and, in practice, the majority of Service personnel at each MDHU have, so far, been of the same Service as the previous military hospital and of many of the other local units. This pattern reflects individuals' posting preferences, which the armed forces seek to meet where possible. We recognise the benefits to morale of posting individuals to their preferred locations and they are not posted elsewhere except where this is necessary for manning or operational reasons or for the development of their careers.

Mr. Menzies Campbell: To ask the Secretary of State for Defence what the average waiting times are for a first appointment for armed forces personnel in each of the single Service Military District Hospital units at *(a)* Derriford, *(b)* Frimley Park and *(c)* Peterborough. [132164]

Dr. Moonie: Data on the treatment of Service personnel at the four tri-Service Ministry of Defence Hospital Units (MDHUs) situated in Derriford, Peterborough, Frimley Park and Northallerton NHS Trusts is not collected in the format requested. In 1999–2000 the MDHUs aimed to offer 50 per cent. of Service personnel a first outpatient appointment within four weeks and 90 per cent. within 13 weeks. Details on their performance in meeting these targets are as follows, except for Derriford for which no information is currently available.

MDHU	*Percentage seen in four weeks*	*Percentage seen in 13 weeks*
Frimley Park	49	83
Northallerton	41	79
Peterborough	28	84

Mr. Menzies Campbell: To ask the Secretary of State for Defence how many beds there are at each of the military district hospital units at *(a)* Derriford, *(b)* Frimley Park and *(c)* Peterborough; and what percentage of these are set aside for the fast-tracking of military personnel. [132470]

Dr. Moonie: The four Ministry of Defence Hospital Units (MDHUs) at Derriford, Frimley Park, Peterborough and Northallerton are fully integrated within their host NHS Trusts and treat both military and NHS patients. Details of the number of beds in military managed wards at each MDHU are as follows. Military patients, however, may be treated on any ward of the host hospital and no beds are allocated for their exclusive use.

MDHU	*Beds in military managed wards*
Derriford	35
Frimley Park	58
Peterborough	29
Northallerton	[1]36

[1] 54 from October 2000

Departmental Assets

Mr. Hawkins: To ask the Secretary of State for Defence if he will list the disposals of his Department's land, buildings and property *(a)* agreed, *(b)* contracted for and *(c)* planned (i) in the Surrey Heath parliamentary constituency, of any value and (ii) within the UK as a whole, where the net value exceeds £1 million. [132914]

Dr. Moonie: The information requested is not held centrally in the format requested. I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Staff College

Mr. Hawkins: To ask the Secretary of State for Defence what plans there are for the use of the staff college site at Camberley; and if he will make a statement. [132917]

Dr. Moonie: Future use of the former Army Staff College site has been under review for some time. Pending further work on a longer-term option, an alternative short-term use has been found.

The Army Medical Services Headquarters and the Army Medical and Legal Branch will be relocated at the Camberley site later this year.

Once a final decision has been made I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Apache Helicopters

Mr. Keetch: To ask the Secretary of State for Defence how many Apache helicopters have been delivered to the UK; how many are (i) fully serviceable, (ii) unserviceable and (iii) cleared for public flying; and if he will make a statement. [132851]

Dr. Moonie: Three Apache helicopters have been delivered to the UK MOD to date. The first WAH-64 Apache was delivered to DERA Boscombe Down for trials; two further aircraft have been delivered to the Army Air Corps in Middle Wallop, and training sorties are in progress. Regarding the point on clearance for public flying, and assuming this meant flying at public displays, such clearance is customarily done on an "as required" basis; any of the three delivered aircraft could be so cleared if required.

RAF Chilmark

Mr. Key: To ask the Secretary of State for Defence when *(a)* explosive ordnance disposal and *(b)* contamination clearance will be completed at the RAF Chilmark site. [132174]

Dr. Moonie: The explosive ordnance disposal on the Headquarters site at RAF Chilmark is programmed for completion by mid-October 2000. On the Ladydown site it is expected to take 2 to 3 years.

The extent of contamination which requires clearance cannot be assessed until the explosive ordnance has been completed. A further statement will be made when the timescale is known.

Mr. Key: To ask the Secretary of State for Defence for what reason the HQ North and HQ South parts of the RAF Chilmark site must be re-checked for explosive ordnance; and when this will be *(a)* started and *(b)* completed. [132173]

Dr. Moonie: The HQ North and HQ South parts of the RAF Chilmark site, together with the Proof Yard, are being re-checked for explosive ordnance following the discovery of projectiles in the Proof Yard in May 2000.

The re-checking started in May 2000 and is expected to be completed by the end of this year.

Mr. Key: To ask the Secretary of State for Defence if the Crichel Down rules apply to the site of former RAF Chilmark; and if he will list *(a)* the former owners and *(b)* those who are in negotiation with his Department. [132172]

Dr. Moonie: The Crichel Down rules apply to the former RAF Chilmark as they do to all surplus Government land acquired by or under the threat of compulsion. My Department has concluded that the obligation to offer land back to the former owners applies to parts of the site.

My Department is trying to trace the former owners or successors to establish whether they are interested in repurchasing the land. It is not possible to identify the former owners until this process has been completed. However, my Department is in discussion with Salisbury District Council, Wiltshire County Council, English Nature and the Wiltshire Trust, who are seeking to establish the Chilmark Trust in order to acquire the site. My Department will not be able to conclude discussions until the former owner position is clarified.

Defence Estates

Mr. Livsey: To ask the Secretary of State for Defence what representations he has had from *(a)* farming unions and *(b)* the Country Landowners Association in Wales, with regard to transfer of responsibility of the Defence Estates management to the private sector. [132733]

Dr. Moonie: None.

Mr. Livsey: To ask the Secretary of State for Defence if agreements reached between his Department and owners of land adjoining land owned by his Department will be fully honoured following transfer of the Defence Estates management to the private sector. [132734]

Dr. Moonie: As the hon. Member is aware, the Army are seeking a Strategic Partner to assist with the management of their estate and the provision of training services in Great Britain. In this context, such agreements will be fully honoured.

Mr. Livsey: To ask the Secretary of State for Defence how many staff will be made redundant as a result of his Department's Defence Estates being transferred to the private sector in Wales, indicating the numbers involved in each defence location in Wales. [132737]

Dr. Moonie: The Department's Defence Estate in Wales is not being transferred to the private sector. The Ministry of Defence seeks to identify a commercial partner to support the work of the Army in the management of their estate and the provision of training serviees in Great Britain. The chosen partner will provide all the non-core functions considered appropriate. The strategic partnering project is in a very early stage and it is not possible to say with any certainty what the impact of introducing a strategic partner will be on the existing operation and on the consequent employment opportunities for local staff.

Mr. Livsey: To ask the Secretary of State for Defence what statutory mechanism will be put in place to settle disputes between adjoining landowners and occupiers of land and the company managing the Defence Estates, following transfer to the private sector. [132736]

Dr. Moonie: As the hon. Member is aware, the Army are seeking a Strategic Partner to assist with the management of their estate and the provision of training services in Great Britain.

In this context, there are no plans to put in place such a statutory mechanism. Disputes will be settled as they arise, as they are now.

Mr. Livsey: To ask the Secretary of State for Defence what his policy is in respect of privatisation of his Department's Training Land Estate. [132738]

Dr. Moonie: The Department's Training Land Estate is not being transferred to the private sector, although, as the hon. Member is aware, the Army are seeking a Strategic partner to assist with the management of their Estate and the provision of training services in Great Britain.

Mr. Livsey: To ask the Secretary of State for Defence if he will ensure that the current nominal level of rental charges for sheep grazing on his Department's grazings will be secured after privatisation and continued at current levels. [132735]

Dr. Moonie: There are no plans to transfer the Defence Estate to the private sector, although as the hon. Member is aware, the Army are seeking a Strategic Partner to assist with the management of their estate and the provision of training services in Great Britain. Irrespective of any partnering arrangements that may be entered into, grazing charges will continue to be set in the same way as they are now, against a number of factors including annual income trends, stock prices and farm rental comparisons.

Army Deployment (Northern Ireland)

Mr. McNamara: To ask the Secretary of State for Defence what the additional Army deployment in Northern Ireland was in July by way of assistance given to the RUC in the Portadown area. [131391]

Mr. Spellar: An additional 1,483 soldiers were deployed in the Portadown area in July to support the RUC.

Mr. McNamara: To ask the Secretary of State for Defence how many soldiers were assigned to duties under the control of the RUC in Portadown in July. [131392]

Mr. Spellar: Soldiers assisted the RUC at Portadown in a variety of roles, but they remained under military command.

Mr. McNamara: To ask the Secretary of State for Defence how many soldiers were issued RUC riot equipment and uniforms in Portadown in July. [131393]

Mr. Spellar: No soldiers were issued with RUC riot equipment in July. However, six soldiers from the Royal Military Police who were supporting the RUC in evidence gathering teams were issued with police coveralls. The soldiers wore helmets and armbands which clearly indicated that they were military police.

Static Code Analysis

Mr. Swayne: To ask the Secretary of State for Defence if static code analysis for validating software is part of current Defence Standards; and if he will make a statement. [131782]

Dr. Moonie: Static code analysis is one of several techniques for analysing software set out in Defence Standards. Reference to static code analysis can be found in Defence Standard 00–55 (Part 2). "Requirements for Safety Related Software in Defence Equipment" and in Defence Standard 00–13 "Requirements for the Achievement of Testability in Electronic and Allied Equipment". These documents are available on the internet at www.dstan.mod.uk.

Eskmeals Range

Mr. Key: To ask the Secretary of State for Defence if he will list the projects undertaken at the DERA Eskmeals Range in *(a)* 1997, *(b)* 1998 and *(c)* 2000. [132160]

Dr. Moonie *[holding answer 25 July 2000]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Sir John Chisholm to Mr. Robert Key, dated 27 July 2000:

I am replying to your parliamentary question about the work undertaken at the Defence Evaluation and Research Agency (DERA) range at Eskmeals.

The major projects and trials undertaken at the range during (a) 1997, (b) 1998 and (c) 2000 are as follows:

1997

155mm AS90 Self Propelled Gun
105mm Light Gun
120mm Mortar
81mm Mortar
Trials of future armours
Trials of mines against Armoured Fighting Vehicles
Armour plate proof
Gun Barrel Proof

1998

155mm AS90 Self Propelled Gun
4.5 inch Naval Gun
105mm Light Gun
120mm Mortar
81mm Mortar
Disposal of 75mm and 105mm ammunition
Trials of future armours
Trials of mines against Armoured Fighting Vehicles
Armour plate proof

2000 to date

155mm AS90 Self Propelled Gun
105mm Light Gun
81mm Mortar
Trials of future armours
Trials of mines against Armoured Fighting Vehicles

I hope the above is helpful.

Mr. Key: To ask the Secretary of State for Defence how many people by *(a)* rank and *(b)* grade are employed at the DERA Eskmeals Range. [132158]

Dr. Moonie *[holding answer 25 July 2000]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Sir John Chisholm to Mr. Robert Key, dated 27 July 2000:

I am replying to your parliamentary question about the numbers and types of staff employed at the Defence Evaluation and Research Agency (DERA) range at Eskmeals.

There are currently some 135 staff employed at the range, of these 37 are DERA, 3 military (one major and two warrant officers) and 95 contractor staff, principally from SERCO. DERA staff are mainly managers and supervisors, with a small number in administrative support roles. Three quarters of the SERCO staff are skilled or semi-skilled technicians. The remainder are managers, supervisors and manual labourers.

I hope the above is helpful.

Mr. Key: To ask the Secretary of State for Defence what has been *(a)* the client income and *(b)* the cost of the DERA Eskmeals Range in each year since 1996. [132159]

Dr. Moonie *[holding answer 25 July 2000]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Robert Key, dated 27 July 2000:

I am replying to your parliamentary question about the financial operation of the Defence Evaluation and Research Agency (DERA) range at Eskmeals.

The client income and the cost of the range in each year since 1996 is as follows:

Financial year	*£ million*
1996–97	
Client income	5.2
Costs	8.5
1997–98	
Client income	8.2
Costs	8.4
1998–99	
Client income	5.0
Costs	7.3
1999–2000	
Client income	3.3
Costs	5.9

The above figures in respect of client income exclude a capability retention levy which is paid by the Ministry of Defence to ensure that strategic technical capabilities are maintained.

I hope the above is helpful.

Defence Attachés

Mr. Matthew Taylor: To ask the Secretary of State for Defence at how many British embassies Defence Attachés were stationed in each financial year since 1993–94. [132785]

Mr. Spellar: The number of British embassies at which Defence Attachés were stationed in each financial year since 1993–94 is as follows:

Financial year	*Number*
1993–94	74
1994–95	72
1995–96	72
1996–97	70
1997–98	70
1998–99	72
1999–2000	73

Mr. Matthew Taylor: To ask the Secretary of State for Defence how many Defence Attachés were employed by his Department in each financial year since 1993–94. [132787]

Mr. Spellar: The number of Defence Attachés that were employed by the Ministry of Defence in each financial year since 1993–94 is as follows:

Financial year	*Employed*
1993–94	129
1994–95	116
1995–96	116
1996–97	116
1997–98	116
1998–99	115
1999–2000	118

Mr. Matthew Taylor: To ask the Secretary of State for Defence if he will list the functions of Defence Attachés; and if he will make a statement. [132786]

Mr. Spellar: The functions of Defence Attachés are as follows:

To develop the bilateral defence relationship between the United Kingdom and the country or countries of accreditation in furtherance of our Defence Diplomacy aims.

To provide timely and comprehensive defence advice to the Head of Mission (Ambassador or High Commissioner).

To act as representative of the United Kingdom's Chief of Defence Staff and Single Service Chiefs in the country or countries of accreditation.

To satisfy tasking requests from the United Kingdom Ministry of Defence and the Single Service Staffs.

Mr. Matthew Taylor: To ask the Secretary of State for Defence what was the overall cost of Defence Attachés in each financial year since 1993–94. [132788]

Mr. Spellar: The overall cost of Defence Attachés in each financial year since 1993–94 is as follows:

Financial year	*£ million*
1993–94	21.640
1994–95	21.110
1995–96	20.635
1996–97	22.471
1997–98	22.071
1998–99	23.202
1999–2000	23.925

Uniform Manufacture

Mr. Gordon Prentice: To ask the Secretary of State for Defence if he will list those items of the standard uniform worn by members of the armed forces which are manufactured overseas; and if he will make a statement. [128699]

Mr. Spellar: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Private Finance Initiative

Mr. Matthew Taylor: To ask the Secretary of State for Defence (1) what the average cost to public funds is of external advisers in the negotiation of private finance initiative projects in his Department, expressed as a proportion of each contract's value; [130259]

(2) what the net present cost is of each project undertaken in his Department under the private finance initiative; what the value is of their public sector comparators in *(a)* pre-risk and *(b)* risk-adjusted terms; what risks have been identified as having been transferred; and if he will place information on other relevant costs for each private finance initiative project in the Library. [130250]

Mr. Spellar *[holding answer 13 July 2000]:* I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Missile Defence System

Ann Clwyd: To ask the Secretary of State for Defence, pursuant to his answer of 26 June 2000, *Official Report*, column 409W, on the 1985 Memorandum of Understanding relating to Co-operative Research for the Strategic Defence Initiative, what technologies have been subject to information exchange under that initiative. [132568]

Mr. Hoon: The 1985 Memorandum of Understanding allows for exchange of information and research on a wide range of technologies. Most recently these have been in the areas of radar, tracking, countermeasures, lethality, guidance laws and discrimination.

Ann Clwyd: To ask the Secretary of State for Defence, pursuant to his answer, of 27 June 2000, *Official Report*, column 433W, on the Missile Defence System, what missile defence programmes the United Kingdom is involved in. [132565]

Mr. Hoon: The only Ballistic Missile Defence Programme in the UK is the Technology Readiness and Risk Assessment Programme (TRRAP). The UK is not involved in any US BMD development programmes. The UK is, however, involved in collaborative research and information exchange on the technologies related to Ballistic Missile Defence.

Parliamentary Questions

Mr. Stunell: To ask the Secretary of State for Defence how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April have not received substantive answers, excluding those not answered *(a)* citing disproportionate cost, *(b)* stating that the information is not available, not held centrally, or not held in the form requested and *(c)* citing commercial or other confidentiality. [132468]

Dr. Moonie *[holding answer 26 July 2000]:* The Ministry of Defence cited disproportionate cost on 73 occasions between 19 October 1999 and 20 April. The information requested at *(b)* and *(c)* cannot be provided as it is not held by the Ministry of Defence in the form requested. That information might be available to the hon. Member through the Library of the House.

Mr. Field: To ask the Secretary of State for Defence, pursuant to his answer of 19 July 2000, *Official Report*, column 182W, on parliamentary answers, in which answers his Department has used the mechanism of a pursuant answer. [132567]

Dr. Moonie: The three pursuant answers given by the Ministry of Defence can be found in the *Official Report* as listed:

Reply to the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith), 7 July 2000, *Official Report*, column 340W.

Reply to my right hon. Friend the Member for Birkenhead (Mr. Field), 10 July 2000, *Official Report*, columns 381–82W.

Reply to my hon. Friend the Member for Great Yarmouth (Mr. Wright), 12 July 2000, *Official Report*, column 574W.

Military Police

Mr. Kidney: To ask the Secretary of State for Defence what assessment he has made of the differences in the *(a)* legal powers and *(b)* effectiveness of (i) his Department's police and (ii) the military police of the three Services. [124932]

Mr. Spellar: The roles and responsibilities of the Ministry of Defence Police (MDP) and the Service Police are different (though complementary) and this is reflected in their powers. Both have a high level of expertise in their respective areas.

HMS Wilton

Mr. Hancock: To ask the Secretary of State for Defence what plans he has for the disposal of HMS Wilton; what response he has made to the representations from the Maritime Preservation Society on this ship; and if he will make a statement. [125962]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Personnel

Mr. Cox: To ask the Secretary of State for Defence how many *(a)* men and *(b)* women serving in the UK armed forces on 1 July were from ethnic minorities. [132842]

Mr. Spellar: Figures for 1 July 2000 are not yet available. As at 1 June 2000, the ethnic minority strength of the armed forces was as follows:

	Males	*Females*	*Total*	*Percentage of total strength*
Naval Service	357	26	383	0.9
Army	1,579	154	1,733	1.6
RAF	554	51	605	1.1
Total Services	2,490	231	2,721	1.3

Mr. Menzies Campbell: To ask the Secretary of State for Defence how many armed forces personnel, in each service, are unfit for duty due to ill health; and what percentage this represents of the manpower in each case. [132472]

Dr. Moonie: I will write to the right hon. and learned Member and a copy of my letter will be placed in the Library of the House.

Chinook Crash

Mr. O'Neill: To ask the Secretary of State for Defence (1) if he will provide a detailed description of the simulator used by Boeing as part of the Board of Inquiry investigation into RAF Chinook ZD576; [133034]

(2) if he will provide a detailed description of the simulator used by the Defence Evaluation and Research Agency during the Board of Inquiry investigation into RAF Chinook ZD576; [133035]

(3) if the Boeing simulation undertaken as part of the Board of Inquiry investigation into the crash of RAF Chinook ZD576 was able to determine the precise *(a)* speed and *(b)* height of the aircraft prior to the last five seconds before impact. [133038]

Mr. Spellar: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Efficiency Savings

Mr. Blunt: To ask the Secretary of State for Defence if he will publish a list of the efficiency savings measures taken in financial year 1999–2000 that resulted in over £100,000 savings per annum with a brief explanation of each measure. [132817]

Mr. Hoon: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Ministerial Duty Roster (Summer)

Mr. Clifton-Brown: To ask the Secretary of State for Defence if he will publish the daily ministerial duty roster for his Department during the summer adjournment. [133075]

Dr. Moonie: It is not normal practice of Government to publish ministerial duty rosters. This Department will ensure that it has sufficient cover through the summer recess in line with the requirements of the Ministerial Code.

Accommodation

Mr. Swayne: To ask the Secretary of State for Defence how many members of the Armed Forces have cited poor accommodation as among the reasons for their decision to return to civilian life. [133417]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

HEALTH

NHS Pensions Agency

Mr. Derek Twigg: To ask the Secretary of State for Health if he will publish the Annual Report and Accounts of the NHS Pensions Agency. [133739]

Mr. Denham: We have approved the Report and Accounts, which have today been laid before both Houses of Parliament in accordance with the requirements of Sections 5(2) and 5(3) of the Exchequer and Audit Departments Act 1921.

Copies have been placed in the Library.

Ministerial Duty Roster (Summer)

Mr. Hammond: To ask the Secretary of State for Health if he will publish the daily ministerial duty roster for his Department during the summer recess. [133074]

Ms Stuart: It is not normal practice of Government to publish the daily ministerial duty roster. The Department will ensure that it has sufficient cover through the summer recess in line with the requirements of the Ministerial Code.

EU Food Hygiene Regulations

Mr. Mitchell: To ask the Secretary of State for Health what proposals he has for requiring the registration of food outlets under the new EU food hygiene regulations; if these will apply to charity events; and what level of *(a)* charges for licences and *(b)* fines for transgressions he proposes to apply. [132822]

Ms Stuart: Food premises are already required to be registered under the Food Premises (Registration) Regulations 1991, as amended. The regulations exempt, subject to certain conditions, voluntary and charitable organisations from the requirement to register. There is no charge for registration. Fines for offences on conviction may not exceed either level 3 or level 5 on the standard scale, depending on the offence.

The European Commission has presented five inter-linked proposals for regulations on food safety rules and associated animal health controls. These are intended to replace some 16 commodity-specific EC directives and the general food hygiene directive that applies to all other foodstuffs. The initial drafts of these regulations show a proposed coming into force date of 1 January 2004. The first meeting of experts took place on 25 and 26 July where the Commission presented the proposals and laid down its intended plans for tackling the wide range of issues. Regarding registration requirements for food premises, the United Kingdom will seek to ensure continuity with current domestic requirements.

It is likely that, following the summer break, meetings will take place in Brussels on a monthly basis. In the meantime, we are in the process of consulting with interested parties and stakeholders to seek their views.

Parliamentary Questions

Mr. Rowe: To ask the Secretary of State for Health when he will reply to the question tabled on 11 July by the hon. Member for Faversham and Mid-Kent on non-executive directorships of National Health Service trusts (ref. 130534). [133140]

Ms Stuart: I replied to the hon. Member on 25 July.

GM Crops

Mr. Yeo: To ask the Secretary of State for Health (1) if the Government plans to trace the food products which may contain oil produced from British oil seed rape affected by the contamination of Advanta rapeseeds by GM rapeseeds; [124154]

(2) if the Government plans to publish advice to consumers wishing to avoid food containing ingredients produced from crops grown from conventional Advanta rapeseed contaminated with GM rapeseed. [124162]

Ms Stuart: No decision has yet been taken as to how crops grown from the contaminated rapeseed will be disposed of but the genetically modified element of the crop does not have the necessary authorisation under the Deliberate Release Directive (90/220) to enable it to be commercially marketed in the EC.

I am however, advised by the Food Standards Agency that while there is a possibility that some rapeseed containing a very low level of GM seed may have been grown in the UK last year, there is no information available on where this might have occurred. There is thus no way of being able to trace any oil from this source that may have entered the food chain as the oil cannot be distinguished from conventionally produced rapeseed oil by analytical means. This will in any case have been mixed with oil from other sources and dispersed widely.

The amount of oil from GM rapeseed in any single food product is likely to be extremely small, if it is present at all, but for the reasons given, there is no obvious way for consumers to be able to identify products which might contain traces of the GM derived oil.

Cancer Treatment

Mr. Hammond: To ask the Secretary of State for Health, pursuant to his answer of 27 June 2000, *Official Report*, column 437W, on cancer treatment, if he will estimate the percentage of cancer referrals in the NHS which are seen by *(a)* a cancer specialist and *(b)* a general surgeon in the most recent 12 months for which figures for referrals are available. [128593]

Yvette Cooper: Data specific to the monitoring of the two-week waiting time breast cancer standard record the waiting time between date of decision to refer and date seen. They do not record the specialist seen by the patient. Data collected on non-two-week specific outpatient referrals and the waiting time to see a consultant are collected only by the consultant's main speciality code. This would not necessarily be able to identify cancer patients.

Guidance issued to the National Health Service on improving outcomes in breast cancer recommends that patients with breast cancer should be managed by multi-disciplinary specialist breast care teams working to written guidelines. Diagnostic services must be able to provide rapid and accurate information to enable patients who do not have breast cancer to be reassured and treated if necessary, while ensuring that those who do proceed rapidly to treatment.

Sheep (Spinal Cord Removal)

Mr. Breed: To ask the Secretary of State for Health what reasons underlay the decision to require the removal of spinal cord from sheep at slaughter. [131813]

Ms Stuart *[holding answer 21 July 2000]:* I am advised by the Food Standards Agency that specified risk material (SRM) controls on sheep were introduced, on the basis of advice from the Spongiform Encephalopathy Advisory Committee (SEAC), after it had been demonstrated that sheep could be infected experimentally with BSE, and because it was considered possible that sheep had been exposed to BSE infectivity through feed. SEAC advised that the spinal cord of older sheep could pose a potential risk to human health if eaten, and recommended an extension of the SRM controls to include this tissue once it had been established that there were practical methods for removing it from the carcase. The controls are precautionary, as at present there is no evidence that BSE is present in commercial sheep.

Communication (Deaf People)

Mr. Sheerman: To ask the Secretary of State for Health what facilities his Department offers to deaf people in communicating with health trusts, health authorities and primary care groups. [132102]

Mr. Hutton: The Department has issued a range of guidance for the National Health Service on communicating with deaf and hearing impaired people. This includes "Doubly disabled: Equality for disabled people in the new NHS: access to services" together with a training video "When is it my turn?" for training and raising staff awareness of the communication needs of deaf and hearing impaired people. These were issued in April 1999.

To support implementation of Part III of the Disability Discrimination Act across the NHS, the NHS Executive issued guidance in July 1999. This guidance was informed by research conducted by "Disability Matters" on barriers faced by disabled people in the accessing the NHS. Their

report, which concluded that the most significant barrier faced by disabled people in accessing the NHS was staff awareness and attitudes, was issued to health authorities, NHS trusts and primary care groups. It also led to the development of a distance learning package, "Welcoming Patients to the NHS" which was launched in November 1999. All these publications included material on communicating with deaf and hearing impaired people.

Accident Prevention Task Force

Mr. Austin: To ask the Secretary of State for Health if he will list the members and terms of reference of the accident prevention task force; when it is expected to meet; what its priorities are; and if he will make a statement. [132109]

Yvette Cooper *[holding answer 24 July 2000]:* The Task Force to advise on the prevention of accidental injuries, promised in the White Paper, "Saving Lives: Our Healthier Nation" will hold its initial meeting on a date to be arranged this autumn. The Task Force will be chaired by the Department of Health and involve other Government Departments as observers. Details of members are given. Its terms of reference are:

Taking account of "Saving Lives" and other initiatives in hand to reduce the burden of accidental injury, advise the Chief Medical Officer on:

the most important priorities for immediate action in order to meet the target

the development of an implementation plan, consulting with other stakeholders where necessary

whether the necessary delivery structures are in place to take forward the implementation plan

how progress on the implementation plan should be monitored

how to develop and publicise a more unified approach to accident prevention across Government and the National Health Service.

A report with recommendations should be submitted to CMO within one year of its first meeting.

Accident Task Force Membership

Wendy Broome—Senior Road Safety Officer, Hertfordshire County Council.

Professor Yvonne Carter—Professor of General Practice and Primary Care.

Ashley Martin—Peterborough City Council, Director of the Institute of Home Safety.

Dr. Stephen Morton—Director of Public Health, East Lancashire HA; Co-ordinator of the NW Regional Accidents Task Force.

David Moss—Chief Executive, Southampton University Hospitals NHS Trust.

Dr. Gabriel Scally—Director of Public Health, South West Regional Office.

Carol Sherriff—Director of the Child Accident Prevention Trust.

Dr. Liz Towner—University of Newcastle upon Tyne, Department of Community Child Health.

John Ransford/Nominee—Local Government Association.

Care Homes

Mr. Colman: To ask the Secretary of State for Health what plans he has to strengthen the regulation of private care homes for the elderly. [132705]

Mr. Hutton: In November 1998 we published our White Paper, "Modernising Social Services" which included our plans for reforming the regulation of care homes. The Care Standards Act brings about these reforms.

We will establish an independent National Care Standards Commission to regulate statutory and independent sector care services in accordance with national minimum standards to ensure consistency and improve the quality of life and level of protection for the most vulnerable people in society. The Commission will be accountable to my right hon. Friend the Secretary of State. It will be responsible for the registration and inspection of all residential care and nursing homes, including those for older people. The Commission is expected to be fully operational by April 2002.

Press Releases

Mr. Lansley: To ask the Secretary of State for Health how many press releases were issued in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* this year to date; and what the total cost of the production and issuing of these press releases was in each year. [132748]

Ms Stuart: The Department adheres to the Access to Information Code of Practice and continually reviews the most cost effective methods for issuing press releases. The total cost of producing and issuing press releases cannot be separately identified as many of the costs are absorbed within the expenditure for running the Department's Communications Directorate.

The table shows the cost of distributing press releases provided by external suppliers in each financial year requested:

Financial Year	*£ 000*
1997–98	53
1998–99	102
1999–2000	107
2000–01 to date	44

The table shows the number of press releases issued each calendar year requested:

Year	*Total*
1997	406
1998	556
1999	742
2000 to date	372

Press Officers

Mr. Lansley: To ask the Secretary of State for Health how many press officers were employed in his Department in *(a)* May 1997, *(b)* January 1998, *(c)* January 1999 and *(d)* January 2000; and what the total expenditure on press officers by his Department was in each of the years concerned. [132759]

Ms Stuart: Detailed information on the number of press officers employed by the Department during the financial year 1997–98 and 1998–99 was provided in Appendix II of the report, "The Government Information

and Communications Service" (HC 770), published by the Select Committee on Public Administration (29 July 1998). Copies are available in the Library.

As at January 2000, the Department employed 16 press officers. Cost of press officers employed by the Department in the financial year 1999–2000 was £590,000.

Prescription Charges

Mr. Edward Davey: To ask the Secretary of State for Health what estimate he has made of the extra costs *(a)* per patient and *(b)* in aggregate, in prescription charges per year to patients using commonly prescribed generic drugs as a result of the price increases resulting from the introduction of patient packs; what action he has (i) taken and (ii) plans to minimise the costs to patients; and if he will make a statement. [132885]

Ms Stuart: The prescription charge is a flat-rate charge. Changes in the cost of medicines to the National Health Service do not therefore affect the charges paid by patients. We have given a commitment not to increase prescription charges by more than inflation (as measured by the retail prices index) for the rest of this Parliament.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Military Convoys (A696)

Mr. Beith: To ask the Secretary of State for the Environment, Transport and the Regions what recent representations he has received about the effect of military convoys on road safety on the A696; and if his Department and the Highways Agency have had discussions with the police authority about the future escorting of convoys to and from the Otterburn Range. [132915]

Mr. Hill: I have asked the Chief Executive of the Highways Agency, Mr. Peter Nutt, to write to the right hon. Member.

Letter from Peter Nutt to Mr. A. J. Beith, dated 27 July 2000:

The Secretary of State for the Environment, Transport and the Regions has asked me to reply to your recent Parliamentary Question concerning the effect of military convoys on road safety on the A696, and the possibility of the future escorting of convoys to and from the Otterburn Range.

The Highways Agency has received a number of representations from Parish Councils, other community groups and individuals about military convoys on the A696. Officers from the Agency have discussed this on a number of occasions with Northumbria Police. While this is a matter of operational concern to the Agency, at present the movements of the convoys along the highway are largely the responsibility of the Ministry of Defence and the Police. The Police involvement depends upon the size and weight of the vehicles in the convoy. The Agency has had a number of meetings with the MOD and the Police in an attempt to ensure safety and minimise disruption due to the movements of convoys and their timing.

Should you require any further information, please contact the Area Manager, Neil Taylor at our Leeds office, on 0113 283 5481.

Pavements (Wheelchair Access)

Mr. Beith: To ask the Secretary of State for the Environment, Transport and the Regions what was the average amount spent by highway authorities in England in each of the last five years on pavement alterations to enable wheelchair access; and how much each authority spent in that time. [132918]

Mr. Hill: This information is not collected centrally.

My Department does, however, encourage local authorities to make provision for wheelchair users, as well as other disabled people, in the pedestrian environment. This is a central theme in the Local Transport Plan guidance.

We have also announced in the 10 year Transport Plan that we will be developing measures for evaluating accessibility in transport systems, and in streets and public places, to check that investment is delivering real improvements in the day to day mobility of disabled people.

Liquefied Petroleum Gas

Mr. Boswell: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on recent developments in the uptake of LPG as a road fuel, with reference to the number and cost of Powershift grants and other incentives, and the number of vehicles of different types converted to duel fuelling. [132909]

Mr. Hill: The demand for LPG vehicles, in particular for LPG dual fuel cars, is growing strongly thanks in large part to Government fuel duty incentives for road gas fuels and the Powershift programme, which is sponsored by my Department. In recognition of this increasing demand, my right hon. and noble Friend Lord Macdonald of Tradeston announced earlier this year an increase in the Powershift budget to £10 million—almost a threefold increase on last year.

Between 1 April and 30 June, Powershift grants totalling £2.5 million were offered towards the purchase of 2,077 LPG vehicles. Over the course of this financial year, Powershift expects to support the purchase of over 5,000 LPG vehicles. This is in addition to the 17,000 gas powered vehicles already registered with the DVLA at the end of 1999.

Housebuilding (South-East)

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions if he will list by each local authority area in the county of Essex and the unitary authorities of Southend and Thurrock the most recent estimates of the number of houses to be built under the SERPLAN recommendations in each local authority area. [132828]

Ms Beverley Hughes: SERPLAN made no estimates of the number of homes to be built in each local authority within Essex. The regional housing provision is distributed below county level by the strategic planning authorities through the preparation of structure and unitary development plans. In the case of Essex, Essex county council and Southend unitary authority are responsible for keeping the Essex and Southend on Sea structure plan up to date and Thurrock unitary authority is responsible for preparing a unitary development plan for its area.

North West Development Agency

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what the cost has been to the North West Development Agency of consultancy work allocated to outside bodies in the last 12 months. [132039]

Ms Beverley Hughes: The total cost for consultancy work allocated to outside bodies during the financial year 1999–2000 was £1,946,000.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions if he will ensure that the annual report of the North West Development Agency includes in future information which has been sought by hon. Members on the operations of the North West Development Agency. [132043]

Ms Beverley Hughes: There are no plans to change the requirements for Regional Development Agencies to publish reports and accounts on the breadth of activities during the year. The North West Development Agency's annual report and accounts for 1999–2000 have now been certified by the National Audit Office and will be laid before the House today. If there are questions that my hon. Friend feels are unanswered by the report he can address them to the Agency or the Secretary of State.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what the cost of printing publications from the North West Development Agency was in the last 12 months. [131545]

Ms Beverley Hughes: The cost of printing publications for the North West Development Agency in the financial year 1999–2000 was £135,000.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions how many board meetings of the North West Development Agency were attended by each member of the North West Development Agency in the last 12 months. [131547]

Ms Beverley Hughes: During the period June 1999 to July 2000 12 Board meetings of the North West Development Agency took place. The number of attendances by individual board members at board meetings were:

Maggie Chadwick—10

Councillor Mike Doyle—11

John Dunning—12

Felicity Goodey—10

Clive Jeanes, OBE—10

Councillor Richard Leese—10

Alan Manning—12

Dennis Mendoros—12

Kath Reade—11

Councillor Dr. Fred Ridley—11

Judy Robinson—11

James Ross—9

Lord Thomas of Macclesfield—10.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions to whom the North West Development Agency is accountable. [131549]

Ms Beverley Hughes: Regional Development Agencies are accountable to the Secretary of State for the Environment, Transport and the Regions for all their delegated functions. Regional accountability is outlined in section 18 of the Regional Development Agencies Act 1998.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what the cost of running the North West Development Agency was in its last financial year; and if he will estimate the cost for the Agency's current financial year. [131551]

Ms Beverley Hughes: The cost of running the North West Development Agency in the financial year 1999–2000 was £13,524,400, and the estimated cost for the current year is £13,771,000.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made on moving North West Development Agency facilities from Cockermouth to Penrith. [131553]

Ms Beverley Hughes: Lease negotiations with the proposed developer of the new premises at Penrith are expected to be concluded shortly with an anticipated availability for occupation early in the new year.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what was the last negotiated rental charge per foot secured on premises on the North West Development Agency English Partnership estate at Homewood in Cockermouth. [131555]

Ms Beverley Hughes: The last negotiated letting at the Lakeland Business Park was secured at a principal rental of £7.11 per square foot plus a service charge/maintenance rent of £1.57 per square foot. This letting commenced on 20 March 2000 and was in respect of premises of 817 square feet.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions on how many occasions in the last 12 months members of the Board of the North West Development Agency have stood aside from consideration of North West Development Agency Board business due to conflict of interest. [132041]

Ms Beverley Hughes: Board Members of the North West Development Agency declared an interest and stood aside (left the boardroom) from consideration of North West Development Agency Board business on 9 occasions in the last 12 months:

Maggie Chadwick—2

John Dunning—2

Clive Jeanes—2

Alan Manning—1

Dennis Medoros—2

Felecity Goodey—1

Richard Leese—2

Judy Robinson—1.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what

projects the North West Development Agency is supporting in Cumbria where the total project cost exceeds £3 million. [132045]

Ms Beverley Hughes: The North West Development Agency is supporting in Cumbria the following projects whose costs exceed £3 million.

Development work:

Workington Town Centre

Maryport Endowment

Dovenby Hall, Allerton

Hills of the North, Eden

Westlakes Science Park

Kingmoor Park, Carlisle

Lillyhall Partnership

Alston Foundry

SRB projects:

Heart of Barrow—a five year regeneration project in which capital projects designed to maximise retail investment in the town centre are linked to programmes of business and community support.

Cumbria Credits—Adult Education and Training scheme, which uses advanced information technology to overcome distance and physical barriers.

Guided steps to lifetime learning—a five year scheme to provide careers and employment guidance and counselling to adults countywide.

Regeneration of Maryport, Allerdale—a five year scheme to tackle the decline of the town by upgrading retail space in the town centre and renovating and creating new housing.

Barrow-Building Bridges—a six year scheme targeting five of the most disadvantaged wards in Barrow.

Cleator Moor Regeneration—A six year scheme which aims to provide support for new and existing businesses, develop tourism and community infrastructure.

Cumbria Rural Regeneration—A six year scheme, which aims to break down local resistance to tourism employment through improved training and skills.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what the value of assets held by the North West Development Agency is by *(a)* freehold and *(b)* leasehold, indicating the locations. [131557]

Ms Beverley Hughes: *(a)* The valuation of freehold investment assets on 31 March 2000 was £91.7 million.

(b) The valuation of leasehold investment assets on 31 March 2000 was £316,000.

The following is a list of both freehold and leasehold (long and short term leases) belonging to the NWDA:

Taylors Lane, Pilling

Clayhill Industrial Park, Neston

Prestwich Industrial Estate, Manchester

Parr Industrial Estate, St. Helens

Lamberhead Industrial Estate, Wigan

Wilson Road Industrial Estate, Huyton

Love Lane (Tate and Lyle's) Liverpool

Mercury Court, Liverpool

Knowsley Industrial Park South, Liverpool

Lea Green Industrial Estate, St. Helens

Speke Hall Industrial Estate, Speke

Gillmoss Industrial Estate, Gillmoss

Moor Park, Blackpool

Martland Mill Industrial Estate, Wigan

Farrier Way Industrial Estate, Netherton

Pilsworth Road Industrial Estate, Bury

Croft Business Park, Bromborough

St. Michaels Industrial Esate, Widness

Sandon House, Liverpool

West Float Industrial Estate, Wallasey

Wavertree Tech Park, Liverpool

Bolton Technology Exchange, Bolton

Salford University Business Park, Manchester

Hampton Heath Industrial Estate, Hampton Heath

Skypark, Speke

St. Chad's Court Rochdale

Willow Mill, Caton

St. Helens Technology Campus, St. Helens

Greenheys Business Centre, Manchester

Altham Business Park, Altham

Greenbank Industrial Estate, Blackburn

Rossmore Road, Ellesmere Port

Wingates South Industrial Park, Bolton

Sefton Business Park, Liverpool

Classic Couverture, The Estuary Business Park

Glacier Building, Brunswick Business Park

CMDC Residual portfolio

Hooton Business Park

Monsall Hospital

Martland Park, Wigan

Ancoats Urban Village, Manchester

Kingsway, Rochdale

Twelve Quays, Birkenhead

Austin Trading Estate, Knowsley

Portland Basin

Estuary Commerce Park, Speke

Edwards Lane, Speke

Boulevard Industry Park, Speke

Bickershaw Colliery, Leigh

Agecroft Colliery, Salford

Cronton Colliery, Cronton

Lea Green, St. Helens

Ashton Fields, Walkden

Kings Court/HQ Warrington

Giants Basin, Manchester

Winckley Street, Preston

Penrith 40 Business Park

Muirhhead House, Warrington

Solway Estate, Maryport

Leconfield Estate, Cleator Moor

Cleator Mills Estate, Cleator

Lillyhall Estate (East), Workington

Devonshire Road, Millom

Lillyhall Estate (West), Workington

Western Bank Estate, Wigton

Townfoot Estate, Brampton

Brough Industrial Estate, Brough

The Sidings, Tebay

Crosscroft Estate, Appleby

Maryport Harbour

Clay Flatts Estate, Workington

Park Road, Aspatria

Lakes Road, Coniston

George Moore Estate, Fletchertown

Lakeland Business Park, Cockermouth

Bridge End Estate, Egremont

Sneckyeat Road, Whitehaven

Cross Lane Industrial Estate, Ulverston

Daltongate Business Centre, Ulverston

St. Helens Business Park, Workington

Station yard, Coniston

Derwent Mills Commercial Park, Cockermouth

Moor Lane Estate, Flookburgh

Whitehaven Commercial Park, Moresby Parks

Furness Business Park, Barrow in Furness

Skelgillside Workshops, Nenthead, Alston

The Old Brewery, Craw Hall, Brampton

Kirkby Thore Industrial Estate

Borders Business Park, Longtown

Cross Lane Workshops, Seascale

Station Road Industrial Estate, Silloth

Workington Town Centre, St. Johns Precinct.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions which organisations in Copeland and Allerdale were visited by which Members of the Board of the North West Development Agency in the last 12 months. [131559]

Ms Beverley Hughes: Alan Manning attended three meetings of the TUC's Cumbria Forum held in Keswick as an RDA Board member.

Maggie Chadwick visited:

West Cumbria College twice;

Cumbria TEC HQ events in Keswick, Wigton and Cockermouth;

Meeting representatives of local authorities (Allerdale and Copeland) and West Cumbria Partnership;

The Cumbria Assembly (Policy Group),

Non-local authority group to meet residents of Allerdale and Copeland.

John Dunning visited the area several times during the past 12 months. I will write to my hon. Friend with the further information on his visits and place a copy of my letter in the Library.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what arrangements have been made for the redeployment of staff from the offices of the North West Development Agency English Partnership at Homewood, Cockermouth to Penrith. [131556]

Ms Beverley Hughes: The number of staff currently employed at the North West Development Agency's office at Cockermouth is 12.

Of these, it is currently expected that eight will transfer to the North West Development Agency's office at Penrith, with four to remain in West Cumbria, probably at Lillyhall, to manage the predominantly West Cumbrian based estate.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions who owns the title to property *(a)* owned, *(b)* held on leasehold and *(c)* rented by the North West Development Agency. [131558]

Ms Beverley Hughes: The information is as follows:

(a) Owned

The North West Development Agency (as a body corporate) can itself hold freehold land.

(b) Held on leasehold

Kings Court, Warrington—owned by Burford Investments Ltd.

Muirfield House, Birchwood, Warrington—owned by Wellcome Trust Ltd.

Penrith—owned by F W Allen

(c) Rented

None.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions on how many occasions in the last 12 months the Chief Executive of the North West Development Agency has visited *(a)* Copeland and *(b)* Allerdale. [131560]

Ms Beverley Hughes: The Chief Executive visited the Copeland and Allerdale areas on one occasion in the last 12 months.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what his latest estimate is of efficiency gains and financial benefits that arise out of moving the North West Development Agency English partnership offices from Homewood, Cockermouth to Penrith. [131539]

Ms Beverley Hughes: Decisions on location are a matter for the North West Development Agency.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what visits were made by which *(a)* officers and *(b)* board members of the North West Development Agency to countries overseas in the last 12 months. [131543]

Ms Beverley Hughes: *(a)* The following officers of the North West Development Agency visited overseas in the past 12 months.

Chris Koral—Chicago

Ian Cordon—Copenhagan

Nigel Wilcock—Paris

Nigel Wilcock—Brussels

Nigel Wilcock—Hanover

Klaus Gruell—Brussels

Klaus Gruell—Munich/Düsseldorf

Martin Toomey—Vienna

Martin Toomey—Osaka

Anne Samson—Verona

Rae Brooke—Chicago/Boston/New York

John Kelly—Brussels

Paul Ferguson—Brussels

Peter White—Amsterdam

Peter White—Brussels
Sue Adams—Chicago
Bill Skilkie—Boston
I. B. Vine—Madrid
Lynne Taylor—Brussels
Lynne Taylor—Stuttgart
Margaret Carr—Helsinki
Baron Isherwood—Warsaw
John Cunliff—Boston/Chicago
Robert Lane—Boston
Simon Parker—Boston
Ian Lawrence—Boston
Linda Magee—Boston
John Burrows—Germany.

(b) The following board members of the North West Development Agency made visits overseas in the past 12 months:

Kath Reade—Verona
Kath Reade—Helsinki
Mike Doyle—Brussels

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what the cost was to the North West Development Agency of visits overseas by its officers and members in the last 12 months. [131544]

Ms Beverley Hughes: The cost to the North West Development Agency for overseas visits during the financial year 1999–2000 was £36,314.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what consultancy work has been allocated to outside bodies by the North West Development Agency over the last 12 months by project. [132040]

Ms Beverley Hughes: Consultancy costs for the last 12 months—1 July 1999 to 30 June 2000—are as follows:

Projects	*£ 000*
Land and property	
Site Plan Studies	70
Workington Town Centre	147
Other Land and Property	202
Legal	
Other Land and Property Programme	79
Estates (Letting)	68
Other Legal	52
IT	34
Accountancy	
Internal Audit and Procedures	23
Projects	*£ 000*
Fixed Asset System	15
ERDF Audits/Bids	15
Opening Balance Sheet	9
Daresbury Econ Impact	8
Taxation	10
General Financial Advice	75
Estates	
Building Surveys	15
Health and Safety Audit	10
Other estates related	15
Strategy	182
NW Business Leadership	107
Accommodation	
Warrington office	28
Manchester office planning	7
Preston office planning	3
Other office planning	41
Skills Development Fund Support	78
Competitiveness Development Fund	117
Corporate Identity	16
Marketing Inward	53
Marketing RSO	18
Other Marketing	41
Debt Collection	18
Valuation	15
Human Resources Evaluation/Planning	74
Total	1,645

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions on what occasions in the last 12 months the Board or officers of the North West Development Agency have considered matters which relate to the commercial activities of individual members of the Board of the North West Development Agency. [132044]

Ms Beverley Hughes: The North West Development Agency have not considered any matters which relate to the commercial activities of individual members of the Board of the North West Development Agency.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what expenses were paid to each member of the Board of the North West Development Agency in each of the last 12 months. [131546]

Ms Beverley Hughes: Expenses paid to North West Development Agency Board Members in financial year 1999–2000 are set out in the analysis.

The amounts are commensurate with the distance Board Members travel and their participation in other Agency related activities such as Sub Groups and Conferences.

Payments to Board Members 1999–2000

£

Name	*April*	*May*	*June*	*July*	*August*	*September*
M. Chadwick	—	—	—	885.30	—	—
M. Doyle	—	—	—	350.80	—	169.20
J. Dunning	—	—	1,122.85	—	—	894.00
F. Goodey	—	—	—	—	—	—
C. Jeanes	15.00	80.00	—	160.50	—	—
R. Leese	—	—	—	—	—	—
A. Manning	—	111.40	—	—	—	—
D. Mendoros	—	—	—	—	—	—

Payments to Board Members 1999–2000

£

Name	*April*	*May*	*June*	*July*	*August*	*September*
K. Reade	—	—	—	472.50	—	—
F. Ridley	—	90.05	—	114.35	—	—
J. Robinson	147.70	—	68.75	—	—	—
J. Ross	—	—	—	—	—	—
Lord T. Thomas	—	984.65	1,889.13	151.00	—	—
Total	162.70	1,266.10	3,080.73	2,134.45	—	1,063.20

£

Name	*October*	*November*	*December*	*January*	*February*	*March*	*Total*
M. Chadwick	—	—	—	637.29	—	—	1,522.59
M. Doyle	347.20	—	176.55	—	144.00	68.85	1,256.60
J. Dunning	269.08	—	215.14	—	249.55	297.52	3,048.14
F. Goodey	—	—	—	—	—	—	—
C. Jeanes	175.00	—	90.00	—	129.00	155.90	805.40
R. Leese	—	—	—	—	—	—	—
A. Manning	563.35	—	—	—	100.55	—	775.30
D. Mendoros	1,366.98	—	—	—	—	913.94	2,280.92
K. Reade	—	607.95	—	—	256.50	—	1,336.95
F. Ridley	92.25	—	—	—	—	104.80	401.45
J. Robinson	107.05	127.95	—	—	—	178.74	630.19
J. Ross	—	—	—	—	—	—	—
Lord T. Thomas	—	—	—	—	668.71	—	3,693.49
Total	2,920.91	735.90	481.69	637.29	1,648.31	1,719.75	15,751.03

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what arrangements are in place to secure accountability by the North West Development Agency to the North West Regional Assembly. [131548]

Ms Beverley Hughes: The North West Development Agency is not accountable to the North West Regional Assembly. However, the Assembly is designated as a Regional Chamber under the provision of the regional Development Agencies Act 1998 which requires the NWDA to consult the Assembly in the exercise of its functions and to have due regard to any views expressed by the Assembly. The NWDA has also entered into a Concordat with the Assembly and the Government Office for the North West, which refers to the Assembly's role in scrutinising the NWDA's Corporate Plan and monitoring its activity. The role is facilitated through twice yearly meetings between the NWDA and the Assembly at member level, regular meetings at officer level and the NWDA formally consults the Assembly on its Corporate Plan and other key documents.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what the cost of the North West Development Agency was in each quarter since the agency was formed. [131550]

Ms Beverley Hughes: The cost of running the North West Development Agency in the financial year 1999–2000 was as follows:

Quarter 1—£2,425,000

Quarter 2—£3,249,000

Quarter 3—£3,553,000

Quarter 4—£4,297,000

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions how many persons it is proposed will be based as employees at the North West Development Agency premises at Penrith. [131552]

Ms Beverley Hughes: It is expected that 15 staff of the North West Development Agency will be based at the agency's office in Penrith with "hot desk" provision for two or three others to work there when necessary.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to reverse the decision to consolidate North West Development Agency office premises in Penrith. [131554]

Ms Beverley Hughes: My right hon. Friend has no such plans. Location of office premises is a matter for the North West Development Agency to decide.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions what the current arrangements are for the registration and declaration of interests by members of the Board of the North West Development Agency. [132042]

Ms Beverley Hughes: The Chairman and other Board Members of the North West Development Agency are required to declare any personal or business interests that may conflict with their responsibilities as Board Members and to make and maintain a public register of such interests.

The Register of Interests is available for public inspection at the Head Office of the North West Development Agency in Warrington. Significant interests are also shown in the North West Development Agency's Annual Report.

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions on what issues the North West Development Agency officials expect to be consulted by DTI officials in relation to economic and industrial development in the North West Region. [132046]

Ms Beverley Hughes: The Department of Trade and Industry is now consulting the North West Development Agency on all key programmes which relate to economic industrial development, particularly where they relate to the implementation of the Regional Strategy. Some current examples are:

Cluster development

Regional Centres of Manufacturing Excellence

The development of the Small Business Service

The Regional Innovation Strategy.

DTI also regularly consults with the North West Development Agency on inward investment activities and on major Regional Selective Assistance cases.

Telecommunications Masts

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions (1) which mobile phone companies have notified him of a change in their policy on selecting sites for mobile phone masts to take account of the Stewart report; what such changes in policy are, in each case; and if he will make a statement; [132934]

(2) what recent discussions he has had with each of the mobile phone operators concerning their policy on the siting of mobile phone masts; and if he will make a statement. [132935]

Ms Beverley Hughes: My officials have met each of the mobile phone operators at least twice since the Stewart report was published on 11 May. They have discussed the range of actions being taken forward by Government in response to the Stewart report's recommendations on planning and the role of the operators in taking forward the recommendations, including those about base stations on and near schools and about mast sharing.

The Federation of the Electronics Industry (FEI) issued a response to the Stewart report on 11 May. This included an explanation of the policy of the mobile phone operators on the siting of base stations. The response is available on their website at "www.fei.org.uk".

Mr. Swayne: To ask the Secretary of State for the Environment, Transport and the Regions what recent discussions he has had with the Department of Health on amending his planning guidance notes to adopt a precautionary approach to health risks from mobile telephone masts; what assessment he has made of the report of the Independent Expert Group on Mobile Phones; and if he will make a statement. [132582]

Ms Beverley Hughes: The Independent Expert Group on Mobile Phones (chaired by Sir William Stewart) published its report on mobile phones and health on 11 May.

The group recommended a precautionary approach, comprising a series of specific measures, to the use of mobile phone technologies until we have more detailed and scientifically robust information on any health effects. The Government accepts the recommended precautionary approach advised by the Stewart report.

In its response to the group's report the Government said that it was minded to introduce a requirement for full planning permission for all new telecommunications masts, but would need to consult widely before doing so, including on the principle and precise scope of any new arrangements. We intend to issue shortly a consultation paper on this and related guidance which will include consideration of health concerns.

Discussions have been held with the all relevant Government Departments, including the Department of Health, in drawing up the consultation paper and related guidance.

Planning

Mr. Evans: To ask the Secretary of State for the Environment, Transport and the Regions what weighting PPG3: Housing is to carry in relation to local authorities' development plans in determining planning applications as set out in section 54A of the Town and Country Planning Acts. [132979]

Ms Beverley Hughes: Planning Policy Guidance note 1 advises local planning authorities that

> if there are no other material considerations, the application or appeal should be determined in accordance with the development plan

but emphasises that plan policies should be relevant and up-to date (para 54).

PPG3 advises that

> development plans form the framework within which decisions on proposals for development are taken. It is important that plans are kept up to date and properly reflect national policy guidance.

PPG3 further advises that

> in considering planning applications for housing development in the interim, before development plans can be reviewed, local authorities should have regard to the policies contained in this PPG as material considerations which may supersede the policies in their plan

(see paras 37–39).

Angela Smith: To ask the Secretary of State for the Environment, Transport and the Regions what was the performance of the Government Offices for the Regions in 1999–2000 in meeting targets for issuing decisions on called-in planning applications and on recovered appeals following receipt of the Inspector's report; and if he will make a statement. [133689]

Mr. Raynsford: The information is as follows:

i. Called-in applications

Target: issue 80 per cent. of decisions in 13 weeks and 100 per cent. in 20 weeks

Performance: 62 per cent. issued in 13 weeks and 72 per cent. in 20 weeks

ii. Recovered appeals

Target: issue 80 per cent. of decisions in 8 weeks and 100 per cent. in 13 weeks

Performance: 48 per cent. issued in 8 weeks and 57 per cent. in 13 weeks.

The number of call-in and recovery cases—typically, about 150 of each a year—represents a very small proportion of the number of planning applications and appeals dealt with every year. They also tend to be rather more complicated than the generality of planning decisions. Nevertheless, it is clear that, overall, the decision-making process for called-in applications and recovered appeals needs to be expedited. The Department has been reviewing the procedures with a view to improving performance.

Packaging Regulations

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of companies who are required to register under the Packaging Regulations and who had not done so by 30 June. [133045]

Mr. Meacher: The number of businesses which are required to register under the Packaging Regulations, and had failed to do so by 30 June 2000, has been estimated by the Environment Agency at between 400 and 650. Work currently being undertaken by the Environment Agency should help to refine that figure later in the year. The majority of those businesses are likely to be smaller ones with an average packaging tonnage of between 100–150 tonnes per annum.

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions what has been the *(a)* maximum and *(b)* minimum fine imposed on firms for infringing the Packaging Regulations. [133048]

Mr. Meacher: *(a)* The maximum fine was £10,000 plus costs and *(b)* the minimum was zero (unconditional discharge).

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions how many firms had been successfully prosecuted for infringing the Packaging Regulations by 30 June. [133046]

Mr. Meacher: Sixteen firms have been successfully prosecuted under the Packaging Regulations.

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions what has been the average fine imposed on firms prosecuted for infringing the Packaging Regulations. [133047]

Mr. Meacher: The average fine under the Packaging Regulations is £1,500 plus costs.

Central Railway

Mr. Hammond: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the merits of the Central Railway project on its current proposed routing around the south-west quadrant of the M25. [133141]

Mr. Hill: None.

Mr. Hammond: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will meet a delegation of elected representatives from Surrey to discuss the problem of blight created by the proposed Central Railway scheme; [133142]

(2) what steps he plans to take to avoid long-term blight of properties located on or close to the route of the Central Railway proposed freight line through Surrey. [133143]

Mr. Hill: In answer to a Parliamentary Question today, my hon. Friend the Member for Greenwich and Woolwich (Mr. Raynsford), has announced the publication of the report of the Compulsory Purchase Policy Review Advisory Group which, among other things, considers the issue of blight. In his reply, my hon. Friend has invited comments on all the recommendations in the report, and these will then be taken into account in preparing the Government's response setting out our future policy intentions with regard to compulsory purchase issues including blight.

In the meantime, little could be achieved by meeting a delegation to discuss the specific blight problems caused by the proposed Central Railway scheme in Surrey as there are no statutory powers under which any remedy could be provided at this stage in the development of the Company's scheme.

Mr. Hammond: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the financial strength of the promoters of the proposed Central Railway scheme and of the likelihood of the project reaching fruition. [133157]

Mr. Hill: None. I understand that Central Railways plc may intend to submit an application under the Transport and Works Act but no such application has yet been received.

London Roads

Mr. Redwood: To ask the Secretary of State for the Environment, Transport and the Regions what reduction in hourly capacity has been caused by traffic management changes to the A4 Cromwell road in the last three years. [133175]

Mr. Hill: This is a matter for the Mayor of London and Transport for London.

Mr. Redwood: To ask the Secretary of State for the Environment, Transport and the Regions what has been the increase in car journey times on the M4 eastbound in the morning peak from the M25 to the start of the bus lane, as a result of the introduction of the bus lane. [133176]

Mr. Hill: I have asked the Chief Executive of the Highways Agency, Mr. Peter Nutt, to write to the right hon. Member.

Letter from Peter Nutt to Mr. John Redwood, dated 27 July 2000:

The Secretary of State for the Environment, Transport and the Regions has asked me to reply to your recent question about the increase in car journey times on the M4 eastbound in the morning peak from the M25 to the start of the bus lane, due to the introduction of the bus lane.

The independent monitoring of the M4 bus lane, which is being undertaken by the Transport Research Laboratory (TRL), has been providing details of the changes in journey times on the M4 between junction 4 and the elevated section. Journey times between the M25 and junction 4 have not been monitored in the same way because traffic conditions here are rarely affected by the introduction of the bus lane. Changes in conditions are due to the general increase in traffic volumes, local increases attributable to growth at Heathrow

Airport and Stockley Park, and the consequent operation of the M25/M4 junction, the junction 4 roundabout and the section of road between.

The TRL monitoring for the first year supports the changes in journey times reported after 3 months and which were given in the leaflet that was widely distributed and placed in the Library of the House. I enclose a further copy for your ease of reference. The figures for reductions in journey times between junction 4 and the elevated section, as recorded by TRL for the equivalent October/November 1998 and 1999 periods, are as follows:

Minutes

	Time saved per vehicle	
Time of day	*Buses and taxis*	*Other vehicles*
06.30–09.30	4.1	1.3
09.30–17.30	–0.7	–0.9
17.30–20.30	2.9	0.6
20.30–06.30	–1.2	–1.0

Weekday

TRL are currently finalising their report for the first year's operation of the scheme, and I have asked that they divide off the journey time changes to give the information for the section between junctions 4 and 3. To clarify the reasons for changes in conditions between the M25 and junction 4, I have also asked TRL to review all of the data routinely obtained from sensors in the carriageway and to include their conclusions in the report. We expect to receive this within a month and I will write again with this information when it is available.

In the meantime, should you wish to discuss this matter further Paul Harwood, the Project Manager for this section of the M4 would be happy to speak to you. His telephone number is 01306 878471.

OSPAR

Mr. Illew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what factors underlay the decision to delay the submission in draft of the United Kingdom discharge strategy to the OSPAR Commission meeting in Denmark in June; and what considerations led to the decision to submit the document to the meeting. [133454]

Mr. Meacher: Publication of the Consultation Document on the UK Strategy for Radioactive Discharges 2001–2020 was not delayed: it was published as soon as possible after the document was finalised. The document was not submitted to the June meeting of the OSPAR Commission but, after publication, copies were circulated to those attending the meeting, since it was relevant to the discussions at the meeting on the implementation of the OSPAR Strategy with regard to Radioactive Substances.

Mr. Gordon Marsden: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish the UK contribution to the OSPAR Quality Status report for the Celtic Seas Region. [133612]

Mr. Mullin: I have today published a "Quality Status Report of the Marine and Coastal Areas of the Irish Sea and Bristol Channel". This report was prepared for my Department by the Centre for the Environment, Fisheries and Aquaculture Science (CEFAS) as part of the work involved in preparing the "Quality Status Report of the Celtic Seas" which was launched by the OSPAR Commission on 30 June.

The report published today summarises and evaluates information on the current health of the coastal and marine environment of the Irish Sea and Bristol Channel, and the impact of man's activities upon these areas. The assessment shows that the marine environment of the Irish Sea and Bristol Channel is generally in a good state of health, although it highlights over-fishing, endocrine-disrupting chemicals and the pressure for more intensive use of coastal land as being of particular concern. Its conclusions are relevant to policy considerations and to decisions affecting future developments near the coasts, and to the setting of conservation priorities.

In addition, the Joint Nature Conservation Committee (JNCC) have today published a "Directory of the Celtic Coasts and Seas". This document was commissioned by DETR to complement the OSPAR "Quality Status Report of the Celtic Seas". The Directory describes the physical characteristics of the coastline of the Celtic Seas, the marine influences which affect it and regionally important habitats and species. It also describes the national, European and international measures which have been adopted to protect the natural resources in the area.

Rural Buses

Dr. Strang: To ask the Secretary of State for the Environment, Transport and the Regions how much money each local authority received from the Government under the rural bus subsidy scheme in *(a)* 1998–99 and *(b)* 1999–2000; and how much each local authority is expected to receive in 2000–01. [132300]

Mr. Hill: My Department is responsible only for Rural Bus Subsidy Grant (RBSG) payments to English local authorities; the figures requested for these authorities are set out in the table. In February this year we announced that RBSG was to continue for a further three years from March 2001. In addition to support under the rural bus subsidy scheme we have also provided £28 million for 104 schemes approved in the first two Rural Bus Challenge competitions in 1998 and 1999; a further £20 million is available for this year's Challenge competition.

£

	RBSG 1998–99 Payment	*RBSG 1999–2000 Payment*	*RBSG 2000–01 Allocation*
Shire counties			
Bedfordshire	145,860	383,347	442,974
Buckinghamshire	265,000	560,903	561,112
Cambridgeshire	790,268	770,212	790,268
Cheshire	475,000	474,580	612,812
Cornwall	1,098,045	1,114,651	1,221,068
Cumbria	957,384	957,384	957,384
Derbyshire	450,000	703,001	714,122
Devon	1,409,020	1,409,020	1,409,020
Dorset	579,362	579,362	579,362
Durham	604,510	357,816	604,510
East Sussex	300,000	559,229	559,229
Essex	693,164	735,774	1,050,249
Gloucestershire	794,084	794,084	794,084
Hampshire	685,000	894,468	894,468
Hertfordshire	345,000	420,844	443,714
Kent	1,289,989	1,214,225	1,289,989
Lancashire	319,000	751,438	751,438
Leicestershire	240,500	492,610	556,163
Lincolnshire	1,194,385	1,194,385	1,194,385
Norfolk	1,230,000	1,594,337	1,594,337
North Yorkshire	567,600	1,138,648	1,380,246
Northamptonshire	370,000	685,079	696,765
Northumberland	300,000	365,809	476,343
Nottinghamshire	522,686	516,619	522,686
Oxfordshire	647,356	926,906	926,906
Shropshire	630,354	630,354	630,354

£

	RBSG 1998–99 Payment	RBSG 1999–2000 Payment	RBSG 2000–01 Allocation
Somerset	1,017,790	974,750	1,017,790
Staffordshire	201,300	661,480	809,149
Suffolk	751,195	1,163,973	1,201,593
Surrey	576,917	610,684	610,684
Warwickshire	500,000	596,387	596,387
West Sussex	293,252	579,324	579,324
Wiltshire	786,146	786,146	786,146
Worcestershire	402,000	642,141	675,505
Passenger Transport Authorities			
Greater Manchester	70,000	132,231	132,321
Merseyside	62,669	82,590	83,474
South Yorkshire	338,768	338,768	338,768
Tyne and Wear	54,151	43,759	82,047
West Midlands	80,874	71,025	86,800
West Yorkshire	114,000	555,733	555,733
Unitaries			
Bath & North East Somerset	139,000	136,874	139,970
Blackburn with Darwen	15,642	36,284	39,026
Bracknell Forest	26,245	18,093	40,038
Bristol	3,559	4,707	6,522
Darlington	31,912	31,584	48,352
East Riding	118,336	534,323	534,364
Halton	5,764	8,670	12,685
Hartlepool	16,523	16,019	16,872
Herefordshire	287,400	519,918	522,462
Isle of Wight	145,273	159,000	159,271
Medway	87,475	34,990	87,475
Middlesbrough	7,779	11,542	11,542
Milton Keynes	52,000	61,330	71,496
North East Lincolnshire	42,652	32,331	42,652
North Lincolnshire	133,000	252,872	257,450
North Somerset	111,000	116,458	132,855
Peterborough	46,200	56,286	84,040
Plymouth	9,756	9,756	9,756
Poole	7,421	3,705	7,421
Redcar and Cleveland	30,713	56,497	56,497
Rutland	70,627	87,257	107,010
South Gloucestershire	191,415	191,415	191,415
Stockton-on-Tees	22,904	33,832	33,832
Stoke-on-Trent	5,387	5,423	5,423
Swindon	36,810	51,144	55,773
Telford and The Wrekin	52,406	76,048	76,048
Thurrock	17,188	38,176	38,176
Torbay	4,192	8,377	8,384
Warrington	59,644	59,644	59,644
West Berkshire	89,760	231,520	232,602
Windsor & Maidenhead	28,000	34,993	50,584
Wokingham	51,108	54,351	77,436
York	31,500	72,731	73,216
Total	24,131,220	30,510,228	32,500,000

The total is less than the £32.5 million allocation because the timing of the Budget announcement, and the need to establish a new grant mechanism, meant that the money was spent over less than a full financial year. The balance was transferred to the 1998 Rural Bus Challenge.

Total payments were slightly less than the full total allocation of £32.5 million because unspent grant from the previous year was carried forward and offset against authorities' allocations. Again the balance was transferred to the Challenge competition for that year.

New Forest

Mr. Swayne: To ask the Secretary of State for the Environment, Transport and the Regions (1) if, under his proposals for a New Forest national park, the park authority will have to seek the consent of the Verderers Court before proceeding with any recreational development in the open forest; [132012]

(2) if the Verderers will retain their existing power to prevent recreational development in the open forest under his proposals to create a national park in the New Forest. [132013]

Mr. Mullin: The creation of a National Park in the New Forest would neither repeal nor amend the New Forest Acts, which lay down the powers of the Verderers. A National Park Authority would, therefore, need to obtain any appropriate consent under those Acts before carrying out recreational development. As there would be no change to the New Forest Acts, the Verderers would retain the powers they currently have to prevent development.

Ministerial Duty Roster (Summer)

Mr. Syms: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish the daily ministerial duty roster for his Department during the summer adjournment. [133059]

Ms Beverley Hughes: As is the case throughout the year there will be a Minister on duty at all times over the summer.

Private Finance Initiative

Mr. Alan Williams: To ask the Secretary of State for the Environment, Transport and the Regions in how many of his Department's PFI contracts KPMG has been an adviser. [132868]

Ms Beverley Hughes: KPMG has acted as financial adviser only to the Highways Agency's A13 Thames Gateway Design Build Finance Operate project, signed in April this year.

Farm Woodland Management

Mr. Alan W. Williams: To ask the Secretary of State for the Environment, Transport and the Regions if he will assess the possibility of establishing an intermediary organisation to administer and encourage farm woodland management as a carbon sink to offset the climate change levy for energy-intensive manufacturing companies. [131272]

Mr. Meacher: The Government are already committed to the establishment and sustainable management of woodland for a wide range of public benefits. Advice and grant aid is provided through the Forestry Commission's Woodland Grant Scheme and the Agriculture Department's Farm Woodland Premium Scheme.

Government have already stated that—subject to certain restrictions—companies with emission targets under the climate change levy agreements will be able to use traded emission credits to meet their obligations. This is likely to work through the wider UK Emissions Trading Scheme, under which trades are expected to take place from April next year, alongside the launch of the levy. Under the trading scheme there will be scope for creation of emission credits by projects which reduce greenhouse gas emissions. However, the Government are taking a cautious view on the inclusion of forestry projects in the scheme. There are concerns about the security and permanence of carbon fixed in this way, as well as monitoring and verification issues, that will need to be addressed before such projects can be permitted.

The climate change levy is designed to be revenue neutral for the private sector and, moreover, expected to be broadly neutral between manufacturing and services.

Regional Development Agencies

Ms Atherton: To ask the Secretary of State for the Environment, Transport and the Regions if the Regional Development Agencies have prepared annual accounts and reports for 1999–2000; and if he will make a statement. [133601]

Ms Beverley Hughes: The Regional Development Agencies' annual reports and accounts for 1999–2000 have been published today. Copies have been placed in the Library. These cover the period from 1 April 1999 through to 31 March 2000. The Government welcome the continued progress made by Agencies and their commitment to improving the economic regeneration, skills and competitiveness of the regions. The Agencies are producing real benefits for their regions.

Hedges

Mr. Jenkins: To ask the Secretary of State for the Environment, Transport and the Regions when he will report on the responses to the consultation paper on high hedges. [133610]

Mr. Mullin: We intend to publish the results from my Department's consultation on possible solutions to the problems caused by high garden hedges, and our decision on the way forward on this issue, during August. I will write to hon. Members with further information when the announcement is made.

Aerodromes and Navigation Facilities

Mr. Paul Clark: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has for changes in the arrangements for safeguarding aerodromes and navigation facilities. [133613]

Mr. Mullin: The safeguarding of certain aerodromes and navigation facilities is a process under which local planning authorities are directed to consult the Civil Aviation Authority (CAA) on development proposals which may have consequences for the safe operation of those aerodromes or navigation facilities. The CAA has no powers to prevent development, but where it considers that a proposed development would affect protected airspace it can advise against it. Planning authorities are obliged to take such advice into account in making their decisions.

We consider that it would be more appropriate that those aerodromes which are currently safeguarded by the CAA should be safeguarded by the aerodrome operators themselves. Navigation aids which are provided for aerodrome navigation purposes should also be safeguarded by the aerodrome operator. The CAA will provide full training in this task and, as part of its responsibility for aerodrome licensing, will audit and oversee aerodrome operators' performance of the task.

Where a technical site is owned and operated by NATS, NATS should safeguard the facilities, subject to monitoring by the Authority as part of its regulatory assessment process.

We shall be consulting local government and others concerned about the revision of the departmental circular and the statutory direction. Meanwhile, when a local planning authority consults the CAA about a planning application arising within a safeguarded area, the CAA will obtain the views of the relevant aerodrome on that application and, if it agrees with their views, forward them to the relevant planning authority with an indication of its support for them.

Compulsory Purchase

Mrs. Organ: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to publish the recommendations of the advisory group set up to undertake a Fundamental Review of Compulsory Purchase Laws, Procedures and Compensation and the results of the associated research into the operation of the Crichel Down rules. [133614]

Mr. Raynsford: I am pleased to be able to announce that my Department has today published two reports. The first sets out the final recommendations of the advisory group set up in June 1998 to undertake a Fundamental Review of Compulsory Purchase Laws, Procedures and Compensation. The second sets out the findings of Gerald Eve and the University of Reading on the operation of the Crichel Down rules. Copies of both documents have been placed in the Library of the House.

We are publishing the findings of the advisory group in order to give interested parties an opportunity to comment before we in Government prepare our own response. The response will also take into account the many views which we have already received, including those from the Urban Task Force, on ways in which the compulsory purchase system might be improved. It is unlikely that any compulsory purchase arrangements could please everyone, but I welcome this opportunity for debate both to help clarify key concerns and to indicate the level of consensus likely to be achievable.

The advisory group have said that they consider that the current compulsory purchase arrangements are basically sound. However, they have identified a number of ways in which the existing procedures could be speeded up and the compensation provisions made simpler, more equitable and quicker to apply.

They also explored the scope for using existing compulsory purchase powers for regeneration purposes. The group concluded that, although local authorities could make greater use of their existing powers than most of them currently seem prepared to do, there would be advantage in clarifying the position by making an appropriate specific statutory provision.

The group found no justification for making any additional blanket payments over and above market value to compensate for the compulsory purchase of all properties, but they do suggest a proposal for "business-loss" payments aimed at small businesses and payable on a similar basis to the current "home-loss" payments. They also propose a power for those whose property is being compulsorily acquired which would enable them to serve the equivalent of a "notice to treat" on the acquiring authority; and one of their suggestions is that acquiring authorities should have explicit powers to ensure that, in tightly defined circumstances in areas

where local collapses in the property market have resulted in very low open market values, owner-occupiers can be provided with adequate replacement housing.

Turning to the operation of the Crichel Down rules, the Government acknowledge the shortcomings which the researchers have identified. They have confirmed the suspicions, which led to the commissioning of the research, that the current arrangements are not working well and, again, we need to establish a dialogue. We therefore invite views not only on the detailed operation of the rules but also on such fundamental concepts as the purpose of the rules, whether they are needed at all and, if so, whether they should be statutory and to which bodies they should apply.

We look forward to receiving views on the two reports. All comments received by my Department by Friday 13 October 2000 will be taken into account in preparing the Government's response. That will represent the second stage of the Fundamental Review and, as a third stage, we will then consult formally on those proposals.

Thames Ditton Lawn Tennis Club

Mr. Casale: To ask the Secretary of State for the Environment, Transport and the Regions what action he proposes to take following the court's decision in the Thames Ditton Lawn Tennis Club case. [133615]

Mr. Raynsford: My Department has today issued a consultation paper inviting views on whether to introduce controls over the demolition of sports buildings. The paper proposes that a planning application should in future be required for the demolition of buildings used for sporting purposes and for essential ancillary purposes, where no planning permission exists for the redevelopment of the site.

The proposals issued today are designed to safeguard local sports facilities. This small but important measure further underlines the Government's commitment to creating sporting opportunities for everyone, as set out in our sports strategy "A Sporting Future for All", which was issued jointly by the Department for Culture, Media and Sport and the Department for Education and Employment in April 2000.

The consultation paper is being sent to a wide range of planning and sports bodies. Comments are requested by 27 October 2000. Copies of the consultation paper have been placed in the Library.

Planning Inspector's Annual Report

Angela Smith: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to publish the Planning Inspector's annual report and accounts for 1999–2000. [133616]

Mr. Raynsford: PINS has a key role to play in taking forward our modernising planning agenda. I am therefore very pleased to say that the Inspectorate has met all but one of the targets set for its work in England. Its annual report for 1999–2000, which is published today, shows that its performance delivered an improvement upon the timeliness targets for handling planning appeals. It has maintained the high standard for development plan inquiries, thereby helping to create a greater certainty for all involved in the planning process as more areas are covered by up to date development plans.

The agency continues to meet its 3 per cent. efficiency target. On-going investment in staff development and IT systems have improved performance and service to customers. The Inspectorate's website was re-launched in March and now covers a wide range of information to assist users of the planning system. Surveys show that the Inspectorate's handling of appeals and its decisions are widely respected. Its quality target was not just met but exceeded.

Copies of the annual report have been placed in the Library.

Supporting People Programme

Mr. Prosser: To ask the Secretary of State for the Environment, Transport and the Regions when he will make further information available on the structure and resourcing of the Supporting People programme. [133617]

Mr. Raynsford: I will on Monday publish a further consultation paper on the Supporting People programme. This paper, "Decision Making and Working Arrangements", is published jointly by my Department, the Department of Health, and the Home Office, and sets out our proposals on how the scheme should work, following discussions with the consultative groups who are helping develop the detail of the scheme.

The paper sets out:

The need to provide clear guidance to those authorities who are inexperienced in managing supported housing, in order to prevent undermining the existing good quality services;

The need to involve the expert authorities and practitioners in the development of this guidance;

That the Supporting People strategy will have to be agreed by a partnership group including Health, Probation, and in a county, all the districts, and that the county will be responsible for managing this process in two-tier authorities. Elected Members will approve the strategy;

That sheltered housing tenants, and other tenants in long stay supported accommodation, have a legitimate expectation of security of tenure and continuity of support services;

That administrative arrangements are very important. We propose a common system of information be held, and are exploring what IT support may be appropriate;

A schematic project plan which authorities should use to drive the programme forward.

We are seeking responses to this paper by 15 October 2000.

I am also pleased to say that we will be providing £140 million of revenue funding over three years to enable authorities to implement the Supporting People programme. We are talking to the LGA and their partners about the detail of how these funds will be distributed, but intend to invite authorities to set out their first year preparation plans as a trigger for the first payments. The table sets out the funding for each of the next three years.

£ million

Year	*Amount*
2001–02	20
2002–03	55
2003–04	78

London Underground

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish details of London Underground Limited's performance in 1999–2000. [133692]

Mr. Hill: The table shows a comparison of London Underground Limited's performance in 1999–2000 with that in 1998–99. It also shows the performance targets that London Underground have been set to achieve by the end of 2000–01.

	1998–99	*1999–2000*	*2000–01*
Capacity (train kms run)	61.2	63.1	67.3
Reliability (unweighted excess journey time in minutes)	3.15	3.21	3.02
Customer satisfaction measures (average scores out of 100)			
Train service	75	75	77
Information	77	77	77
Customer safety and security	81	81	83
Staff helpfulness and availability	68	70	70
Cleanliness	67	68	69

[1] 2000–01 target.
[2] Ten per cent. increase on 1998–99 performance.
[3] Four per cent. improvement on 1998–99 level.

National Bus Company Pensioners

Ms Rosie Winterton: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 21 July 2000, *Official Report*, column 357W, if he will make a statement on the outcome of the court hearing on further interim payments to National Bus Company pensioners. [133761]

Mr. Hill: I am pleased to be able to say that I have been informed by the National Bus Company pension trustees that the hearing cleared the way for them to make tax-free interim lump sum payments to some 8,500 pensioners who were members of the BEST pension scheme and who began receiving a Standard Life pension after April 1986. This is of course in addition to the other interim payments referred to in my earlier answer.

The trustees will be making these payments as soon as possible.

Social Exclusion Unit

Mr. Fabian Hamilton: To ask the Secretary of State for the Environment, Transport and the Regions what research the Social Exclusion Unit has undertaken on the views of people living in deprived areas towards public services. [133775]

Ms Armstrong: Earlier this year, as part of its work on developing the National Strategy for Neighbourhood Renewal, the Social Exclusion Unit commissioned MORI to re-analyse the first wave of People's Panel data in order to assess attitudes to various services held by people living in deprived and non-deprived areas. This report will be published through the next People's Panel newsletter, which is due to be issued at the end of August/beginning of September. At the same time, copies of the summary of the report will also be put on to the People's Panel website and full copies of the report will be placed in the Libraries in both Houses.

Local Government Procurement

Mr. Terry Davis: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to strengthen local government's capacity to develop modern procurement practices. [133777]

Ms Armstrong: I have today announced the establishment of a joint DETR/Local Government Association taskforce to review commissioning and procurement in local government in the light of the requirements of Best Value.

The taskforce will be chaired by Sir Ian Byatt, who is retiring this month as Director General of Water Services; the vice-chair will be Sarah Wood, Director of Finance at Birmingham City Council.

The review will cover the procurement of goods, works and services. It will address directly the role of modern procurement practice in delivering best value. It is expected to recommend practical measures which local authorities can take to secure real benefits to local people from efficient and effective procurement.

The review will consider ways of giving effect to the Government's objectives on electronic and green procurement. It will also take into account the findings of the Gershon review of civil procurement in central government, the second Bates review of PPP/PFI, the Construction Industry Taskforce report "Rethinking Construction" and the work of the Public Sector Productivity Panel.

The taskforce is expected to start work in September and will publish a report and recommendations next spring. In October, the chairman will set out the taskforce's full membership, its working methods and the procedure for making written submissions.

Nuclear Research

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what research has been commissioned by the Environment Agency, in the context of its current review of authorisations of Sellafield discharges, into *(a)* the use of Magnox fuel in Magnox reactors, *(b)* the construction of a new head-end plant at Thorp and *(c)* dry storage technologies. [117164]

Mr. Meacher *[holding answer 11 April 2000]:* I understand that the Environment Agency has not commissioned research into the use of Magnox fuel in Magnox reactors or into dry storage techniques. However as part of the current Sellafield review, the agency is requiring BNFL to asses whether it would be practicable to modify the Thermal Oxide Reprocessing Plan (THORP) to enable it to reprocess spent Magnox fuel.

GM Crops

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions what data has been collected from the field trials of genetically-modified crops in respect of *(a)* cross pollination with (i) non-GM crops and (ii) wild flora, *(b)* distance measurements of GM drift, *(c)* impact upon insect life within test and adjacent sites and *(d)* sub-spoil impact assessments; and in what form the data is available for scrutiny. [119112]

Mr. Meacher: The information is as follows:

(i) My Department, through a research contract with the National Institute of Agricultural Botany, has been monitoring field trials of GM herbicide tolerant oil seed rape for cross pollination with neighbouring crops and wild relatives since 1995. Last year the two fields of spring sown rape grown as part of the farm scale evaluations were included in this study. Some of the results from earlier years have already been published in scientific journals and a full report will be published later this year.

(ii) GM pollen drift is being measured between both the GM and non-GM sides of the fields of rape and maize in the farm scale evaluations and fields of these crops growing within a 1000 metre radius of the GM crop. In addition since 1993 all the sites at which research trials of GM crops have been grown and their immediate environs have been checked in subsequent years for 'GM volunteers'. Reports of this monitoring are available on the public register held in the Department.

(iii) and (iv) Data in respect of impact on insect life and the sub-soil are being collected during the farm scale evaluations. The data will be reviewed by the Scientific Steering Committee overseeing the evaluations and submitted for publication as soon as possible in peer reviewed scientific journals. The research consortium has already published two reports on progress with the evaluations and more will follow at six-monthly intervals.

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to publish the first results, including interim data, from the farm-scale evaluations of GM crops under way in the UK. [120719]

Mr. Meacher *[holding answer 3 May 2000]:* The design of the farm scale evaluations requires data to be collected over a three-year period to give a big enough sample size to allow statistically valid conclusions to be drawn. The Scientific Steering Committee therefore takes the view that it is unlikely that sufficient data will be available for scientifically reliable results to be published until late 2002 for the spring sown crops and late 2003 for the autumn sown crops.

The Scientific Steering Committee and the research contractors have agreed that reports on progress with the evaluations should be prepared and published at six-monthly intervals. Two interim reports have already been agreed by the committee and published by the research consortium. A further report on progress with the evaluations will be published in late 2000. This will include analysis and assessment of the study protocols and the validity of data obtained this year.

The research consortium will also shortly be submitting for publication in a scientific journal information on the design of the evaluations including the statistical power to detect potential differences.

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions if he has *(a)* been, and *(b)* asked to be, informed of the locations in the United Kingdom where Advanta Seeds UK's conventional rapeseed sown in 1999 and 2000 contained genetically modified rapeseed; and if he will place copies of written information in his possession on such locations in the Library. [126172]

Mr. Meacher *[holding answer 15 June 2000]:* The presence of the GM seed was not discovered until this year and therefore no action has been taken to find out where it was sown in 1999.

Officials from the Ministry of Agriculture, Fisheries and Food have written to all farmers who have sown the relevant Hyola varieties this year, to clarify the subsidy position and inform them that if they received seed from the specific batches that were affected, their crops must not be marketed in the EU.

Advanta have put in place their own arrangements to identify and compensate farmers and the Government's inspectors, the Central Science Laboratory (CSL), will audit these arrangements to ensure that none of the affected oil seed rape enters the food chain.

In light of these measures, and in light of the advice that the growing of these seeds does not pose a threat to human health or the environment, I have not been, or asked to be, informed of the exact locations where the affected Advanta seeds were sown.

Byker Heat Station, Newcastle

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library the annual approved discharge limit and the annual actual known discharge limit of dioxins from the Byker Heat Station, Newcastle for each year since 1985. [125139]

Mr. Hill *[holding answer 12 June 2000]:* The plant was not authorised under the Environmental Protection Act 1990 until March 1993 and annual returns were not required by the authorisation until March 1994.

The Annual Mass Emission Limit for dioxins has remained at 30g since that first authorisation. The actual reported discharges of dioxins against this limit were:

April 1993-March 1994: 0.147g

April 1994-March 1995: 0.1g

April 1995-March 1996: 0.117g

April 1996-March 1997: 0.131g

January 1997-December 1998: 0.0955g

January 1999-December 1999: 0.016g.

The Annual Mass Emission Limit appears higher than needed. However, in practice this limit is not used for day to day regulation of the authorised process by the Environment Agency. In line with current Agency guidance (S2 5.01 on Waste Incineration), the process is controlled and limited by reference to the concentration of dioxins released to the air. The authorisation sets an emission concentration of 1.0 ng/m^3 TEQ (Toxic Equivalent), which is a far tighter control parameter than is implied by the 30g mass limit. Tests on the plant in the years 1994 to 1999 have shown concentrations between 0.22 and 0.76 ng/m^3.

The Environment Agency is considering the introduction of a 0.1 ng/m^3 limit which could be considered to be BATNEEC (Best Available Technique Not Entailing Excessive Cost) for existing incinerators, and could therefore be achieved under existing legislation. The Environment Agency also advise that they will in future authorisations for industrial plant reduce the limit in the authorisation to 0.1ng/m^3, in line with the proposed EC Waste Incineration Directive and their current guidance on new plant.

Admiralty Arch

Mr. Robathan: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will list the fixtures and fittings ordered for his residence in Admiralty Arch since May 1997, with particular reference to carpets; and if he will estimate the cost of them; [129361]

(2) what refurbishment work *(a)* is under-way and *(b)* has been completed in the flat which he occupies in Admiralty Arch; and what is his estimate of the costs of such work since May 1997. [129360]

Ms Beverley Hughes: The flat occupied by the Deputy Prime Minister at Admiralty House was completely renovated and refurbished in 1997 and partly recarpeted this year. The total cost was £99,936 of which £11,139 + VAT was for carpets.

M11 Link Road

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions if he will provide a detailed breakdown of the final cost of the M11 Link Road, separately identifying each consultant's fees relating to the M11 Link Road and indicating the purpose for which these were paid. [131687]

Mr. Hill: Responsibility for this scheme, together with the relevant papers, passed to Transport for London on 3 July.

This is a matter for Transport for London to decide on as the contracts and the consultant's duties are continuing. Until the final accounts for the main works contracts have been settled and the consultant's duties have been completed, it is not possible to give the final cost of fees. It would prejudice the ability to negotiate settlement of contracts if a detailed breakdown of estimated final cost is provided before the negotiations are complete. A detailed breakdown will be available when the final cost of the A12 Hackney to M11 Link Road is known.

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions what the basis was for calculating the £15 million estimate for local compensation in relation to the M11 Link Road. [131688]

Mr. Hill: The estimate was made by the Highways Agency's professional adviser using the best information on land and property values available at the time. Responsibility for this scheme, together with the relevant papers, passed to Transport for London on 3 July.

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions what measures his Department has taken to ensure that there has not been unreasonable profit-taking in the last 12 months of contracts for the M11 Link Road; and if he will make a statement. [131689]

Mr. Hill: Under the Institute of Civil Engineers (ICE) Conditions of Contracts used on this scheme, the value of the works is determined by an independent engineer, not by the contractor. The Highways Agency's quantity Surveyor makes regular visits to the site offices to ensure the works are being valued in accordance with the contract. Responsibility for this scheme, together with the relevant papers passed to Transport for London on 3 July.

Paint (Volatile Solvents)

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of potential health hazards arising from paints containing a high amount of volatile solvents; and if he will make a statement. [131685]

Mr. Meacher: High exposures to any number of solvents can be damaging to health. Most hazardous solvents used at work, including paints, have specific occupational exposure limits set after detailed scientific reviews of their health effects. Employers using any hazardous solvent must follow the requirements of the Control of Substances Hazardous to Health Regulations 1999.

The safety of chemical products, including paint, sold to the general public or used at work is regulated by the Chemicals (Hazard Information and Packaging for Supply) Regulations 1994 which require, among other things, that product manufacturers must assess a product for its health effects (for example, toxicity, irritancy). If dangerous, the product must then be labelled with a warning symbol and with phrases indicating the dangers. The particular chemical(s) which causes the product to be classified must also be named on the label.

The regulations require that all potentially dangerous chemicals supplied to the general public must be in packaging which is properly labelled and contains warning about the potential hazards and giving brief advice on suitable precautions. Manufacturers would also, if relevant, be required to give details of how to use the product safely. Chemicals used at work must be supplied with a safety data sheet.

Green Ministers

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer to the hon. Member for Elmet of 13 July 2000, *Official Report*, columns 631–32W, for what reasons *(a)* the Treasury, Home Office and Department of Social Security were not represented by Ministers at the Green Ministers Meeting and *(b)* the Cabinet Office, Prime Minister's Office, Department for Education and Employment, Wales Office, Scotland Office, Northern Ireland Office and Ministry of Defence were not represented at the meeting. [132016]

Mr. Meacher: Green Ministers from Treasury, Department of Social Security, Cabinet Office, Department for Education and Employment and Ministry of Defence were engaged on official business elsewhere. The Green Minister for the Home Office had an unavoidable private engagement. All but the Department for Education and Employment and Ministry of Defence were represented by officials. The Wales Office, Scotland Office, Northern Ireland Office and Prime Minister's Office receive papers for meetings but only attend on an ad hoc basis.

Brownfield Land

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions how many hectares of contaminated brownfield land were identified in the UK in *(a)* 1970, *(b)* 1980, *(c)* 1990 and *(d)* 2000. [132106]

Mr. Mullin: Estimates of the amount of contaminated land are not available. The amounts of derelict land in England were recorded in the Derelict Land Surveys. These defined derelict land 'land so damaged by industrial or other developments that is incapable of beneficial use without treatment.' Not all derelict land is necessarily contaminated.

The Derelict Land Surveys show that the area of derelict land in England amounted to 43,273 hectares in 1974, 45,683 hectares in 1982, 40,500 hectares in 1998 and 39,600 hectares in 1993.

The National Land Use Database provides 1998 estimates for England of all previously developed land that is unused or may be available for redevelopment. The total of 57,710 hectares includes some 19,340 hectares of derelict land. This figure is lower than the 1993 estimate partly because of reclamation and partly due to the exclusion of some derelict land that has blended back into the natural landscape and was considered to have limited development potential.

Sellafield

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the cost and effectiveness of *(a)* retrofitting dry store facilities to magnox reactors and *(b)* using dry store canisters, in his consideration of the closure process for the magnox reprocessing line at Sellafield. [130871]

Mr. Meacher *[holding answer 24 July 2000]:* I refer my hon. Friend to the answer given by my right hon. Friend the Minister for Energy and Competitiveness in Europe on 25 July 2000, *Official Report*, column 518W.

Post Offices

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what discretion the DVLA has in respect of authorising post offices to issue motor vehicle licences; and if he will make a statement. [132416]

Mr. Hill: DVLA's contract with Post Office Network Banking (PONB) requires a 4,000 strong network of motor vehicle licence issuing offices throughout the country. DVLA does not select or authorise the individual offices, that is the responsibility of PONB. DVLA does not have the necessary knowledge of the various catchment areas and characteristics of individual post offices to assess potential demand.

Road System

Mr. Hunter: To ask the Secretary of State for the Environment, Transport and the Regions if it is his policy to use quieter surfacing when resurfacing the M3 between junctions five and seven becomes necessary. [132344]

Mr. Hill *[holding answer 24 July 2000]:* Our 10 year strategy for transport, Transport 2010—The 10 Year Plan, has been published and sets out proposals for dealing with road noise, including the provision of quieter surfaces on over 60 per cent. of the network, including all concrete surfaces.

I have asked the Highways Agency to draw up a programme for all such trunk roads for agreement. Junctions five to seven of the M3 will be included in this programme.

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many bypasses will be constructed during the course of the Transport 2010 10 year plan within *(a)* the strategic road network and *(b)* other routes; and if he will make a statement; [132507]

(2) what public funding will be available for the construction of bypasses outside the strategic road network in the next 10 years. [132508]

Mr. Hill: The Secretary of State announced last Thursday our 10 year plan, Transport 2010, setting out the resources to be made available to fund our integrated transport policies. Included in the plan is funding which will allow 30 bypasses on the core network, at a cost of around £600 million, and over 70 bypasses on the local road network to be built over the 10-year period. Specific schemes will need to be brought forward through the regional planning system in the case of trunk roads or the local transport plan system in the case of local roads. Schemes will also have to be appraised using the New Approach to Appraisal.

Mr. Luff: To ask the Secretary of State for the Environment, Transport and the Regions if he will instruct the Highways Agency to resurface the A46 at Harvington, Worcestershire, with a low-noise road surface. [131835]

Mr. Hill: Our ten year strategy for transport, "Transport 2010—The 10 Year Plan", has been published and sets out proposals for dealing with road noise, including the provision of quieter surfaces on over 60 per cent. of the network, including all concrete surfaces.

I have asked the Highways Agency to draw up a programme for all such trunk roads for agreement. The A46 at Harvington will be included in this programme.

Mr. Luff: To ask the Secretary of State for the Environment, Transport and the Regions if he will instruct the Highways Agency to resurface the M5 at Whittington, Worcestershire, with a low-noise road surface. [131834]

Mr. Hill *[holding answer 25 July 2000]:* Our ten year strategy for transport, "Transport 2010—The 10 Year Plan", has been published and sets out proposals for dealing with road noise, including the provision of quieter surfaces on over 60 per cent. of the network, including all concrete surfaces.

I have asked the Highways Agency to draw up a programme for all such trunk roads for agreement. The M5 at Whittington will be included in this programme.

Mr. McLoughlin: To ask the Secretary of State for the Environment, Transport and the Regions what the nature was of the test carried out on the A30 before the decision was taken to resurface it on account of noise nuisance; and how much the resurfacing work will cost. [132650]

Mr. Hill *[holding answer 25 July 2000]:* The tests comprised a period of continuous noise monitoring at six

locations agreed with the "Resurface the A30" Campaign Group, in order to compare the actual noise levels with those predicted at the Public Inquiry into the scheme.

Our 10-year strategy for transport, "Transport 2010—The 10 Year Plan", has been published and sets out proposals for dealing with road noise, including the provision of quieter surfaces on over 60 per cent. of the network, including all concrete surfaces.

I have asked the Highways Agency to draw up a programme for all such trunk roads for agreement. The A30 Honiton to Exeter Improvement will be included in this programme.

Mr. McLoughlin: To ask the Secretary of State for the Environment, Transport and the Regions if he will carry out noise tests on the A50 at Doveridge, Derbyshire; what estimate he has made of the cost of resurfacing that section of the road; and if he will instruct the Highways Agency to carry out this work. [132651]

Mr. Hill *[holding answer 25 July 2000]:* As part of the 10-year Plan for Transport announced last week, we will resurface all concrete-surfaced trunk roads with quieter materials.

I have asked the Highways Agency to draw up a programme for all such trunk roads for agreement. The A50 at Doveridge will be included in this programme. No detailed estimate of the cost of resurfacing the A50 at Doveridge exists.

Millennium Dome

Mr. Paul Clark: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to announce the winning bid for the future of the Millennium Dome at Greenwich. [133774]

Mr. David Taylor: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to announce the winning bid for the future use of the Millennium Dome at Greenwich. [133776]

Ms Armstrong: Dome Europe has won the competition to take over the Dome when the Millennium Experience ends on 31 December. We believe their proposals will deliver a high quality, innovative and economically sustainable long-term future for the Dome, of which the people of Greenwich and the United Kingdom can be proud.

The proposals will build on the remarkable achievements in constructing the Dome and delivering the Millennium Experience this year. Provision of a world-class visitor attraction will continue, and will benefit from Dome Europe's investment of around £400 million in the core Dome site over the next five years.

In supporting the Dome's transition from the current Millennium Experience to another major visitor destination, Dome Europe is proposing to create an urban entertainment resort, through a combination of uses inside the Dome and on adjacent land. The latter will include hotels, a convention centre, commercial leisure, restaurants, residential units, offices, retail and community facilities. While the proposals are all subject to the granting of planning permission, and much work remains to be done to complete the sale of the site, we are confident that Dome Europe's proposals will deliver an exciting contribution to the continued regeneration of the Greenwich Peninsula.

We have further decided that of the overall consideration for the sale of the Millennium Dome (details of which must remain commercially confidential at this stage), some £53 million should be paid to the New Millennium Experience Company from total expected early payments from the competition of £105 million. There is also provision for additional payment for land value in certain circumstances and a share of profits if and when the business changes hands. The remainder of this total amount, after meeting third party commitments, will go to English Partnerships. In reaching this view we took account of the benefits to the Greenwich Peninsula and the Thames Gateway in terms of continuity of jobs and assured future private investment in the site, building on the substantial public investment already made—more than one billion pounds—towards major environmental, transport and other improvements on the Peninsula.

AGRICULTURE, FISHERIES AND FOOD

Wild Salmon

12. **Mr. Cousins:** To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to protect wild salmon from the consequences of salmon farming. [131275]

Mr. Morley: In the UK salmon farming takes place almost entirely in Scotland. There is no evidence that it is adversely affecting salmon stocks of English origin.

Pig Industry

13. **Mr. David Taylor:** To ask the Minister of Agriculture, Fisheries and Food when he plans to open the pig industry restructuring scheme to applicants. [131276]

Ms Quin: As I have said previously, the outgoers element of the pig industry restructuring scheme will be opened to applicants immediately following European Commission clearance of the scheme.

19. **Miss McIntosh:** To ask the Minister of Agriculture, Fisheries and Food what recent discussions he has had with the European Commission about state aids for pig farmers. [131282]

Ms Quin: Ministers and officials in MAFF have frequent formal and informal meetings with European Commissioners and Commission staff. The Pig Industry Restructuring Scheme and the welfare linked pigmeat promotion campaign, both UK state aids in the pig sector, have featured prominently in recent discussions.

Beef Ban

14. **Mr. Hoyle:** To ask the Minister of Agriculture, Fisheries and Food how many countries have lifted bans on British beef since 1 May 1997. [131277]

Ms Quin: The critical date is 1 August 1999 when the EU ban on the export of British beef was lifted for beef produced under the Date-based Export Scheme. Since then 26 countries have informed us that they have lifted their import bans. We have ascertained that a total of 81 countries do not have import bans.

Fur Farming (Prohibition) Bill

15. **Mr. Crausby:** To ask the Minister of Agriculture, Fisheries and Food what representations he has received concerning the Fur Farming (Prohibition) Bill. [131278]

Mr. Morley: In excess of 3,000 representations have been received about the Bill. All but a few have been from members of the public and animal welfare organisations supporting the banning of fur farming.

Bovine TB

16. **Mrs. Organ:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the report of the independent Husbandry Panel on TB and cattle husbandry. [131279]

Ms Quin: We welcome the report of the independent Husbandry Panel on TB and cattle husbandry which was published on 16 May and we are considering its findings in consultation with the Independent Scientific Group on Cattle TB, the TB Forum and other interested parties.

Mr. Andrew George: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the co-operation among *(a)* farmers and *(b)* others in the proactive cull sites in the MAFF bovine TB trial areas with those carrying out the trials. [131762]

Ms Quin *[holding answer 24 July 2000]:* Co-operation by farmers and landowners with the badger culling trial is very good and participation is in excess of 80 per cent. of those approached to participate. There has been some interference with the trial by protesters, which we deplore. The trial design allows for these factors and the Independent Scientific Group overseeing the trial has advised that it remains on course to produce valid conclusions about whether and in what circumstances badger culling can help reduce TB in cattle.

Mr. Andrew George: To ask the Minister of Agriculture, Fisheries and Food how many badgers have been killed in each of the eight identified MAFF trial triplet areas so far identified in the *(a)* reactive and *(b)* proactive cull sites. [131760]

Ms Quin *[holding answer 24 July 2000]:* Culling of badgers has begun in five triplets. The data for completed operations as at 20 July 2000 is shown in the table:

	Number of badgers culled	
Triplet	*Proactive area*	*Reactive area*
Gloucester/Hereford	55	0
Devon/Cornwall	323	73
East Cornwall	246	128
North Wiltshire	602	0
West Cornwall	451	0

EU Enlargement

17. **Dr. Naysmith:** To ask the Minister of Agriculture, Fisheries and Food what recent discussions he has had with his counterparts in Central and Eastern Europe concerning the effect of enlargement of the European Union on agriculture. [131280]

Ms Quin: Since the beginning of the year, my ministerial colleagues and I have held discussions with our counterparts from Poland, Hungary, the Czech and Slovak Republics, Latvia, Bulgaria and Romania.

Organic Farming

18. **Mr. Rendel:** To ask the Minister of Agriculture, Fisheries and Food how many farmers applied in each of the last three years for grants from the Organic Farming Scheme. [131281]

Mr. Morley: The number of farmers that applied for grants under the Organic Aid Scheme in these years is as follows:

1997–98: 216

1998–99: 222

1999–2000: 3.

The Organic Farming Scheme attracted 1,214 applications between its introduction in April 1999 and its temporary suspension in November 1999.

Dairy Calves

21. **Mr. Paterson:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the situation relating to male dairy calves. [131284]

Ms Quin: The Government recognise that the market for male dairy calves is depressed. Following the ending of the CPAS, (which put an artificial floor to the male dairy calf market at the expense of beef finishers), prices have fallen and remain at a low level. However the Government are supporting a number of initiatives to try to improve the market.

Livestock Farming

22. **Mr. Gray:** To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the Government's economic objectives for livestock farming in the coming year. [131285]

Ms Quin: The Government have a strategy which focuses on helping farmers become more competitive and more sustainable in the medium and long term, while it is also providing short-term relief for those sectors which are particularly hard hit by the present economic difficulties in the agricultural sector.

Dairy Production

23. **Mr. Swayne:** To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the productive capacity of the dairy industry over the next year. [131286]

Ms Quin: The UK's milk production capacity is constrained by the milk quota system. The UK's current allocation of quota is 14.2 billion litres. Although current milk production is running at a little below the seasonal

profile, at this stage of the year there is no reason to believe that the UK production will not be close to its quota allocation, as has been the case in previous years.

Regulation (Farm Incomes and Operating Costs)

24. **Mr. Fabricant:** To ask the Minister or Agriculture, Fisheries and Food what assessment he has made of the impact of Government regulation on agriculture with respect to farm *(a)* incomes and *(b)* operating costs. [131287]

Ms Quin: All regulations affecting business costs are subject to a Regulatory Impact Assessment and these are published. Most recently, and in addition to earlier cuts, farm incomes will be saved some £30 million by the removal or freezing of charges imposed by certain regulations announced in the Action Plan for Farming. Operating costs are helped where we can save farmers' time through simplified forms and census requirements, co-ordinated inspections and the move towards electronic forms.

Dairy Regime

25. **Mr. Best:** To ask the Minister of Agriculture, Fisheries and Food what his priorities are for the next reform of the common agricultural policy dairy regime. [131288]

Ms Quin: The Government's priorities for the reform of the dairy regime are clear—we want an orderly removal of milk quotas in combination with a reduction in EU support prices to world levels. We will press the European Commission and our EU partners for this in the run up to the review of the regime in 2003.

BSE

26. **Mr. Pike:** To ask the Minister of Agriculture, Fisheries and Food what progress has been made in identifying the reason for the most recently announced BSE case. [131289]

Ms Quin: Although our investigations are not quite complete, we are unlikely to discover sufficient further information which will lead us to form a definite conclusion on the cause of infection in this case.

Investigations now indicate that the mother died suddenly on the farm in mid-November 1996 and that it was not slaughtered as a casualty in November 1996 as previously thought. The farm was a mixed dairy and pig fattening enterprise. I am still unable to rule out infection by maternal transmission or infection by accidental exposure to infected feed. In so far as the investigations can determine, the animal had not been vaccinated as a calf or exposed to organophosphates or oestrus synchronisation using pituitary extracts. There is no evidence of any other likely source of infection.

Any further significant information will, however, be published on the MAFF BSE internet site.

Fisheries Regulations

27. **Mr. Andrew George:** To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of recent industry proposals for the reform of fisheries regulations. [131290]

Mr. Morley: The Government have welcomed the document issued jointly by the National Federation of Fishermen's Organisations and Scottish Fishermen's Federation, "Zonal management: a new vision for Europe's fisheries" as a helpful and constructive contribution to the debate on how to secure an improved regional dimension to the Common Fisheries Policy (CFP). The document contains a number of useful ideas for ensuring increased involvement by fishermen and other stakeholders in fisheries management and a greater focus on issues at the regional level. It builds upon the recent experience gained with the regional consultations which underpinned the development of the Irish Sea cod recovery programme. The Government will take the industry's ideas fully into account in further developing its approach to the 2002 review of the CFP.

Dolphins

Mr. Nigel Jones: To ask the Minister of Agriculture, Fisheries and Food (1) how many dolphins have been *(a)* killed and *(b)* injured as a result of fishing in United Kingdom coastal areas in each of the last five years for which figures are available; [130375]

(2) what recent estimates he has made of the dolphin population in United Kingdom coastal areas; and what guidelines he has issued to the fisheries industry regarding dolphins and their protection. [130376]

Mr. Morley: Information on the full extent of dolphin casualties caused by fishing is not available. MAFF is funding a research programme to obtain better information on by-catch figures.

The Sea Mammal Research Unit (SMRU) estimate, on the basis of 1994 data, that there are some 75,000 Common dolphins and 12,000 White-Sided and White-Beaked dolphins in the Celtic and North Seas. No information is available for populations of Risso's or Striped dolphins in these areas or any of these species elsewhere. Estimates however indicate discrete populations of Bottlenose dolphins of up to 350 in Cardigan Bay and 130 in the Moray Firth.

Pilot projects are currently being carried out on gear modification and acoustic pingers. Following evaluation appropriate action will be taken.

Pesticides Tax

Mr. Alan Simpson: To ask the Minister of Agriculture, Fisheries and Food if he will list the *(a)* representations he has received and *(b)* meetings he has held on the proposed pesticides tax with the (i) British Agrochemicals Association, (ii) UKASTA, (iii) NOAH, (iv) the National Farmers Union, (v) Country Landowners Association and (vi) agrochemicals companies indicating which companies. [131105]

Ms Quin: MAFF Ministers meet from time to time with the organisations listed and discussions typically cover a range of issues.

The Government have received a number of representations on a possible pesticides tax and on a voluntary package of measures to reduce the environmental impact of pesticides use.

The Department of the Environment, Transport and the Regions (DETR) has just completed a period of consultation on a formal set of voluntary proposals published by the British Agrochemicals Association. DETR wished to receive the views of all interested parties on these proposals and their effectiveness in tackling the environmental impacts of pesticides use.

Animal Carcases (Disposal)

Mr. Gareth Thomas: To ask the Minister of Agriculture, Fisheries and Food if he will seek to amend European Commission proposals relating to the disposal of animal carcases on farm land. [131599]

Ms Quin: The European Commission has not yet formally presented its proposals for revising the Animal Waste Directive to the Council of Ministers and the European Parliament. However, in preliminary discussions officials have advanced the view that a complete ban on the burial of fallen stock in all circumstances would not be practicable.

Farmers' Grants (Shrewsbury and Atcham)

Mr. Paul Marsden: To ask the Minister of Agriculture, Fisheries and Food if he will list the total grants paid to farmers in Shrewsbury and Atcham for each year since 1992 for the *(a)* beef industry, *(b)* sheep industry, *(c)* pig industry, *(d)* poultry industry and *(e)* arable sector; and if he will make a statement. [131709]

Ms Quin: Information at lower than county level is available only at disproportionate cost.

Farmers (Ribble Valley)

Mr. Evans: To ask the Minister of Agriculture, Fisheries and Food if he will list the type and amount of farm aid which has been given to farmers in the Ribble Valley in each year since 1994. [131644]

Ms Quin *[holding answer 24 July 2000]:* Information at lower than county level is available only at disproportionate cost.

Mr. Evans: To ask the Minister of Agriculture, Fisheries and Food how many farm holdings there were in the Ribble Valley in each year since 1994. [131671]

Ms Quin *[holding answer 24 July 2000]:* The requested figures are provided in the following table:

Farm holdings within the Ribble Valley

	Number
1994	835
1995	802
1996	798
1997	793
1998	809
1999	812

Source:

The above data were taken from the June Agricultural and Horticultural Census and relate to main holdings only

Organic Food Standards

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food if the British Egg Industry Council will be consulted prior to the finalisation of the United Kingdom Register of Organic Food Standards standards on organic livestock products. [132639]

Mr. Morley: I understand that UKROFS has already taken into account the concerns of the British Egg Industry Council about its proposed standards, which will shortly be considered by Ministers.

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food if the British Egg Industry Council was consulted on further proposals concerning the egg industry made by the United Kingdom Register of Organic Food Standards on 30 May. [132637]

Mr. Morley: The British Egg Industry Council was included in the list of consultees whose comments were sought by UKROFS on their proposals for implementing Council Regulation (EC) 1804/1999, which were issued on 10 April. In the light of responses to the initial consultation, UKROFS subsequently consulted organic producers, through the organic inspection bodies with which they are registered, on amendments to the proposals.

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food for what reason the United Kingdom Register of Organic Food Standards has made proposals concerning organic livestock and livestock products for standards which go beyond those required by European Council Regulation 1804/1999. [132638]

Mr. Morley: UKROFS has made a limited number of such proposals, which are permitted by Council Regulation (EC) 1804/1999. In some cases UKROFS has done so in order to carry forward existing UK organic standards and in others because it believes it necessary to do so in order to maintain consumer confidence in organic standards.

Parliamentary Questions

Mr. Stunell: To ask the Minister of Agriculture, Fisheries and Food how many written parliamentary questions were tabled to his Department between 19 October 1999 and 20 April 2000 which requested information, pursuant to his previous answers. [132137]

Mr. Morley *[holding answer 24 July 2000]:* For the period in question, 35 parliamentary questions were tabled to my Department which requested information pursuant to previous answers out of a total of 1,189 questions.

Organophosphates

Mr. Curry: To ask the Minister of Agriculture, Fisheries and Food what the date was of the most recent meeting of the Veterinary Products Committee at which the availability of organophosphate sheep dips was discussed. [132450]

Ms Quin: *[Holding answer 25 July 2000]* 15 June 2000.

Edgware Flood Defence Scheme

Mr. Dismore: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on progress on the Edgware flood defence scheme. [132936]

Mr. Morley: I understand that the Environment Agency have been considering the responses to their consultation on an Environmental Statement for the Silk Stream flood alleviation scheme, and are now aiming to submit a planning application in September.

Worcester Regional Service Centre

Mr. Luff: To ask the Minister of Agriculture, Fisheries and Food how many staff will be employed at the Worcester Regional Service Centre; what functions it will continue to perform; and where it will be located. [132912]

Mr. Morley: I refer to the answer I gave to my hon. Friend the Member for Stroud (Mr. Drew) on 24 July 2000. When the changes announced in that statement are complete, I expect the total number of staff employed by my Department in Worcester to be about 160. This includes staff of the new national service which will take over functions from the Farming and Rural Conservation Agency and from Regional Service Centres, staff of the State Veterinary Service and a number of MAFF inspectors.

PFI Contracts

Mr. Alan Williams: To ask the Minister of Agriculture, Fisheries and Food in how many of his Department's PFI contracts KPMG has been an adviser. [132860]

Mr. Morley: None.

Countryside Stewardship Scheme

Dr. Strang: To ask the Minister of Agriculture, Fisheries and Food how much money has been spent to date on the Countryside Stewardship Scheme in England, broken down by *(a)* county and *(b)* region. [132301]

Mr. Morley: The table shows the total expenditure on the Countryside Stewardship Scheme by county and Government Office for the period 1996–97 to date. This covers the period during which MAFF has administered the Scheme following its transfer from the Countryside Commission. A regional breakdown of expenditure prior to 1996 is not available.

Spend (£)

Government Office/County	*1996–97*	*1997–98*	*1998–99*	*Total*
Eastern				
Bedfordshire	95,538	141,142	241,523	478,203
Cambridgeshire	243,675	269,050	331,586	844,311
Essex	179,145	241,625	293,547	714,317
Hertfordshire	102,391	123,795	167,677	393,863
Norfolk	443,087	578,575	660,320	1,681,982
Suffolk	265,403	346,243	423,396	1,035,042
Total				5,147,718
East Midlands				
Derbyshire	287,515	476,870	745,332	1,509,717
Leicestershire	184,024	243,592	400,924	828,540
Lincolnshire	255,546	317,463	420,430	993,439
Northamptonshire	207,190	312,546	385,707	905,443
Nottinghamshire	70,131	74,257	142,267	286,655
Total				4,523,794
North East				
Cleveland	79,316	94,998	94,098	268,412
Durham	169,440	355,402	381,953	906,795
Northumberland	631,595	785,485	828,826	2,245,906
Tyne and Wear	40,369	69,010	35,308	144,687
Total				3,565,800
North West				
Cheshire	175,973	240,667	313,837	730,477
Cumbria	484,708	809,589	935,023	2,229,320
Greater Manchester	54,042	88,977	94,097	237,116
Lancashire	395,188	552,981	595,487	1,543,656
Merseyside	26,474	42,999	41,054	110,527
Total				4,851,096
South East				
Berkshire	137,509	240,918	295,798	674,225
Buckinghamshire	161,415	222,016	268,728	652,159
East Sussex	326,186	407,802	596,152	1,330,140
West Sussex	159,533	182,800	214,141	556,474
Hampshire	268,436	345,980	484,933	1,099,349
Isle of Wight	98,123	99,745	120,664	318,532
Kent	323,414	436,391	566,637	1,326,442
Oxfordshire	252,979	314,663	477,454	1,045,096
Surrey	125,719	208,835	277,109	611,663
Total				7,614,080

Spend (£)

Government Office/County	*1996–97*	*1997–98*	*1998–99*	*Total*
Greater London				
Greater London	41,145	98,403	118,997	258,545
Total				258,545
South West				
Avon	149,534	192,881	234,691	577,106
Cornwall	553,357	485,880	987,557	1,936,794
Devon	616,003	881,363	1,399,623	2,896,989
Dorset	341,601	512,277	688,682	1,542,560
Gloucestershire	276,662	294,328	380,723	951,713
Isles of Scilly	0	22,653	66,357	89,010
Somerset	183,200	380,039	362,990	926,229
Wiltshire	328,307	388,622	576,395	1,293,324
Total				10,213,725
West Midlands				
Hereford and Worcestershire	160,031	354,457	503,985	1,018,473
Shropshire	133,101	242,325	316,923	692,349
Staffordshire	155,899	232,230	301,330	689,459
Warwickshire	73,438	199,174	196,373	468,985
West Midlands	20,439	27,871	32,949	81,259
Total				2,950,525
Yorkshire and The Humber				
Humberside	239,503	289,688	290,481	819,672
North Yorkshire	840,189	1,026,477	1,092,241	2,958,907
South Yorkshire	120,036	191,816	216,696	528,548
West Yorkshire	68,397	114,717	199,516	382,630
Total				4,689,757
Grand Total	10,544,906	14,559,617	18,710,517	43,815,040

The breakdown by region and county for 1999–2000 is not yet available but the total expenditure was £23.13 million allocated in broadly similar proportions to 1998–99.

Intervention Board

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food when the Intervention Board will publish its 1999–2000 annual report and accounts. [133688]

Mr. Nick Brown: The Intervention Board's 1999–2000 annual report and accounts were laid before Parliament today. Copies are available in the Library of the House. Under separate arrangements copies will also be made available in the libraries of the devolved legislatures.

GM Crops

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his oral statement of 18 May 2000, *Official Report*, column 473, concerning the absence of modified DNA from oil produced from GM oil seed rape, what assessment he has made of *(a)* whether modified DNA may be present in animal feed produced from GM oil seed rape and *(b)* the extent to which the elimination of genetically-modified DNA entails the elimination of other molecules not normally produced in conventional oil seed rape but produced in GM varieties. [124158]

Ms Stuart: I have been asked to reply.

I am advised by the Food Standards Agency that studies on DNA in various commercial materials used in animal feed indicate that DNA is totally degraded in extracted rape seed meal but is present in other rape seed products and by-products. These results are expected to read across to material derived from genetically-modified oilseed rape. When the Advisory Committee on Novel Foods and Processes carried out a rigorous safety assessment of the RT 73 GM variety, extensive compositional analysis revealed no significant differences between the GM line and its parental line. This indicates that there are no different molecules in the GM variety.

Mr. McWalter: To ask the Minister of Agriculture, Fisheries and Food what assessment his Department has made of the capacity of different forms of genetically-modified crop to render various forms of plant, and the organisms dependent on them extinct. [128696]

Mr. Meacher: I have been asked to reply.

The Advisory Committee on Releases to the Environment (ACRE) routinely assess the potential of any GMO to render a plant species and other organisms dependent on it extinct, whether through becoming more invasive, toxic to animals or through other means. To date no existing GMOs have been identified with the potential to render other species extinct. ACRE's remit has recently been extended to take into account effects of the ways that GM crops may be grown on biodiversity, compared to use of equivalent conventional crops. ACRE's work is augmented by a research programme funded by my Department.

Salvage Meat

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if salvage meat sold by his Department into the human food chain is identified as such to members of the public likely to purchase and consume it. [121413]

Ms Stuart: I have been asked to reply.

No. I am advised by the Food Standards Agency that all fresh meat produced in Great Britain for sale for human consumption is subject to full ante mortem and post mortem inspection by meat Hygiene Service inspectors. Only meat that has been passed as fit for human consumption is health marked and allowed to be marketed. These same general rules apply to "salvage meat" produced from tuberculosis reactor cattle and meat produced from cattle which may be infected with Mycobacterium bovis. However, the same rules require the total condemnation of all carcases with generalised TB infection, and in cases where evidence of TB infection is present (but infection is not generalised) the partial condemnation of affected organs or parts of the carcase is required. These requirements are based on harmonised European Commission rules.

Meat produced from cattle that have reacted positively to the tuberculin test, or from cattle which are found, at post mortem, to show signs indicative of being infected with bovine tuberculosis (M.bovis) is not therefore subject to any special labelling requirements when sold at either wholesale or retail level. The Department does not, in any case, sell "salvage meat" into the human food chain.

CABINET OFFICE

Advisory Bodies

Tony Wright: To ask the Minister for the Cabinet Office if she will list all the *(a)* task forces, *(b)* action teams, *(c)* policy reviews and *(d)* other temporary advisory bodies with external members currently in existence within her Department; and on what date each body (i) was set up and (ii) is expected to terminate. [131459]

Mr. Jim Murphy: To ask the Minister for the Cabinet Office when she will publish the six-monthly update of information on task forces, ad hoc advisory groups and reviews established since 2 May 1997. [133606]

Mr. Stringer: I have today placed in the Libraries of the House lists containing updated details about those live task forces, ad hoc advisory groups and reviews established between 2 May 1997 and 30 April 2000. The lists also contain details about those bodies that have been wound up since 1 November 1999.

Departmental Groups

Mr. Stunell: To ask the Minister for the Cabinet Office (1) if she will list each group that is responsible to her Department, with significant and plural membership from outside the Civil Service, and to which the Nolan rules on non-departmental public bodies do not apply and for each such group, if it *(a)* is a company limited by guarantee, *(b)* is a charity, *(c)* has no formal legal basis and *(d)* has some other legal basis, giving details; [131241]

(2) if she will list each group that is responsible to her Department, with significant and plural membership from outside the Civil Service, and to which the Nolan rules on non-departmental public bodies do not apply; and for each such group, if it *(a)* is a private company, *(b)* is a charity, *(c)* has no formal legal basis and *(d)* has some other legal basis, giving details. [131181]

Mr. Stringer: I refer the hon. Member to the answer I gave today to my hon. Friends the Members for Eastwood (Mr. Murphy) and for Cannock Chase (Tony Wright), *Official Report*, column 799W. None of the groups for which my Department is responsible has a formal legal basis.

Government Car and Despatch Agency

Helen Jones: To ask the Minister for the Cabinet Office what performance targets she has set for the Government Car and Despatch Agency for 2000–01. [132832]

Mr. Ian McCartney: I have set the Government Car and Despatch Agency the following key performance targets for the year.

Financial:

1. to break even on an accruals basis;
2. to maintain expenditure and receipts within voted provision.

Efficiency:

3. to increase income per pound of direct labour cost to £2.08.

Quality of Service:

4. (a) to improve customer satisfaction by 2 per cent. against the outturn of the 1999–2000 survey.

   (b) to identify and address causes of dissatisfaction.

Environmental:

5. to convert to environmentally friendly fuels 50 per cent. of the cars purchased in the year and capable of such conversion.

Devolution

Mr. Rooney: To ask the Minister for the Cabinet Office if additional guidance will be offered to show those issues for which Ministers remain responsible, following devolution to Scotland, Wales and Northern Ireland. [133607]

Marjorie Mowlam: I am today placing in the Library a Devolution Guidance Note (Number 11) on ministerial accountability after devolution, covering Scotland and Wales. The guidance note will also be made available on the Cabinet Office website www.cabinet-office.gov.uk. While the note does not supplant the devolution legislation, it is intended to offer a lay guide to the broad areas which remain the responsibility of UK Ministers, and for which they are accountable to the UK Parliament. The note will be expanded over the summer to include guidance on Northern Ireland.

Merchant Navy Day

Mr. Flynn: To ask the Minister for the Cabinet Office if she will ensure that the Red Ensign is flown from departmental buildings on Merchant Navy Day, 3 September. [132970]

Mr. Stringer: I refer my hon. Friend to the answer given today by the Under-Secretary of State for the Home Department, my hon. Friend for North Warwickshire (Mr. O'Brien).

Ministerial Duty Roster (Summer)

Mr. Luff: To ask the Minister for the Cabinet Office if she will publish the daily Ministerial Duty Roster for her Department during the summer adjournment. [133077]

Mr. Lansley: To ask the Minister for the Cabinet Office if she will publish the duty roster for her Department during the summer adjournment. [132974]

Marjorie Mowlam: It is not normal practice of Government to publish the daily Ministerial Duty Roster. This Department will ensure that it has sufficient cover through the summer recess in line with the requirements of the Ministerial Code.

Regulations

Mr. Lansley: To ask the Minister for the Cabinet Office if she will estimate the cost of regulations *(a)* introduced and *(b)* repealed since May 1997 to the (i) private and (ii) public sectors. [132773]

Mr. Stringer: Since 1998, the Government have required Departments to publish a thorough assessment of the impact of any regulatory proposal likely to impose a significant cost on business, charities or the voluntary sector. These assessments do not disaggregate the costs to the other groups affected by regulation, for example consumers and the public sector, nor are the cost savings of Deregulation Orders routinely collected. This information would be available only at disproportionate cost.

For the cost of regulation on business, I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Trade and Industry to the right hon. Member for Horsham (Mr. Maude) on 21 December 1999, *Official Report*, column 450W.

Mr. Lansley: To ask the Minister for the Cabinet Office how many sunset clauses have been included in regulations since May 1997. [132693]

Mr. Stringer: The Government always consider whether sunset clauses are appropriate when bringing forward legislation. Examples of sunset clauses that have been introduced since May 1997 include Part I of the Electronic Communications Act 2000 and the Football (Disorder) Bill. In addition, many road closure orders are limited by statute. However, information about sunset clauses is not routinely collected and would be available only at disproportionate cost.

Opinion Research

Mr. Don Foster: To ask the Minister for the Cabinet Office, pursuant to her answer of 12 July 2000, *Official Report*, column 608–10W, on opinion research, what the reasons were for withholding from disclosure the three pieces of market and opinion research. [132007]

Mr. Stringer: A report on customers' views on the Central Office of Information was withheld under exception 14 of the Code of Practice on Access to Government Information (Information supplied in confidence). Business research on the Inter Despatch Service was withheld under exception 7 (Effective management and operations of the public service).

The third report is "Communicating With Women". This is minor research into the appeal of the magazine format of the publication "Voices" and its effectiveness in reaching target audiences. It was considered of limited significance and was not deliberately withheld. However, it is now being placed in the Libraries of the House in response to the hon. Member's request.

Parliamentary Questions

Mr. Stunell: To ask the Minister for the Cabinet Office how many of the written parliamentary questions tabled to her Department between 19 October 1999 and 20 April 2000 have not received substantive answers, citing as the reason that the information is *(a)* not held centrally, *(b)* not held in the form requested and *(c)* not available. [131232]

Mr. Stringer: The written parliamentary questions tabled to the Cabinet Office between 19 October 1999 and 20 April 2000 which did not receive substantive answers because the information was:

(a) not held centrally was five;

(b) not held in the form requested was three; and

(c) not available was none.

Knowledge Network Computer System

Mr. Lansley: To ask the Minister for the Cabinet Office what her most recent estimate is of the total cost of the Knowledge Network computer system. [132687]

Marjorie Mowlam: Phase 1 of the Knowledge Network—an initial period of scoping and piloting—came to an end in July 2000. It was completed on time, on budget and cost £241,000. A report on Phase 1 will be published in the summer.

The budget for Phase 2 has not yet been agreed.

NORTHERN IRELAND

Union Flag

Mr. Donaldson: To ask the Secretary of State for Northern Ireland when he will publish regulations for the flying of the union flag on Government buildings in Northern Ireland. [132149]

Mr. Mandelson: The flying of flags on Government buildings is in the first instance a matter for the devolved administration in Northern Ireland. I would much prefer the Executive to reach a consensus view on this issue but am ready to use my powers under the Flags (Northern Ireland) Order 2000 if necessary. I have sought the views of the Executive Committee of the Northern Ireland Assembly and of the political parties in Northern Ireland about the coverage and content of any regulations. When I have received and considered the responses, I will make my own view known.

Press Releases

Mr. Lansley: To ask the Secretary of State for Northern Ireland how many press releases were issued in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* this year to date; and what the total cost of the production and issuing of these press releases was in each year. [132756]

Mr. Mandelson: The Northern Ireland Information Service issued the following numbers of press releases for

the periods as stated. Included are the total production costs in each of the years concerned:

Year	*Number of releases*	*£*
1997	1,180	33,202.74
1998	1,313	34,427.67
1999	1,055	30,323.49
2000 to date	848	21,222.46

Press Officers

Mr. Lansley: To ask the Secretary of State for Northern Ireland how many press officers were employed in his Department in *(a)* May 1997, *(b)* January 1998, *(c)* January 1999 and *(d)* January 2000; and what the total expenditure on press officers by his Department was in each of the years concerned. [132769]

Mr. Mandelson: The Secretary of State for Northern Ireland employed the following numbers of Press Offices for the periods given. Also stated are the following expenditure figures on Press Officers, by the NIO in each of the years concerned:

Year	*Number of Press Officers*	*£000*
May 1997	29	667
January 1998	32	649
January 1999	36	940
January 2000	37	985

Official Visits

Mr. Matthew Taylor: To ask the Secretary of State for Northern Ireland if he will list the visits outside Britain made by his Department's permanent secretary on official business since 1 January 1999, indicating the date and purpose of the visit in each case. [132754]

Mr. Mandelson: Since 1 January 1999 the permanent secretary of the Northern Ireland Office has made the following visits outside the United Kingdom on official business:

Date	*Visits*
18 March 1999	*Dublin*—Meeting with an official from the Irish Department of Justice
9 April 1999	*Dublin*—Meeting with officials from the Irish Department of Justice
25–28 October 1999	*USA*:
	Boston—Meetings with Irish American leaders, addressed the Kennedy School and a contemporary Irish politics class at Boston College; meeting with Boston Police Commissioner
	New York—Meetings with the Irish Consul General, the editor of the Irish Voice, the National Committee on American Foreign Policy and the Invest in Britain Bureau; delivered a lecture at Fordham University and met legal specialists, human rights groups and Irish activists
	Washington—Meetings with officials in the US Department of Justice, the US State Department of Justice, the US State Department and the FBI; meeting with the Irish Ambassador and key officials at the British Embassy dealing with Northern Ireland
23 November 1999	*Dublin*—Meeting with officials from the Irish Department of Justice and met with Her Majesty's Ambassador to Dublin
7 March 2000	*Dublin*—Meeting with Her Majesty's Ambassador to Dublin and dinner with an official from the Irish Department of Justice
14 July 2000	*Dublin*—Meeting with officials from the Irish Department of Justice

Chief Electoral Officer Report

Mr. Colman: To ask the Secretary of State for Northern Ireland if he will publish the report of the Chief Electoral Officer for 1999–2000. [133346]

Mr. Mandelson: I am pleased to announce that the annual report of the Chief Electoral Officer for the year 1999–2000 has been laid before Parliament today. Copies are available in the Library.

Firearms

Mr. McNamara: To ask the Secretary of State for Northern Ireland what the standard procedures are for removing a firearms licence following misuse of a firearm. [132657]

Mr. Ingram: The Chief Constable has advised that following clear information that a person had misused a firearm, it is police policy to seize the firearm from the person and consider the revocation of his firearm certificate.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what conditions are placed on the use of firearms by licence holders who have criminal records. [132656]

Mr. Ingram: The Chief Constable has advised that the criminal record of an applicant is, in the first instance, one of the matters taken into consideration in assessing his suitability to possess a legally held firearm. If a person with a criminal record is considered suitable to hold a firearm, no special or additional conditions are applied. Should the holder of a firearm certificate subsequently be convicted of a recordable criminal offence, then his suitability to retain a certificate will be reassessed.

Mr. McNamara: To ask the Secretary of State for Northern Ireland when Mr. Richard Monteith first applied for a licence to carry a firearm. [132655]

Mr. Ingram: The Chief Constable considers that it is not appropriate to comment publicly on such a matter.

Arms Dumps

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what estimate the security services have made of the number of arms dumps the IRA have in *(a)* Northern Ireland and *(b)* the Irish Republic. [132838]

Mr. Ingram: No official estimate is made of the number of IRA arms dumps.

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what assessment he has made of when IRA arms dumps in Northern Ireland and the Irish Republic will be inspected by the international inspectors. [132839]

Mr. Ingram: Mr. Ramaphosa and Mr. Ahtisaari have reported that they have completed their first inspection of several IRA arms dumps. It represents substantial progress and an honouring of commitments given at the beginning of May. I am confident the inspectors will report any further progress that has been made when they deem it appropriate to do so.

Merchant Navy Day

Mr. Flynn: To ask the Secretary of State for Northern Ireland if he will ensure that the Red Ensign is flown from departmental buildings on Merchant Navy Day, 3 September. [132963]

Mr. Mandelson: I refer my hon. Friend to the answers given today to the hon. Member for Lagan Valley (Mr. Donaldson) by the Parliamentary Under-Secretary of State for the Home Department.

Drumcree

Mr. McNamara: To ask the Secretary of State for Northern Ireland what his estimate is of the additional police and security costs incurred as a result of Orange Order protests against the ruling of the Parades Commission on parades at Drumcree to date this year; and what estimate he has made of *(a)* the financial loss for businesses and *(b)* the damage to persons and property. [131394]

Mr. Ingram: It is still too early to give accurate figures for the additional cost of Royal Ulster Constabulary operations during the July period. Preliminary costs resulting from all riot, arson and bomb damage, which occurred across the Province over the period 4 to 10 July 2000, have been estimated at £3.25 million.

Police Federation for Northern Ireland

Mr. McNamara: To ask the Secretary of State for Northern Ireland what the membership is *(a)* in total and *(b)* broken down by rank of the Police Federation for Northern Ireland; what subscription is paid by members; and what other sources and amounts of income are available to the Federation, including commission and payments arising from services and facilities for members from commercial and other activities. [131399]

Mr. Ingram: The Police Federation for Northern Ireland represents all police officers below the rank of Superintendent. At 31 March 2000, the total numbers in these ranks was 12,061 broken down as follows.

	Total numbers
Chief Inspector	170
Inspector	498
Sergeant	1,390
Constable	6,163
Full-Time Reserve	2,688
Part-Time Reserve	1,152

The current voluntary subscription is £6.51 per month and 11,291 officers currently subscribe. Commercial companies pay no commission on the services they provide as this is used to lower costs for members. Advertising, for example in the Police Beat magazine, does not cover the production costs of the publication. There are no other sources of income.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what plans he has to review the regulations and role of the Police Federation for Northern Ireland to require independently audited direct postal ballots for the election of the chairman and other officers of the Central Committee; and if he will require the Police Federation to circulate periodically its members with audited financial accounts and statements of its affairs. [131396]

Mr. Ingram: There are no plans to carry out such a review. Officials of the Police Federation for Northern Ireland are elected in a similar manner to those of the Federations of England, Scotland and Wales. The elections are audited by the Chief Constable and the Federation plays no part in the election procedure.

The Police (Northern Ireland) Act 1998 sets out the financial constraints placed upon the Police Association and regulation 21 of the Police Association Regulations 1991 provides for the accounts to be properly audited and published in a suitable manner (at Conference) and forwarded to the Secretary of State for Northern Ireland. Full accounts are available for inspection by any member and are also forwarded to the Chief Constable and the Police Authority for Northern Ireland.

Mr. McNamara: To ask the Secretary of State for Northern Ireland when the next election of the Police Federation for Northern Ireland will be held; and what plans he has to reform its election procedure in line with existing statutory obligations for trade unions. [131397]

Mr. Ingram: Membership elections to the Police Federation for Northern Ireland Regional Boards are held triennially. The next scheduled elections are due in January 2001. The Federation is not a trade union and its activities are strictly controlled by regulation.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what the date of the last election for the Police Federation for Northern Ireland was; how many candidates there were broken down by *(a)* category and *(b)* area; how many were returned unopposed; how many contested elections have been held; and what was the (i) actual and (ii) percentage turnout in each case. [131398]

Mr. Ingram: The last membership elections of the Police Federation for Northern Ireland Regional Boards were held on 27 and 28 January 1998. It is not possible to provide the remainder of the information requested as ballot papers are destroyed after a period of three months.

Royal Ulster Constabulary

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many full-time reserve or mobilised constables with 25 to 30 years service will be retired from the RUC without pension entitlement. [132951]

Mr. Ingram: It is impossible to say because this will depend on the RUC Chief Constable's assessment of when he decides he is in a position to phase out these groups of officers.

Ministerial Duty Roster (Summer)

Mr. John M. Taylor: To ask the Secretary of State for Northern Ireland if he will publish the daily ministerial duty roster for his Department during the summer adjournment. [133073]

Mr. Mandelson: It is not normal practice of Government to publish the daily ministerial duty roster. This Department will ensure that it has sufficient cover through the summer recess in line with the requirements of the Ministerial Code.

PRIME MINISTER

Websites

Mr. Maclennan: To ask the Prime Minister if he will list the expenditure incurred on *(a)* the setting up and *(b)* the operation of websites that are his responsibility, indicating the cases in which the expenditure has been above that budgeted; and if he will list for each website (i) the topics covered, (ii) the average number of hits in the last three months and (iii) the estimated expenditure on each website for each of the next three years. [122115]

The Prime Minister *[holding answer 18 May 2000]:* My office is directly responsible for only one internet site; the 10 Downing street internet site. The design of the site cost £55,000. A further £20,000 was needed to upgrade computer equipment within No. 10. The total start-up costs for the new site came to £75,000. Pay and running costs of £32,000 have been incurred to date during the current financial year.

The 10 Downing street internet site currently covers over 20 topics. It can be viewed at http://www.pm.gov.uk. The site has averaged 2½ million hits per week over the last three months. Estimated expenditure for the next three years is not available.

Government's Annual Reports

Mr. Evans: To ask the Prime Minister how much the difference was between sale receipts and production costs of the Government's Annual Reports in *(a)* 1997–98 and *(b)* 1998–99. [131045]

The Prime Minister *[holding answer 17 July 2000]:* Under the arrangements entered into by the previous administration when The Stationery Office was privatised, receipts from the sales of Government publications do not usually accrue to the Government but to The Stationery Office: that has been the case with all three editions of the report. Under the same arrangements, production costs are divided between the Government and The Stationery Office.

Mr. Evans: To ask the Prime Minister what estimate he has made of the cost to public funds of the Government's Annual Report 1999–2000; how many copies were printed; and how many copies he intends to give away free of charge. [131047]

The Prime Minister *[holding answer 17 July 2000]:* The budget for the Government's Annual Report 1999–2000 was £165,000, compared to £180,000 in the previous year. 49,000 copies have been printed: 39,000 for retail sale and 10,000 for the Government (mainly for internal distribution without charge within the public sector).

Mr. Evans: To ask the Prime Minister what plans he has for a Government Annual Report next year. [131044]

The Prime Minister *[holding answer 17 July 2000]:* Decisions will be announced in due course.

Mr. Evans: To ask the Prime Minister how many civil servants were involved in preparing the Government's Annual Report. [131043]

The Prime Minister *[holding answer 17 July 2000]:* The report was prepared by one civil servant; other civil servants will have dealt with the Annual Report as part of their other duties.

Mr. Evans: To ask the Prime Minister what outlets received copies of the Annual Report in advance of publication; and what profits retailers make on the sale of each copy of the Annual Report. [131046]

The Prime Minister *[holding answer 17 July 2000]:* This year's Government Annual Report was published in the same way as almost all Government priced publications. Copies were distributed in advance to the retailers under an embargo preventing further distribution or sale before the report was made available to Parliament.

The retailers included The Stationery Office and other bookstores as usual, plus Tesco and W H Smith. Profits made by the retailers are a matter for them.

Mr. Redwood: To ask the Prime Minister when the section of the Docklands Light Railway shown on page 43 of the Government's Annual Report was brought into service. [131328]

The Prime Minister *[holding answer 18 July 2000]:* The Docklands Light Railway opened in a series of sections between 1987 and 1999.

Mr. Redwood: To ask the Prime Minister when the airline shown on page 43 of the Government's Annual Report commenced services at London City Airport. [131400]

The Prime Minister *[holding answer 18 July 2000]:* CityJet started flights from London City Airport to Dublin in January 1994. Since September 1999, the route has been operated by British European Airways using aircraft leased from CityJet.

Mr. Redwood: To ask the Prime Minister when the sections of the Manchester Metrolink pictured on pages 30 and 31 of the Government's Annual Report were brought into service. [131327]

The Prime Minister: *[holding answer 18 July 2000]:* At page 31 of the Annual Report says,

"the new tram system operated by Metrolink was opened in 1992. The specific section shown is the partially-completed extension to Eccles via Salford Quays brought into operation in December 1999."

Mr. Yeo: To ask the Prime Minister what the basis was of the statement on page 15 of the Government's Annual Report concerning the impact of the Agenda 2000 reforms of the Common Agricultural Policy on the price of an average four person family's food bills. [131368]

The Prime Minister *[holding answer 18 July 2000]:* The statement is based on an assessment of likely benefits to UK consumers from the implementation of the cuts in support prices reached at the Berlin Council, of £1 billion a year or 2 per cent. of the retail food price index or 0.25 per cent. of the all items retail price index. The statement in the report contains a drafting error; it should read "annual" instead of "monthly" and "£65" instead of "£50".

Stealth Bombers

Mr. Dalyell: To ask the Prime Minister if he will make a statement on the conditions under which stealth bombers of the US Air Force are to be stationed at Fairford. [132824]

The Prime Minister: I refer my hon. Friend to the answer given by our hon. Friend the Minister for the Armed Forces on 21 July 2000, *Official Report*, column 342W, to our hon. Friend the Member for Stroud (Mr. Drew).

PRESIDENT OF THE COUNCIL

Speaker Nominations

Dr. Lynne Jones: To ask the President of the Council if she will bring forward proposals to provide for all nominations for Speaker to be considered by the House. [131418]

Mrs. Beckett: The procedure for the election of a Speaker is set out in "Erskine May", pp 237–241.

When the Procedure Committee last considered this issue (1st Report, Session 1995–96, HC386) they recommended no change to the procedure for electing the Speaker.

Merchant Navy Day

Mr. Flynn: To ask the President of the Council if she will ensure that the Red Ensign is flown from departmental buildings on Merchant Navy Day, 3 September. [132964]

Mrs. Beckett: I refer my hon. Friend to the answer given by my hon. Friend the Parliamentary Under-Secretary of State for the Home Department (Mr. O'Brien) today, *Official Report*, column 895W.

Duty Roster

Mr. Grieve: To ask the President of the Council if she will publish the daily ministerial duty roster for her Department during the summer adjournment. [133145]

Mrs. Beckett: No. It is not normal practice of Government to publish a daily ministerial duty roster. This Department will ensure that it has sufficient cover through the summer recess in line with the requirements of the Ministerial Code.

Westminster Hall

Mr. Forth: To ask the President of the Council if she will list the hon. and right hon. Members who have initiated debates in Westminster Hall since its inception, stating the number of debates initiated by each Member. [132841]

Mrs. Beckett: The information is as follows from the beginning of the Session to 26 July. It does not include Government Adjournment debates or debates on select committee reports:

	Number
Ms Diane Abbott	1
Mr. David Amess	3
Mr. Peter Atkinson	1
Mr. Norman Baker	1
Ms Jackie Ballard	2
Miss Anne Begg	1
Mr. A. J. Beith	3
Mr. Tony Benn	1
Mr. Bob Blizzard	2
Mr. Crispin Blunt	1
Sir Richard Body	1
Mr. Peter Bottomley	1
Mr. Peter Bradley	1
Mr. Graham Brady	2
Mr. Tom Brake	7
Dr. Peter Brand	2
Mr. Colin Breed	2
Mr. Desmond Browne	1
Mrs. Angela Browning	1
Ms Karen Buck	1
Mr. Paul Burstow	1
Dr. Vincent Cable	4
Mr. Alan Campbell	1
Mrs. Anne Campbell	1
Mr. William Cash	1
Mr. David Chaytor	1
Mr. Christopher Chope	1
Mr. Michael Clapham	1
Mr. Tom Clarke	2
Mr. Geoffrey Clifton-Brown	3
Mr. Vernon Coaker	1
Mr. Harry Cohen	2
Mr. Iain Coleman	1
Mr. Jeremy Corbyn	3
Mr. Jim Cousins	1
Mr. Tom Cox	3
Mr. Tam Dalyell	3
Ms Valerie Davey	1
Mr. David Davis	2
Mr. Hilton Dawson	1
Mr. Andrew Dismore	1
Mr. David Drew	4
Ms Julia Drown	1
Mr. Alan Duncan	1
Mr. Clive Efford	1
Sir Peter Emery	1
Mr. Nigel Evans	1
Mr. Michael Fabricant	2
Mr. Jim Fitzpatrick	1
Mr. Howard Flight	1
Mr. Paul Flynn	2
Mrs. Maria Fyfe	1
Mr. Barry Gardiner	2
Mr. Andrew George	1
Dr. Ian Gibson	1
Mr. Christopher Gill	1
Mrs. Teresa Gorman	1
Mr. Win Griffiths	1
Mr. Patrick Hall	1
Mr. Fabian Hamilton	1
Mr. Phil Haramond	2
Dr. Evan Harris	2
Mr. David Heath	2
Mr. Kelvin Hopkins	1
Mr. Lindsay Hoyle	2
Mr. Simon Hughes	2
Dr. Brian Iddon	1
Mr. Eric Illsley	3
Ms Helen Jackson	1
Ms Jenny Jones	1
Ms Helen Jones	1
Dr. Lynne Jones	1
Ms Sally Keeble	1
Miss Julie Kirkbride	1
Dr. Ashok Kumar	2
Dr. Stephen Ladyman	1
Mrs. Jacqui Lait	1
Mr. Edward Leigh	1

	Number
Dr. Julian Lewis	2
Mr. Peter Lilley	1
Mr. Richard Livsey	1
Mr. Tony Lloyd	1
Mr. Tim Loughton	1
Mr. Peter Luff	1
Mr. Calum Macdonald	1
Mr. Robert Maclennan	1
Mr. Denis MacShane	1
Ms Judy Mallaber	1
Mr. Michael Mates	1
Mr. John McDonnell	1
Miss Anne McIntosh	2
Mr. Patrick McLoughlin	1
Ms Gillian Merron	2
Mr. Austin Mitchell	1
Ms Laura Moffatt	1
Ms Margaret Moran	1
Ms Julie Morgan	1
Mr. George Mudie	1
Mr. Jim Murphy	1
Mr. Patrick Nicholls	2
Mr. Mark Oaten	2
Mr. Stephen O'Brien	1
Mr. Richard Page	1
Mr. David Prior	3
Mr. Bill Rammell	1
Mr. John Randall	1
Mr. David Rendel	1
Ms Joan Ruddock	1
Ms Joan Ryan	1
Mr. Martin Salter	1
Mr. Mohammed Sarwar	2
Mr. Malcolm Savidge	1
Mr. Jonathan Shaw	2
Mrs. Gillian Shephard	2
Mr. Marsha Singh	1
Mr. Llew Smith	1
Rev. Martin Smyth	2
Mrs. Caroline Spelman	1
Mr. Richard Spring	1
Dr. Phyllis Starkey	1
Mr. Anthony Steen	1
Mr. George Stevenson	1
Mr. David Stewart	1
Dr. Howard Stoate	1
Mr. Andrew Stunell	1
Mr. Desmond Swayne	1
Mr. David Taylor	1
Mr. Matthew Taylor	1
Mr. Gareth R. Thomas	1
Mr. William Thompson	2
Dr. Jenny Tonge	2
Mr. Michael Trend	1
Dr. George Turner	1
Mr. Stephen Twigg	1
Mr. Derek Twigg	1
Mr. Bill Tynan	1
Mr. Peter Viggers	1
Ms Joan Walley	1
Ms Claire Ward	1
Mr. Charles Wardle	1
Mr. Steve Webb	4
Mr. Bowen Wells	2
Mr. John Wilkinson	1
Mr. David Wilshire	1
Mr. Nicholas Winterton	1
Mr. Tony Worthington	2
Mr. Derek Wyatt	2

CULTURE, MEDIA AND SPORT

New Millennium Experience Company

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if all the design and construction contracts awarded by the New Millennium Experience Company complied with EU competition rules. [125029]

Janet Anderson *[holding answer 8 June 2000]:* The New Millennium Experience Company (NMEC) voluntarily followed EU competition rules for the key, large-scale construction and design contracts, having considered and taken on board legal advice that it was exempt from compliance.

All construction contracts to which the EU rules applied were tendered in compliance with them. Those construction contracts whose value fell under the EU threshold were competitively tendered in accordance with non-departmental public body (NDPB) procurement rules. When tendering for design services, NMEC also complied with EU competition rules or NDPB procurement rules whenever possible, however, the nature of these services meant that it was not always appropriate to do so. This was particularly the case when tendering for very specialist and/or unique goods and services, or when the timetable did not allow for a full-scale tendering process. In all cases where services were procured without competition, NMEC complied with Single Tender Action procedures.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 14 June 2000, *Official Report*, column 648W, what fees *(a)* have been paid and *(b)* are estimated to be payable to each of the accountancy firms employed by the New Millennium Experience Company. [127844]

Janet Anderson *[holding answer 26 June 2000]:* Over the lifetime of the project to date, the New Millennium Experience Company (NMEC) has paid its official auditors, Ernst & Young, a total of £1,132,923 (excluding VAT) for audit services and other operational non-audit duties. Details of these fees have been and will be included in each of NMEC's Annual Reports and Financial Statements as recommended by good accounting practice.

Under the terms of the contracts with the other accountancy firms employed by NMEC, the company is obliged to seek permission before disclosing information about terms of employment. NMEC has written to these companies seeking their agreement to the release of the information requested. Should they agree I will write to the hon. Gentleman with details and place a copy of my letter in the Library. Any future fees payable will be dependent on the nature and scope of work to be undertaken and will be negotiated accordingly.

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport what the policy of New Millennium Experience Company is in respect of the speed of payment of bills; and how much money has yet to be paid for bills submitted on or before 31 March. [128398]

Janet Anderson: *[holding answer 4 July 2000]:* It is the New Millennium Experience Company's (NMEC) policy that payments to suppliers should be made in accordance with those terms and conditions agreed

between the Company and its suppliers, provided that all trading terms and conditions have been complied with. In the period from 1 April 1999 to 31 December 1999 over 75 per cent. of invoices, by value, were paid within 30 days of invoice date.

Of those bills submitted on or before 31 March 2000, there are currently invoices to the value of approximately £1 million awaiting payment (subject to final authorisation).

Ann Clwyd: To ask the Secretary of State for Culture, Media and Sport if all *(a)* Government and *(b)* other papers relating to the New Millennium Experience will be released under the proposed Freedom of Information Act. [132547]

Janet Anderson *[holding answer 26 July 2000]:* My Department will respond to any requests for information within the spirit of the Freedom of Information Bill and, until a Freedom of Information Act comes into force, within both the letter and the spirit of the Code of Practice on Access to Government Information. We expect the Millennium Commission and the New Millennium Experience Company to do the same.

Millennium Dome

Mr. Simon Thomas: To ask the Secretary of State for Culture, Media and Sport how many tickets for the Millennium Dome have been sold from outlets in *(a)* Wales and *(b)* the UK; and if he will make a statement. [128161]

Janet Anderson: There are various ways of purchasing tickets to visit the Dome; from Lottery outlets around the country, from the Dome ticket line, from travel and tourism companies and in person at the Dome. With so many possible purchase sources it is difficult to monitor the exact number of visitors from one particular location. Since 1 January 2000, a total of 2.9 million tickets have been sold; 639,693 of which have been sold direct from Lottery outlets across the UK; 7,981 have been sold from Lottery outlets in Wales.

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport where the millennium products, on sale in the Millennium Dome, are available for purchase elsewhere. [130290]

Janet Anderson: The New Millennium Experience Company's (NMEC) Licensing programme allowed certain companies to sell approved products through their own wide-ranging distribution channels, including the main high street stores, such as WH Smith and Tesco. The Dome merchandising range is a mixture of licensed products, which were made widely available, and exclusive products, which were manufactured for sale at the Dome.

Funding (Sports Events)

Mr. Alasdair Morgan: To ask the Secretary of State for Culture, Media and Sport how much financial assistance was made available by *(a)* the National Lottery, *(b)* the English Sports Council and Sport England, *(c)* the Government, *(d)* the UK Sports Council and *(e)* other public sector bodies to assist with (i) the preparation of the bid by Manchester to host the Olympics, (ii) the preparation of the bid by Manchester to host the Commonwealth Games, (iii) the upgrading of stadiums and other facilities for the Commonwealth Games in Manchester, (iv) the running costs of the Commonwealth Games in Manchester, (v) the preparation of the bid to host the World Student Games in Sheffield in 2003, (vi) the preparation of the bid to host the World Student Games in Sheffield, (vii) the upgrading of stadiums and other facilities for the World Student Games in Sheffield and (viii) the running costs of the World Student Games in Sheffield. [131793]

Kate Hoey: Most Government money specifically allocated to sport in England is channelled through the English Sports Council (Sport England). This is an independent body sponsored by this Department which, within an overall policy framework set by the Department, dispenses these funds according to its own detailed policies and priorities.

(i) Regarding support for Manchester Olympic bids: Manchester made two unsuccessful bids for the Olympic Games for both 1996 and 2000. The bids received support from central Government in various ways, and much of the infrastructure assistance has been carried over to the Commonwealth Games. The overall cost for completing projects for the Olympic Bid 2000 programme was circa £73 million.

(ii) No funding has been made available from the sources listed for the bid for the Commonwealth Games.

(iii) Regarding the upgrading of stadiums and other facilities for the Commonwealth Games in Manchester, Sport England have made the following lottery grant: £92 million towards a total cost of £110 million for the Commonwealth Stadium and English Institute of Sport at Eastlands, Manchester, the venue for the Games athletics, cycling, squash, table tennis and rugby 7's events; £1 million to enhance facilities at Belle Vue, Manchester, to provide the venue for the Games hockey event; £6 million towards a total cost of £6.7 million, for the National Shooting Centre at Bisley, Surrey, the venue for the Games shooting events.

(iv) No funding has been made available from the sources listed to meet the running costs of the Commonwealth Games. The World Student Games in 2003 will be held in Korea and no UK bid was made for these Games. The World Student Games were held in Sheffield in 1991. The English Sports Council and National Lottery did not exist at that time. However, I can say that £3 million was made available through the Sports Council for the 1991 World Student Games.

Tourism

Mr. Paul Marsden: To ask the Secretary of State for Culture, Media and Sport what proportion of the United Kingdom's tourism earnings has benefited the Shrewsbury and Atcham constituency, or other similar area for which figures are available, in the last two years for which figures are available; and how many new jobs connected to tourism have been created in this area in each year. [131668]

Janet Anderson *[holding answer 21 July 2000]:* Official sources do not provide estimates of tourism expenditure in Shrewsbury and Atcham or any other sub-county local authority areas, due to the lack of reliability of the information at that level. Information is made available at the county level, although due to the

small sample sizes for some counties these figures should be treated with caution. Figures for tourism expenditure in the county of Shropshire for 1998 and 1999 are as follows:

£ million

	1998	1999
Expenditure by UK and overseas tourists on trips of one or more night[1]		
Shropshire	93	136
UK	25,748	27,821
Tourist spend in Shropshire as percentage of total tourist spend in UK	0.4	0.5

[1] Excludes expenditure by visitors from the Republic of Ireland

Source:

UK Tourism Survey (UK tourists)

International Passenger Survey (overseas tourists—1999 data are provisional)

It is likely that the inclusion of the spending during tourism day visits would at least double these amounts.

Information from the Annual Employment Survey shows that the number of employee jobs in the tourism-related industries in Shrewsbury and Atcham stood at 2,500 in 1996, 2,600 in 1997 and 2,900 in 1998, the last three years for which information is available. Information on self-employment in the tourism-related industries is not made available at local authority level on the grounds of reliability.

BBC Online

Miss Kirkbride: To ask the Secretary of State for Culture, Media and Sport (1) when he will begin his review of BBC Online; [132422]

(2) on what date his Department was informed of the free trials of BBC news on mobile telephony and ADSL services; [132424]

(3) if his Agreement with BBC Online permits the distribution of content free-of-charge to commercially-funded Internet portals; [132423]

(4) if he will publish his Department's 1998 Agreement with the BBC on BBC Online. [132421]

Janet Anderson: A copy of my right hon. Friend the Secretary of State's approval to the BBC's proposals for BBC Online has been placed in the Library of the House. The BBC's formal request, to which the approval referred, has not been published because it contains confidential information. In relation to future approvals of BBC proposals for new public services, reasoned decisions will be published, under the new arrangements announced on 21 February.

Details of the review of BBC Online will be announced in due course.

My right hon. Friend the Secretary of State has not been requested by the BBC to consider whether the approval given in 1998 for BBC Online permits the distribution of content free-of-charge to commercially funded internet portals. It is for the BBC in the first instance to consider whether any further approval should be sought and for the BBC Governors to satisfy themselves that Charter obligations are being met. My right hon. Friend the Secretary of State is not, therefore, in a position to take a view on the scope of the current approval unless and until such a request, including detailed information, is received.

The BBC informed the Department of the trials for the provision of BBC News content over mobile phones on 26 January 2000.

Independent Football Commission

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what steps he has taken to advertise *(a)* the position of Chairman of the Independent Football Commission and *(b)* other appointments to the Commission. [133137]

Mr. Chris Smith: I shall shortly announce details of the Government's response to the Football Task Force's report on commercial issues. The announcement will include the membership of the Independent Football Commission. As its name suggests, the Commission will be fully independent of the Government and the football authorities. As the Commission will not be a Government-sponsored body, the position of Chairman will not be advertised. A number of people with the relevant skills and experience are being considered for the position of Chairman. The Chairman will then appoint the members of the Commission.

Merchant Navy Day

Mr. Flynn: To ask the Secretary of State for Culture, Media and Sport if he will ensure that the Red Ensign is flown from departmental buildings on Merchant Navy Day, 3 September. [132962]

Mr. Alan Howarth: I refer my hon. Friend to the answer given by my hon. Friend the Parliamentary Under-Secretary of State for the Home Department today, *Official Report*, column 895W.

World Cup

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 24 July 2000, *Official Report*, column 599W, on what date the Minister for Sport wrote to the Football Association about the costs of the World Cup bid. [133158]

Kate Hoey: As I advised the hon. Member in my answers to him on 24 July 2000, *Official Report*, column 416W, and 25 July 2000, *Official Report*, column 599W, I wrote to the Chief Executive of the Football Association on 20 June 2000 to request details of his plans to publish accounts for the 2006 World Cup bid.

Public Bodies Reviews

Mr. Dismore: To ask the Secretary of State for Culture, Media and Sport if he intends to undertake reviews of the *(a)* National Heritage Memorial Fund, *(b)* National Gallery, *(c)* National Portrait Gallery and *(d)* Royal Commission on Historical Manuscripts. [133733]

Mr. Alan Howarth: As part of the Department's programme of quinquennial reviews of its public bodies, I am today announcing that this summer we will be

starting reviews of the National Heritage Memorial Fund, National Gallery, National Portrait Gallery and Royal Commission on Historical Manuscripts.

The reviews will include an evaluation of the role and functions of these bodies and how those functions can best be carried out, and a review of the efficiency and effectiveness of the way in which they deliver services to their users. We estimate that the reviews will be completed next spring. A copy of the announcement has been placed in the Libraries of the House.

FOREIGN AND COMMONWEALTH AFFAIRS

UNITA

Liz Blackman: To ask the Secretary of State for Foreign and Commonwealth Affairs if violations of the United Nations sanctions against UNITA are continuing; and if he will make a statement. [133608]

Mr. Hain: Sadly, we have reason to believe that violations of the sanctions against UNITA are continuing. We are aware of reports that UNITA continue to fuel their war effort by selling diamonds, and that such private sales have taken place recently in Libreville, Gabon. We have heard that another private sale may be held in Libreville within the next month. We will be raising these reports urgently with the Gabonese authorities, and urging them to do everything in their power to prevent this illicit trade. We will also be passing this information to the Chairman of the UN Angola Sanctions Committee.

We also have reason to believe that Victor Bout continues to supply arms to Angola in breach of the UN arms embargo. We call on all States to fulfil their international obligations to implement and enforce the mandatory sanctions imposed by the Security Council of the United Nations; there can be no excuse for any State to provide support for Bout in his continued flouting of UN sanctions.

European Union

Helen Jackson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the forthcoming business in the Council of the European Union for August and the major European Union events for the next six months. [133609]

Mr. Vaz: The information is as follows:

European Calendar: August-January 2001

This calendar is primarily concerned with European Union matters, but certain other relevant events are also included. Events and dates quoted are based on the information available on the date of issue.

August

There are no Councils scheduled for this month.

Date	*Venue*	*Event*
September		
2–3	Evian	Foreign Ministers (Informal)
3–5	Biarritz	Agriculture Council (Informal)
4–8	Strasbourg	EP Plenary
11–12	Paris	Education (Informal)
15	Paris	EU/Ukraine Summit
9–10	Versailles	ECOFIN Council (Informal)
18–19	Brussels	General Affairs Council
18	Brussels	IGC Ministerial
25–26	Brussels	Agriculture Council
26 (tbc)	Brussels	Culture Council
28	Brussels	Internal Market/Consumer Council
28	Brussels	Justice and Home Affairs Council
29	Brussels	ECOFIN Council
October		
2	Paris	EU/US Ministerial Meeting
2	Luxembourg	Transport Council
2–7	Strasbourg	EP Plenary
3	Luxembourg	Telecommunications Council
9	Luxembourg	IGC Ministerial
9–10	Luxembourg	General Affairs Council
10	Luxembourg	Environment Council
13–14	Biarritz	European Council (Informal)
16–17	Luxembourg	Labour and Social Affairs Council
17	Luxembourg	ECOFIN JHA Council
19–21	Seoul	Europe/Asia Summit
23	China	EU/China Summit
23–24	Luxembourg	Agriculture Council
23–27	Strasbourg	EP Plenary
25	Luxembourg	Education Council
30 (tbc)	Paris	EU-Russia Summit
November		
3	Brussels	Social Affairs Council
3	Paris	EU/Canada Ministerial
5	Brussels	IGC Ministerial Conclave
7	Brussels	ECOFIN Council
7	Brussels	Environment Council
9	Brussels	Education/Youth Council

Date	Venue	Event
13–14	Marseilles	Euro-Mediterranean Ministerial or Summit (possible)
13–17	Strasbourg	EP Plenary
16	Brussels	Research Council
17	Brussels	Fisheries Council
20–21	Brussels	General Affairs Council
20–21	Brussels	Agriculture Council
23	Brussels	Culture/Audio-visual Council
23	Sochaux	European Conference Ministerial
23–24	Brussels	Budget Council
27–28	Brussels	ECOFIN Council
27–28	Brussels	Labour and Social Affairs Council
30	Brussels	Justice and Home Affairs Council
30	Brussels	Internal Market/Consumers Council
29–30	Gaborone	EU/Southern African Development Commmunity (SADC) Ministerial
December		
1	Brussels	Justice and Home Affairs Council
3	Brussels	IGC Ministerial Conclave
4–5	Brussels	General Affairs Council
4	Brussels	Telecommunications Council
5	Brussels	Energy and Industry Council
7–8	Nice	European Council
11	Brussels	Health Council
11–15	Strasbourg	EP Plenary
14–15	Brussels	Fisheries Council
18	Brussels	Environment Council
18	Brussels	ECOFIN Council
18	Not yet known	EU/United States Summit
19	Brussels	Environment Council
19–20	Brussels	Agriculture Council
19	Not yet known	EU/Canada Summit
20–21	Brussels	Transport Council
22	Brussels	Telecommunications Council
January		
12	Brussels	Fisheries Council (possible)
22	Brussels	ECOFIN
29–30	Brussels	General Affairs Council
29–30	Brussels	Agriculture Council

International Criminal Court

Ms Moran: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish in draft the legislation to enable UK ratification of the Rome Statute of the International Criminal Court. [133611]

Mr. Hain: The draft International Criminal Court Bill will be published on 22 August for consultation. We are publishing the Bill as soon as it is ready, although this is during the recess, because we are anxious to make progress on legislation as soon as parliamentary time allows. We hope that the draft Bill will receive support from all sides of the House and look forward to receiving comments from interested parliamentarians, individuals and organisations to whom we will be sending unsolicited copies. Any hon. Members who would like a copy of the consultation document sent directly to them at their constituencies or homes should contact the ICC Bill team, United Nations Department, at the Foreign and Commonwealth Office. Copies will be despatched on the day of publication. Comments should be received by 12 October.

Single Market

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs what civil and police resource is being planned under Article 308 of the Treaty of the European Community in respect to threats to the operation of the single market from *(a)* inside and *(b)* outside the European Union, as envisaged in Commission document (00) 119; what form of voting will govern the decision on its establishment; and what estimate he has made of *(a)* how many personnel will be involved and *(b)* the cost in the first year of operation. [132573]

Mr. Vaz: Commission document COM(2000)119 proposes the creation of a Rapid Reaction Facility. This would allow for rapid intervention in the form of money from the community budget in situations of emerging or actual crisis in third countries. It would complement humanitarian intervention and other tools deployed in crisis situations. The proposal's legal base is Article 308 and voting in the Council would therefore be by unanimity. The Commission has proposed a budget of 30 million euro in year one. The proposal is still under discussion in the Council.

Turkey

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Turkish Government on human rights; and what specific cases were discussed. [132704]

Mr. Vaz: The Foreign Secretary discussed human rights issues with the Turkish Foreign Minister, Ismail Cem, when he visited London in September 1999, and in the margins of the OSCE summit in Istanbul in November

1999. Human rights have also been raised in other ministerial contacts, for example by my hon. Friend the Member for Neath (Mr. Hain) when he met the Turkish Ambassador in December 1999, and at my meeting with the Turkish Justice Minister, Mr. Sami Turk, in June this year.

There have otherwise been regular discussions with the Turkish authorities on human rights issues in contacts between officials, both bilaterally and by the EU Presidency and Commission with our support. Points raised in such discussions included our opposition to the death penalty, the imprisonment of HADEP mayors and Akin Birdal, allegations of torture, treatment of Christians in Turkey, many other individual cases and resettlement and other aspects of the Ilisu Dam project. We have also regularly discussed Turkey's proposals to meet the Copenhagen criteria for EU membership.

We will continue to make our concerns clear to the Turkish authorities.

Press Officers

Mr. Lansley: To ask the Secretary of State for Foreign and Commonwealth Affairs how many press officers were employed in his Department in *(a)* May 1997, *(b)* January 1998, *(c)* January 1999 and *(d)* January 2000; and what the total expenditure on press officers by his Department was in each of the years concerned. [132761]

Mr. Robin Cook: The News Department of the Foreign and Commonwealth Office employed:

(a) 10.5 press officers in May 1997

(b) 14.5 press officers in January 1998

(c) 16.5 press officers in January 1999

(d) 16.7 press officers in January 2000; now 17.

These figures include the management positions of the Head and Deputies in the Department.

The total expenditure on press officers (salaries and running costs) in each financial year was:

Financial year	*£000*
(a) 1996–97	997
(b) 1997–98	1,317
(c) 1998–99	1,477
(d) 1999–2000	1,509

This is an estimate. Exact costings for 1999–2000 will not be available until September.

These changes were introduced at the initiative of the Department's management in response to rising pressures on the Department.

Press Releases

Mr. Lansley: To ask the Secretary of State for Foreign and Commonwealth Affairs what the total cost of the production and issuing of press releases was in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* 2000 to date. [132782]

Mr. Robin Cook: The total cost of the production and issuing of press releases through the Central Office of Information was:

(a) £19,111.37 in 1997

(b) £23,488.95 in 1998

(c) £19,037.82 in 1999

(d) £9,469.75 so far this year.

These figures include a proportion of standing charges as well as per release delivery. In addition, a number of press releases are issued each month direct from the FCO out of hours for which cost and other figures are not available.

Drugs Control

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what criteria are used by the UN Drugs Control Programme when developing their environmental impact assessments for fungal herbicide field trials; [132545]

(2) pursuant to his answer of 13 July 2000, *Official Report*, column 653W, on drugs control, what environmental impact assessment of pleospora papaveracea took place before the field trial project in Uzbekistan began; and what environmental impact assessments are taking place during the field trial project; [132544]

(3) pursuant to his answer of 13 July 2000, *Official Report*, column 653W, on drugs control, what evidence he has received which shows that pleospora papaveracea is a control agent specific to opium poppy. [132543]

Mr. Battle *[holding answer 26 July 2000]:* The purpose of the United Nations International Drugs Control Programme research project into pleospora papaveracea is to determine its viability as a control agent specific to the opium poppy and to establish whether there are any environmental risks in its use.

UK funding was made available in 1998 exclusively for this project, which is expected to last a total of 3½ years. Before committing funding, the FCO sought advice from UK agricultural experts at MAFF and at Natural Resources International Ltd (who provide advice to DfID). Their comments, including an assessment of the risks to legitimate cultivated crops, were incorporated into the final design of the project. A British consultant, until recently at the Long Ashton Research Station, has been employed by UNDCP to review and oversee the project and, in particular, to conduct a detailed examination of host specificity of pleospora papaveracea. There has been no direct funding of Long Ashton.

There are no indications in progress reports from UNDCP so far of any adverse effect on agricultural crops or of any risk of uncontrolled spread. Research has explicitly eliminated effects on 112 different plant species. The research is not yet complete.

The Government had made it clear that if research into pleospora papaveracea showed it to be harmful to the environment, the UK would withdraw support and press for closure of the research programme.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs which chemical herbicide field trial projects his Department supports to combat *(a)* coca, *(b)* opium and *(c)* marijuana. [132546]

Mr. Battle *[holding answer 26 July 2000]:* None.

Antarctic Treaty

Mr. Donald Anderson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he intends to remove

his unofficial reservation on the siting of the Headquarters of the Secretariat of the Antarctic Treaty in Buenos Aires when the Antarctic Treaty Consultative Meeting takes place in The Hague in September. [132365]

Mr. Battle: The Special Antarctic Treaty Consultative Meeting is due to consider only one Agenda Item, the Report of the Committee for Environmental Protection. Discussion on the Antarctic Treaty Secretariat is not envisaged.

Correspondence

Mr. Arbuthnot: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will reply to the letter of 28 March from the right hon. Member for North-East Hampshire regarding his constituent, Mr. Goddard. [132913]

Mr. Vaz: I regret that we were unable to trace the letter to which the right hon. Member refers. As he has now kindly provided a copy, I will be replying as soon as possible.

Missile Defence System

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government have received from *(a)* EU countries, *(b)* the United States of America, *(c)* NATO partners, *(d)* Russia and *(e)* China, regarding US proposals for a national missile defence system since the test failure of the system's interceptor rocket on 8 July; and if he will make a statement. [132366]

Mr. Vaz: The Government continue to consult with the United States and with other allies, both bilaterally and in NATO, on US National Missile Defence plans. We also continue to discuss the issue bilaterally with Russia and China.

The outcome of the latest test will no doubt be carefully considered in any assessment the US Administration makes this year of the technological feasibility of proceeding with the deployment of such a system.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made regarding the likelihood of an initial nuclear strike on *(a)* countries of the EU and *(b)* the United States of America by (i) North Korea, (ii) Libya and (iii) Iran; and if he will make a statement. [132370]

Mr. Vaz: Our current assessment is that there is no significant threat that North Korea, Libya or Iran might use nuclear weapons against the UK in present circumstances. We continue to monitor developments in this area closely.

It is not for us to make such assessments in respect of other countries.

Israel

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps his Department has taken to seek to persuade Israel to become a party to the *(a)* Non-Proliferation Treaty and *(b)* Comprehensive Test Ban Treaty; and if he will make a statement. [132170]

Mr. Hain: We consistently call on Israel to adhere to the NPT as a non-nuclear weapon state, to place all its nuclear facilities under IAEA safeguards and to ratify the CTBT. We have raised these issues in both bilateral contacts with Israel and in multi-lateral fora such as the NPT Review Conference.

Middle East

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations calling for financial assistance following the prospective peace settlement in the Middle East, have been made to Her Majesty's Government by (i) Israel, (ii) the Palestinian Authorities and (iii) Jordan; and if he will make a statement. [132171]

Mr. Hain: The Palestinian Authority, Israel and Jordan are naturally keen that any peace settlement in the Middle East should be supported by the international community. The G8, in its conclusions from Okinawa, invited the international community to participate in the efforts to help the parties implement a peace agreement when it is reached. We support that call.

Merchant Navy Day

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will ensure that the Red Ensign is flown from departmental buildings on Merchant Navy Day, 3 September. [132957]

Mr. Robin Cook: I refer my hon. Friend to the answer given by my hon. Friend the Parliamentary Under-Secretary of State for the Home Department today, *Official Report*, column 895W.

Ministerial Holidays

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the dates of holidays which are to be taken by him and the other Ministers in his Department. [132939]

Mr. Robin Cook: It is not normal practice to disclose Ministers' holiday plans, as this is personal information.

Official Trips

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the destinations and the purposes of the official trips which are to be undertaken by him and the Ministers in his Department between 24 July and 23 October. [132940]

Mr. Robin Cook: I visited Hungary and the Czech Republic on 24–26 July for meetings with my opposite numbers. The Minister of State, my hon. Friend the Member for Leeds, West (Mr. Battle), is currently visiting Nicaragua, El Salvador, Guatemala, Belize and Honduras in connection with his responsibilities for Central and Latin America.

I shall be accompanying Her Majesty The Queen during the State Visit to Italy in October. As plans are finalised bilateral visits will be announced in the usual way. In addition to regular EU commitments, a number of multilateral events are being arranged for the period in question, including attendance at the UN General Assembly and ASEM.

Molluccan Islands

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from *(a)* the Indonesian Government and *(b)* representatives of the Christian community in Indonesia concerning the conflict in the Molluccan islands; and what response he has given. [133147]

Mr. Battle: The information is as follows:

(a) I discussed the situation in Maluku with the Indonesian Ambassador on 3 July. The Indonesian Foreign Minister also briefed our Ambassador in Jakarta on developments on 10 July. The Head of the Diplomatic Service and our Ambassador in Jakarta have also discussed very recently the situation with President Wahid.

(b) A delegation of Christian clergy from Maluku called on officials of the South East Asia Department on 18 July. They gave a first hand account of the situation there.

We continue to keep up diplomatic pressure on the Indonesian Government to take effective action against extremists in Maluku and to guarantee safe access for humanitarian agencies.

Duty Rosters

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the daily ministerial Duty Roster for his Department during the summer adjournment. [133072]

Mr. Robin Cook: It is not the normal practice of Government to publish the daily ministerial Duty Roster. This Department will ensure that it has enough cover through the summer recess in line with the requirements of the Ministerial Code.

Zambia

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures he has urged the Zambian Government to take to maintain the existing state of bilateral relations. [132825]

Mr. Hain: Our relations with Zambia are very good. I visited Lusaka from 10–11 May. I discussed governance, economic reform and corruption issues with a wide range of Zambians, including President Chiluba and the Ministers of Finance and Legal Affairs.

St. Helena

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will define the Government of St. Helena and list its members and by whom they are appointed. [132826]

Mr. Battle: The Executive Council of St. Helena is the Government of St. Helena, as established by Section 5 of the St. Helena Constitution Order 1988. The Executive Council consists of:

(a) three Ex-Officio Members,

(i) the Chief Secretary, Mr. John Styles

(ii) the Financial Secretary, Mr. Robert Dolan

(iii) the Attorney-General, Mr. Kurt Delano DeFreitas OBE

all appointed by the Governor with the approval of the Secretary of State for Foreign and Commonwealth Affairs. The Attorney-General is a non-voting member of Council.

(b) Five Members of the Legislative Council who are Chairmen of Council Committees,

(i) the Hon. Terrence F. Richards, Chairman, Agricultural and Natural Resources Committee

(ii) the Hon. Robert M. Robertson, Chairman, Education Committee

(iii) the Hon. William E. Drabble, Chairman, Employment and Social Security Committee

(iv) the Hon. Eric W. George MBE, Chairman, Public Health and Social Services Committee

(v) the Hon. Stedson R. George, Chairman, Public Works and Services Committee

all elected as Council Chairmen by Legislative Council and appointed by the Governor.

At present two Councillors, the Hon. William E. Drabble and the Hon. Eric W. George, are overseas. The Hon. Mervyn R. Yon, the Acting Chairman of the Public Health and Social Services Committee, and the Hon. Clive R. Duncan, the Acting Chairman of the Employment and Social Security Committee were appointed as Temporary Members of Executive Council by the Governor under section 5(2)(a) of the Constitution.

As provided for by the Constitution the Governor presides at Meetings of the Executive Council. The President Governor Mr. David J. Hollamby was appointed by Her Majesty the Queen with effect from 24 June 1999.

Airline Safety

Mr. Jim Murphy: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what advice officials in his Department have offered to the travelling public about the safety of specific airlines within India; [133054]

(2) what advice officials in his Department have offered to British civil servants and diplomats regarding the safety of specific airlines in India; [133056]

(3) about which airlines officials in his Department have conveyed safety concerns to British diplomats and civil servants in each of the last 10 years. [133055]

Mr. Hain: I will write to my hon. Friend shortly and place copies of the letters in the Libraries of the House.

Pakistan

Mr. Rooney: To ask the Secretary of State for Foreign and Commonwealth Affairs when the explanatory statement in respect of Riffat Begum, Islamabad, reference 15B/GO290, will be forwarded to the Independent Appellate Authority. [133133]

Mr. Vaz: The explanatory statement in respect of Riffat Begum, Islamabad reference G0290; was despatched to the Independent Appellate Authority on 7 December 1999.

Opium

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects the UN Drugs Control Programme research into pleospora papaveracea to control the cultivation of illicitly grown opium poppies to be completed. [132852]

Mr. Battle: The project is expected to be completed in the last quarter of 2001.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what financial support his Department has provided to Long Ashton Research Station of the Institute of Arable Crops Research since 1997; and what this financial assistance is intended for; [132856]

(2) pursuant to his answers of 13 July 2000, *Official Report*, column 653W, on drugs control, what steps he has taken to ensure that United Kingdom funding of UNDCP research into pleospora papaveracea to control the cultivation of illicit opium poppies is not used for research *(a)* into other fungi or *(b)* the control of other illicit crops. [132830]

Mr. Battle: I refer the hon. Member to the answer I gave earlier today.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what assistance the Long Ashton Research Station of the Institute of Arable Crops Research provides the UN Drugs Control Programme in respect of research into pleospora papaveracea. [132853]

Mr. Battle: Two scientists from the Institute of Genetics in Tashkent, who are working on UNDCP sponsored research into pleospora papaveracea, visited the Long Ashton Research Centre in April 1999 to study methods used in the formulation and application of microbial herbicides. A scientist from Long Ashton has been acting as an adviser to the research programme since its inception.

PFI Contracts

Mr. Alan Williams: To ask the Secretary of State for Foreign and Commonwealth Affairs in how many of his Department's PFI contracts KPMG has been an adviser. [132867]

Mr. Hain: KPMG has not been engaged to advise on any PFI contracts.

WALES

Council Tax

Mr. Evans: To ask the Secretary of State for Wales what discussions he has had with the First Secretary with regard to the council tax reduction scheme in Wales. [115594]

Mr. Hanson: My right hon. Friend has regular discussions with the First Secretary covering a range of issues, including issues relating to local government finance.

Any council tax reduction scheme in Wales is a matter for the National Assembly. There is a scheme in operation this financial year 2000–2001 which has cost £17 million. The National Assembly is currently consulting on proposals for a new standard spending assessment formula and in the context of those proposals, a joint local government/National Assembly group is considering options for a transitional reduction scheme, should this be required in the next financial year.

Mr. Evans: To ask the Secretary of State for Wales what discussions he has had with the First Secretary with regard to the increases in council tax in Wales in the current year. [115595]

Mr. Hanson: My right hon. Friend has regular discussions with the First Secretary covering a range of issues, including issues relating to local government finance. Increases in council tax are a matter for the local authorities themselves.

Elected Mayors

Mr. Evans: To ask the Secretary of State for Wales what representations he has received with regard to the introduction of elected mayors for the *(a)* regions, *(b)* cities and *(c)* towns of Wales. [115584]

Mr. Paul Murphy: I have received a large number of representations relating to the introduction of executive arrangements, including elected mayors, in the Local Government Bill, but these have not been detailed representations relating to mayors for specific regions, cities or towns of Wales.

The Local Government Bill, which has now completed its parliamentary stages, provides a tailor made framework for executive arrangements including cabinets and directly elected mayors. All local authorities in Wales will need to consider which form of executive arrangement is most appropriate in their areas, and those who consider that a directly elected mayor would be appropriate will need to consult their electorate and hold a referendum on their proposals.

NHS

Mr. Llwyd: To ask the Secretary of State for Wales what estimate he made of the current state of indebtedness of the 26 health trusts in Wales when preparing his announcement of additional funding to the NHS in Wales. [118411]

Mr. Hanson: Additional funding for Wales announced in the budget as a result of increases in health spending in England was determined by applying the Barnett formula.

Decisions on how this funding is spent, including the effect on the indebtedness of Trusts in Wales, are a matter for the National Assembly for Wales.

Mr. Barry Jones: To ask the Secretary of State for Wales what discussions he has had with the First Secretary concerning the reform of the NHS in Wales; and if he will make a statement. [132379]

Mr. Hanson: Over the past year there have been regular discussions about the NHS in Wales between my right hon. Friend the Secretary of State and me and the Assembly First Secretary and Health Secretary.

Our discussions have covered many issues including reform and modernisation particularly at the time of the three meetings of the Joint Ministerial Committee on Health.

Any decisions on reform in Wales are however for the National Assembly to decide and their main plans were set out in Jane Hutt's statement to a plenary session of the National Assembly on 12 July.

Regional Selective Assistance

Mr. Barry Jones: To ask the Secretary of State for Wales what talks he has had with manufacturers on the areas in Wales to be covered by regional selective assistance; and if he will make a statement. [124423]

Mr. Paul Murphy: I have had a number of meetings with manufacturers in Wales, some of whom have raised the issue of the Assisted Areas map, which determines the areas in which regional selective assistance can be paid. My right hon. Friend the Minister for Trade and I were delighted to announce on 26 July that the European Commission has approved the new Assisted Areas map for the UK. I have written to all Welsh MPs and MEPs with details of what this means for Wales.

Education Funding

Mr. Barry Jones: To ask the Secretary of State for Wales what discussions he has had with the First Secretary concerning paying of moneys from central Government to each local education authority school in Wales for books, with particular reference to the manner of giving the moneys to the schools; and if he will make a statement. [126519]

Mr. Hanson: My right hon. Friend and I have regular discussions with the First Secretary about a range of matters, including the National Assembly's arrangements for allocating education funds.

The Assembly provides resources specifically for books through the annual Grants for Education Support and Training (GEST) programme. The Assembly believes that local education authorities are best placed to decide the allocation of these funds locally. They are encouraged to target schools with the greatest need in terms of improving standards of literacy and numeracy.

Schools may also use their delegated budget to purchase books.

Child Poverty

Mr. Barry Jones: To ask the Secretary of State for Wales what discussions he has had with the First Secretary on measures to eliminate child poverty; and if he will make a statement. [129503]

Mr. Hanson: I have regular meetings with the First Secretary to discuss a range of issues including children's issues in Wales.

We are the first Government to have made a commitment to end child poverty in 20 years, and halve it within 10 years. The Government have announced measures this year which will assist child poverty, such as an increase in child benefit to £15.50 from April 2001, 40 per cent. more than in 1997, and an increase in the Sure Start maternity grant from £200 to £300.

Toxic Waste

Mr. Llew Smith: To ask the Secretary of State for Wales what discussions he has had in the past 12 months with Ministers at the Department of the Environment, Transport and the Regions concerning the imports into Wales of toxic waste for *(a)* disposal and *(b)* treatment. [129972]

Mr. Paul Murphy: I have met DETR Ministers to discuss a range of issues affecting Wales, and I have also met the Environment Agency Wales during the past 12 months to discus environment issues including imports and exports of waste. Policies on exports and imports of waste are not devolved and are dealt with by DETR. Nevertheless, I have taken a keen interest in these issues, especially during the consultation period of a UK-wide set of policies on exports and imports of waste, which the National Assembly for Wales were involved in.

A55

Mr. Alasdair Morgan: To ask the Secretary of State for Wales how much of the money spent on construction work on the A55 was EU funding, broken down by EU source fund and budget, in each of the last 10 years. [129465]

Mr. Paul Murphy: During the 10 years up to 1 July 1999, £6.9 million was allocated in 1990 from the EC Transport Infrastructure Fund to the A55 Pen y Clip tunnel scheme. The money was drawn down in instalments over the next few years but information on the size and date of each instalment is not obtainable without incurring disproportionate cost.

For that part of the A55 in England, the Highways Agency has reported no EU funding in the last 10 years.

All functions with regards to trunk roads and motorways in Wales were transferred to the National Assembly for Wales on 1 July 1999.

Government Annual Report

Mr. Evans: To ask the Secretary of State for Wales how many copies of the Government's Annual report 1998–99 were sold in Wales; and how many were given away. [131070]

Mr. Paul Murphy *[holding answer 17 July 2000]:* I regret this information is not held centrally.

Labour Statistics

Mr. Evans: To ask the Secretary of State for Wales what proportion of New Deal participants in Wales have been *(a)* unemployed for over six months, *(b)* unemployed for over 12 months and *(c)* never worked. [130990]

Mr. Paul Murphy *[holding answer 17 July 2000]:* The information requested at *(a)* and *(b)* could be provided only at disproportionate cost. That requested at *(c)* is not available.

Hill Livestock Compensatory Allowance

Mr. Gareth Thomas: To ask the Secretary of State for Wales what discussions he has had with *(a)* the First Secretary and *(b)* the Rural Affairs Secretary of the National Assembly for Wales as to the impact on farm incomes in less favoured areas in Wales of the reform of the Hill Livestock Compensatory Allowance regime. [131604]

Mr. Paul Murphy: I meet the First Secretary on a regular weekly basis and I am in continuing contact with my colleagues in the National Assembly for Wales and we discuss a wide range of issues. The new scheme for the Less Favoured Areas, known as Tir Mynydd, forms part of the Rural Development Plan for Wales. It has not been possible to devise a new area-based scheme which exactly replicates payments under the old HLCA headage based scheme, and satisfies the European Commission. The new National Assembly scheme therefore includes a safety net over three years to help farmers who would otherwise lose out, to adjust.

Mr. Gareth Thomas: To ask the Secretary of State for Wales what discussions he has had with the Minister for Agriculture, Fisheries and Food in respect of the effect on farm incomes in Wales of the reform of the Hill Livestock Compensatory Allowance regime. [131603]

Mr. Paul Murphy: I speak to my Whitehall colleagues on a regular basis and we discuss a wide range of issues. The National Assembly for Wales' new scheme for the Less Favoured Areas, known as Tir Mynydd, forms part of the Rural Development Plan for Wales. It has not been possible to devise a new area-based scheme which exactly replicates payments under the old HLCA headage based scheme, and satisfies the Commission. The new scheme therefore includes a safety net over three years to help farmers who would otherwise lose out, to adjust.

Farm Incomes

Mr. Evans: To ask the Secretary of State for Wales if he will list the average income for hill farmers in Wales for each year since 1994. [131669]

Mr. Paul Murphy *[holding answer 24 July 2000]:* The average Net Farm Income for hill farmers in Wales for each year in question was:

Year	£
1994–95	7,000
1995–96	18,400
1996–97	14,300
1997–98	8,100
1998–99	4,400

After 1 July 1999 these matters became the responsibility of the National Assembly for Wales.

Mr. Evans: To ask the Secretary of State for Wales if he will list the average farm income in Wales for each year since 1994. [131653]

Mr. Paul Murphy *[holding answer 24 July 2000]:* The average Net Farm Income for each year in question was:

Year	£
1994–95	11,600
1995–96	23,200
1996–97	18,700
1997–98	11,400
1998–99	5,800

After 1 July 1999 these matters became the responsibility of the National Assembly for Wales.

Steel Industry

Mr. Barry Jones: To ask the Secretary of State for Wales what discussions he has had with the First Secretary concerning prospects for the steel plants in Wales; and if he will make a statement. [132381]

Mr. Paul Murphy: The First Secretary and I meet regularly and have held several discussions on prospects for the steel industry. We have also held meetings with my right hon. Friend the Secretary of State for Trade and Industry, with the Chief Executive of Corus and with representatives of the ISTC.

I deeply regret recent job losses announced in the steel industry. This is a commercial decision for the company, but the Government and the National Assembly for Wales are working in partnership to do all we can to help those affected. We have put together a package of measures and the First Secretary has confirmed that he is seeking to set up an all-Wales taskforce to help deal with the immediate consequences of the Corus announcement and with shaping a longer-term strategy for assisting the areas affected.

The best contribution the Government can make to the future of the industry is to secure long-term economic stability based on low inflation and sound public finances. This allows business to invest and plan ahead with confidence. It is this consistent, long-term approach which is the foundation for steady growth.

Manufacturing

Mr. Barry Jones: To ask the Secretary of State for Wales what discussions he has had with the First Secretary concerning the prospects for manufacturing in Wales in relation to *(a)* the strength of sterling and *(b)* the Comprehensive Spending Review; and if he will make a statement. [132380]

Mr. Paul Murphy: The First Secretary and I meet on a regular basis and discuss a number of issues including manufacturing in Wales. Overall, manufacturing output in Wales for the four quarters to the first quarter of 2000 was 2.9 per cent. higher than this corresponding period a year earlier.

The Government understand the concerns about the fall in value of the euro, but are determined to take a long-term view. Manufacturers who have suffered from the old boom and bust would not want a return to short-term quick fixes which put at risk long-term stability. The Government's careful handling of the economy across the UK will allow business to invest and plan ahead with confidence

The Spending Review supports manufacturing through a number of routes including the £530 million launch investment for the A3XX, which will be of particular benefit to manufacturing jobs in Wales. There will also be an important role for the Small Business Service and increased funding for commercial exploitation of science in supporting investment and innovation among manufacturing firms, especially SMEs.

Press Releases

Mr. Lansley: To ask the Secretary of State for Wales how many press releases were issued in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* this year to date; and what the total cost of the production and issuing of these press releases was in each year. [132749]

Mr. Paul Murphy: In 1997 the Welsh Office issued 650 press notices, 774 in 1998 and 776 in 1999. So far this year the Wales Office has issued 64 press notices.

The cost of issuing a press notice in 1999 was something in excess of £40. Figures for earlier years are not available.

Press Officers

Mr. Lansley: To ask the Secretary of State for Wales how many press officers were employed in his Department in *(a)* May 1997, *(b)* January 1998, *(c)* January 1999 and *(d)* January 2000; and what the total expenditure on press officers by his Department was in each of the years concerned. [132758]

Mr. Paul Murphy: From 1994 until the start of the National Assembly in July 1999 the Welsh Office Press Office had between eight and nine press officers. The Wales Office employed two press officers in January this year.

The cost of the Press Office was £319,000 in 1996–97, £318,000 in 1997–98 and £370,000 in 1998–99. Because there were only two press officers in January 2000, in the interests of confidentiality I am unable to disclose salary costs for this year.

Plaid Cymru

Mr. Wigley: To ask the Secretary of State for Wales if he will make a statement on the files compiled by his Department on the activities of Plaid Cymru between 1958 and 1973 which are filed as restricted in the Public Record Office, file reference BD-25/59; and if he will lift this restriction. [132789]

Mr. Paul Murphy: The file to which the right hon. Member refers is one of a series of files containing general papers on various organisations, including the Welsh Language Committee, the Welsh League of Youth, the Welsh Advisory Committee of the British Council and the Council of Social Services for Wales in Monmouthshire and Plaid Cymru. I am advised that it contains a collection of press cuttings, correspondence with and about Plaid Cymru, and briefings for Ministers in connection with a meeting with the President of Plaid Cymru.

The file does not have a security marking and contrary to press speculation last weekend is not "Top Secret" and is most definitely not concerned with "political surveillance".

In common with other retained files the file is stored at the Public Record Office at Kew and will be released on 1 January 2004. If, however, the hon. Member felt the file should be made available sooner, I would be pleased to consider this with the appropriate authorities.

Departmental Staff

Mr. Wigley: To ask the Secretary of State for Wales how many staff are employed directly by his Department; how many were employed on 1 July 1999; and how he expects these figures to vary in coming years. [133123]

Mr. Paul Murphy: The Wales Office currently employs 42.5 staff directly. One member of staff is a part-timer. The Department also employs a further four casual staff who are supplied by an employment agency.

On 1 July 1999, the first day of its existence, the Wales Office employed 27.5 staff.

I have no current plans to increase or decrease the current staffing levels, but it is not possible to foresee how things may develop in the years ahead.

Resource Allocation

Mr. Wigley: To ask the Secretary of State for Wales by what means he intends to report to Parliament on his use of resources other than those which are by way of payments to the National Assembly for Wales. [133124]

Mr. Paul Murphy: The annual Departmental Report, which is presented to Parliament, contains details of the use of resources by the Wales Office.

Ministerial Duty Roster

Mr. Evans: To ask the Secretary of State for Wales if he will publish the daily Ministerial duty roster for his Department during the summer adjournment. [133064]

Mr. Paul Murphy: It is not normal practice of Government to publish daily Ministerial Duty Rosters. This Wales Office will ensure that it has sufficient cover through the summer recess in line with the requirements of the Ministerial Code.

Merchant Navy Day

Mr. Flynn: To ask the Secretary of State for Wales if he will ensure that the Red Ensign is flown from departmental buildings on Merchant Navy Day, 3 September. [132969]

Mr. Paul Murphy: I refer my hon. Friend to the answer given by my hon. Friend the Parliamentary Under-Secretary of State for the Home Department today, *Official Report*, column 895W.

Private Finance Initiative

Mr. Alan Williams: To ask the Secretary of State for Wales in how many of his Department's PFI contracts KPMG has been an adviser. [132863]

Mr. Paul Murphy: My Department does not have any PFI contracts.

Cardiff Bay Development Corporation

Mr. Evans: To ask the Secretary of State for Wales (1) for what reason discounts were offered to Cardiff County Council on the transfer of land to Ferry Road as a result of the winding-up of Cardiff Bay Development Corporation; [133214]

(2) who took the decision to discount the land to Ferry Road that was passed to Cardiff County Council as a result of the wind up of Cardiff Bay Development Corporation; [133216]

(3) what discounts were offered to Cardiff County Council on the transfer of the land to Ferry Road as a result of the wind up of Cardiff Bay Development Corporation. [133217]

Mr. Paul Murphy: These are matters for the National Assembly for Wales.

Permanent Secretary (Official Visits)

Mr. Matthew Taylor: To ask the Secretary of State for Wales if he will list the visits outside Britain made by his Department's Permanent Secretary on official business since 1 January 1999, indicating the date and purpose of the visit in each case. [133272]

Mr. Paul Murphy: Neither the Permanent Secretary of the Welsh Office between 1 January 1999 and 30 June 1999, nor the Head of the Wales Office between 1 July 1999 and today, has made any visits outside Britain on official business.

Rural Bus Subsidy Scheme

Dr. Strang: To ask the Secretary of State for Wales how much money was spent in Wales under the rural bus subsidy scheme in *(a)* 1998–99 and *(b)* 1999–2000; and how much is expected to be spent in 2000–01. [132298]

Mr. Paul Murphy: Audited expenditure in 1998–99 was £2.17 million. In 1999–2000, the scheme was extended to include urban areas, with a total allocation of £5 million. Actual expenditure in that year and provision for 2000–01 are matters for the National Assembly.

Hotel Industry

Mr. Fearn: To ask the Secretary of State for Education and Employment what Government training schemes are available to those working within the hotel industry in Wales. [132311]

Mr. Paul Murphy: The New Deal programmes, Modern Apprenticeships, GNVQs, and National Traineeships for Work Based Learning are available to those working within the hotel industry in Wales. The Employment Service in Wales has recently put into operation an initiative involving hotels and catering companies encouraging them to recruit New Deal clients in its Cardiff District. Also, until very recently, the Wales New Deal Advisory Task Force included a member representing the hotel industry and an approaching review of the Task Force's membership will hopefully ensure that the hotel industry continues to be represented.

Ministerial Code of Conduct

Mr. Evans: To ask the Secretary of State for Wales what guidelines Ministers should follow if their Department deals with a matter affecting their own constituency. [133215]

Mr. Paul Murphy: Section 6 of the "Ministerial Code", published by the Prime Minister in 1997 and setting out detailed guidance for Ministers on how they should conduct business, deals with Ministers' Constituency and Party Interests.

Paragraph 64 of the Code states that,

> Where Ministers have to take decisions within their Department which might have an impact on their own constituencies, they should, of course, take particular care to avoid any possible conflict of interest.

SOCIAL SECURITY

All-work Test

Mr. Andrew George: To ask the Secretary of State for Social Security how many people *(a)* failed the All Work Test, *(b)* appealed against the decision and *(c)* had their appeal successfully upheld broken down by each benefit applied for, in each of the last 10 years. [132931]

Angela Eagle: The information is not available in the format requested. Such information as is available is as follows. The All-work Test (AWT) was introduced in 1995.

Information on disallowances following the AWT (which was replaced by the Personal Capability Assessment from April this year) is in table 1. Disallowances include claimants who have failed to return the All-work Test (AWT) questionnaire or to attend for medical examination.

Data on appeals are in table 2. The time lags between disallowance, lodging an appeal and hearing an appeal means there is no direct relationship between data on decisions to disallow benefit and appeals made and heard in each calendar year.

Table 1: Total AWT disallowances

	Incapacity Benefit[1]	*Severe Disablement Allowance*
1995[2]	54,080	1,619
1996	189,571	6,294
1997	208,545	5,415
1998	219,007	4,380
1999	196,928	3,140

[1] Includes credits only claims and claims for Income Support on the grounds of incapacity
[2] From the introduction of IB on 13 April 1995
Source:
Information taken from a 100 per cent. count of adjudication decisions from the benefit computer system

Table 2: Number of appeals and outcomes against All-work Test decisions

Incapacity benefits[1]	*Number of appeals lodged*	*Number of appeals cleared at hearing*	*Number of appeals found in favour of the Appellant*
1995[1]	18,966	3,616	1,690
1996	70,578	48,047	21,533
1997	81,394	64,646	26,898
1998	60,844	62,607	25,175
1999	54,889	57,586	23,789

[1] Incapacity Benefits are Incapacity Benefit, credits only cases (where there is no entitlement to Incapacity Benefit but National Insurance contribution credits are awarded on the grounds of incapacity), Severe Disablement Allowance, Income Support claimed on the grounds of incapacity.
Notes:
1. Figures for year ending December 1999 are provisional and may be subject to revision.
2. Figures from the GAPS system are subject to updating on a quarterly basis and may differ from previously published figures.
Sources:
1. April 1995 to December 1997, 100 per cent. extract from Independent Tribunals Service computerised records.
2. September 1997 to December 1999, 100 per cent. download from the Appeals Service Generic Appeals Processing System (GAPS).

Mr. Andrew George: To ask the Secretary of State for Social Security what documentation is needed to proceed with an appeal against an All-work Test decision; and if he will make a statement. [132933]

Mr. Bayley: The only documentation required from a person who wants to appeal against a decision on an All-work Test (replaced by the Personal Capability Assessment from April this year) is a written statement

setting out the reasons for the appeal. Appellants may provide additional evidence to support their case if they wish, but there is no requirement for them to do so.

Mr. Andrew George: To ask the Secretary of State for Social Security what guidelines he issues on GP charging for the documentation needed to proceed with an appeal against an All-work Test decision; and if he will make a statement. [132932]

Mr. Bayley: None. The only documentation required for an appeal against a decision on an All-work Test (replaced by the Personal Capability Assessment from April this year) is a written statement setting out the reasons for appeal. If appellants wish to provide additional medical evidence in support of their appeal, it is open to them to do so and the provision of such evidence is a private matter between the appellant and their doctor. The British Medical Association issues a list of suggested fees which GPs may charge patients for providing medical reports in general.

MENCAP Study (Wales)

Mr. Wigley: To ask the Secretary of State for Social Security if he will make a statement on his findings of the MENCAP in Wales study, conducted by the Wrexham Welfare Rights Unit, regarding the non-take-up of benefits by disabled people, a copy of which has been forwarded to him. [132904]

Mr. Rooker: We will write to the right hon. Member next week.

National Insurance Fund

Mr. Flynn: To ask the Secretary of State for Social Security what the National Insurance Fund balance would be and how far above the minimum level recommended by the Government Actuary, at the end of each of the years 2002–03 and 2003–04, if the basic pension and linked benefit rates remained at their present level in 2000–01 and were uprated in line with prices thereafter. [133067]

Mr. Rooker: We have accepted the Amendment laid by our right hon. and noble Friend Baroness Castle to the Child Support and Pensions Bill to supply such figures in respect of uprating by earnings. We have said that we will publish these in the next available scheduled report by the Government Actuary which is due to be published in January 2001. We shall also publish the figures requested in that report.

Merchant Navy Day

Mr. Flynn: To ask the Secretary of State for Social Security if he will ensure that the Red Ensign is flown from departmental buildings on Merchant Navy Day, 3 September. [132966]

Mr. Rooker: I refer my hon. Friend to the written answer given by my hon. Friend the Parliamentary Under-Secretary of State for the Home Department (Mr. O'Brien) today, *Official Report*, column 895W.

Pensions

Mr. Field: To ask the Secretary of State for Social Security (1) if he will estimate for *(a)* 2000, *(b)* 2001 and *(c)* 2002 how many men turning 65 will be entitled to (i) an occupational pension and (ii) a personal pension; [132947]

(2) if he will estimate for *(a)* 2000, *(b)* 2001 and *(c)* 2002 how many women turning 60 will be entitled to (i) an occupational pension and (ii) a personal pension. [132946]

Mr. Rooker: The information is not available on which to make an estimate.

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate the number of *(a)* single pensioners and *(b)* married pensioners who would gain *(a)* £15 per week or above, *(b)* £10 to £14.99, *(c)* £5 to £9.99, *(d)* £3.50 to £4.99, *(e)* 0.01 to £3.49 and *(f)* nothing from a package comprising an increase of £5 per week in the basic pension, the introduction of age additions of £5 for those aged 75 to 79 and £10 for those aged 80 or above, taking account of any offsetting loss of means-tested benefits or rise in income tax liability. [133250]

Mr. Rooker: The information requested is not available.

Duty Roster

Mr. Randall: To ask the Secretary of State for Social Security if he will publish the daily ministerial duty roster for his Department during the summer adjournment. [133057]

Mr. Rooker: It is not normal practice of Government to publish the daily ministerial duty roster. The Department will ensure that it has sufficient cover through the summer recess in line with the requirements of the Ministerial Code.

Working Families Tax Credit

Mr. Love: To ask the Secretary of State for Social Security what plans he has to introduce a disregard for Working Families Tax Credit when assessing an individual's entitlement to Housing Benefit; and if he will make a statement. [133150]

Angela Eagle: Limited situations exist where Working Families Tax Credit (WFTC) is partly disregarded in the assessment of Housing Benefit (HB). People who work 30 hours a week or more and who have children may get a partial disregard of WFTC if their earnings are very low. In addition, people with relevant child care costs which cannot be fully met from earnings can have the balance of those costs deducted from WFTC. We have no plans to introduce a wider disregard of WFTC.

SERPS

Mr. Field: To ask the Secretary of State for Social Security (1) if he will estimate for *(a)* 2000, *(b)* 2001 and *(c)* 2002 the number of men turning 65 years who will receive (i) 0 to 25 per cent., (ii) 26 to 50 per cent., (iii) 51 to 75 per cent. and (iv) 76 to 100 per cent. of the maximum SERPS pension; [133044]

(2) if he will estimate for *(a)* 2000, *(b)* 2001 and *(c)* 2002 the number of women turning 60 who will receive (i) 0 to 25 per cent., (ii) 26 to 50 per cent., (iii) 51 to 75 per cent. and (iv) 76 to 100 per cent. of the maximum SERPS pension; [133043]

(3) if he will estimate for *(a)* 2000, *(b)* 2001 and *(c)* 2002 how many (i) men turning 65 and (ii) women turning 60 will receive a SERPS pension. [132952]

Mr. Rooker: The information requested is not available in the format requested. Such information as is available in the tables.

The tables are based on current statistics for recently retired pensioners.

Numbers of women aged 60 and men aged 65 with the relevant percentage of the maximum SERPS pension payable in their own right, including cases with a zero entitlement to a SERPS pension

Thousand

	All men aged 65	*All women aged 60*
All cases	256.9	242.6
0 to 25 per cent.	97.2	206.3
26 to 50 per cent.	74.4	24.4
51 to 75 per cent.	66.3	9.4
76 to 100 per cent.	19.0	2.5

The numbers of women aged 60 and men aged 65 receiving a SERPS pension in their own right, excluding cases with a zero entitlement to a SERPS pension

Thousand

All cases	370.1
Men aged 65	227.6
Women aged 60	142.5

Note:

Figures are rounded to the nearest hundred

Source:

5 per cent. sample from the Pension Strategy Computer System as at 30 September 1999

Mr. Field: To ask the Secretary of State for Social Security if he will estimate the monetary value of 25 per cent. of the maximum SERPS pension for each of the years 2000 to 2003. [133042]

Mr. Rooker: The information is in the table.

Estimates of the monetary value of 25 per cent. of the maximum SERPS pension for each of the years 2000 to 2003

	Maximum additional pension (£ pw)	*25 per cent. of maximum*
2000–01	124.95	31.23
2001–02	130.96	32.74
2002–03	134.55	33.64
2003–04	138.08	34.52

Notes:

1. Figures beyond 2001–02 are based on projected changes in earnings and prices.

2. The upper earnings limit for National Insurance contributions is assumed to rise in line with prices beyond 2001–02.

Source:

Estimates provided by the Government Actuary's Department

Personal Pensions

Mr. Field: To ask the Secretary of State for Social Security if he will estimate the number of group personal pension plans. [132943]

Mr. Rooker: The information is not collected.

PFI Contracts

Mr. Alan Williams: To ask the Secretary of State for Social Security in how many of his Department's PFI contracts KPMG has been an adviser. [132858]

Mr. Rooker: The Department has two PFI projects; PRIME (Private Sector Resource Initiative for Management of the Estate) and ACCORD (Access to Corporate Data).

KPMG are providing input into the Network and Office Services project (NOSP) strand of the ACCORD programme. The NOSP stand is at the Invitation to Tender stage and is not yet a formal contract. Charterhouse are providing overall strategic direction across the ACCORD Outsourcing, CSR and NOSP strands.

KPMG have not provided advice to the PRIME project.

Occupational Pensions

Mr. Field: To ask the Secretary of State for Social Security how many occupational pension schemes are in existence; and how many of them were *(a)* defined benefit and *(b)* defined contribution in each of the last five years. [132944]

Mr. Rooker: The information is not available in the format requested as the information is not collected on an annual basis. Such information as is available is as follows.

At the end of 1995 there were around 151,000 occupational pension schemes. 37,980 defined benefit, 109,440 defined contributions and 3,580 schemes which have elements of both defined benefit and defined contribution.

Source:

Government Actuary's Department

State Pensions

Mr. Field: To ask the Secretary of State for Social Security how many women who turned 60 years in each of the last three years had a full basic state pension *(a)* in their own right and *(b)* by virtue of their husband's national insurance contribution. [132972]

Mr. Rooker: The information is in the tables.

Retirement pensioners—women aged 60 with full amount of basic state pension based on their own and/or their late husband's contributions

Thousand

	March		
	1997	*1998*	*1999*
All cases	54.8	56.6	49.8
Based on own contributions	32.9	35.2	30.3
Based on own and/or husband's contributions	21.9	21.5	19.6

Retirement pensioners—women aged 60 with 60 per cent. of basic state pension based on their own and/or their husband's contributions

Thousand

March	*All cases*
1997	35.4
1998	36.1
1999	35.5

Note:
The figures are rounded to the nearest hundred
Source:
5 per cent. sample from the Pension Strategy Computer System at 30 September 1999

Mr. Field: To ask the Secretary of State for Social Security (1) if he will estimate for *(a)* 2000, *(b)* 2001 and *(c)* 2002 how many women turning 60 will receive (i) 0 to 25 per cent., (ii) 26 to 50 per cent., (iii) 51 to 75 per cent. and (iv) 76 to 100 per cent. of the basic state pension; [132949]

(2) if he will estimate for *(a)* 2000, *(b)* 2001 and *(c)* 2002 how many men turning 65 will receive (i) 0 to 25 per cent., (ii) 26 to 50 per cent., (iii) 51 to 75 per cent. and (iv) 76 to 100 per cent. of the basic state pension. [132950]

Mr. Rooker: Information is not available in the format requested. Such information as is available is in the table.

Women aged 60 and men aged 65 with the relevant percentage of the basic State pension

Thousand

	All men aged 65	*All women aged 60*
All Cases	256.9	242.6
0 to 25%	2.7	21.6
26 to 50%	9.4	56.1
51 to 75%	10.9	83.4
76 to 100%	233.9	81.5

As Government Actuary's Department does not produce forecasts for the future we have produced estimates on current data
Notes:
1. The figures are rounded to the nearest hundred, and include cases with a zero entitlement to the basic State pension
2. Married women with a 60 per cent. Category B pension are shown in the 51–75 per cent. bracket
Source:
5 per cent. sample from the Pension Strategy Computer System at 30 September 1999

Statutory Maternity Pay

Ms Harman: To ask the Secretary of State for Social Security what percentage of women's average earnings flat rate Statutory Maternity Pay constituted in each year since 1970. [133139]

Mr. Bayley: Statutory Maternity Pay was introduced in April 1987. The table shows the percentage of women's average earnings that the flat rate of statutory maternity pay has constituted in each year from that date.

Ratio of women's earnings to flat rate of Statutory Maternity Pay

Percentage

April 1987	28.5
April 1988	27.7
April 1989	26.8
April 1990	26.5
April 1991	28.0
April 1992	27.2
April 1993	27.1
April 1994	26.8
April 1995	27.9
April 1996	27.9
April 1997	27.7
April 1998	27.4
April 1999	26.8

Note:
Average earnings figures are for full-time female manual employees and come from the New Earnings Survey, taken in April each year.

Industrial Injuries Compensation

Mr. Trickett: To ask the Secretary of State for Social Security how many former miners who have been compensated for industrial injury involving vibration white finger under the DTI scheme have been refused a pension by his Department; and if he will make a statement. [132439]

Mr. Bayley: The information is not held.

Payment of compensation by an employer does not automatically mean that someone is entitled to industrial injury benefits. In considering a benefit claim, the decision maker will consider any supporting evidence before applying the appropriate Social Security law to the facts of the case.

Pneumoconiosis

Mr. Clapham: To ask the Secretary of State for Social Security how many pneumoconiosis awards have been made in the last three months for which figures are available, broken down by coalfield area in respect of *(a)* working miners and *(b)* former mineworkers. [132506]

Mr. Bayley: The information is not available in the format requested. Such information as is available in the table.

The number of new awards of industrial injuries disablement benefit (IIB) for pneumoconiosis in the 3 months ending 31 March 2000, made to people employed, or formerly employed, in the coal industry by government office region and by age

Government Office region	*All Ages*	*Under 60*	*60–64*	*65 and over*
All regions	91	11	10	70
North East	2	—	2	—
North West	3	1	2	—
Yorkshire & Humber	26	4	1	21
East Midlands	33	2	2	29
West Midlands	11	2	1	8
East	—	—	—	—
London	—	—	—	—
South East	—	—	—	—
South West	1	—	—	1
Wales	13	2	2	9
Scotland	2	—	—	2
Overseas	—	—	—	—

Notes:
1. Industry is based on the Standard Industrial Classification (SIC) of economic activities 1992.
2. Code 1010 has been used to identify the coal industry.
Source:
Information Centre, figures based on a 100 per cent. count.

Household Income Statistics

Mr. Webb: To ask the Secretary of State for Social Security if he will provide the estimates of the proportion of the population in each county with income below 60 per cent. of median income which underlay Figure 3.6 of his Department's report, "Households Below Average Income". [131749]

Mr. Bayley *[holding answer 21 July 2000]:* Figure 3.6 presents information for counties ranked into five equal sized groups. Although the underlying data were used in the production of the maps, DSS statisticians advise that precise results for individual counties are not robust enough to be presented separately. Results for individual counties are affected by sampling error and response biases and by the fact that the Family Resources Survey, from which HBAI estimates are drawn, has a sample stratified at regional, not county, level.

Care Services

Ms Walley: To ask the Secretary of State for Social Security what enhanced payments independent sector organisations which provide care services receive; and what assessment he has made of the implications of this for local authority social service departments. [132419]

Mr. Bayley: Independent sector organisations which provide care services do not receive enhanced payments of Social Security benefits. A resident in an independent sector care home who was there on 31 March 1993 remains entitled by way of preserved rights to higher levels of Income Support as a contribution towards the fees charged by such homes which the resident is responsible for meeting.

A person who took up residence in such a home from April 1993 under community care arrangements would receive Income Support, including appropriate premiums in broadly the same way as they would if they remained at home, with the addition of a Residential Allowance as contribution towards their housing costs. The relevant local authority is responsible for meeting the fees and collecting a contribution from the resident; subject to the resident retaining from their income at least £15.45 per week for personal expenses.

My right hon. Friends the Prime Minister and the Secretary of State for Health announced today in the context of the NHS plan that the preserved rights scheme will end in April 2002 and cases will become the responsibility of local authorities with an appropriate transfer of funding from this Department to local authorities, and that the funds for the Residential Allowance will also be transferred to local authorities.

Benefit Statistics

Mr. Berry: To ask the Secretary of State for Social Security how many households among those having less than half average income in *(a)* 1996–97, *(b)* 1997–98, *(c)* 1998–99 and *(d)* 1999–2000, depended primarily for their income on (i) National Insurance pension benefits, (ii) other National Insurance benefits and Child Benefit, (iii) Income Support or the Minimum Income Guarantee and (iv) other types and combinations of benefit. [131958]

Mr. Bayley: The following table shows the number of families with less than contemporary half average income that receive Social Security benefits which account for more than 50 per cent. of their gross income. The figures come from Households Below Average Income (HBAI) series and cover the period up to and including financial year 1998–99 for Great Britain. Figures for 1999–2000 are not available.

Number of families, in households below contemporary half average income, that are dependent primarily on selected Social Security benefits

Million

	1996–97		*1997–98*		*1998–99*	
	BHC	*AHC*	*BHC*	*AHC*	*BHC*	*AHC*
Families below half average (mean) income	5.1	7.2	5.2	7.1	5.4	7.3
Those dependent primarily on:						
National Insurance pension benefits	1.4	1.8	1.5	1.8	1.6	1.9
Other National Insurance benefits and Child Benefit	0.3	0.5	0.4	0.5	0.4	0.5
Income Support	0.9	1.1	0.8	1.0	0.7	0.9
All benefits	3.5	5.0	3.4	4.8	3.6	4.9

Notes:

1. All figures are estimates and are taken from HBAI which is based on the Family Resources Survey. All estimates are subject to sampling error and response bias.

2. 'Dependent primarily' has been defined as income from benefits exceeding 50 per cent. of the family's total gross weekly income. HBAI counts the number of families/benefit units in receipt of Social Security benefits, not the number of households. Therefore figures are quoted on family/benefit unit level. An individual household may consist of more than one family/benefit unit therefore figures presented in the table will be higher than counting the number of households.

3. National Insurance pension benefits consists of the Retirement Pension (including SERPS). Other National Insurance benefits include Jobseeker's Allowance (Contributory based), Incapacity Benefit and Widows Benefit. Income Support includes the income based element of Jobseeker's Allowance.

4. The 'All benefits' line relates to the number of families with income below half average that are dependent primarily on income from Social Security benefits.

5. All figures include the self-employed.

6. Figures are presented for families in households below half average income before the deduction of housing costs (BHC) and after (AHC), in line with HBAI conventions.

Benefit Recipients

Mr. Matthew Taylor: To ask the Secretary of State for Social Security if he will estimate how many people in households in the bottom two deciles of household income whose hourly earnings were below the minimum wage level, deflated from the 1999 rate, were receiving each social security benefit, and in what combination, using data from the Family Resources Survey 1997–98; and if he will make a statement. [129955]

Mr. Bayley: The information requested is not available in the format requested. Such information as is available is as follows.

The number of individuals who were in the bottom two equivalised income deciles and where the hourly earnings of the head of the family in which they belong would have been below the national minimum wage had it existed in 1997–98, deflated from the 1999 rate is 800,000. The estimate is calculated using data from the 1997–98 Family Resources Survey. Of those 800,000 individuals it is estimated that 290,000 were in receipt of Council Tax Benefit. The sample size of the Family Resources Survey is not large enough to allow reliable estimates to be made of the number within the 800,000 who were in receipt of other benefits.

Asbestos

Mr. Field: To ask the Secretary of State for Social Security *(a)* when his Department withdrew leaflet N1272 on asbestos, *(b)* for what reasons it was withdrawn, *(c)* what plans he has to issue a new leaflet covering this subject and *(d)* when replacement literature will be available. [132489]

Dr. Tonge: To ask the Secretary of State for Social Security (1) when he intends to replace or reissue leaflet N1272 relating to diseases caused by asbestos; [132641]

(2) for what reason leaflet N1272, relating to asbestos-related diseases, has been withdrawn. [132642]

Mr. Bayley: Leaflet N1272 was withdrawn on 1 November 1999 as part of a review of all the Benefits Agency's leaflets. The review was carried out following extensive research with customers to find out what they wanted from leaflets. The research showed that customers did not find leaflets the best source of detailed information.

For those who would use a leaflet, the research showed that customers wanted the leaflets based on specific life events rather than covering specific benefits. They also wanted the leaflets to contain basic information about all the help they could get in that circumstance and they wanted the information to be just enough to help them to decide whether to claim. Based on the research we withdrew leaflet N1272 and replaced it with a less detailed leaflet SD6 "ill or disabled because of a disease or deafness caused by work".

There are no plans to issue a new leaflet specifically on asbestos-related diseases. However, the Benefits Agency issued replacement literature on 1 November 1999. Its leaflet SD6 "ill or disabled because of a disease or deafness caused by work" is aimed at customers and gives brief details of the Industrial Injuries scheme. It also issued a technical guide, DB1 "A guide to Industrial Injuries scheme benefits", on the same date. This gives detailed information about the scheme, including asbestos-related diseases. It is freely available to the public although it is primarily aimed at customer advisers.

Winter Fuel Payments

Ms Walley: To ask the Secretary of State for Social Security if he will make arrangements for the payment at post offices of Winter Fuel Payments for men aged 60 to 63 years. [132418]

Angela Eagle: The majority of men aged 60–64 who are newly eligible for Winter Fuel Payments as a result of recent changes to the qualifying criteria, will have to make a claim for Winter Fuel Payments in respect of either past winters, or this coming winter or both.

Customers are given a choice as to the method of payment they prefer and payments can be paid directly into a bank or building society account or by Girocheque—which can be cashed at their local post office. Claims are currently being processed and payments for past winters are being issued just as soon as entitlement has been determined.

Official Visits

Mr. Matthew Taylor: To ask the Secretary of State for Social Security if he will list the visits outside Britain made by his Department's Permanent Secretary on official business since 1 January 1999, indicating the date and purpose of the visit in each case. [132774]

Mr. Rooker: The Permanent Secretary visited the USA in October 1999 to meet the senior management of EDS and see some of their large scale partnerships in operation. She visited Northern Ireland in September 1999, and her predecessor visited Northern Ireland in February 1999. Both visits were to meet with staff at the Benefits Agency and Child Support Agency.

Press Officers

Mr. Lansley: To ask the Secretary of State for Social Security how many press officers were employed in his Department in *(a)* May 1997, *(b)* January 1998, *(c)* January [illegible] and *(d)* January 2000; and what the total expenditure on press officers by his Department was in each of the years concerned. [132767]

Mr. Rooker: I refer the hon. Member to Appendix 11 of the Report on the GICS by the Select Committee on Public Spending (29 July 1998), where Appendix 11 lists the number and cost of press officers per Department 1997, 1998 and 1999. Information for 2000 is as follows:

January 2000

Total number of Press Officers—11

Total expenditure—£373,000.

Press Releases

Mr. Lansley: To ask the Secretary of State for Social Security how many press releases have been issued so far this year; and what the total cost of the production and issuing of press releases was in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* 2000 to date. [132771]

Mr. Rooker: The information is in the table.

The total cost of the production and issuing of press releases between January 1997-June 2000

	1997	*1998*	*1999*	*2000*
DSS				
Issued	291	311	270	212
Cost (£)	29,990	32,052	27,826	21,849
Benefits Agency				
Issued	60	42	48	29
Cost (£)	6,184	4,329	4,947	2,989
Contributions Agency (CA)				
Issued	50	10	3	—
Cost (£)	5,153	1,031	309	—
Child Support Agency (CSA)				
Issued	10	4	—	—
Cost (£)	1,031	412.24	—	—

Notes:

1. The Contributions Agency transferred to the Inland Revenue on 31 October 1999.
2. Figures for CSA in 1999 and 2000 come within the total figure for DSS.
3. Figures rounded to the nearest £.

Correspondence

Mr. Barry Jones: To ask the Secretary of State for Social Security when he proposes to answer the letter of 25 May, sent by the right hon. Member for Alyn and Deeside, regarding Mrs. Boaden of Deeside, Flintshire. [133127]

Mr. Rooker: A reply was issued on 27 July 2000.

EDUCATION AND EMPLOYMENT

New Deal

Mr. Brady: To ask the Secretary of State for Education and Employment how many employees of his Department and its agencies have been recruited from the New Deal; and what percentage this represents of total staff. [129102]

Mr. Wills: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Bradford, North (Mr. Rooney) on 6 July 2000, *Official Report*, column 286W.

The number of New Dealers within my Department and its executive agencies represents four per cent. of total staff.

Teachers' Pension Fund

Mr. Purchase: To ask the Secretary of State for Education and Employment what estimate he has made of the contribution from public funds to the teachers' pension fund; and if the contribution is estimated *(a)* to rise, *(b)* to fall or *(c)* to remain the same in real terms over the next 20 years. [129304]

Mr. Blunkett: Teachers' pensions in England and Wales are mainly funded through taxation. Pension contributions from teachers and their employers in the public sector provide most of the cash income. The table gives cash forecasts for the four years to 2003–04. No further cashflow figures are available.

£ million

Financial year	*Gross expenditure*	*Gross income*	*Net expenditure*
2000–01	3,680	2,030	1,650
2001–02	3,850	2,150	1,700
2002–03	4,200	2,420	1,780
2003–04	4,550	2,570	1,980

A longer term view of the financial position of the Teachers' Pensions Scheme is given in the 1996 Valuation Report laid before the House on 30 March 2000. This compares the notional assets of the fund, derived from past pension contributions, with current and future pension liabilities. Every five years the Government Actuary reviews this position and specifies a pension contribution rate which will eliminate any surplus or deficit identified in the report over 40 years.

Grants

Mr. Clappison: To ask the Secretary of State for Education and Employment if he will give a breakdown of the costs involved in the transfer of responsibility for grants for four year olds referred to in the DfEE press release of 18 July 2000 entitled, "Schools to get up to £70,000 each in direct grants"; and what is the total cost involved in the transfer in each year to 2003–04. [132404]

Ms Estelle Morris: The SSA increase for 2001–02 of 5.5 per cent. covers the £125 million paid in grant to LEAs in 2000–01 for four year old nursery provision. The total of Education SSA for 2002–03 and 2003–04 also includes funding for the increased pressure on local education authorities resulting from this transfer.

Sixth-form Curriculum

Mr. Clappison: To ask the Secretary of State for Education and Employment what estimate he has made of the cost of progressive implementation of the broader sixth form curriculum in each year in the period covered by the Comprehensive Spending Review. [132405]

Mr. Wicks: We have provided £35 million in the Education Spending Settlement for 2000–01 to help meet the costs of the broader curriculum. The figure for 2001–02 will be announced in due course.

Comprehensive Spending Review

Mr. Clappison: To ask the Secretary of State for Education and Employment if he will list the additional responsibilities resulting in *(a)* cost and *(b)* additional costs which he expects to be met by schools in the period covered by the Comprehensive Spending Review; and what estimate he has made of the total of such costs broken down for (i) primary schools and (ii) secondary schools. [132406]

Mr. Blunkett: Schools will be responsible for boosting standards of attainment at the relevant Key Stages over the period of the Spending Review. Full details of these additional responsibilities and the extra resources we are making available to help schools meet them will be announced in due course. We have already announced that headteachers in England will be given £540 million in special grants next year as part of an increase in education spending in the UK of nearly £12 billion from 2000–01

to 2003–04 and that the Year 2000 Spending Review means a real terms increase of some £370 per pupil over the three years bringing the total to almost £700 per pupil in real terms between 1997–98 and 2003–04.

Education SSA

Mr. Clappison: To ask the Secretary of State for Education and Employment what the change is for each year from 2000–01 to 2003–04 in *(a)* the education SSA and *(b)* the education SSA plus direct grant from Government to schools, adjusted using the GDP deflator in both cases. [132407]

Ms Estelle Morris: In addition to SSA and direct grant increases, funding for schools through the Standards Fund and specific grants, including class size grant, and for schools capital will be increased as a result of the Spending Review. Full details of the extra resources we are making available to schools for these aspects will be announced in due course. On SSA and direct grant, the information requested is set out in the following table:

	Real terms year-on-year increase in education SSA (£ million)	*Percentage increase*	*Real terms year-on-year increase in education SSA plus direct grants to schools (£ million)*	*Percentage increase*
2001–02	525	2.4	760	3.5
2002–03	749	3.4	751	3.3
2003–04	744	3.3	745	3.2

We have already announced that headteachers in England will be given £540 million in direct grants next year, and that this will be sustained with 2.75 per cent. increases over the following two years. This is part of an increase in education spending in the UK of nearly £12 billion from 2000–01 to 2003–04. The Year 2000 Spending Review means a real terms increase of some £370 per pupil over the three years bringing the total to almost £700 per pupil in real terms between 1997–98 and 2003–04.

Connexions

Mr. Clappison: To ask the Secretary of State for Education and Employment what is the spending total for the Connexions programme in the year 1999–2000; what are the planned spending totals for each to 2004; how much of these totals is further spending following the Comprehensive Spending Review; and if he will give a breakdown of the costs of the programme, including administrative costs. [132408]

Mr. Wicks: The Connexions Service will be progressively introduced from April 2001. Following the Year 2000 Spending Review settlement, the Secretary of State for Education and Employment will make an announcement in due course about the outcome for individual programmes in 2001–02 and beyond, including the new resources for the Connexions Service.

Standards Fund

Mr. Clappison: To ask the Secretary of State for Education and Employment what the spending totals are of each of the grants administered under the Standards Fund for 2000–01; what are the planned totals for each year to 2004; and how much of the total in each case is further spending allocated under the Comprehensive Spending Review. [132409]

Ms Estelle Morris: Total expenditure allocated, and taken up by local education authorities, for each of the grants administered under the Standards Fund for 2000–01 are shown in the following table. Figures include both Government and local authority contributions to the Standards Fund. Planned totals for future years will be determined as part of detailed decisions to be made following the outcome of the Spending Review.

Grants administered under the Standards Fund spending totals

	£ million
School Improvement	289.2
School Leadership: National Professional Qualification for Headteachers	20.4
School Leadership: Serving Headteachers	8.1
Qualifications	18.0
New National Curriculum	17.1
Training Schools	2.5
Advanced Skills Teachers (AST): Introductory Phase	1.7
Advanced Skills Teachers (AST): National Programme	13.6
Beacon Schools	8.0
Specialist Schools	55.0
Early Years Training and Development	13.1
Early Excellence Centres	5.9
National Literacy Strategy—Primary	48.1
National Numeracy Strategy—Primary	49.8
National Numeracy Strategy—Intensive Training	9.0
Summer Literacy and Numeracy Schools and Literacy and Numeracy at Key Stage	18.9
Key Stage 3 Numeracy: Secondary Schools Conference	2.7
Year 6 Literacy and Numeracy Booster Classes	42.0
Family Literacy and Numeracy	6.8
Playing for Success	3.2
Study Support	17.1
Ethnic Minority Pupils and Traveller Achievement Grant	162.5
Special Educational Needs	55.0
Social Inclusion: Drugs and Youth	137.3
Teenage Pregnancies	5.0
Access Fund for pupils aged 16–19 Year Olds	9.0
Education Maintenance Allowances	77.4
Excellence in Cities: City Learning Centres	33.3
Excellence in Cities: Gifted and Talented Children	18.0
Excellence in Cities: Learning Support Units and Learning Mentors	34.3
Protecting Local Authority Music Services	30.0
Expanding Local Authority Music Services	20.0
Lifelong Learning Development Plans	17.7
Education and Health Partnerships	5.7
Parent Governors Representatives	0.2
Teaching Assistants	130.0
Small School Support Fund	16.8
Working Environment Fund	20.0
Performance Management and Threshold Assessment Training	20.0
Support for Performance Management and Threshold Assessment arrangements	20.0
Administrative Support for Small Schools	56.0
Supported Early Retirement Scheme for Heads	10.0
Adult: Pupil Ratio in Reception Classes	12.3
Excellence in cities: Best Practice Research Projects	0.2
Excellence in Cities: Innovation Projects	1.0
Small Education Action Zones: Development Plans	0.2
Small Education Action Zones: Implementation	2.9
Adult Ethnic Minority Achievement	1.2
Gifted and Talented Summer Schools	3.6
Transforming Key Stage 3	10.0
Literacy and Numeracy Strategies—Catch Up	18.6
Excellence in Cities: Development costs	1.0
Reducing Infant Class Sizes	137.7
Reducing Infant Class Sizes: Capital Grant	70.6
Formula Capital	161.3
Seed Challenge Capital Fund	31.0
School Laboratories	30.0
Learning Support Units	11.0
Nursery Capital	5.0

Grants administered under the Standards Fund spending totals

	£ million
National Grid for Learning	198.0
School Security	22.0
New Deal for Schools Capital	558.0
Total	2,804.2

Mr. Clappison: To ask the Secretary of State for Education and Employment what is his estimate of the cost of administering Standards Fund grants in *(a)* his Department and *(b)* local education authorities over the period of the Comprehensive Spending Review. [132410]

Ms Estelle Morris: No figures are available of the administrative costs of the Standards Fund. The Government have recognised the need to restrict the burden on schools as the size of the Fund has grown. The Department is reviewing the arrangements for the Standards Fund in consultation with schools, Local Education Authorities and other interested parties. As a result of the review changes will be made to simplify the operation of the Standards Fund from April 2001, details of which will be announced in the Autumn. The main changes resulting from the review will involve reducing the paperwork by simplifying the mechanics of payment and accounting; encouraging an approach focused on outcomes; giving schools and local authorities greater spending freedom; sharing timely management information, and spreading best practice.

Education Policy

Mr. Clappison: To ask the Secretary of State for Education and Employment for each year since 1979, how much his Department, and the previous Department of Education, spent in real terms on *(a)* focus groups, *(b)* opinion polls, *(c)* press releases and *(d)* television and radio advertising relating to education policy. [132411]

Mr. Wills: The Department for Education and Employment does not undertake focus groups or opinion polls of the public. However it has sampled and consulted on views of teachers, Heads and other groups affected by the Department's policies on specific issues; for example literacy and numeracy strategies.

Expenditure on press releases is not available in a form which would enable comparable figures for each year (1979 to 2000) to be compiled without disproportionate cost.

Expenditure on television and radio advertising relating to education policy from 1979–80 to 1999–2000, was as follows:

Financial year	*Expenditure*[1]	*Expenditure (£000)*
1979–80	—	—
1980–81	—	—
1981–82	—	—
1982–83	—	—
1983–84	—	—
1984–85	—	—
1985–86	—	—
1986–87	—	—
1987–88	—	—
1988–89	40	60.8
1989–90	11.8	16.7
1990–91	1,197	1,574.1
1991–92	800	991.2
1992–93	—	—
1993–94	29.2	34.1
1994–95	—	—
1995–96	165.7	185.6
1996–97	822.8	893.1
1997–98	190	200.6
1998–99	3,998.5	4,100.6
1999–2000	2,525.7	2,525.7

[1] Cash terms
[2] Real terms 1999–2000 prices

The expenditure in 1998 onwards is largely accounted for by the Department's campaigns on literacy and numeracy.

Employment Service

Mr. Clappison: To ask the Secretary of State for Education and Employment what was the total of Departmental HQ and the Employment Service, gross running costs in 1997–98; what are the planned totals for gross running costs for the years up to 2004; and if he will give the total of administration costs referred to in Table 7.1 on Page 48 of the Spending Review 2000. [132412]

Mr. Blunkett: The gross running costs of the Department and the Employment Service since 1997–98 are as follows:

£000

	1997–98[1]	*1998–99*[1]	*1999–2000*[2]	*2000–01*[2]
DfEE	255,175	269,309	267,927	269,403
ES	823,986	795,326	830,704	841,672
Total gross	1,079,161	1,064,788	1,099,474	1,111,075

[1] Outturn figures
[2] Estimated outturn

The planned totals for gross running costs for the years up to 2004, and the total of administration costs within the Year 2000 Spending Review settlement have not yet been finalised.

Angela Smith: To ask the Secretary of State for Education and Employment when the Employment Service Annual report and Accounts for 1999–2000 will be laid before Parliament. [133690]

Mr. Blunkett: I have today laid before the House the Employment Service's Annual Report and Accounts for 1999–2000 which gives full details of the Agency's performance and expenditure for that year.

The Annual Report records an excellent year's work by the Employment Service. For the first time since 1994–95 it has achieved and in many cases significantly exceeded all its targets for helping unemployed people into jobs. Jobcentres have also been giving record levels of customer service to jobseekers.

During the course of an extremely challenging year, the Employment Service:

placed directly into work more than 1.33 million unemployed people, including over 220,000 who had been unemployed for six months and just under 97,000 people with disabilities;

handled 2.7 million job vacancies; and

helped 191,000 young people through the New Deal for Young People and directly placed over 111,000 into jobs.

This has been achieved against a background of major change and new challenges. During 1999–2000 the Employment Service also:

built on the continuing success of the New Deals, including the national implementation of the New Deal for Partners of Unemployed People and the launch of pilots for New Deal 50plus;

worked with partners in the public, private and voluntary sectors to launch 12 pilots of the ONE service to provide a work-focused, one-stop entry into the welfare system and, as part of the Working Links partnership, to bid for, and run, nine of the 15 Employment Zones;

introduced a programme to improve the service it gives to its employer customers, including a set of explicit service delivery standards; and

prepared the ground for its ambitious Modernisation programme which will see touch-screen kiosks in every Jobcentre, place all vacancies handled by ES on the Internet and introduce a single, national telephone number for employers to register job vacancies.

The Employment Service missed only one of its targets last year, for the correct application of the Jobseeker's Allowance process. It ended the year on 90 per cent. against a target of 96 per cent. Even here, however, there was a substantial improvement in performance during the course of the year.

1999–2000 was a very good year for the Employment Service. Its success was down to the effort and enthusiasm of everyone working in it. I am very grateful to them for that effort, commitment and determination to succeed. I look forward to building on this success in the year ahead and in setting up the new agency to deliver work-focused services to people of working age. I know that people in the Employment Service will rise to the new opportunities and challenges involved in making it a success.

Sure Start

Mr. Clappison: To ask the Secretary of State for Education and Employment what is the spending outturn for the Sure Start programme for 1999–2000; what are the planned spending totals for the programme for each year to 2004; how much of this spending is further spending following the Comprehensive Spending Review; if he will give a breakdown of the cost of the programme, including administrative costs; and when he expects to have an evaluation strategy for the Sure Start programme in place. [132413]

Yvette Cooper: I have been asked to reply.

The requested spending figures are set out in the following table with supporting notes. The Sure Start evaluation strategy is almost finalised. Tenders are currently being invited to carry out the national evaluation and a contract should be in place by the autumn. The national evaluation should begin soon after.

Sure Start Spending

£ million

		Of which:	
	Sure Start spending	*Spending review*	*Administration costs*[1]
1999–2000[2]	5	—	1.1
2000–01[3]	184	—	1.6
2001–02[4]	284	—	3.4
2002–03[5]	449	265	4.1
2003–04[5]	499	315	4.2

[1] Includes the baseline, plus spending review allocations and administration costs. The baselines for 2001–02 onwards are on a resource rather than cash basis.

[2] For 1999–2000 and 2000–01, Sure Start running costs were included in the DfEE's gross running costs limit, from 2001–02 onwards there will be a separate limit.

[3] The total for 2001–02 includes a projected carry forward of £100 million from previous years.

[4] Provisional outturn.

[5] Plans.

Circulars

Mr. Clappison: To ask the Secretary of State for Education and Employment for each year since 1979, how much his Department, and its predecessors, spent in real terms on circulars relating to education. [132414]

Mr. Wills: Information on the Department's circular communications relating to education is not available in a form which would enable comparable figures for the expenditure on those circulars for each of the years 1979 to 2000 to be compiled without incurring disproportionate cost.

Pathfinder Projects

Mr. Clappison: To ask the Secretary of State for Education and Employment, pursuant to his answer of 12 July 2000, *Official Report*, column 556W, on pathfinder projects, how many expressions of interest have been received regarding city academy pathfinder projects. [132415]

Ms Estelle Morris: We have received several expressions of interest from potential sponsors and are having further discussions with them about the scope for developing more detailed proposals.

Children (Mental Health)

Ms Julie Morgan: To ask the Secretary of State for Education and Employment what plans he has to ensure that teachers receive training about the mental health of children and young people; and if this will form part of their *(a)* initial or *(b)* in-service training. [132484]

Ms Estelle Morris: All teachers, as part of their initial teacher training, are trained in how to identify and deal with special educational needs. In order to gain Qualified Teacher Status (QTS) trainees must demonstrate that they meet all of the standards for the award of QTS which include specific references to special educational needs. All teachers must also meet induction standards, which cover special educational needs, at the end of their induction year.

With regard to in-service training in special educational needs for teachers, the Department is supporting expenditure of £26 million under the Standards Fund for 2000–01. In addition, £6 million is being supported through the Standards Fund for work on emotional and behavioural difficulties, including projects to identify and provide for the learning needs of children with mental health problems. Good practice arising from these projects will be widely disseminated, alongside other guidance on child mental health issues currently being prepared by the Department.

Ms Julie Morgan: To ask the Secretary of State for Education and Employment what percentage of children in mainstream schools have mental health problems; and what steps he proposes to take to provide them with support. [132548]

Jacqui Smith: Based on the survey of 10,000 children conducted by the Office for National Statistics, and published in March 2000, it is estimated that 10 per cent. of children aged 5–15 years have a mental disorder. This includes emotional disorders—anxiety and depression—conduct disorders and hyperactivity. The majority of children with these mental ill health problems are being educated in mainstream schools.

My Department, working closely with the Department of Health and taking advice from experts in the child mental health field, is preparing good practice guidance, based on existing case studies, for a range of school settings. This will help teachers work effectively with pupils with emotional and mental health problems. It will be followed by further guidance next year, including examples of effective working between schools and local Child and Adolescent Mental Health services.

The Special Educational Needs element of the Standards Fund grant for England provides scope for funding projects for identifying and providing for the learning needs of children with mental health problems. A number of projects currently underway involve schools working with health services and educational psychologists, including projects with a specific focus on child mental health. We aim to include examples of good practice from these projects in our guidance and make them available on the Department's Internet site. In addition, the support provided under the Standards Fund for Special Educational Needs training may be used for training in relation to children with mental health problems.

Overseas Pupils

Mr. Clappison: To ask the Secretary of State for Education and Employment, pursuant to his answer of 20 July 2000, *Official Report*, column 306W, regarding the exclusion of overseas pupils from performance tables, ref. 132063, what criteria are to be used in determining which pupils are to be excluded; and what estimate he has made of the number of pupils likely to be so excluded. [132658]

Jacqui Smith: Pupils will qualify for exclusion from the school roll for the purpose of calculating school and Local Education Authority level results in the performance tables, if they:

are eligible for Key Stage 2 assessment (for primary schools) or are in their final year of compulsory schooling (for secondary schools);

are from overseas and were admitted to an English school for the first time on or after the start of Year 5 (for primary schools) or Year 10 (for secondary schools); and

do not have English as their first language.

These changes will have no impact on national level information, against which the Government's performance is measured.

We do not expect the number of children of asylum seeker or refugee families excluded from the performance tables under these arrangements to exceed 1,000. The total number of pupils likely to be excluded is expected to be very small in relation to the total number of pupils included in the tables.

Performance-related Pay

Mr. Clappison: To ask the Secretary of State for Education and Employment following the Government's decision not to appeal against the decision of Mr. Justice Jackson regarding performance-related pay, what his estimate is of the additional costs which will be incurred as a result of Mr. Justice Jackson's judgment. [132659]

Ms Estelle Morris: It is not possible to say at this stage what, if any, additional costs there may be.

School Inspections

Mr. Drew: To ask the Secretary of State for Education and Employment what plans he has to review the operation of data collection methods in advance of schools' OFSTED inspections, with particular reference to the working of *(a)* pre-inspection and school context indicator and *(b)* performance and assessment reports. [132671]

Ms Estelle Morris: This is a matter for HM Chief Inspector and I have therefore asked Chris Woodhead to write to my hon. Friend and to place a copy of his letter in the Library.

Mr. Drew: To ask the Secretary of State for Education and Employment what research his Department has undertaken on the relationship between pre-inspection and school context indicators and performance and assessment reports and *(a)* SATS and *(b)* teacher assessment. [132673]

Jacqui Smith: The Department has not undertaken any research on these relationships.

Class Sizes

Mr. Evans: To ask the Secretary of State for Education and Employment what the average *(a)* primary and *(b)* secondary school class size was for each school year in the Ribble Valley since 1994. [132720]

Ms Estelle Morris *[holding answer 26 July 2000]:* The requested information is shown in the following table.

The Government are well on target to deliver its infant class size pledge. Some £620 million is available to support the pledge and allocations so far to Lancashire LEA amount to some £15 million. This has helped to reduce the average infant class in Ribble Valley constituency to 24.8. In January 1997 the figure was 28.0. Over the same period, the average size of junior classes in the constituency has fallen from 30.5 to 30.4. Average secondary class sizes in the constituency have remained broadly stable over this period. Secondary classes nationally have been rising steadily for the last 12 years. In 1988 the figure was 19.9. In the budget, secondary headteachers received between £30,000 and £50,000 each to spend as they choose. If they spent it on teachers, they could reduce the secondary pupil:teacher ratio by 0.4.

Average size of one teacher classes in maintained primary and secondary schools in the Ribble Valley parliamentary constituency area: 1994–2000

Position as at January each year

	Key Stage 1		Key Stage 2	Primary[1]	Secondary
	Average class size	Number of pupils in classes of 31 or more	Average class size	Average class size	Average class size
2000	24.8	300	30.4	27.8	22.3
1999	25.9	771	30.2	28.1	22.3
1998	28.0	1,518	30.3	29.0	22.4
1997	28.0	1,428	30.5	29.1	22.3
1996	n/a	n/a	n/a	n/a	n/a
1995	n/a	n/a	n/a	n/a	n/a
1994	n/a	n/a	n/a	n/a	n/a

n/a = Not available
Provisional
[1] Includes nursery classes and mixed key stage classes

Sixth-form Students

Mr. Evans: To ask the Secretary of State for Education and Employment what percentage of students continued into the sixth-form in the Ribble Valley between 1994 and 2000. [132721]

Mr. Wicks *[holding answer 26 July 2000]:* My right hon. Friend the Secretary of State recently launched a major £3 million advertising campaign aimed at encouraging this year's school leavers and others to stay on in some form of learning. The "Don't Quit Now" campaign is particularly aimed at those who left this year with few, if any GCSEs and are in danger of dropping out of education and training. Latest figures show that the numbers of 16 to 18-year-olds not in education, employment or training fell by 28,000 from 185,000 in 1998 to 157,000 in 1999.

We are committed to improving participation and attainment rates for 16 and 17-year-olds. The Connexions Strategy sets out a range of existing and new initiatives aimed at achieving this. We have announced details of the new Connexions Service which will provide advice, guidance, information and support for all 13 to 19-year-olds, whatever their needs and circumstances, to keep them learning.

Data on the percentage of students continuing in post-compulsory education at age 16 are not calculated for areas smaller than LEAs. Figures for Lancashire LEA, which covers the area of the former county of Lancashire, are given in the table for the years 1994–95 to 1997–98 (the latest year available):

Participation of 16-year-olds in full-time education, Lancashire LEA, 1994–95 to 1997–98

Percentage of age group

	1994–95	1995–96	1996–97	1997–98
School	17	16	16	17
Sixth-form college	10	11	10	11
Other further education	33	39	37	37
Total full-time education	60	65	64	64

Notes:
Totals may not add due to rounding
Source:
Statistical Bulletin 14/99: Participation in education and training by young people aged 16 and 17 in each local area and region, England, 1993–94 to 1997–98

University Entrants

Mr. Evans: To ask the Secretary of State for Education and Employment what percentage of students leaving secondary school in Ribble Valley *(a)* went straight to university and *(b)* deferred university entrance for one or two years between 1994 and 2000. [132728]

Mr. Wicks *[holding answer 26 July 2000]:* There is only one secondary school in the Ribble Valley constituency which has a sixth-form containing potential applicants to higher education. The Department's policy does not routinely allow the release of data for individual schools unless schools have been given the opportunity to confirm or amend their data, and there has been prior ministerial approval for such releases. UCAS do not release data without the prior permission of the school. In any case, it is not possible to make unequivocal links for individual students between school-based and UCAS data.

Birmingham LEA

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what the net present cost is of the Birmingham LEA schools rebuilding project under the Private Finance Initiative; what the value is of the public sector comparators in *(a)* pre-risk and *(b)* risk-adjusted terms; and what risks are identified as having been transferred at (i) outline and (ii) final business case stage; and if he will make a statement. [132836]

Jacqui Smith: The net present cost of the Birmingham schools' rebuild package is estimated by the local education authority to be £78 million, which includes the value of the risks transferred.

The net present value of the risk adjusted public sector comparator is approximately £87 million. The value of the risks transferred to the private sector is estimated by the local education authority to be approximately £6 million.

The risks identified for transfer at outline business case stage were: detailed planning permission; design; construction; financing; availability (of the school buildings); operating performance; operating costs; repairs and maintenance; damage and vandalism; security; new legislation; obsolescence of plant, furniture and fittings; and revenue from dual use and commercial activities.

The risks identified as having been transferred at final business case stage were:

planning—detailed planning permission;

design and construct—satisfaction of design brief, quality and fitness for purpose, design development, cost increases, satisfaction of commissioning tests;

delays—construction delays, insured perils, contamination from military use, unexploded ordnance, failure of utilities or other public sector bodies to carry out works or provide services, failure or shortage of power, fuel or transport up to 90 days, blockade or embargo up to 90 days, industrial action affecting the facilities management industry up to 90 days, site conditions at contract close, responsibilities under the Construction (Design and Management) Regulations 1994 and other health and safety responsibilities;

operate—facilities management costs (including the risks associated with the repair, maintenance and security of the assets), responsibilities under the Transfer of Undertakings (Protection of Employment) Regulations 1981(TUPE), unavailability, under-performance, furniture and fittings, IT cabling, laboratory and workshop fixed equipment, energy and water consumption (part transferred), sub-contractor default;

contract generally—vandalism, health and safety, equal opportunities and discrimination legislation generally, general change in law giving rise to revenue expenditure; and

financial—insurance, third party claims, interest rates after year 20, third party income, inflation (part transferred), severance costs for staff employed in facilities management services at the end of the contract, force majeure (shared), contractor default.

The key principle of risk transfer within PFI schemes is that risks are placed with the party best able to manage them. Local education authorities must always ensure that, in transferring any risk to the private sector, they are achieving value for money.

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment, pursuant to his answer of 20 July 2000, *Official Report*, column 291W, if he will quantify the contribution of each of the three stated causes of the increase in the estimated cost in net present value of the Birmingham LEA schools rebuild package PFI scheme between the outline business case and final business case; and what reasons underlay the reduction in the discount rate used. [132844]

Jacqui Smith: The approximate contribution to the increase in the estimated cost in net present value of the Birmingham schools' rebuild package arising from each of the three causes given in my answer of 20 July is:

(a) improvements to the output specification—£5.7 million;

(b) technical changes to the calculation of the cost of the scheme—£3 million;

(c) an underestimate in the outline business case of the cost of operation of the new and refurbished schools—£6 million.

In addition, a combination of minor cost increases over the life of the project total £2.1 million.

The rate of discount used is set by the Secretary of State for Environment, Transport and the Regions for all local authorities. It is fixed each year and reflects the cost of all local authority borrowing. The rate changed between the outline and final business cases due to changes in the overall cost of local authority borrowing.

Capital Allocations

Ms Buck: To ask the Secretary of State for Education and Employment if he will break down the capital allocations to school in *(a)* Westminster and *(b)* Kensington and Chelsea since May 1997. [132886]

Jacqui Smith: The following table shows the schools in Westminster and Kensington and Chelsea which have benefited from allocations of New Deal for Schools grant. Schools also benefited in 2000–01 from Devolved Formula Capital of £423,000 in Westminster and £252,000 in Kensington and Chelsea, which is allocated by Local Education Authorities. In addition, capital allocations were made through the annual capital round to local education authorities for the benefit of schools.

New Deal for schools—grant allocations to schools in Westminster and Kensington and Chelsea

£

Schools	*Total grant allocated under NDS*
Kensington and Chelsea	
Bousfield Primary, Ashburham Primary	244,000
Sion Manning	46,647
Avondale Park	54,000
The Latimer Centre[1]	201,349
Package of five schools[2]	145,125
Holland Park	275,940
Bousfield Primary	90,054
Thomas Jones Primary	206,664
Marlborough Primary	52,745
Our Lady of Victories Primary	140,500
Oratory RC Primary	61,800
Total for Kensington and Chelsea	1,518,824
Westminster	
Quintin Kynaston Secondary	312,000
St. Gabriel's CE Primary	54,821
College Park	92,448
Wilberforce Primary	126,240
Edward Wilson Primary	55,000
North Westminster Community—Penfold Street	209,000
St. Peter's CE	22,625
North Westminster Community—North Wharf Road	427,500
Westminster City	328,511
Queens Park	323,121
Hallfield Infants and Junior	885,661
Quintin Kynaston Secondary	187,412
St. Marylebone CE	204,345
St. Augustine's CE VA Primary	38,765
Christ Church Bentinck CE Primary	109,134
Total for Westminster	3,376,583

[1] Including St. Anne's Nursery and the Pupil Referral Unit.

[2] A total of £145,125 was allocated to a package bid for five schools to undertake a programme of works in connection with the prevention of Legionellosis. Details of schools to which funding was allocated are held by Kensington and Chelsea Local Education Authority.

Credit approvals issued to Westminster and Kensington and Chelsea Local Education Authorities through the annual capital round

£000

Year	*Westminster*	*Kensington and Chelsea*
1997–98	669	109
1998–99	219	163
1999–2000	233	147
2000–01	365	229
Total	1,486	648

Vacation Work

Dr. Harris: To ask the Secretary of State for Education and Employment what estimate he has made of the proportion of *(a)* mature students and *(b)* non-mature students who are (i) employed, (ii) unemployed and searching for work and (iii) not searching for work during university vacations. [133104]

Mr. Wicks: This information is not routinely collected. However, some information on the employment of students during vacations will be available from the Student Income and Expenditure Survey later this year.

Higher Education

Dr. Harris: To ask the Secretary of State for Education and Employment of the money announced in the Comprehensive Spending Review for higher education, what the money not specifically allocated for access and academic staff is to be used for. [133110]

Mr. Wicks: My right hon. Friend the Secretary of State for Education and Employment announced on 18 July that the purposes of the additional funding for higher education include: recruitment and retention of top-quality academic staff and improvements in staff management; widening access to students from a broader range of social backgrounds; the development of Foundation Degrees; the e-universities project, and higher stipends for research studentships in the arts and humanities.

Dr. Harris: To ask the Secretary of State for Education and Employment how the money announced in the Comprehensive Spending Review for summer schools and measures to widen access for higher education will be allocated between institutions; and who will be responsible for the provision of those measures. [133111]

Mr. Wicks: My right hon. Friend the Secretary of State recently announced an additional £20 million from the Comprehensive Spending Review to be spent on widening participation in higher education in 2001–02. Further details of this package will be given in due course.

Dr. Harris: To ask the Secretary of State for Education and Employment how much funding is to be available for higher education in *(a)* 2002–03 and *(b)* 2003–04 which will be additional to sums announced before the current year. [133119]

Mr. Wicks: My right hon. Friend the Secretary of State has yet to announce the allocation of funding for higher education for 2002–03 and 2003–04.

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will make a statement on trends in applications to higher education institutions for the academic year 2000–01. [132906]

Mr. Wicks: The latest data from the Universities and Colleges Admissions Service on applications to full-time and sandwich courses were issued on 21 July. These indicate that the number of applications is very close to the equivalent point in the application cycle last year; it looks likely that the final applications figure will show that demand for higher education is still buoyant.

Dr. Harris: To ask the Secretary of State for Education and Employment how the use of the money allocated in the Comprehensive Spending Review to recruit and retain higher education academic staff will be decided; if it will be ring fenced for that purpose; and how its distribution between institutions will be decided. [133112]

Mr. Wicks: The Higher Education Funding Council for England is responsible for distributing the funding given to it to support higher education institutions, including the extra funding announced on 18 July. In line with previous years, it will do so in the light of the annual guidance letter the Secretary of State sends the Funding Council each autumn.

Dr. Harris: To ask the Secretary of State for Education and Employment what the amount of funding per student in higher education is to be in *(a)* 2001–02, *(b)* 2002–03 and *(c)* 2003–04. [133113]

Mr. Wicks: My right hon. Friend the Secretary of State last week announced an extra £100 million for higher education in 2001–02 on top of the increase announced in November 1999. Compared with 2000–01 and in line with current student number targets, the projected unit cost per full time equivalent student in 2001–02 will be about 0.5 per cent. in real terms above that in 2000–01. My right hon. Friend has yet to announce the allocation of funding for higher education for 2002–03 and 2003–04.

Dr. Harris: To ask the Secretary of State for Education and Employment what are his Department's projections for the expansion of higher education places in *(a)* 2001–02, *(b)* 2002–03 and *(c)* 2003–04; and what proportion of this is accounted by (i) foundation degrees and (ii) traditional degrees delivered in higher education institutions. [133114]

Mr. Wicks: The Foundation Degree Prospectus issued by the Higher Education Funding Council for England (HEFCE) this month states that in 2001–02, HEFCE plan to allocate around 2000 places between the Foundation Degree prototype providers, with a guarantee to make an additional 1,000 places available to these providers if demand increases. HEFCE have also undertaken to make further Foundation Degree places available to good quality bids from other Higher Education Institutions through their standard annual bidding exercise. My right hon. Friend has yet to announce funding and student number targets for higher education in 2002–03 and 2003–04.

Student Debt

Dr. Harris: To ask the Secretary of State for Education and Employment what the average level of debt per student was in the different cohorts leaving higher education each year over the last five years; what proportion of it is owed to *(a)* the state and *(b)* the private sector; and on what terms debts to the state are owed. [133116]

Mr. Wicks: Information on student loan accounts is held by the Student Loans Company, and relates to debt owed to the state or to the private sector following the two Government debt sales. Published figures relate to the average value of student loan accounts for borrowers entering repayment at the start of the financial year: £1,660 in 1996–97; £2,180 in 1997–98; and £2,680 in 1998–99.

Information on private sector debt such as overdrafts and other commercial loans is not available centrally.

Figures for all three years relate to mortgage style loans which are repaid in accordance with the terms of a credit agreement signed by the borrower and attract an interest rate equivalent to the annual RPI. This typically means that these loans are repayable over a period of five years in equal annual instalments if the borrower's income is above 85 per cent. of national average earnings. Students entering higher education from 1998–99 are instead offered income contingent loans. Like mortgage style loans these are offered at a zero per cent. real terms interest rate but are repaid in accordance with Regulations in force at the time. The current Regulations require

borrowers to repay 9 per cent. of their gross income over £10,000 a year. This means that repayment of these loans will rise or fall in line with income and there is no fixed term for repayment.

Career Development Loans

Dr. Harris: To ask the Secretary of State for Education and Employment if he will list the cost of career development loans in terms of *(a)* interest rate subsidies, *(b)* administration costs and *(c)* other costs; and what default rate exists. [133118]

Mr. Wicks: The information requested is as follows:

April 1999 to March 2000

	£
(a) Interest rate subsidies	15,382,173.00
(b) Administration costs	0.22
(c) Other costs[2]	141,260.00

[1] Per trainee week

[2] Other costs consist of TEC endorsement fees of £48,778 and programme support costs of £92,462.

The default rate at the end of the period was 13.00 per cent.

City Academies

Mr. Simon Hughes: To ask the Secretary of State for Education and Employment (1) if he will list by local education authority area all those expressions of interest in the establishment of a City Academy he has received during July, with the date of receipt, names of those expressing support and dates for hoped opening in each case; and if he will place in the Library a copy of each expression of interest; [133173]

(2) when he expects to announce his first *(a)* decisions of support for and *(b)* agreement to particular City Academy proposals; and if he will publish the most recent criteria for approval as a City Academy. [133174]

Ms Estelle Morris: We have received several expressions of interest from potential sponsors and are having further discussions with them about the scope for developing more detailed proposals. It is too early to say when the Secretary of State will announce the first decisions of support and agreement for funding for particular City Academy proposals. We will shortly be making available details of the criteria against which we will be assessing proposals. I will ensure that these are sent to the hon. Member. Copies of all supported proposals will be placed in the Library.

University for Industry

Maria Eagle: To ask the Secretary of State for Education and Employment what effect UFI Ltd's change to charitable status has had on the framework, including controls, within which the Department provides financial support. [133691]

Mr. Wicks: Further to my reply dated 11 January 2000, *Official Report*, column 146W, in order to achieve charitable status, Ufi Ltd. has split into two companies: one, the charity "UFI Charitable Trust", which wholly owns the second, its trading subsidiary "Ufi Limited", which is the operating company.

The controls exercised by my right hon. Friend the Secretary of State have been adjusted in the light of the new company structure.

Each company's Memorandum and Articles of Association were approved by the Secretary of State and the Department continues to exercise similar controls over the companies, although the Secretary of State's right to appoint the Chairman and between 30 and 49 per cent. of Ufi Limited's Board Directors/members is now time-limited to 31 March 2005. The Secretary of State's control over appointment of the Chairman and Directors of the charity is not time bound.

The previous Funding Agreement between the Department and Ufi Ltd. has been superseded by one with both companies which provides for a number of checks and controls on the spending of public funds. It specifies the requirement to submit an annual Financial Plan for the approval of the Secretary of State. The Funding Agreement and the Financial Plan provide the basis for financial support.

Ufi Limited will own the assets it creates (mainly intellectual property rights on learning products) and retain any receipts from the disposal of assets. The Department will take account of any income received by Ufi Limited as a result of Government investment, including asset disposal proceeds, in fixing the level of future financial support. This regime will apply only so long as Ufi Limited receives Government support.

If the Funding Agreement is terminated due to breach of contract or insolvency the intellectual property rights will pass to the Secretary of State if he so requests. The Memorandum of the charity provides that if it is wound up or dissolved the Secretary of State has a right of veto over the disposition of any remaining assets. The charity cannot dispose of any of the shares of Ufi Limited without the prior authority of the Secretary of State. The charity cannot alter the constitution of Ufi Limited in so far as this affects the Secretary of State's controls.

Graduates

Mr. Boswell: To ask the Secretary of State for Education and Employment what steps he is taking to ensure that the quality of graduates is not impaired by policies of wider access. [132531]

Mr. Wicks *[holding answer 25 July 2000]:* The Government are committed to maintaining and enhancing standards in higher education as access is widened.

The A-level point scores of entrants is the same now as it was 10 years ago when participation was much lower. Details are given in the table.

Home domiciled students entering full-time and sandwich first degree courses in England

Year	*Average A level points score*
1990–91	18
1991–92	18
1992–93	18
1993–94	18
1994–95	18
1995–96	18

Home domiciled students entering full-time and sandwich first degree courses in England

Year	*Average A level points score*
1996–97	19
1997–98	19
1998–99	19
1999–2000	18

Notes:
1. Scores related to those obtaining two or more A level passes subject to a maximum score of 30 points which is equivalent to three grade A passes at A level or AS level or combinations of A/AS level passes, treating AS level scores as half the equivalent A level score. The points for each A level grade are as follows: A = 10, B = 8, C = 6, D = 4, E = 2.
2. Figures from 1994–95 are based on UCAS entrants only, figures prior to that are based on all entrants.

Students

Mr. Boswell: To ask the Secretary of State for Education and Employment what plans he has to expand maximum allowed student numbers for higher education institutions to accommodate the planned expansion of student numbers towards a participation rate of 50 per cent. of young people. [132665]

Mr. Wicks *[holding answer 25 July 2000]:* The additions to publicly planned funding for higher education in 2001–02 are compatible with achieving the Government's goal that 50 per cent. of 18 to 30-year-olds should have the opportunity to benefit from higher education by the end of the decade. Current plans allow for an increase of 21,000 full time equivalent student places between 2000–01 and 2001–02. My right hon. Friend the Secretary of State for Education and Employment has yet to announce the allocation of funding for higher education for 2002–03 and 2003–04.

Teachers' Salaries (Wales)

Mr. Wigley: To ask the Secretary of State for Education and Employment what discussions he has had with the First Secretary of the National Assembly for Wales on the implications of the High Court judgment of 14 July on the standards for the teachers' performance-related pay scheme on the structure of teachers' salaries and terms of employment in Wales; and if he will make a statement. [132792]

Ms Estelle Morris: My officials are in frequent contact with officials in the National Assembly for Wales and I meet with the Assembly Secretary for Education and Children. The implications of Mr. Justice Jackson's judgment for the threshold standards and for the structure of teachers' pay and conditions in Wales are the same as in England.

Cycling Lessons

Mr. Ben Chapman: To ask the Secretary of State for Education and Employment (1) what plans he has for schools to provide cycling lessons for pupils; [132812]

(2) how many schools in the United Kingdom provide cycling lessons for young people. [132811]

Jacqui Smith: Local authorities already provide cycling proficiency classes in schools. They are funded to do so through their annual revenue allocations. In addition, Road Safety is included in the Personal, Social and Health Education curriculum at Key Stages 1 and 2.

Information on the numbers of schools providing cycling lessons is not collected centrally.

Private Finance Initiative

Mr. Alan Williams: To ask the Secretary of State for Education and Employment in how many of his Department's PFI contracts KPMG has been an adviser. [132866]

Mr. Wicks: None.

Teachers (Yorkshire)

Mr. Grogan: To ask the Secretary of State for Education and Employment how many teachers were employed in *(a)* primary schools and *(b)* secondary schools in the City of York local education authority in each year since its inception. [132872]

Ms Estelle Morris: The full-time equivalent of teachers employed on the third Thursday of January in 1997, 1998, 1999 and 2000 in City of York unitary authority is as shown.

January	*Nursery/primary*	*Secondary*	*Total*
1997	700	600	1,300
1998	700	600	1,300
1999	700	600	1,300
2000	800	700	1,400

Note:
Figures are rounded to the nearest 100. Totals may not sum to component parts because of rounding.

There has been a growth of 6,900 full-time equivalent regular teachers in the maintained school sector in England between January 1998 and January 2000.

The answer includes teachers in occasional service (short-term supply) on the survey date, teachers on secondment for a period of a term or more and unqualified teachers.

Access Funding

Mr. Boswell: To ask the Secretary of State for Education and Employment how much each higher education institution paid out to students in access funding in 1998–99; and how many individual payments by each institution exceeded £1,000. [132905]

Mr. Wicks: This information is collected by the Higher Education Funding Council for England. I have asked the Council to respond directly to the hon. Member.

Teachers (North Yorkshire)

Mr. Grogan: To ask the Secretary of State for Education and Employment how many teachers were employed in *(a)* primary schools and *(b)* secondary schools in North Yorkshire local education authority in each year since 1990. [132902]

Ms Estelle Morris: The non-metropolitan county of North Yorkshire was reorganised at 1 April 1996 to form the unitary authority of City of York and the smaller non-metropolitan county of North Yorkshire. The full-time equivalent of teachers employed on the third Thursday in January in each year from 1990 in North Yorkshire are as shown.

January	Nursery/primary	Secondary	Total
1990	2,600	3,000	5,600
1991	2,700	2,900	5,700
1992	2,800	3,000	5,800
1993	2,800	3,100	6,000
1994	2,800	3,000	5,800
1995	2,800	3,000	5,800
1996	2,900	3,100	6,000
1997[1]	2,200	2,400	4,600
1998	2,200	2,400	4,600
1999	2,200	2,500	4,700
2000	2,300	2,600	4,900

[1] From 1997 the figures exclude the unitary authority of City of York.

Note:

Figures are rounded to the nearest 100. Totals may not sum to component parts because of rounding.

There has been a growth of 6,900 full-time equivalent regular teachers in the maintained school sector in England between January 1998 and January 2000.

The answer includes teachers in occasional service (short-term supply) on the survey date, teachers on secondment for a period of a term or more and unqualified teachers.

Primary Schools (Swimming)

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will make a statement on compliance by primary schools with the requirements of the national curriculum in connection with swimming and on the trend in the estimated proportion of those at Key Stage 2 who can swim 25 m. [132907]

Jacqui Smith: The National Curriculum entitles all children to learn to swim unaided for a distance of 25 m by the time they leave primary school. In 1999, 82.99 per cent. of pupils were able to swim 25 m by the end of Key Stage 2, according to preliminary findings of an Ofsted report on swimming at Key Stage 2 to be published in the autumn. In 98 per cent. of observed lessons pupils made satisfactory progress or better.

Female Genital Mutilation

Ms McCafferty: To ask the Secretary of State for Education and Employment what plans his Department has to produce supplementary guidance to the document entitled, "Working Together to Safeguard Children", on female genital mutilation. [132941]

Jacqui Smith: We have no plans to produce any supplementary guidance to "Working Together to Safeguard Children" on female genital mutilation. The guidance in this document clearly sets out the action to be taken by a local authority if it has reason to believe a child is at risk from abuse, including female genital mutilation.

Merchant Navy Day

Mr. Flynn: To ask the Secretary of State for Education and Employment if he will ensure that the Red Ensign is flown from departmental buildings on Merchant Navy Day, 3 September. [132956]

Mr. Wills: I refer my hon. Friend to the answer given today by my hon. Friend the Parliamentary Under-Secretary of State for the Home Department.

Duty Roster

Mr. Clappison: To ask the Secretary of State for Education and Employment if he will publish the roster for ministerial duties in his Department from 29 July to 22 October. [133050]

Mr. Wills: It is not normal practice of Government to publish the daily ministerial duty roster. This Department will ensure that it has sufficient cover through the summer adjournment in line with the requirements of the ministerial code.

LORD CHANCELLOR'S DEPARTMENT

Judicial Appointments

Angela Smith: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answers of 12 April 2000, *Official Report*, columns 222–23W and 5 June 2000, *Official Report*, columns 149–51W, on judges, when he will make a further announcement on part-time judicial appointments to tribunals. [133763]

Jane Kennedy: Following the earlier announcements about new arrangements for a number of part-time judicial appointments, similar arrangements have now been put in place for an additional range of part-time tribunal appointments for which the Lord Chancellor is jointly or solely responsible and for appointments made by the Secretary of State for Trade and Industry to Employment Tribunals.

These changes will come into effect immediately.

The Lord Chancellor is placing in the Libraries of both Houses joint statements signed by himself and/or the Secretary of State and by the Lord Chief Justice covering the following fixed-term appointments to Tribunals:

Lord Chancellor

Part-time Chairmen of Employment Tribunals

Part-time Chairmen and Deputy Chairmen of the Copyright Tribunal

The "appointed person" to hear appeals under the Trade Marks Act 1994

Reinstatement Committees and Umpires

Part-time members of the Restrictive Practices Court

Chairmen and ordinary members of the Reserved Forces Appeal Tribunals

Part-time Chairmen of the Plant Varieties and Seeds Tribunal

Lord Chancellor and the Secretary of State for Trade and Industry

Part-time lay members of the Employment Appeal Tribunal

Secretary of State for Trade and Industry

Part-time members of the Employment Tribunals.

Immigration Appellate Authorities

Mrs. Fitzsimons: To ask the Parliamentary Secretary, Lord Chancellor's Department what consultation has taken place about new procedure rules for appeals to the immigration appellate authorities; and when the new rules will be laid before Parliament. [133732]

Jane Kennedy: A paper highlighting the main issues was laid before Parliament during the passage of the Immigration and Asylum Act 1999. Recently, a wide range of users across the United Kingdom, and the

Council on Tribunals, were consulted about draft new rules. Changes are being made following that exercise. A cross section of users has been kept closely in touch throughout development of the rules and that dialogue is continuing. Once this consultation is over, the rules will be laid during the Recess.

Merchant Navy Day

Mr. Flynn: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will ensure that the Red Ensign is flown from departmental buildings on Merchant Navy Day, 3 September. [132961]

Mr. Lock: I refer my hon. Friend to the written answer given to him by my hon. Friend the Parliamentary Under-Secretary of State for the Home Department today, *Official Report*, column 895W.

Lawyers

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will assess the recent report published in Commercial Lawyer on the recruitment and promotion of lawyers in relation to his policy on equal opportunities in the judicial system. [132823]

Mr. Lock: The report concerns a survey of newly made partners in solicitors firms. The Lord Chancellor has made it clear on many occasions that he wishes to appoint judges from the widest possible field of candidates and, in particular, he encourages women and ethnic minority lawyers to apply. But he can only appoint from among those in the legal profession who are suitably qualified and who apply. Therefore the Government support the legal profession in the work it is doing to ensure that there are equal opportunities for all those who wish to pursue careers in the law.

Court Dress

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department what recent assessment he has made of the balance of opinion on the issue of changing court dress. [133134]

Mr. Lock: The Lord Chancellor has made no such assessment. He will discuss changes in court dress with the higher judiciary later this year. However, given the many important and pressing issues relating to reform of the justice system that the Government are addressing, changing court dress is unlikely to have a high priority in his Department's programme of work.

PFI Contracts

Mr. Alan Williams: To ask the Parliamentary Secretary, Lord Chancellor's Department in how many of his Department's PFI contracts KPMG has been an adviser. [132861]

Jane Kennedy: The Lord Chancellor's Department has not used KPMG as an adviser on any of its PFI contracts nor have they worked as advisers on any local authority sponsored magistrates' courts PFI contracts supported by the Department.

Ministerial Duty Rota

Mr. Garnier: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will publish *(a)* the ministerial duty rota for his Department during the summer adjournment and *(b)* the dates between which eacn of the Parliamentary Secretaries and the Lord Chancellor will be on annual leave during the adjournments of their respective Houses of Parliament and will not be available for official duties. [133171]

Jane Kennedy: It is not the normal practice of Government to publish the Ministerial Roster. This Department will ensure it has sufficient cover through the summer recess in line with the requirements of the Ministerial Code. Neither is it normal practice to disclose Ministers' holiday plans, as this is personal information.

Official Visits

Mr. Garnier: To ask the Parliamentary Secretary, Lord Chancellor's Department what official overseas visits *(a)* the Lord Chancellor and *(b)* the Parliamentary Secretaries plan to make during the parliamentary adjournments. [133172]

Jane Kennedy: During the parliamentary adjournments the following overseas visits are planned:

My noble and learned Friend the Lord Chancellor will visit Australia, Hong Kong and Japan.

My hon. Friend the Member for Wyre Forest (Mr. Lock) will visit India and Sweden.

I will visit Canada.

Advisory Bodies

Tony Wright: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list all the *(a)* task forces, *(b)* action teams, *(c)* policy reviews and *(d)* other temporary advisory bodies with external members currently in existence within his Department; and on what date each body (i) was set up and (ii) is expected to terminate. [131450]

Jane Kennedy: I refer my hon. Friend to the written answer given today by my hon. Friend the Parliamentary Secretary to the Cabinet Office to my hon. Friend the Member for Eastwood (Mr. Murphy).

Immigration Adjudicators

Mr. Cox: To ask the Parliamentary Secretary, Lord Chancellor's Department what the total number of immigration adjudicators was on 1 July. [132629]

Mr. Lock: On 1 July there were 43 full-time and 295 part-time immigration adjudicators.

SCOTLAND

Paper and Timber Products

Mr. Reed: To ask the Secretary of State for Scotland what steps he has taken to ensure that paper and timber products purchased by his Department come from a sustainable source. [110153]

Dr. Reid: The Scotland Office aims to conserve resources and minimise waste by reducing the use of materials from non-renewable resources and ensure that any products derived from nature, such as paper and timber, come from sustainable resources and comply with

EU and international trading agreements such as the Convention on International Trading in Endangered Species (CITES).

My Department participates in a number of contracts established by the Scottish Executive. Guidance is issued to contractors to ensure that our purchasing policy takes full account of environmental considerations.

Mr. Reed: To ask the Secretary of State for Scotland if he will ensure that paper and timber products purchased by his Department are independently certified by the Forest Stewardship Council as coming from a sustainable source. [110154]

Dr. Reid: The Forest Stewardship Council (FSC) certification is accepted by buyers as demonstrating that timber and timber products come from sustainably managed sources. However, it is not practicable to require that all paper and timber products purchased by my Department are certified by the FSC because this might discriminate against equally valid schemes and therefore be against public procurement rules.

Recycling

Mr. Crausby: To ask the Secretary of State for Scotland what percentage of documentation used by his Department is *(a)* made from recycled paper and *(b)* collected for recycling. [111606]

Dr. Reid: No information is currently collected on the proportion of recycled paper used by my Department. Arrangements are in place in buildings occupied by the Department for the collection and recycling of much of the waste paper produced.

My Department will be developing a strategy for waste management based on the three "Rs", with "Recovery" (i.e. recycling, composting and energy recovery) following "Reduce" and "Re-use" as the preferred options for reducing waste sent to landfill.

Opinion Research

Mr. Don Foster: To ask the Secretary of State for Scotland if he will place copies of the results of all market and opinion research carried out by his Department, agencies and non-departmental public bodies since May 1997, in the Library. [123813]

Dr. Reid *[holding answer 25 May 2000]:* Full information on market and opinion research carried out by the former Scottish Office, its agencies and non-departmental public bodies, between May 1997 and June 1999 has not been collated centrally and could be obtained only at disproportionate cost.

Decisions relating to the publication of research results were taken on a case by case basis; some of the material was provided on the basis that it remained confidential. Some results of market and opinion research were made publicly available, either by publishing the reports or placing them on the appropriate website. I shall arrange for copies of the published material to be placed in the Library.

The Scotland Office was established in its present form on 1 July 1999. The Department has not carried out any market or opinion research since that date.

Special Advisers

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland what was the cost of Special Advisers, including salary, transport and other costs, employed by his Department in *(a)* 1992, *(b)* 1997 and *(c)* 1999. [125572]

Dr. Reid *[holding answer 14 June 2000]:* Special Advisers' salaries are negotiated individually within the three-band range announced to the House by my right hon. Friend the Minister for the Cabinet Office on 16 November 1998, *Official Report*, column 354. Individual salaries and pension contributions are confidential. No information is available about the costs of Special Advisers in 1992. Other costs of Special Advisers in the Scottish Office in 1997–98 were £35,000; and an estimated £57,000 in 1998–99.

The Scotland Office was established in its present form on 1 July 1999. The other costs of Special Advisers to 31 December 1999 was £10,246.

PFI Contracts

Mr. Alan Williams: To ask the Secretary of State for Scotland if he will list the PFI contracts entered into by the Scottish Office prior to July 1999, indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if the Department has a claw-back entitlement to share in the savings arising from refinancing. [129056]

Dr. Reid: The details relating to PFI contracts entered into by the then Scottish Office prior to July 1999 are as follows.

	Project name		
	Skye Bridge	*M6 DBFO*	*Kilmarnock Prison*
Date of commencement	July 1992	December 1996	November 1997
Capital Value (£ million)	23.6	103	32
Subject to refinancing	No	No	Yes
Claw-back arrangement	No	No	No

National Science Centre

Mr. Sarwar: To ask the Secretary of State for Scotland if he will make a statement about his recent visit to the National Science Centre in Govan. [130954]

Dr. Reid: I visited Glasgow Science Centre on 7 June 2000 to launch the Health and Safety Strategy Statement demonstrating that the Government and the Health and Safety Commission are determined to work together to revitalise health and safety in the UK. I very much welcome the birth of the Glasgow Science Centre as an example of economic and cultural regeneration not only for Govan and for Glasgow but also for Scotland. I hope that it will fulfil its potential of being a showcase for science and linking to other science centres in Scotland and beyond. I am sure that the policy of recruiting locally will be welcomed by the local population. The centre represents an investment of £75 million and will bring 120 new jobs.

Advisory Bodies

Tony Wright: To ask the Secretary of State for Scotland if he will list all the *(a)* task forces, *(b)* action teams, *(c)* policy reviews and *(d)* other temporary advisory bodies

with external members currently in existence within his Department; and on what date each body (i) was set up and (ii) is expected to terminate. [131448]

Dr. Reid: My Department has no groups or bodies in the categories mentioned.

Departmental Groups

Mr. Stunell: To ask the Secretary of State for Scotland if he will list each group that is responsible to his Department, with significant and plural membership from outside the Civil Service, and to which the Nolan rules on non-departmental public bodies do not apply and for each such group, if it *(a)* is a company limited by guarantee, *(b)* is a charity, *(c)* has no formal legal basis, and *(d)* has some other legal basis giving details. [131242]

Dr. Reid *[holding answer 24 July 2000]:* There are no groups or bodies in the categories mentioned for which my Department has responsibility.

Departmental Staff

Mr. Burstow: To ask the Secretary of State for Scotland how many unfilled vacancies for permanent staff his Department has; what percentage of staff positions in his Department are vacant; what the monthly cost would be to his Department of employing civil servants in these positions; how many and what percentage of staff his Department employs on a temporary basis through employment agencies; how much his Department paid employment agencies to supply temporary staff in each of the last 12 months; and how much he expects to pay employment agencies to supply temporary staff in each of the next 12 months. [131428]

Dr. Reid *[holding answer 25 July 2000]:* The Scotland Office was established in its present form on 1 July 1999 and it is still building up to its agreed staffing level of between 110–130 staff. The Department currently has 25 vacancies for permanent staff. This represents 22.3 per cent. of current staffing plans. The monthly cost of filling the posts (at average cost for the grade) would be £45,365.

The Department employs seven staff on a temporary basis from employment agencies; this represents 6.3 per cent. of the current staff. Since July 1999, my Department has paid £69,733 to employment agencies for temporary staff. The amount to be paid next year will depend on progress made in filling vacancies.

Press Officers

Mr. Lansley: To ask the Secretary of State for Scotland how many press officers were employed in his Department in *(a)* May 1997, *(b)* January 1998, *(c)* January 1999 and *(d)* January 2000; and what the total expenditure on press officers by his Department was in each of the years concerned. [132768]

Dr. Reid: In the report on the Government Information and Communications Service (GICS) by the Select Committee on Public Administration (29 July 1998), the number of press officers in the Scottish Office in 1997 was given as 30, with expenditure of £713,000; in 1998 as 30 with expenditure of £803,000; and in 1999 as 33 with expenditure estimated at £822,000.

The Scotland Office was established in its present form on 1 July 1999. On 1 January 2000 the Department had two press officers based in Scotland and two press officers based in London. The total salary cost of press officers from 1 July 1999 to 31 March 2000 was £44,078.

Press Releases

Mr. Lansley: To ask the Secretary of State for Scotland how many press releases were issued in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* this year to date; and what the total cost of the production and issuing of these press releases was in each year. [132747]

Dr. Reid: The Scottish Office issued 2,141 press releases in 1997 and 2,757 in 1998. Between 1 January 1999 and 30 June 1999, the Scottish Office issued 1,397 press releases. The Scotland Office was established in its present form on 1 July 1999. Between 1 July and 31 December 1999 the Department issued 98 press releases and has issued a further 171 this year.

Exact information on the total cost of the production and issuing of press releases could only be obtained at disproportionate cost, though from the quantitative figures above the total cost has already decreased considerably.

Merchant Navy Day

Mr. Flynn: To ask the Secretary of State for Scotland if he will ensure that the Red Ensign is flown from departmental buildings on Merchant Navy Day, 3 September. [132965]

Dr. Reid: I refer my hon. Friend to the answer given earlier by the Under-Secretary of State for the Home Department, my hon. Friend the Member for North Warwickshire (Mr. O'Brien) today, *Official Report*, column 895W.

Duty Roster

Mr. Peter Atkinson: To ask the Secretary of State for Scotland if he will publish the daily Ministerial Duty roster for his Department during the summer adjournment. [133078]

Mr. Grieve: To ask the Secretary of State for Scotland if he will publish the daily ministerial Duty Roster for his Department during the summer adjournment. [133146]

Dr. Reid: It is not normal practice of Government to publish the daily ministerial Duty Roster. My Department will ensure that it has sufficient cover through the summer recess in line with the requirements of the Ministerial Code.

Rural Bus Subsidy Scheme

Dr. Strang: To ask the Secretary of State for Scotland how much money was spent in Scotland under the rural bus subsidy scheme in *(a)* 1998–99 and *(b)* 1999–2000; and how much is expected to be spent in 2000–01. [132299]

Dr. Reid: Responsibility for the rural bus subsidy scheme in Scotland is a matter for the Scottish Executive.

TREASURY

2000 Community Budget

Mrs. Lawrence: To ask the Chancellor of the Exchequer when he will publish the statement on the 2000 Community Budget. [132686]

Miss Melanie Johnson: I have today laid before Parliament the Statement on the 2000 Community Budget, entitled "European Community Finances". This White Paper is the twentieth in the series. As in the past, it covers annual budgetary matters and includes details of recent developments in European Community financial management and in countering fraud against the Community Budget. It also describes the Community Budget for 2000 as adopted by the European Parliament, and the United Kingdom's contributions to the Community Budget between 1995 and 2000.

Merchant Navy Day

Mr. Flynn: To ask the Chancellor of the Exchequer if he will ensure that the Red Ensign is flown from departmental buildings on Merchant Navy Day, 3 September. [132968]

Dawn Primarolo: I refer my hon. Friend to the answer given by the Parliamentary Under-Secretary of State for the Home Department (Mr. O'Brien) today, *Official Report*, column 895W.

Family Tax Credits

Mr. Love: To ask the Chancellor of the Exchequer what steps he is taking to maximise the take-up of Working Families Tax Credit and Childcare Tax Credit; and if he will make a statement. [133149]

Dawn Primarolo: The Inland Revenue has been running a major campaign to publicise the Working Families Tax Credit since September 1999. There have been two waves of concentrated promotional activity so far. The first ran for some eleven weeks. Television and press advertisements were supported by posters and leaflets in Job Centres and Post Offices, and Treasury Ministers led a series of roadshows that took place throughout the United Kingdom. This was followed by a second wave of television advertising in April 2000. Planning for a third wave of publicity is underway.

All advertising has been backed up by a 24-hour freephone response line. Between waves of publicity, WFTC information has been available from a range of sources—including Post Offices, Inland Revenue Enquiry Centres, and the Tax Credit Office helplines in Britain and Northern Ireland.

The Childcare Tax Credit is publicised as a key component of the Working Families Tax Credit.

Mr. Love: To ask the Chancellor of the Exchequer how many families *(a)* nationally and *(b)* in Enfield were claiming (i) Working Families Tax Credit and (ii) the Childcare Tax Credit at the last date for which figures are available. [133148]

Dawn Primarolo: The number of families in receipt of the Working Families Tax Credit (WFTC) at the end of May 2000 is provisionally estimated at 1,056,000. It is estimated that 3,100 of these were in the Enfield local authority, although this is based on a 5 per cent. sample of awards and is subject to sampling error.

Nationally, it is estimated that about 110,000 awards current at the end of May 2000 included the Childcare Tax Credit within WFTC. There are too few such awards to families in Enfield falling into the sample to provide a reliable estimate for Enfield.

Ms Keeble: To ask the Chancellor of the Exchequer how many families in Northampton, North have received the Childcare Tax Credit. [133136]

Dawn Primarolo: Nationally, it is estimated that about 10 per cent. of awards of the Working Families Tax Credit include the Childcare Tax Credit. There are too few awards falling into the 5 per cent. sample used for these analyses to provide a reliable estimate for Northampton, North.

Mr. Willetts: To ask the Chancellor of the Exchequer how many families were eligible for Family Credit in the year immediately preceding its replacement by Working Families Tax Credit; and how many families received it. [132699]

Angela Eagle: I have been asked to reply.

Estimates of numbers entitled to Family Credit in 1998–99 will not be published until the autumn.

Information on the number of families receiving Family Credit each year is contained in Table 10 of the Social Security Departmental Report (CM 4614), a copy of which is available in the Library.

Duty Roster

Mr. Flight: To ask the Chancellor of the Exchequer if he will publish the daily ministerial Duty Roster for his Department during the summer adjournment. [133060]

Dawn Primarolo: It is not normal practice of Government to publish daily ministerial Duty Roster. This Department will ensure that it has sufficient cover through the summer recess in line with the requirements of the Ministerial Code.

Fuel Taxation

Mr. Boswell: To ask the Chancellor of the Exchequer if he will reduce fuel taxation on biodiesel and bioethanol to a rate broadly comparable with that charged on LPG. [132910]

Mr. Timms: The levels of duty on all fuels will be decided on a Budget-by-Budget basis taking into account economic, social and environmental considerations. The potential contribution of biofuels to meeting the Government's environmental objectives is being kept under review.

PFI Contracts

Mr. Alan Williams: To ask the Chancellor of the Exchequer in how many of his Department's PFI contracts KPMG has been an adviser. [132862]

Mr. Andrew Smith: None.

Children's Poverty Fund (Northern Ireland)

Rev. Martin Smyth: To ask the Chancellor of the Exchequer what additional funding will be made available for the creation of a children's poverty fund in Northern Ireland; and what *(a)* conditions and *(b)* ring-fencing of expenditure will apply. [132977]

Dawn Primarolo: This is a devolved matter. It is for the Northern Ireland Assembly to decide whether and how to establish a Children's Fund for Northern Ireland within their overall provision.

Public Sector Pension Schemes

Mr. Field: To ask the Chancellor of the Exchequer (1) how many public sector pension schemes are in force; and how many members each scheme has; [132948]

(2) how many public sector pension schemes are *(a)* pre-funded and *(b)* pay as you go schemes. [132945]

Mr. Andrew Smith: There is a large number of such schemes many of which have only a small membership. Information is not held centrally on all of these schemes and could be collected only at disproportionate cost.

Minimum Income Guarantee

Paddy Ashdown: To ask the Chancellor of the Exchequer if an elderly person living with relatives will have their entitlement to the minimum income guarantee means-tested in relation to the total household income; and if he will make a statement. [131502]

Mr. Bayley *[holding answer 20 July 2000]:* I have been asked to reply.

Claims to income related benefits are assessed on the basis of a benefit unit not a household as a whole. A benefit unit consists of a claimant, his or her partner and any child dependents. Therefore an elderly person living with relatives would have their minimum income guarantee assessed on their individual circumstances rather than that of the household.

HOME DEPARTMENT

Prisons and Probation Services

Mrs. Organ: To ask the Secretary of State for the Home Department what plans he has for future inspection arrangements for the prisons and probation services. [133619]

Mr. Straw: I want to open the debate on what the future inspection arrangements should be. I intend to publish a consultation paper setting out a choice of options for drawing the work of the two inspectorates closer together. I would expect to reach a decision before the end of the year taking full account of the consultation exercise.

Prison Service

Ms Bridget Prentice: To ask the Secretary of State for the Home Department what measures he proposes to take to help prisons' Boards of Visitors to be more effective in the way they monitor Prison Service establishments and report on their findings. [133622]

Mr. Boateng: My right hon. Friend the Home Secretary, and I value very highly the important role Boards undertake as the watchdog of the Secretary of State and the independent and impartial advice they are able to provide, on the standards of fairness and humanity with which those placed in custody by the courts are treated. The majority of Boards work very effectively and provide a good service to Ministers and the public. However, in the light of changes within the Prison Service since the last major review of the role of the Boards of Visitors five years ago, my right hon. Friend the Home Secretary, and I have decided that the time is right for a further review of the Board's role and I am pleased to announce that the right hon. Member for Fareham (Sir Peter Lloyd) has agreed to chair a Working Group to take the review forward. Sir Peter is currently the Chairman of New Bridge, a charity which recruits and trains volunteers to visit prisoners and provides an employment service for ex-offenders.

A Board of Visitors is a body created by statute, and there is one attached to every Prison Service establishment in England and Wales. Board members are lay people appointed by the Secretary of State, who are empowered under the Prison Act 1952:

> at any time [to] enter the prison and . . . have free access to every part of it and to every prisoner and hear any complaints which may be made by the prisoners and report to the Secretary of State any matter which they consider it expedient to report.

The Prison Rules, made under the Prison Act, set out general and specific duties. We are looking currently at ways in which to improve performance management in the Prison Service and how to ensure a greater involvement of the voluntary sector in prison issues. Against this background, it is right that we should look again at the context in which Boards operate and see what can be done to improve the overall effectiveness of the system.

I have agreed with Sir Peter the following terms of reference for the Working Group.

> The Working Group has been established to review the legal context in which the Boards of Visitors (BOV) operate and the effectiveness of the existing structure, and to develop proposals for enhancing the performance of the system.
>
> The review will take account of the relevant recommendation made in the final report of Lord Laming's Targeted Performance Initiative Working Group. The main work of the review will be to consider in depth issues relating to:
>
> the composition of and appointments to Boards, including whether there should be any limitation on the overall period of service by members;
>
> the duties, commitment and levels of performance expected of Boards, the way in which they function and whether existing powers enable them to undertake their work effectively and raise with Ministers issues they need to be aware of;
>
> the level of funding required to enable Boards to operate effectively;
>
> the amount and quality of training provision for Boards, and whether it is sufficiently well focused;
>
> the most appropriate agency through which Boards should be accountable and report to Ministers; and
>
> the way in which Boards views should be represented to Ministers and the nature and amount of support they require at national level.

The membership of the Working Group will include the following:

Helen Edwards—National Association for the Care and Resettlement of Officials (NACRO)

Barbara Stowe—Office of the Prisons Ombudsman

Professor Michael Marland—Former Head Teacher, North Westminster Community School

Dr. Rennie Porteous—Chairman, National Advisory Council

Tom Weisselberg—Member, Wormwood Scrubs BOV

Steve Wagstaffe—Governor, Her Majesty's Prison Hull.

The full membership has still to be finalised.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what proportion of funds allocated the spending review 2000 available to the prison service in each year will be allocated to *(a)* prison places and *(b)* constructive activity and offender behaviour programmes; and if he will make a statement. [133180]

Mr. Boateng: The 2000 Spending Review settlement provided an additional £140 million/£246 million/ £303 million for the Prison Service over the three financial years 2001–02, 2002–03 and 2003–04. Final decisions on the allocation of these funds will not be taken until later this year. But provisional plans include £103 million/ £105 million/£69 million to be used to provide an increase in prison capacity of 2,660 places, £25 million/ £34 million/£29 million on enhanced drug treatment and prevention, £8 million/£40 million/£75 million on other prisoner programmes and enhanced healthcare.

Target Performance Improvement

Mr. Paul Clark: To ask the Secretary of State for the Home Department what recommendations were made by Lord Laming's working group on Target Performance Improvement; and if he will make a statement. [133621]

Mr. Boateng: My right hon. Friend the Home Secretary announced the establishment of Lord Laming's working group in a reply to my hon. Friend the Member for Bolton, West (Ms Kelly) on 31 January 2000, *Official Report*, column 426W. Lord Laming has completed his report, and I have arranged for a copy to be placed in the Library and in the Vote Office.

I am very grateful to the noble Lord, and his colleagues on the working group, for their analysis and recommendations. They provide a welcome guide and underscoring of the important programme of modernisation upon which the Director General and Ministers have embarked. I accept all the recommendations made in the report, save where Lord Laming, or the Director General, have advised me that further work is required in order to assess how best to take the recommendation forward.

I have therefore, today, announced that the right hon. Member for Fareham and Chairman of New Bridge (Sir P. Lloyd) has agreed to chair a review of the role of prisons' Boards of Visitors (Recommendation 16). Mr. Patrick Carter, a non-executive Director of the Prison and Probation Services, has agreed to lead a review of the Prison Service's programme of Private Finance Initiative (PFI) prisons and market-testing (Recommendation 8).

I have asked the Director General to report back to me, at the latest, by October 2000, with a more detailed action plan in response to Recommendations 4, 5, 9, 13 and 14. I have also asked the Director General and Her Majesty's Chief Inspector of Prisons to take forward Recommendation 12.

I welcome the report's focus on up-dating personnel policies, and the importance placed on succession planning, and the effective management of sickness absence and poor performers. These underscore the importance of major programmes of work already under way within the Prison Service. Lord Laming has noted the leadership being given by the Director General and the Deputy Director General, and the report's recommendations regarding managerial accountability and the pivotal role of the area manager in improving performance built on recent reforms relating to regionalisation. I expect the pace and extent of those reforms to be accelerated.

The Service is in the process of modernising its Information Technology systems, and will be introducing service level agreements into all public sector prisons by April 2001. Work is also in hand to develop a more sophisticated means of linking performance with the allocation of resources. The Quinquennial Review of the Prison Service, conducted in 1999, reaffirmed its status as an Executive Agency.

His recommendations are:

1. The Prison Service must give the highest priority to developing succession management in order to avoid frequent changes of governors. They must ensure that governor posts are filled as quickly and appropriately as possible.

2. The personnel policies and practices of the Prison Service should be brought up to date. Sickness absence should be robustly challenged. Mechanisms to deal with poor performance should be improved.

3. Staff training should be improved and be linked to quality standards and performance targets.

4. A critical examination of information routinely circulated and gathered should be undertaken. In future, information should not be gathered or sent unless its use has been defined and justified.

5. It is recommended that all instructions to governors, and requests for information should be directed through the management line and should be prioritised.

6. The Prison Service should be clearly defined as an Executive Agency and be required to perform as such.

7. The allocation of increased resources should be linked to defined objectives and outcome measures—systems must be in place so that every prison governor can demonstrate that resources are being used flexibly and to good purpose.

8. The programme of PFI prisons and market testing should be reviewed to advise Ministers on how best to use the financial and management resources of the private sector to provide both greater choice and additional capacity to the Prison Service.

9. We believe that service level agreements should be developed for every establishment in the public sector. In each of these establishments a contract compliance officer should be appointed to monitor day-by-day application. In many prisons the extra cost would be covered by the better use of resources.

10. The Prison Service should operate to agreed national standards which are put into practice in each establishment. It is not a "federal" service and these core standards should be the basis for all evaluation of performance.

11. The highest priority should be given to modernising the management information systems of the Prison Service and ensuring the successful implementation of the new contract with Electronic Data Systems.

12. The Prison Service and the Chief Inspector should work to produce an agreed set of standards, to be approved by Ministers, against which the performance of prisons will be evaluated. The methodology for the inspection of prisons should be developed in relation to these standards. It should facilitate both objective assessment and comparison covering both value for money and quality of service delivered.

13. The principle of managerial accountability must permeate the service and inform all practice and decision making.

14. The principle of managerial responsibilities of area managers should be clearly defined and they should be held personally accountable for the performance of each prison in their areas. Specialist staff should be relocated from headquarters to the areas to enable area managers to fulfil their new and demanding duties.

15. Links between prisons and community based agencies should be strengthened and coordinated more effectively. Prison and community based agency staff should be provided with training to enable them to work together more effectively. Community based agency staff should be able to convey any concerns they have about the prison to the governor or area manager.

16. There should be a review of the role, resources and responsibilities of Boards of Visitors.

Community Development Foundation

Mr. Hope: To ask the Secretary of State for the Home Department when the next quinquennial review of the Community Development Foundation will take place; and if he will make a statement. [133618]

Mr. Boateng: The next review will start in the autumn and is due to be completed by April 2001. It will be conducted under the terms of guidance for reviewing non-departmental public bodies (NDPB'S) included in the Government's Modernising Government White Paper. The review, which will be carried out by external consultants, is in two stages, in which the organisational options are considered first. Then, if NDPB status is confirmed, a forward-looking examination will be undertaken as to how to help develop and improve performance. An announcement of the results of stage one will also be made to Parliament. The senior officials responsible for the review will be the head of the Government's Active Community Unit based in the Home Office.

Police Information Technology Organisation

Mr. Burgon: To ask the Secretary of State for the Home Department when he will lay before Parliament the Annual report of the Police Information Technology Organisation. [133620]

Mr. Charles Clarke: In accordance with the requirement of the Police Act 1997, I have received, from the Police Information Technology Organisation, a report on the discharge of its functions during the year 1999–2000. I am arranging for copies to be laid before Parliament and placed in the Library.

Road Traffic Offences

Mr. Miller: To ask the Secretary of State for the Home Department when he intends to publish the results of the review of penalties for road traffic offences. [133623]

Mr. Charles Clarke: The Government aim to publish a consultation paper on proposals arising from the review of penalties for road traffic offences during the summer recess.

Home Detention Curfew Scheme

Miss Widdecombe: To ask the Secretary of State for the Home Department in respect of the home detention curfew scheme *(a)* how many prisoners were released on the scheme, *(b)* how many prisoners convicted of each specific offence were released on the scheme, broken down by the offences committed, including the specific offences committed by prisoners normally classified under the categories (i) other homicide and attempted homicide, (ii) other violence against the person, (iii) drug offences, (iv) assaults, and (v) other offences, including a breakdown of the prisoners normally classified in the sub-category of other offences called other offences, *(c)* what the average sentence was (i) received and (ii) served, and what average period was spent on the scheme, in respect of each specific offence, *(d)* how many prisoners were released on the scheme, broken down, by offences committed, who (i) breached the conditions of the curfew, (ii) disappeared and were recaptured, (iii) disappeared and remain unlawfully at large and (iv) had their licences revoked, and for what reasons, *(e)* what specific offences were committed by prisoners released on the scheme while on the scheme including all offences committed by prisoners who committed more than one offence and *(f)* what specific offences were committed by prisoners released on the scheme who committed a further offence while on the scheme that was similar in character to that for which they were originally convicted, including all offences committed by prisoners who committed more than one offence; and if he will make a statement. [131382]

Mr. Boateng *[holding answer 19 July 2000]:* The information provided in this answer is for the period up to 30 June 2000. As of that date, a total of 22,777 prisoners had been placed on Home Detention Curfew since the scheme commenced on 28 January 1999.

The original offences committed by prisoners released under the scheme during the period, the number of prisoners convicted of each specific offence, the average sentence received and served for those offences, and the average period spent on the scheme in respect of the prisoners convicted of each specific offence are shown in Table 1. The data are taken from the Prison Service's inmate information system based on the data recorded by each prison. The table provides as detailed a breakdown of offences as is possible from central records.

A total of 806 prisoners released on the scheme during the period breached the conditions of their curfew. A breakdown of this number showing the original offences committed is shown in Table 2.

Information on curfewees whose licences are revoked and who disappear before being recaptured is not held centrally. However, information is held on the number of curfewees unlawfully at large at any one time. On 30 June there were 41 curfewees who remained unlawfully at large. This represents fewer than 4 per cent. of the total number of revocations.

Details of the offences originally committed by those 41 curfewees who remained unlawfully at large on 30 June 2000 can be found in Table 3.

As of 30 June 2000, 1,095 curfewees had their licences revoked, using the powers available to the Secretary of State under Sections 38A(1) and 39 of the Criminal Justice Act 1991. The reasons for revocation were as follows:

a breach of the curfew (section 38A(1)a of the Criminal Justice Act 1991);

the curfewee's whereabouts could no longer be electronically monitored (section 38A(1)b of the Criminal Justice Act 1991);

it was necessary to protect the public from serious harm (section 38A(1)c of the Criminal Justice Act 1991); and

the curfewee had committed an offence or breached any requirement of probation supervision (section 39 of the Criminal Justice Act 1991). Curfewees who are charged with new offences may also be recalled on any of the preceding grounds depending on the circumstances of the case.

A breakdown of the original offences the 1,095 recalled curfewees committed together with a breakdown of the reasons for recall is at Table 4.

Table 5 gives a breakdown of all offences committed by prisoners placed on Home Detention Curfew while on the scheme. Where a curfewee has been charged with more than one offence, these have been shown separately.

Table 6 gives a breakdown of the specific offences committed by prisoners placed on the scheme who committed a further offence while on the scheme which was similar in character to the most serious offence for which they were originally convicted.

The scheme is designed to ensure a better transition for short-term offenders between custody and the community. Prisoners are placed on Home Detention Curfew only after a careful risk assessment and the safety of the public is paramount at all times.

Tables 1–6 have been placed in the Library.

Police (Palace of Westminster)

Mr. Mackinlay: To ask the Secretary of State for the Home Department, (1) pursuant to his answer of 24 May 2000, *Official Report*, column 496W, what the basis was for his statement concerning the overcoming of recruitment difficulties relating to Metropolitan Police security officers at the Palace of Westminster; [130756]

(2) what, for the recruitment advertising campaign for Metropolitan Police security officers at the Palace of Westminster over the last 12 months, were *(a)* the budget, *(b)* the timescale of the most recent recruitment campaign and *(c)* the number of suitable recruits; and what actual and projected vacancies were, based on existing retirement policies; [130721]

(3) if he will make a statement on the difficulties encountered in attracting suitable candidates for posts of Metropolitan Police security officers at the Palace of Westminster; what posts elsewhere compete for the same candidates; and what their rates of pay and conditions of service are; [130757]

(4) pursuant to his answer of 24 May 2000, *Official Report*, column 496W, concerning the retirement age of Metropolitan Police security officers at the House, *(a)* on what dates discussions took place with the security officers' trade union representatives, *(b)* when the trade union representative was shown the letters, prior to their dispatch to security officers declining to extend their period of service and *(c)* when those letters were dispatched; and if he will make a statement; [130706]

(5) pursuant to his answer of 24 May 2000, *Official Report*, column 496W, concerning Metropolitan Police security officers stationed at the House, if he will place in the Library a copy of the minutes or notes taken at the meeting between the Metropolitan Police management and the security officers' trade union representative; [130722]

(6) on what dates Mr. G. Roylance met the Metropolitan Police security officers' trade union representative *(a)* prior to the dispatch of the letters declining an extension of service to those officers due to retire and *(b)* after the letters' dispatch; and if he will make a statement; [130758]

(7) pursuant to his answer of 24 May 2000, *Official Report*, column 496W, when the decision was taken, and by whom, that the availability of recruits for Metropolitan Police security officers at the Palace of Westminster had improved; and on what basis an assessment was made that this situation would be sustained; [130723]

(8) if he will make a statement on the Government's policy on age discrimination in relation to the recruitment and retention policy of Metropolitan Police security guards at the Palace of Westminster. [131111]

Mr. Charles Clarke *[holding answer 18 July 2000]*: The Commissioner of Police of the Metropolis tells me that the Principal Security Officer and a member of the senior management team of the Palace of Westminster Security Force meets monthly with the Public and Commercial Services Union which represents the security officers. The minutes of these meetings are available to all staff. We are seeking the approval of the Public and Commercial Services Union to release the minutes of the meeting on 5 April 2000, at which the Principal Security Officer (PSO) informed the union representatives that it had been decided not to offer any further extension of service to staff over 60 years of age.

In the reply I gave on 24 May 2000, *Official Report*, column 496W, I acknowledged that the Metropolitan Police had experienced difficulties in recruiting security officers for the Palace of Westminster but that these have been overcome as a result of an external recruitment campaign.

Chief Superintendent Roylance of the Metropolitan Police (the officer in charge of policing the Palace of Westminster) met with the security officers' trade union representatives on 19 April after sending the letters on 13 April to those officers where a further extension of service had been declined. He did not meet them prior to the despatch of letters.

Internal selection within the Metropolitan Police Service is carried out at regular intervals by the local personnel unit at no additional cost. The recent external recruitment campaign for security officers was funded by the Metropolitan Police Service Central Recruitment Branch budget. The cost of the campaign advertisements was approximately £33,086. Planning for the campaign began in February 2000 and the advertisements were placed in May. Consideration of the applications and candidate interviews are now in progress. Some 212 applications were received in response to the campaign

but it is not yet possible to say how many of the applicants are suitable. The total number of anticipated vacancies is 68, of which 17 were anticipated to be retirements of staff at or beyond the contractual age of retirement in 2000.

The Metropolitan Police compares favourably with other employers of security officers in terms of both salary and working conditions. The starting salary of a security officer is £10,911 per annum and, in addition, Palace of Westminster officers receive £1,622 per annum London Allowance and a Shift allowance.

My right hon. Friend the Secretary of State for Education and Employment issued a publication: "Age Diversity in Employment: A Code of Practice" in 1999, a copy of which is in the Library. The code covers good practice in six aspects of the employment cycle, including retirement. I have no reason to believe that the retirement policy operated by the Metropolitan Police Service is not fairly applied in accordance with the advice given in the code.

Bus Lanes

Mr. Forth: To ask the Secretary of State for the Home Department how many prosecutions there have been in the Metropolitan Police Area for violation of bus lanes in each of the last three years. [132840]

Mr. Charles Clarke: The very few court proceedings brought for violation of bus lanes cannot be distinguished, in centrally collected statistics, from other offences connected with neglect of traffic directions or obstruction, waiting and parking.

However, the overwhelming majority of bus lane offences are dealt with by fixed penalty notice, and information obtained from the Metropolitan Police shows that 14,936 fixed penalties were issued by them for driving in a bus lane in 1997, 14,107 in 1998 and 12,527 in 1999 (an estimated figure which includes 3,247 detected using video technology and dealt with by way of conditional offer of fixed penalty).

Travel Documents

Ms Oona King: To ask the Secretary of State for the Home Department (1) if he will set a target time for dealing with all new travel document applications; [132895]

(2) what the average length of time taken to process a travel document application was in the last 12 months; [132897]

(3) how many post-September 1999 travel document applications have still not been processed; and if he will set a date for clearing the backlog; [132894]

(4) if he will assign additional staff to the Travel Document Section as a temporary measure to help clear the backlog of applications; [132845]

(5) how many of the backlog of travel document applications left over from the period January to August 1999 have not been processed. [132896]

Mrs. Roche: The target for processing new travel document applications is six to eight weeks. This is already being met, on average, with applications submitted after September 1999. Applications submitted before this date, between January and August 1999, were taking in excess of nine months to process. However, there are now fewer than 300 of these applications left to process, all of which should be cleared over the next few weeks.

Since Autumn 1999 the number of staff in the Travel Document Section has increased from 20 to more than 90. These extra staff were needed to handle the increasing numbers of new applications and to process the older ones. There are approximately 5,000 new applications still awaiting consideration with staff currently processing those received in early June. The aim is to clear the bulk of these by the end of September.

CS Gas

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department which police forces are not equipped with CS gas; and if he will make a statement. [132887]

Mr. Charles Clarke: Two forces in England and Wales do not issue CS spray to officers: Northamptonshire and Sussex.

I understand that Nottinghamshire police are currently making arrangements for the use of CS spray by their officers.

Police (Injuries)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many and what percentage of police officers were injured on duty in the most recent year for which figures are available, broken down by police force. [132888]

Mr. Charles Clarke: The information is not held centrally in the form requested. The table shows:

the number of police working days lost in 1998–99 due to injuries sustained by police officers as a result of assaults; and

the percentage of working days lost in that year due to injuries sustained by police officers as a result of assaults.

Number of working days lost due to assaults on police officers

	Assaults—days lost	*Percentage of police working days lost to assault*	*Average police strength*	*Total working days assuming 228 per officer based on average strength*
Avon and Somerset	416	0.06	3,012	686,736
Bedfordshire	211	0.09	1,041	237,407
Cambridgeshire	412	0.14	1,295	295,260
Cheshire	331	0.07	2,111	481,308
City of London	—	—	790	180,120
Cleveland	285	0.08	1,471	335,388
Cumbria	129	0.05	1,160	264,480

Number of working days lost due to assaults on police officers

	Assaults—days lost	*Percentage of police working days lost to assault*	*Average police strength*	*Total working days assuming 228 per officer based on average strength*
Derbyshire	356	0.09	1,777	405,224
Devon and Cornwall	974	0.15	2,946	671,592
Dorset	198	0.07	1,303	297,084
Durham	258	0.07	1,552	353,856
Dyfed-Powys	198	0.08	1,044	238,032
Essex	760	0.11	2,936	669,408
Gloucestershire	312	0.12	1,113	253,764
Greater Manchester	1,803	0.11	6,913	1,576,164
Gwent	501	0.18	1,250	285,000
Hampshire	63	0.01	3,470	791,160
Hertfordshire	717	0.18	1,752	399,456
Humberside	332	0.07	2,021	460,788
Kent	306	0.04	3,269	745,332
Lancashire	1,127	0.15	3,331	759,468
Leicestershire	424	0.09	2,037	464,436
Lincolnshire	174	0.07	1,171	266,988
Merseyside	926	0.09	4,373	996,930
Metropolitan police	6,324	0.10	26,566	6,057,048
Norfolk	202	0.06	1,426	325,128
North Wales	1,036	0.32	1,416	322,848
North Yorkshire	97	0.03	1,360	310,080
Northamptonshire	211	0.08	1,167	266,094
Northumbria	2,685	0.31	3,854	878,598
Nottinghamshire	748	0.15	2,248	512,544
South Wales	2,511	0.37	2,989	681,492
South Yorkshire	329	0.05	3,165	721,506
Staffordshire	441	0.08	2,279	519,498
Suffolk	30	0.01	1,195	272,460
Surrey	84	0.02	1,680	383,136
Sussex	514	0.08	2,962	675,336
Thames Valley	164	0.02	3,822	871,491
Warwickshire	163	0.08	925	210,786
West Mercia	438	0.09	2,033	463,524
West Midlands	3,326	0.20	7,250	1,653,000
West Yorkshire	3,210	0.28	5,053	1,152,084
Wiltshire	141	0.05	1,169	266,532
England and Wales Total	33,866	0.12	125,696	28,658,568

[1] Not available

Cyclists

Mr. Ben Chapman: To ask the Secretary of State for the Home Department what his policy is in respect of police prosecutions of cyclists *(a)* going through traffic lights at red, *(b)* going the wrong way down one-way streets, *(c)* using footpaths designed for pedestrians, *(d)* riding on pavements, *(e)* exceeding the speed limit and *(f)* failing to carry lights. [132095]

Mr. Charles Clarke: Enforcement of the law in respect of cycling offences is an operational matter for individual chief officers of police. The hazards caused by cyclists who break road traffic laws are recognised by chief officers and appropriate action is taken where such offences are detected.

Public Safety Radio Communications System

Mr. Fabian Hamilton: To ask the Secretary of State for the Home Department what assessment he has made of the value for money represented by the full funding of the 19 year contract for the Public Safety Radio Communications System in all police forces. [132377]

Mr. Charles Clarke: The Public Safety Radio Communication Service is designed to replace the current range of force-specific radio systems with a national service which meets the needs of modern-day policing.

Throughout the planning stages, as well as the contract negotiations, every effort has been made to keep the costs of the service down. The Police Information Technology Organisation (PITO), which is responsible for managing the Police Service Radio Communications Project (PSRCP), has regularly challenged and validated earlier assumptions and plans. Mechanisms such as benchmarking have been built into the main service contract to help ensure that both initial and future services remain Value For Money. Both the Association of Chief Police Officers and the Association of Police Authorities have concluded that the PSRCP meets technical requirements and offers value for money at a national level.

Xenotransplantation

Mr. Wyatt: To ask the Secretary of State for the Home Department, pursuant to his answer of 11 July 2000, *Official Report*, column 538W, on xenotransplantation,

what happened to those primates who were not euthanased; and if he will make a statement. [132081]

Mr. Mike O'Brien: Xenotransplantation includes the transplantation of organs, such as hearts and kidneys, between different animal species and from animals into humans. Organ transplantation is a hugely successful medical procedure—one that has transformed the lives of tens of thousands of people across the world. The critical shortage of human donor organs has led scientists to investigate xenotransplantation as an alternative potential source of organs. This is a policy on which the Department of Health leads.

As I indicated in my reply to my hon. Friend on 11 July 2000, *Official Report*, column 538W, almost all of the primates used in xenotransplantation research in the years 1995 to 1999 were euthanased. The majority were killed when they began to show clinical or biomedical evidence of terminal organ failure or when their clinical condition began to give rise to concern and some were euthanased when the procedure reached its pre-determined time point for completion. I understand that a small number of animals died unexpectedly before reaching the planned end point of the xenotransplantation procedure.

Neighbourhood Warden Schemes

Mr. Fearn: To ask the Secretary of State for the Home Department what discussions he has had with local authorities about neighbourhood warden schemes. [132503]

Mr. Charles Clarke: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Gedling (Mr. Coaker) on 24 July 2000, *Official Report*, columns 457–58W.

Mr. Fearn: To ask the Secretary of State for the Home Department what recent discussions he has had with police about neighbourhood warden schemes in the north west. [132494]

Mr. Charles Clarke: The Association of Chief Police Officers and the National Black Police Association are represented on the Advisory Committee of the Neighbourhood Warden's Unit which has been jointly established by the Home Office and the Department of the Environment, Transport and the Regions and which administers the Neighbourhood Wardens fund. The Advisory Committee meets quarterly. The five police forces in the North West region also benefit from having a police representative seconded to the Government Office for the North West, who has been closely involved in the development of town centre neighbourhood warden schemes and the recent bidding round for funding from the Neighbourhood Warden's Fund.

Fruit Pickers

Jackie Ballard: To ask the Secretary of State for the Home Department what plans he has to review the permit system and the restrictions on the numbers of Eastern European students legally working as fruit pickers. [132578]

Mrs. Roche *[holding answer 25 July 2000]:* Under the Immigration Rules, the Seasonal Agricultural Workers Scheme already enables non-European Economic Area (EEA) students between the ages of 18 and 25 who are in full-time education to enter the United Kingdom to do some seasonal work in agriculture. The scheme is organised through seven approved operators who issue work cards to the students to gain entry into the United Kingdom to participate in the scheme. There is an annual quota which was raised from 5,500 to 10,000 in 1996.

I am considering with my right hon. Friend the Minister for Agriculture, Fisheries and Food, whether the present quota is adequate.

Departmental Staff

Mr. Burstow: To ask the Secretary of State for the Home Department how many unfilled vacancies for permanent staff his Department has; what percentage of staff positions in his Department are vacant; what the monthly cost would be to his Department of employing civil servants in these positions; how many and what percentage of staff his Department employs on a temporary basis through employment agencies; how much his Department paid employment agencies to supply temporary staff in each of the last 12 months; and how much he expects to pay employment agencies to supply temporary staff in each of the next 12 months. [131432]

Mr. Mike O'Brien *[holding answer 25 July 2000]:* Agency staff are used to fill vacancies in the short term for a variety of reasons. These could include absences due to long-term sick or maternity leave, the need to provide particular skills for a short project or to cover vacancies that are waiting to be filled from recruitment exercises. Casual appointments, normally for less than 12 months are also made for similar reasons. It would not therefore be appropriate to draw a direct relationship between the use of Agency staff and vacancies in the Home Office.

The additional posts that have been made available to tackle the Asylum backlog in the Immigration and Nationality Directorate (IND) have provided opportunities for staff throughout the Home Office. But the vast majority of these additional posts are being filled by recruitment. I am committed to filling all permanent vacancies with permanent staff as soon as possible and a wide range of recruitment exercises have been taken place and are ongoing. For example, in IND, where there is the greatest number of vacancies, 30 recruitment campaigns are taking place and staff are currently joining IND at the rate of about 300 per month. However, until the staff have been selected and are able to join the Home Office, there will be an ongoing need for some vacancies to be covered by Agency staff.

All parts of The Home Office have delegated authority to manage resources, including staff numbers within agreed cash limits. Information on the use and cost of Agency staff is not collected centrally or accounted for separately and could be provided only at disproportionate costs. The best available information is set out in the following table.

Table 1. Staff vacancies and Agency Staff across the Home Office on 1 April

	Staff in Post	Home Office Vacancies	Total (Staff in Post and Vacancies)	Vacancies as a percentage of total Home Office staff positions	Agency staff	Percentage of total Home Office staff positions
Main Home Office	2,975	440	3,415	12.8	44	1.3
IND	6,399	3,093	9,472	32.6	100	3.2
Prison Service HQ	2,228	199	2,427	8	—	
UKPA[2]	2,800	400	3,200	12.5	21	0.6
FSS	1,761	250	2,011	12.4	140	6.9
FSC	186	8	194	4.1	4	2
Total	16,349	4,390	20,719	13.7	309	2.8

[1] As at June 2000
[2] Figures as July 2000
[3] Not available
[4] Average

Official Visits

Mr. Matthew Taylor: To ask the Secretary of State for the Home Department if he will list the visits outside Britain made by his Department's Permanent Secretary on official business since 1 January 1999, indicating the date and purpose of the visit in each case [132746]

Mr. Straw: The Permanent Secretary at the Home Office visited Paris on Wednesday 6 October 1999 and Berlin on Friday 3 December 1999 for discussions with his counterparts.

Marsham Street Buildings

Mr. Leigh: To ask the Secretary of State for the Home Department (1) if it is his policy not to retain the former Department of the Environment Marsham Street buildings for use by the Civil Service; [132426]

(2) for how long the former Department of the Environment building in Marsham Street has been empty; what its floor space is; and if he will make a statement on his Department's disposal action for the building through his Central London Accommodation Strategy. [132425]

Mr. Mike O'Brien: The building has been empty, apart from some temporary uses, including use as a shelter for the homeless, since 1997. It has 920,000 square feet (85,468 square metres) of floor space at ground level and above. It is proposed to retain part of the site and use it to construct offices for the Home Office, after demolition of the existing buildings. The rest of the site will be sold for residential or other uses. Bids from two private sector consortia are being evaluated and I expect it to be in a position to announce the outcome shortly.

Passports

Ms Walley: To ask the Secretary of State for the Home Department if he will extend to all post offices the authority to issue passports. [132417]

Mrs. Roche: No. To ensure international acceptance of the British passport, its integrity and the security of the issuing process, the authority of the issuing process needs to remain with the United Kingdom Passport Agency. The Quinquennial Review of the Agency the report on which my right hon. Friend, the Home Secretary, published on 28 June confirmed that the Government should continue to be responsible for the issuing of the British passport.

The Passport Agency does have arrangements with Post Office Counters Ltd which enable applicants for a small additional fee to have their applications checked for completeness and sent on to one of the Agency's offices for return within 10 days. This service is currently available from 1,500 main post offices, and the Post Office aim to extend this to a further 500 offices by early 2001.

Correspondence

Mr. Burns: To ask the Secretary of State for the Home Department when the family from South Africa, about whom the hon. Member for West Chelmsford wrote to the Minister of State on 21 July, will have their passports returned. [132827]

Mrs. Roche: The family from South Africa had their passports returned to them, suitably endorsed, on 26 July.

Witness Protection

Mr. Campbell-Savours: To ask the Secretary of State for the Home Department, pursuant to his oral answer of 14 February 2000. *Official Report*, column 598, on witness protection, when he referred the comments of the hon. Member for Workington to the Chief Constable of Lancashire. [131541]

Mr. Charles Clarke: My officials did so on 16 February.

Telephone Harassment

Mr. Campbell-Savours: To ask the Secretary of State for the Home Department if he will call for a report from the Chief Inspector of Constabulary on the efficiency of the Lancashire Police in pursuing inquiries into telephone harassment. [131540]

Mr. Charles Clarke: No, but if my hon. Friend lets me have details of any specific case, I shall look into it.

Mr. Campbell-Savours: To ask the Secretary of State for the Home Department if he will call for reports from chief constables as to the incidence of success in tracing phone calls on prepayment call mobiles. [131542]

Mr. Charles Clarke: I have no plans to do so.

Air Rifles

Mr. Chaytor: To ask the Secretary of State for the Home Department what plans he has to regulate further the sale of air rifles; and if he will make a statement. [132295]

Mr. Charles Clarke: The Government are currently preparing their response to the Report of the Home Affairs Committee on Controls over Firearms, which makes a number of recommendations concerning the regulation of air rifles and other air weapons. The Committee's proposals in this regard will be considered carefully.

Circus Animals

Mr. Dismore: To ask the Secretary of State for the Home Department if he will make a statement on progress in relation to improving the welfare of circus animals with particular reference to winter quarters. [133135]

Mr. Mike O'Brien: There are already laws covering the welfare of circus and other captive animals. It is an offence under the Protection of Animals Act 1911 to cause them unnecessary suffering. Under the Performing Animals (Regulation) Act 1925, the police and local authorities have inspection powers and can take action through the courts if the training or exhibiting of any performing animal is accompanied by cruelty. The Welfare of Animals (Transport) Order 1997 safeguards the welfare of animals when they are being moved between sites.

The Government have no current plans to introduce other statutory measures for the welfare of animals in travelling circuses. It is, however, helping the Association of Circus Proprietors to prepare a related Code of Practice.

We have accepted that circus winter quarters should be subject to licensing controls to ensure basic standards of animal welfare. There is at present little prospect of a slot for this in the Government's legislative programme.

Any Private Member's Bill brought forward on the subject—such as that introduced this Session by the hon. Friend the Member for Southend, West (Mr. Amess)—will be carefully considered.

Merchant Navy Day

Mr. Flynn: To ask the Secretary of State for the Home Department if he will ensure that the Red Ensign is flown from departmental buildings on Merchant Navy Day, 3 September. [132959]

Mr. Mike O'Brien: The Department of the Environment, Transport and the Regions will fly the Red Ensign from its headquarters building on 3 September. There are no plans to fly the Red Ensign from other Government buildings.

Drugs (Prisons)

Mr. Flynn: To ask the Secretary of State for the Home Department what proportion of prisoners tested positive for illicit drugs in each British prison during the last year for which figures are available. [132953]

Mr. Boateng: Random mandatory drug testing (MDT) is a Key Performance Indicator (KPI) for the Prison Service. The rate of positive tests as a percentage of all random drugs tests for the year 1999–2000 for each prison in England and Wales is shown in the table. The target for the Prison Service overall last year was 18.5 per cent. Performance was 14.2 per cent.

Only prisons that were operational for the full year 1999–2000 have been included.

Prison name	*Percentage positive MDT*
Acklington	13.6
Albany	0.0
Altcourse	10.4
Ashwell	27.9
Askham Grange	8.3
Aylesbury	12.7
Bedford	17.3
Belmarsh	10.5
Birmingham	20.0
Blakenhurst	25.1
Blantyre House	0.7
Blundeston	10.4
Brinsford	22.7
Bristol	16.3
Brixton	12.7
Brockhill	21.2
Buckley Hall	20.9
Bullingdon	20.2
Bullwood Hall	12.7
Camp Hill	24.5
Canterbury	13.2
Cardiff	27.6
Castington	14.8
Channings Wood	3.9
Chelmsford	23.0
Coldingley	12.2
Cookham Wood	0.6
Dartmoor	3.0
Deerbolt	15.3
Doncaster	10.2
Dorchester	20.1
Dover	12.1
Downview	2.5
Drake Hall	16.6
Durham	13.1
East Sutton Park	0.9
Eastwood Park	14.2
Elmley	13.5
Erlestoke	22.0
Everthorpe	21.9
Exeter	25.0
Featherstone	35.8
Feltham	21.2
Ford	10.8
Foston hall	8.2
Frankland	11.5
Full Sutton	5.8
Garth	14.9
Gartree	9.7
Glen Parva	14.7
Gloucester	23.9
Grendon	10.7
Guys Marsh	25.8
Haslar	1.0
Hatfield	9.0
Haverigg	13.9
Hewell Grange	15.3
Highdown	16.7
Highpoint	11.6
Hindley	18.6
Hollesley Bay	25.9
Holloway	15.5
Holme House	10.3
Hull	11.3
Huntercombe	24.9

Prison name	Percentage positive MDT
Kingston	17.8
Kirkham	17.9
Kirklevington	2.0
Lancaster	18.9
Lancaster Farms	3.2
Latchmere House	5.2
Leeds	19.5
Leicester	29.1
Lewes	18.1
Leyhill	16.2
Lincoln	15.4
Lindholme	26.8
Littlehey	10.1
Liverpool	17.3
Long Lartin	7.3
Low Newton	16.7
Lowdham Grange	15.6
Maidstone	7.2
Manchester	14.3
Moorland	3.3
Morton Hall	11.7
Mount	12.9
New Hall	5.8
North Sea Camp	23.5
Northallerton	13.3
Norwich	19.9
Nottingham	21.6
Onley	9.4
Parc	22.5
Parkhurst	1.6
Pentonville	28.0
Portland	8.8
Preston	22.0
Ranby	9.2
Reading	16.6
Risley	15.4
Rochester	3.2
Send	12.5
Shepton Mallet	19.9
Shrewsbury	11.1
Stafford	14.9
Standford Hill	12.2
Stocken	19.5
Stoke Heath	8.9
Styal	18.2
Sudbury	9.6
Swaleside	13.2
Swansea	25.3
Swinfen Hall	2.8
Thorn Cross	22.7
Usk	4.0
Verne	3.5
Wakefield	1.8
Wandsworth	6.1
Wayland	14.4
Wealstun	23.9
Weare	14.2
Wellingborough	23.4
Werrington	4.0
Wetherby	9.2
Whatton	0.9
Whitemoor	7.4
Winchester	25.6
Wolds	11.9
Woodhill	14.0
Wormwood Scrubs	15.9
Wymott	12.3

Police Operations

Mr. Hammond: To ask the Secretary of State for the Home Department (1) what is the maximum percentage of a police authority's total budget that he would regard as a sum too small to be reimbursed by his Department as an extraordinary operational expense; [133186]

(2) on what grounds the request by Surrey Police for reimbursement of costs relating to the Pinochet operation was rejected by his Department. [133184]

Mr. Charles Clarke: The Surrey Police were awarded a special payment of £200,000 in March 1999 as a contribution towards the additional costs of protecting Senator Pinochet. A further special payment of £550,000 requested by the Surrey Police in December 1999 was refused.

Their supplementary application was not approved because it was decided, in view of the limited funding available to meet an increasing number of grant applications, to draw up clearer criteria. These conditions require that the burden on the force should be unforeseen; commit them to exceptional additional expenditure, and directly impact on the force's efficiency. Additionally, we will consider special payments, subject to the availability of funding, to cover all or most of the extra costs for events of a national and international dimension that impose a burden on the resources of a force as a consequence of a decision by the Government.

Grant applications would normally be considered to the extent that they exceed 2 per cent. of the force's current revenue budget. In the case of Surrey, 2 per cent. of their budget for 1999–2000 was £1.9 million.

'Surrey's request for extra financial assistance had to compete with other more pressing needs, such as the Stansted hijack. We decided that those other demands had first call on the remaining available resources, particularly as some financial assistance had already been provided to Surrey for the protection of Senator Pinochet.

The total additional costs for protecting Senator Pinochet were estimated at £750,000. They were estimated at around 0.8 per cent. of the budget of the Surrey Police.

Once account is taken of the special payment of £200,000 made in March 1999 the proportion of the additional costs that fell on the Surrey Police was reduced to 0.6 per cent. of the force's 1999–2000 budget.

Departmental Initiatives

Mr. Simon Hughes: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Birmingham, Selly Oak (Dr. Jones) of 20 July 2000, *Official Report*, column 326W, on departmental initiatives, what is the estimated administrative costs to those bodies making bids for each of the initiatives; and if he will make a statement. [133178]

Mr. Mike O'Brien: The information requested on estimated administrative costs to those bodies making bids for Home Office initiatives is not held centrally, and could be obtained only at disproportionate cost by contacting every body that has made a bid since May 1997.

Public Service Agreements

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what changes have been made in the public service agreements made for his Department

between the 1998 Comprehensive Spending Review and the Spending Review 2000; what are the reasons for those public service agreements which have been discontinued for being so discontinued; what progress has been made against each of the targets in the agreements made in 1998 included those which have been discontinued; and if he will make a statement. [133151]

Mr. Mike O'Brien: My right hon. Friend the Chancellor of the Exchequer will shortly publish a comprehensive list of new public service agreements (relating to the Spending Review 2000) for all Government Departments. However, these public service agreements will not come into effect until April 2001.

The Public Service Agreement (PSA) relating to the 1998 Comprehensive Spending Review covers the period 1999–2002. No targets contained in that PSA have been discontinued, although some have already been met. The Home Office continues to work towards delivery of outstanding targets. Details of the targets, and performance against them up to December 1999, are recorded in the Home Office Annual Report 1999–2000 (copies of which are available in the Library). Information on progress will be provided in subsequent Home Office Annual Reports—the next of which is expected to be published around April 2001.

Crime Reduction Initiatives

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what is the real terms increase under the spending review 2000 on crime reduction initiatives in each of the next four years and in total; and if he will make a statement. [133181]

Mr. Boateng: Under the spending review, the amount of additional funding for Home Office-led crime reduction initiatives is likely to increase by at least 20 per cent. in 2001–02. However, the exact figures and the final breakdown between the crime reduction and police initiatives will not be finalised until September.

Alcohol Misuse

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what initiatives will be undertaken by the Home Office as part of the National Strategy on Alcohol Misuse; and if he will make a statement. [133182]

Mr. Mike O'Brien: When my right hon. Friend the Secretary for Health publishes the Strategy this will give a full account of the action being taken by Departments, including the Home Office, to support the strategic aims and objectives.

Duty Roster

Mr. Lidington: To ask the Secretary of State for the Home Department if he will publish the duty ministerial roster for his Department for the period 29 July to 22 October. [132976]

Mr. Luff: To ask the Secretary of State for the Home Department if he will publish the daily ministerial duty roster for his Department during the summer adjournment. [133076]

Mr. Straw: It is not the normal practice of a Government to publish the daily ministerial duty roster. This Department will ensure that it has sufficient cover through the summer recess in line with the requirements of the Ministerial Code.

Women's Royal Voluntary Service

Mr. Lidington: To ask the Secretary of State for the Home Department how much his Department paid in grant to the Women's Royal Voluntary Service in each financial year since 1978–79; how much he proposes to pay as grant to the Women's Royal Voluntary Service in each of the financial years covered by the Comprehensive Spending Review; and if he will express *(a)* and *(b)* in both cash and real terms [132938]

Mr. Boateng: Figures are not available prior to 1985–86. Grant paid from that year onwards is shown in the table. The table shows the grant in cash terms and adjusted to 1978–79 prices.

£

Financial year	*Grant in cash terms*	*Grant adjusted to 1978–79 prices*
1985–86	4,600,000	2,456,500
1986–87	4,833,000	2,503,155
1987–88	5,257,000	2,585,161
1988–89	5,132,000	2,363,767
1989–90	5,353,000	2,299,857
1990–91	5,539,000	2,207,209
1991–92	5,802,102	2,178,277
1992–93	6,109,000	2,221,041
1993–94	6,247,000	2,212,520
1994–95	6,500,000	2,270,179
1995–96	6,200,000	2,104,895
1996–97	5,840,000	1,920,888
1997–98	5,548,000	1,774,512
1998–99	5,298,000	1,646,412
1999–2000	5,048,000	1,529,645
2000–01	4,798,000	1,421,897

Includes £332,000 to cover the one-off costs associated with the 1988 change of premises

The amount of grant for 2001–02, 2002–03 and 2003–04 will be determined in the light of decisions on use of resources within the Home Office's programmes.

Mr. Lidington: To ask the Secretary of State for the Home Department what his policy is on payments of grant to the Women's Royal Voluntary Service. [132937]

Mr. Boateng: Payment of grant to the Women's Royal Voluntary Service was formally reviewed in 1997. The review found that grant from the Home Office supported services which had the potential to recover costs in full from local purchasers (ie local authorities, health trusts and emergency services) and through fund-raising.

The Review recommended that the grant should gradually be reduced over 10 years to a level equivalent to that of our other largest voluntary sector grant recipients, which is currently around £700,000 to £900,000 a year.

Racism

Mr. McNamara: To ask the Secretary of State for the Home Department who attended the 5 to 7 July European Regional Expert Group Meeting in Warsaw to assist

preparations for the World Conference Against Racism; what were the decisions of this meeting; and what plans he has to publicise the conference. [131395]

Mr. Mike O'Brien: The meeting in Warsaw was one of a series of five Experts Fora convened by the Secretariat of the United Nations High Commissioner for Human Rights.

Invitees were selected from independent organisations knowledgeable in the field, rather than from Governments. The United Kingdom-based Minority Rights Group attended.

The purpose of the meeting was to discuss issues surrounding the protection of minorities and other vulnerable groups and the strengthening of human rights capacity at national level. The meeting was not supposed to make any decisions.

These five Experts Fora are not part of the preparatory process in which United Kingdom Government officials will continue to play an active part.

Until the preparatory process is further advanced, it would be premature to commence with publicising the World Conference.

PFI Contracts

Mr. Alan Williams: To ask the Secretary of State for the Home Department in how many of his Department's PFI contracts KPMG has been an adviser. [132865]

Mr. Boateng: One. Between July 1996 and August 1998 KPMG provided advice on the Prison Service Quantum Information Technology project.

Data Protection

Mr. Wyatt: To ask the Secretary of State for the Home Department how many successful prosecutions the Data Protection Commission has carried out; and what have been the penalties imposed. [133068]

Mr. Mike O'Brien: The Data Protection Commissioner was known until 1 March 2000 as the Data Protection Registrar. Details of all prosecutions carried out by the Registrar/Commissioner up until 31 March 2000 are contained in the Registrar's 5 to 15 Annual Reports to Parliament and in the Commissioner's first such report. Copies of these are available in the Library.

Mr. Wyatt: To ask the Secretary of State for the Home Department which Minister in his Department has the lead responsibility for data protection in relation to websites; and if he will make a statement. [133052]

Mr. Charles Clarke: My hon. Friend the Under-Secretary of State for the Home Office is responsible for data protection policy. The Data Protection Act 1998 sets out the requirements which individuals and bodies processing personal information must satisfy. The Act came into force in March, and we are keeping its operation under review.

Written Answers to Questions

Friday 28 July 2000

CABINET OFFICE

Regulations

Mr. Lansley: To ask the Minister for the Cabinet Office if she will list the regulations *(a)* introduced, *(b)* amended and *(c)* repealed since May 1997. [132770]

Marjorie Mowlam: The information requested is not held centrally and can be provided only at disproportionate cost.

Government's Annual Report

Mr. Malcolm Bruce: To ask the Minister for the Cabinet Office when she expects the information, provided by postcode, on the Government's Annual report website to be available for information that pertains to *(a)* developed and *(b)* reserved matters to be available for (i) Scotland, (ii) Wales and (iii) Northern Ireland. [133062]

Marjorie Mowlam: The database of regional information available by postcode is being developed at present, in the first instance, for information on reserved matters. This work is well advanced. Discussions on the presentation of information on devolved matters are proceeding with the devolved administrations.

Departmental Initiatives

Dr. Lynne Jones: To ask the Minister for the Cabinet Office, pursuant to her answer of 18 July 2000, *Official Report*, column 155W, if she will list all departmental initiatives between May 1997 and 18 July 2000 requiring bids from voluntary organisations and local authorities for funding, together with the total resources allocated to these initiatives, the number of successful bids and the proportion this represents of total bids received; and what data she collects on the average cost of preparing the bids for funding through each initiative. [132669]

Marjorie Mowlam: The detailed distribution of the resources the Cabinet Office was allocated in the Spending Review 2000 is still being decided.

Anti-drugs Strategy

Mr. Flynn: To ask the Minister for the Cabinet Office what proportion of Government spending on combating illicit drug misuse has been spent on *(a)* law enforcement, *(b)* treatment, *(c)* harm reduction measures, *(d)* prevention and *(e)* research during each of the last 10 years for which figures are available. [132916]

Marjorie Mowlam: The first UK drugs strategy "Tackling Drugs Together" was launched in May 1995 and allocated £8.8 million over three years to Drug Action Teams, £5.9 million on schools drug education for 1995–96, and £1 million in the same year for services for young people at an early stage of drug misuse.

The Government's Comprehensive Spending Review 1998 estimated drug related spending across the UK to be in the region of £1.4 billion per annum, over £1 billion of which was spent on law enforcement measures.

Under the present strategy, "Tackling Drugs To Build A Better Britain", the 1998 Comprehensive Spending Review settlement provided an additional £217 million of resources over three years, as follows:

£133 million towards anti-drug measures in the criminal justice system, (of which £60 million covers treatment services in prisons, £12 million for voluntary drug testing in prisons and £61 million towards the piloting and implementation of the Drug Treatment and Testing Orders).

£70.5 million towards the funding of new treatment services and improved community care services, (of which health authorities received £50 million for treatment services for young people and local authorities received £20.5 million to improve access to services and increase the numbers in treatment programmes).

£3 million allocated to support cross-departmental development of more effective drugs education work.

£6 million provided for new research programmes.

£4.5 million provided to Drug Action Teams to pursue anti-drugs measures at local level.

No extra resources were allocated for enforcement.

We will be making further announcements on funding to: encourage young people to resist drugs; help communities to protect themselves; provide treatment to help people overcome addiction; and to help stifle the availability of drugs in Britain.

Helen Jackson: To ask the Minister for the Cabinet Office what is the effect of the outcome of Spending Review 2000 on funding for the United Kingdom Anti-drugs Strategy; and if she will make a statement. [133800]

Marjorie Mowlam: The Chancellor last week announced, as a result of Spending Review 2000, increased funding over the next three years to support the delivery of the Government's challenging targets for tackling drug misuse. This means that expenditure targeted at the causes of drug misuse will increase from some £700 million in 2000–01 to £870 million in 2001–02, £931 million in 2002–03 and £996 million in 2003–04. This funding will enable the Government to secure implementation of the plans and targets developed from the recommendations of the cross-departmental review of action against illegal drugs, led by myself and the UK Anti-Drugs Co-ordinator.

This increased investment will be centred around treatment and prevention and will allow us to underpin the initiatives outlined in the Anti-Drugs Co-ordinator's second Annual Plan, which is published today. These include measures such as funding increased provision of drug treatment to underpin the work of the new National Treatment Agency and increasing provision of treatment for drug misusing offenders. We will also continue to support work with our international partners to reduce the availability of drugs, as outlined by the Prime Minister at the recent G8 conference. The UK law enforcement and intelligence agencies will work closely with their counterparts in the key drug producing and transit countries, seeking to tackle drugs trafficking as close to source as possible and disrupt the international flows of money which support the drugs trade.

These plans will make a major contribution to addressing the Government's wider agenda of tackling crime, social exclusion and ill health and will help drive down the huge costs to society caused by drugs.

The National Plan preserves the balance of objectives across all the four aims of our Strategy; helping young people to avoid drug misuse through education, protecting communities from drug-related anti-social and criminal behaviour, enabling people to receive treatment for drugs problems as well as reducing the availability of illegal drugs.

Reports

Mr. Stunell: To ask the Minister for the Cabinet Office if she will list the reports submitted to her Department, by bodies that were created after May 1997 and that include significant and plural membership from outside the Civil Service, stating in each case the body writing the report, the date the report was submitted, how many recommendations were made, the number of those recommendations that have been implemented to date and the number of recommendations that have been rejected; and if she will make a statement. [133570]

Mr. Stringer: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Eastwood (Mr. Murphy) on 27 July 2000, *Official Report*, column 799W.

Legislative Programme

Mr. Baldry: To ask the Minister for the Cabinet Office how many meetings she has attended in the last three months to consider the Government's future legislative programme. [133693]

Marjorie Mowlam: Information concerning internal discussions is not normally made public.

Electronic Communications Act 2000

Mr. Cotter: To ask the Minister for the Cabinet Office what orders she *(a)* has made and *(b)* intends to make using section 8 of the Electronic Communications Act 2000; and if she will make a statement. [133376]

Mr. Ian McCartney: No orders have yet been made by any Department using section 8 of the Electronic Communications Act 2000, which came into force on 25 May. For the Government's intentions I refer the hon. Member to my reply to my hon. Friend the Member for Doncaster, Central (Ms Winterton) on 24 May 2000, *Official Report*, columns 531–34W.

Government Agency Contracts

Mr. Cotter: To ask the Minister for the Cabinet Office how many Government agency contracts were awarded to small and medium-sized enterprises in each of the last three years. [133386]

Mr. Stringer: This information is not held centrally and is available only at disproportionate cost. With regard to contracts awarded by the Cabinet Office, I will write to the hon. Member with as much information as possible in the summer recess.

Press Releases

Mr. Lansley: To ask the Minister for the Cabinet Office how many press releases were issued by her Department in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* this year to date; and what the total cost of the production and issuing of these press releases was in each year. [132745]

Mr. Stringer: The total number of press releases issued each calendar year by my Department is as follows: *(a)* 189 in 1997; *(b)* 277 in 1998; *(c)* 343 in 1999; and *(d)* 204 in the year to date (until the end of May).

The figures for 1999 and 2000 include press releases issued by the Year 2000 Media Co-ordination Unit which also operated from the Cabinet Office.

The total net cost of issuing these press notices is as follows: *(a)* £11,758.25 in 1997; *(b)* £25,136.97 in 1998; *(c)* £44,854.37 in 1999; and *(d)* £29,037.09 in the year to date (until the end of May).

From 1 April 1998 the Department started to use the Central Office of Information's News Distribution Service to issue press releases directly and quickly to fax machines. While the system is considerably faster and more efficient it is also more expensive. Prior to this system press releases were issued by post and the costs were met centrally within the Department.

The costs of producing a press notice are not recorded separately and are part of the routine duties of departmental press officers.

Sustainable Development Commission

Joan Ruddock: To ask the Minister for the Cabinet Office if she will list the appointments to the Sustainable Development Commission; and when it first met. [133778]

Mr. Meacher: I have been asked to reply.

The Sustainable Development Commission is expected to hold its first meeting in the autumn when the appointments process is completed. It will be for the Commission to decide the frequency and timing of its meetings along with other working arrangements.

Civil Service Fast Stream

Mr. Healey: To ask the Minister for the Cabinet Office (1) how many graduates are in the fast stream of the Civil Service; [132927]

(2) how many graduates of Oxford and Cambridge universities are in the fast stream of the Civil Service; and what percentage of the total this represents; [132928]

(3) how many non-graduates there are in the fast stream of the Civil Service; and what percentage of the total this represents. [132926]

Marjorie Mowlam: On 1 April 1999, there were 476 civil servants on the General Fast Stream Development Programme. Information is not held centrally on how many of this total number are graduates, nor which university they graduated from.

Information held on last year's open Fast Stream competitions, including specialists, showed that, on recruitment, of 306 successful candidates 92 (30 per cent.) were graduates of Oxford and Cambridge Universities.

The open General Fast Stream is at present a graduate recruitment scheme. However a separate competition is held for in-service applicants who are nominated by their departments, and these candidates are not required to have a degree. Our records show that last year, from this source, one successful candidate was a non-graduate.

European Secretariat

Mr. Spring: To ask the Minister for the Cabinet Office what the *(a)* budget, *(b)* remit and *(c)* staffing provision is for the unit in the Cabinet Office co-ordinating the work of Government Departments on Europe. [132980]

Marjorie Mowlam: The European Secretariat is responsible for this work. Its remit is to support the Prime Minister with the provision of policy advice on EU issues, to support collective decision-making in Government, and to co-ordinate policy on EU issues across Departments. The operating budget for the unit in this financial year is £868,000 and it currently has a staff of 21.

Government Car and Despatch Agency

Mr. Baker: To ask the Minister for the Cabinet Office, pursuant to the answer to the right hon. Member for Wokingham (Mr. Redwood) of 13 June 2000, *Official Report*, column 614W, regarding the Government Car and Despatch Agency, (1) how many of the 126 cars purchased by the Agency since May 1997 were purchased to (i) replace existing cars and (ii) increase the size of the Agency's fleet; [133741]

(2) if she will list the number of *(a)* cars and *(b)* other vehicles in the Agency's fleet on (i) 1 May 1997, (ii) 1 May 1998, (iii) 1 May 1999 and (iv) 1 May 2000; [133740]

(3) how many vehicles, other than cars, were purchased by the Agency in each month since May 1997, indicating in each case the *(a)* make, *(b)* model and *(c)* purchase price of each vehicle. [133742]

Marjorie Mowlam: Responsibility for these matter has been delegated under the terms of the Framework Document to the Government Car and Despatch Agency. I have asked its Chief Executive, Mr. Nick Matheson, to write to the hon. Member.

Letter from Nick Matheson to Mr. Norman Baker, dated 27 July 2000:

The Minister of State, Cabinet Office, has asked me in my capacity as the Chief Executive responsible for the Government Car and Despatch Agency to reply to your three Parliamentary Questions about vehicles purchased and operated by this Agency since May 1997.

All the vehicles quoted in the Minister's reply of 13 June were purchased to replace existing cars as part of the Agency's vehicle replacement programme.

The number of cars and other vehicles int eh Agency's fleet on the dates requested were:

1 May 1997: 201 cars and 53 other vehicles;

1 May 1998: 188 cars and 39 other vehicles;

1 May 1999: 188 cars and 59 other vehicles; and

1 May 2000: 190 cars and 56 other vehicles.

From May 1997 the Agency has purchased the following vehicles other than cars, primarily for use by its InterDespatch Service:

Make	*Model*	*Number*	*Purchase date*	*Cost per vehicle (£)*	*Total cost (£)*
Ford	Transit SWB	18	January 1998	10,736.25	193,252.50
Ford	Transit LWB	1	April 1998	14,733.75	14,733.75
Ford	Transit SWB	4	September 1998	11,036.25	44,145.00
Ford	Transit LWB	1	December 1998	14,516.25	14,516.25
Ford	Transit SWB	2	December 1998	11,306.25	22,612.50
Ford	Transit LWB	1	January 1999	14,730.00	14,730.00
Vauxhall	Astravan	2	January 1999	7,827.84	15,655.68
Ford	Transit SWB	5	July 1999	9,810.50	49,052.50
Ford	Transit SWB	5	September 1999	9,810.50	49,052.50
Ford	Transit SWB (LPG)	5	January 2000	10,710.00	53,550.00
Ford	Transit SWB	1	January 2000	9,660.00	9,660.00

Mr. Alastair Campbell

Mr. Redwood: To ask the Minister for the Cabinet Office how many times she has *(a)* received advice from and *(b)* had meetings with Mr. Alastair Campbell in the last month. [133473]

Marjorie Mowlam: I take advice from Alastair Campbell and other civil servants as appropriate.

New Deal

Mr. Rooney: To ask the Minister for the Cabinet Office how many people have been employed in the Civil Service under the New Deal for the young and unemployed. [129914]

Marjorie Mowlam *[pursuant to her reply, 6 July 2000, c. 286W]:* As at 1 April 2000, the information on Civil Service Departments (including their agencies) participating as employers in the New Deal is as follows.

New Deal starts since programme began as at 1 April 2000

Main department (including agencies)	*Number*
Ministry of Agriculture, Fisheries and Food	38
Intervention Board	3
Cabinet Office	9
Charity Commission	18
Culture, Media and Sport	4
Ministry of Defence	95
Education and Employment	1,736
Office for Standards in Education	1
Environment, Transport and the Regions	18
Export Credits Guarantee Department	4
Foreign and Commonwealth Office	4
Government Offices for the Regions	4
Health	27
Home Office	73
International Development	1
Law Officers' Departments	10
Lord Chancellor's Department	22
Lord Advocate's Department	3
National Assembly for Wales	33
Northern Ireland Office	11
Scottish Executive	29
Social Security	467

New Deal starts since programme began as at 1 April 2000

Main department (including agencies)	*Number*
Trade and Industry	43
HM Treasury	2
HM Customs and Excise	35
Office of Government Commerce	1
Inland Revenue	256
Office for National Statistics	10
Royal Mint	3
Total	2,960

DEFENCE

Army Personnel Centre

Mrs. Fitzsimons: To ask the Secretary of State for Defence what key targets have been set for the Army Personnel Centre for the financial year 2000–01. [133605]

Mr. Spellar: The Chief Executive of the Army Personnel Centre has been set the following Key Targets for 2000–01.

1. The percentage of manned posts (excluding posts gapped for less than 28 days and all posts for private soldiers and subaltern officers) to be 92 per cent. or greater.
2. The proportion of personnel posted in-year by the APC whose rank and Service qualifications meet the specifications of the post of be 93 per cent. or greater.
3. The percentage of in-year postings authorised by the APC where personnel are given at least four months notification (See Note) to be 54 per cent or greater.
4. The percentage of change requests received by the APC which are authorised and/or accurately processed within five working days of receipt at the Document Handling Centre to be 94 per cent. or greater.
5. The percentage of due terminal benefits made by the 5th working day after discharge/retirement or following receipt of the correct authorisation paperwork by Pensions Division, whichever is later, to be 98 per cent. or greater.
6. Achieve an in year reduction of 1 per cent. in operating costs and identify measurable indicators of efficiency within key business processes for implementation from April 2001.

Note:

Short-notice operational requirements and postings following initial training and long career courses are excluded.

Defence Clothing and Textiles Agency

Laura Moffatt: To ask the Secretary of State for Defence if he will make a statement on the future of the Defence Clothing and Textiles Agency. [133927]

Mr. Spellar: The introduction of the SMART Procurement Initiative (SPI) and the formation of Integrated Project Teams (IPTs) across the Ministry of Defence has changed the strategic conduct of the Ministry of Defence's procurement business. We have decided that the Agency in its current form is not consistent with the far-reaching changes demanded by SPI. Accordingly DCTA is to be reorganised along IPT lines and will cease to be a Defence Agency on 1 October 2000. The Planned collocation of staff at the Caversfield site will continue and should be completed in March 2001.

The organisation is to become part of the Director General Equipment Support (Land) Business Unit within the Defence Logistics Organisation (DLO). A Transition Team Leader has been appointed to direct the transition to the new structure with implementation to be completed by 31 March 2001.

In place of Key Targets, IPTs are expected to deliver a high level of performance against hard and stretch targets. The planned adoption of a balanced set of performance measures and targets (known as the Balanced Scorecard) across the organisation will ensure that a challenging performance regime remains in place.

Clothing products are of fundamental importance to our Armed Forces and this reorganisation in line with SPI principles will ensure that Service personnel continue to receive products of the highest standards.

Ships Support Agency

Ms Dari Taylor: To ask the Secretary of State for Defence what key targets have been set for the Ships Support Agency for the financial year 2000–01. [133929]

Mr. Spellar: Key Targets have been set for the Chief Executive of the SSA for financial year 2000–01. The targets build on the progress already made by the Agency since it formed in December 1996 and are as follows:

Key Target 1—Upkeep Timeliness

To keep variation of actual to planned Upkeep time to within 7 per cent.

Key Target 2—Upkeep Cost

To keep variation of actual to approved Upkeep cost to within 3 per cent.

Key Target 3—Unplanned Unavailability (Quantity)

To keep Unplanned Vessel Unavailability to less than 5 per cent. of Fleet Time.

Key Target 4—Operational Defects (Quality)

To limit to less than three the average number of operational defects outstanding per vessel in Fleet Time.

Key Target 5—Available Force Element Days (Quantity)

To provide more than 95 per cent. of Available Force Element Days.

Key Target 7—Efficiency

Pounds per Available Force Element Days to be less than £28,800.

Key Target 8—Stockholding (Efficiency)

To reduce the ratio of value of stocks held to stocks issued to less than 2.9:1.

Cannabis

Mr. Cohen: To ask the Secretary of State for Defence if *(a)* GW Pharmaceuticals Ltd. and *(b)* the Medicinal Cannabis Research Foundation have cannabis growing facilities at the Porton Down establishment; and if he will make a statement. [132806]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to my hon. Friend.

Letter from John Chisholm to Mr. Harry Cohen, dated 28 July 2000:

I am replying to your parliamentary question about tenancies on the Porton Down Science Park since the Porton Down site is part of the Defence Evaluation and Research Agency (DERA).

The Medicinal Cannabis Research Foundation is not a tenant at Porton Down. GW Pharmaceuticals Ltd does, however, maintain an office on the Porton Down Science Park. The relationship between

the company and DERA is a commercial one, that of tenant and landlord. If DERA is to continue to attract tenants to its Science Parks, then companies must be able to feel confident that information about their business will be treated as confidential. I am, therefore, obliged to refuse your request under exemption 7, effective management and operations of the public service, of the Code of Practice on Access to Government Information.

I can, however, assure you that significant checks are carried out on both staff and companies applying to occupy space on our Science Parks. DERA would not consider any potential tenant whose business was likely, in any way, to infringe the law.

I am sorry that I cannot be more helpful on this occasion.

Service Personnel (Medical Treatment)

Mr. Viggers: To ask the Secretary of State for Defence how many service personnel are unavailable for full duties for medical reasons in the *(a)* Royal Navy, *(b)* Royal Marines, *(c)* Army and *(d)* Royal Air Force; how many of these have postings which would require them to be operational or on rapid reaction duties if fit; and how many of these in each category are (i) awaiting an initial medical consultation, (ii) awaiting treatment following an initial medical consultation and (iii) receiving treatment. [132553]

Dr. Moonie: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

MOD Police

Mr. Rendel: To ask the Secretary of State for Defence (1) how many MOD police officers normally based at *(a)* AWE Aldermaston and *(b)* AWE Burghfield are working at other sites; [133444]

(2) what was the average number of sickness hours, per officer, per month, among MOD police *(a)* in total, *(b)* at AWE Aldermaston and *(c)* at AWE Burghfield in each month since November 1999; [133442]

(3) what was the average amount of overtime worked by MOD police officers at *(a)* AWE Aldermaston and *(b)* AWE Burghfield each month from November 1999 to the latest month for which figures are available; [133445]

(4) if he will make a statement on the extent to which MOD police officers based at AWE Aldermaston and AWE Burghfield are covered by the European Working Time Regulations; [133443]

(5) what was the longest amount of overtime worked by any MOD police officer at *(a)* AWE Aldermaston and *(b)* AWE Burghfield in any period of (i) one month and (ii) six months since June 1999. [133446]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Medical Services

Mr. Viggers: To ask the Secretary of State for Defence (1) how many doctors and nurses in each specialty are serving in the armed forces; how many were serving in *(a)* 1997, *(b)* 1998 and *(c)* 1999; and how many of those now serving have given notice of their intention to retire from the armed forces; [132552]

(2) how many *(a)* doctors and *(b)* nurses have joined the armed forces since the announcement of a recruiting drive in early 1999. [133390]

Dr. Moonie: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Disposal Sales Agency

Laura Moffatt: To ask the Secretary of State for Defence what key targets have been set for the Disposal Sales Agency for the Financial Year 2000–01. [133928]

Dr. Moonie: Since its launch in October 1994 the Agency has positioned itself as the market leader in the disposal sales of surplus equipment and goods in the public sector. The Key Targets which have been set for the Chief Executive of the Disposal Sales Agency for this financial year are aimed at securing disposal receipts from the sale of surplus capital assets and inventory items from both the Ministry of Defence and a range of public sector organisations. The Chief Executive of the Agency has been set the following key targets for the financial year 2000–01.

Key Target 1:

To achieve disposal sales gross income from sales of surplus Government owned equipment and stores of £40 million.

Key Target 2:

To achieve a unit cost of generating £1 million of sales of £87.5K.

Key Target 3:

To agree Customer Supplier Agreements (CSAs) based on the transfer to DSA of ownership of assets declared for disposal.

Key Target 4:

To establish performance measures for DSA based on added value and to set targets for 2001–02.

Key Target 5:

To refine Agency's website and establish the feasibility of e-commerce for disposal business.

Military Bases (Foreign Personnel)

Mr. Baker: To ask the Secretary of State for Defence, pursuant to his answer of 6 June 2000, *Official Report*, column 172W, regarding foreign nationals stationed at UK military bases, if he will make a statement on the stationing at UK military bases of nationals of countries which are not members of NATO. [133727]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Military Bases

Mr. Baker: To ask the Secretary of State for Defence if he will list the military bases outside the United Kingdom where UK nationals are based, indicating in each case the number of UK nationals based there. [133550]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Electronic Communications Act 2000

Mr. Cotter: To ask the Secretary of State for Defence what orders he *(a)* has made and *(b)* intends to make using section 8 of the Electronic Communications Act 2000; and if he will make a statement. [133370]

Dr. Moonie: I refer the hon. Member to the answer given to him today by my right hon. Friend the Minister of State, Cabinet Office.

Retired Ex-servicemen

Mr. Chope: To ask the Secretary of State for Defence (1) how many retired ex-servicemen have their level of pension affected by pay restraint policies in force in 1976 and 1977; [133162]

(2) what would be the annual cost of raising with effect from 1 April 2001 the pension payable to members of the Armed Services who retired between 1 April 1977 and 31 March 1978 so that it is the same as the pension of those who retired immediately prior to 1 April 1977. [133161]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

TRIGAT

Barbara Follett: To ask the Secretary of State for Defence what progress has been made on the MR TRIGAT Anti-Tank Guided Weapon programme; and if he will make a statement. [133931]

Mr. Hoon: The UK signed the Memorandum of Understanding for the Industrialisation and Production phase of MR TRIGAT in June 1999 in the expectation that we would shortly proceed to contract and maintain the programme to deliver a modern Anti-tank Guided Weapon capability by 2005 (when stocks of the existing MILAN system start to run down).

Regrettably, MOU signature by all five participating nations has still not been achieved. Some 12 months after our MOU commitment we are no nearer to contract placement than we were then. This additional delay, to a programme that is already 10 years behind its original schedule, and the additional risk and uncertainty it creates is unacceptable. The UK's priority has to be to deliver the capability and equipment needed by our armed forces in an acceptable timescale.

I have therefore decided that the UK should withdraw from the MR TRIGAT Industrialisation and Production programme and will pursue an alternative national procurement of an Anti-tank Guided Weapon system. We plan to use an Invitation to Tender in the next few weeks for the supply of commercially available systems to meet the requirements of our Infantry Light Forces by 2005. In parallel, we are reviewing our requirements for an Anti-tank capability for mechanised and armoured Infantry units prior to determining whether these too could be met by similar commercially available systems. Our initial assessment is that the alternative systems now available will be in many ways more capable than MR TRIGAT and offer significant financial savings.

I recognise that this decision will be a disappointment to our partners and to those areas of UK Industry that had expected to benefit from MR TRIGAT. The UK remains committed to the principles of European collaboration provided it is in the UK's best interests. Regrettably it was not possible to proceed on this basis with MR TRIGAT, but there are a range of other programmes on which we remain engaged to good effect with our European partners.

Kosovo

Mr. Caplin: To ask the Secretary of State for Defence if he will make a statement on troop levels in Kosovo. [133604]

Mr. Hoon: The UK currently contributes some 3,300 personnel to KFOR. We have maintained that flexibility and capability are the keys to successful operations in the Balkans. In this spirit, I have agreed to a NATO request to supply additional troops to cover the municipal election period in Kosovo, to ensure that the region's first steps towards democratisation are sure ones.

Subject to confirmation of the election date, the 2nd Battalion the Light Infantry will deploy to Kosovo in mid-September for a period of two months. They will be at the disposal of Command KFOR, Lt. General Juan Ortuno. I have no doubt that they will maintain the excellent tradition of UK forces in the region who, with their outstanding professionalism, dedication and skill, continue to make an outstanding contribution to the regeneration of Kosovo.

Mr. Cox: To ask the Secretary of State for Defence how many British service personnel were deployed in Kosovo on 1 July. [132816]

Mr. Spellar: On 1 July, there were some 3,400 British personnel serving with KFOR, of whom some 3,300 were based in Kosovo.

Scottish Service Personnel

Mrs. Ewing: To ask the Secretary of State for Defence how many people of Scottish birth are currently serving in the *(a)* Royal Navy, *(b)* Royal Marines, *(c)* Army and *(d)* RAF. [131595]

Mr. Spellar *[holding answer 25 July 2000]:* Examination of available personal records of currently serving personnel has revealed the following information as at 1 June 2000:

(a) and *(b)* The Naval Service does not hold information centrally on place of birth and the information could be provided only at disproportionate cost.

(c) Army—12,961

(d) RAD—5,713

Mr. Alexander: To ask the Secretary of State for Defence how many people from *(a)* Paisley South, *(b)* Scotland and *(c)* the UK are serving in Her Majesty's armed forces. [113553]

Mr. Spellar *[pursuant to his reply, 15 March 2000, c.202W]:* I regret that, owing to a clerical error, the figure provided for Army personnel of Scottish nationality was

incorrect. The correct figure for Army personnel of Scottish nationality should have been 13,121. This does not affect the answers to the other part of the question.

Nolan Rules

Mr. Stunell: To ask the Secretary of State for Defence if he will list each group that is responsible to his Department, with significant and plural membership from outside the Civil Service, and to which the Nolan rules on non-departmental public bodies do not apply; and for each such group, if it *(a)* is a private company, *(b)* is a charity, *(c)* has no formal legal basis and *(d)* has some other legal basis, giving details. [131172]

Dr. Moonie *[holding answer 18 July 2000]:* Details of Ministry of Defence task forces, ad hoc advisory groups and reviews are held on a central Cabinet Office database. I refer the hon. Member to the answer he received yesterday from my hon. Friend the Parliamentary Secretary, Cabinet Office, *Official Report,* columns 799–800W.

The bodies listed for the Ministry of Defence are the Independent Panel on Vaccines Interactions and the Service Families Task Force. Both of these bodies have no formal legal basis.

In addition to the above, which have temporary remits, the Ministry of Defence is responsible for a number of standing bodies with significant and plural membership from outside the Civil Service, and to which the Nolan rules on non-departmental public bodies do not apply. These include bodies which provide independent advice on aspects of the defence scientific and research programme, details of which were recently passed to the House of Commons Select Committee on Defence. Information on other bodies is not held centrally and I will write to the hon. Member in due course when the relevant data are available, and a copy of my letter will be placed in the Library of the House.

The Ministry of Defence seeks to apply the Nolan principles for non-departmental public bodies as best practice throughout the Department.

Departmental Staff

Mr. Burstow: To ask the Secretary of State for Defence how many unfilled vacancies for permanent staff his Department has; what percentage of staff positions in his Department are vacant; what the monthly cost would be to his Department of employing civil servants in these positions; how many and what percentage of staff his Department employs on a temporary basis through employment agencies; how much his Department paid employment agencies to supply temporary staff in each of the last 12 months; and how much he expects to pay employment agencies to supply temporary staff in each of the next 12 months. [131437]

Dr. Moonie *[holding answer 25 July 2000]:* I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

US Memorandums of Understanding

Mr. Matthew Taylor: To ask the Secretary of State for Defence if he will place in the Library a list of memorandums of understanding which have been agreed between his Department and the United States Government since 1 May 1997, indicating the title and date of each memorandum of understanding and the name of the United States department or agency with whom the memorandum of understanding was signed in each case. [132784]

Mr. Hoon: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Ministerial Visits

Mr. Matthew Taylor: To ask the Secretary of State for Defence on what dates Ministers in his Department have visited *(a)* RAF Menwith Hill, *(b)* RAF Lakenheath and *(c)* RAF Fairford, since 1 May 1997; and which Ministers visited on each occasion. [133270]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Letters of Intent

Mr. Matthew Taylor: To ask the Secretary of State for Defence if he will place in the Library a list of Letters of Intent which have been agreed between his Department and the United States Government since 1 May 1997, indicating the title and date of each Letter of Intent; and if he will state the difference between a letter of intent and a memorandum of understanding. [133269]

Mr. Hoon: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Air Accidents

Mr. Brake: To ask the Secretary of State for Defence if the Air Accidents Investigation Branch is accorded the same level of independence in the investigation of military accidents as in the investigation of civilian accidents. [133433]

Mr. Spellar: Yes, in relation to the technical advice that they offer RAF Boards of Inquiry.

Mr. Brake: To ask the Secretary of State for Defence if he will place in the Library the guidelines that advise accident investigators and other military personnel how to work with third party manufacturers in accident investigations. [133434]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Chinook

Mr. Brake: To ask the Secretary of State for Defence if the Air Accidents Investigation Branch inspector investigating the fatal crash of RAF Chinook ZD576 was informed of an incident on 21 April 1994 that led to the removal of an engine on the same aircraft; and if he will make a statement. [133435]

Mr. Spellar: The Air Accidents Investigation Branch Inspector and the Engineering member of the RAF Board of Inquiry together went through all the maintenance records for ZD576 for the year prior to the accident. This included the incident on 21 April 1994.

European Defence Industry

Mr. Cox: To ask the Secretary of State for Defence what his Department's policy is on the development of a European defence industry. [133223]

Mr. Hoon: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Defence Sales

Mr. Cousins: To ask the Secretary of State for Defence if he will estimate the value of the current orders placed in the United Kingdom under Government to Government defence sales agreements with Saudi Arabia. [133368]

Dr. Moonie: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Al-Yamamah

Mr. Cousins: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Leyton and Wanstead (Mr. Cohen) of 11 July 2000, *Official Report*, columns 471–72W, on the oil trade component in the Al-Yamamah deal, how many adjustments have been made; and when. [133418]

Dr. Moonie: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Private Finance Initiative

Mr. Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his answer of 21 July 2000, *Official Report*, column 337W, on the average period of time between the completion of a full business case and signing of the final contracts, if he will list *(a)* the date of the completion of a full business case and *(b)* the date of the signing of the final contracts for each private finance initiative contract in his Department; and if he will make a statement. [133277]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Alan Williams: To ask the Secretary of State for Defence in how many of his Department's PFI contracts KPMG has been an adviser. [132869]

Mr. Spellar *[holding answer 27 July 2000]:* KPMG has advised six Ministry of Defence PFI projects which have reached contract signature.

Tomahawk Missiles

Mr. Matthew Taylor: To ask the Secretary of State for Defence (1) when his Department concluded discussions with the United States Department of Defense about obtaining replacement of stocks of Tomahawk missiles used in the Kosovo theatre; [133267]

(2) on what date his Department signed the contract with the United States Department of Defense to obtain replacement of stocks of Tomahawk missiles used in the Kosovo theatre. [133268]

Mr. Hoon: The United States Department of Defense contract with the supplier, Raytheon, covering both US and UK missiles, was signed on 1 August 1999. Associated discussions between the UK Ministry of Defence and the US Department of Defense concluded later that month culminating in an agreement signed on 26 August 1999.

Advisory Bodies

Tony Wright: To ask the Secretary of State for Defence if he will list all the *(a)* task forces, *(b)* action teams, *(c)* policy reviews and *(d)* other temporary advisory bodies with external members currently in existence within his Department; and on what date each body (i) was set up and (ii) is expected to terminate. [131457]

Dr. Moonie: I refer my hon. Friend to the reply given by my right hon. Friend the Minister for the Cabinet Office on 27 July 2000, *Official Report*, column 799W.

Eskmeals Range

Mr. Key: To ask the Secretary of State for Defence what assessment he has made of *(a)* land contamination and *(b)* risk from unexploded or degraded ordnance (i) on land, (ii) on beaches and (iii) offshore at the DERA Eskmeals Range. [132161]

Dr. Moonie *[holding answer 25 July 2000]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Robert Key, dated 28 July 2000:

I am replying to your parliamentary question about land contamination assessments and risk assessments from unexploded or degraded ordnance at the Defence Evaluation and Research Agency (DERA) range at Eskmeals.

The most recent land quality assessment was carried out in 1999 and considered Depleted Uranium (DU) contamination at the VJ Battery and surrounding area, unexploded ordnance, explosive residues and trace metals and landfill sites containing asbestos, inert shells and other trials residues.

The risk from unexploded ordnance or degraded ordnance is continually monitored. Procedures are in place to ensure the safety of staff employed at the range. The range, including the foreshore, is fenced and patrolled to deter members of the public from straying into the area. On the beach there are warning signs at public access points. Local fishermen have also been briefed on what action to take should they catch such items.

I hope the above is helpful.

Merchant Navy Day

Mr. Flynn: To ask the Secretary of State for Defence if he will ensure that the Red Ensign is flown from departmental buildings on Merchant Navy Day, 3 September. [132955]

Dr. Moonie *[holding answer 27 July 2000]:* I refer my hon. Friend to the answer given to him by my hon. Friend the Under-Secretary of State for the Home Department on 27 July 2000, *Official Report*, column 895W.

Press Officers

Mr. Lansley: To ask the Secretary of State for Defence how many press officers were employed in his Department in *(a)* May 1997, *(b)* January 1998, *(c)* January 1999 and *(d)* January 2000; and what the total expenditure on press officers by his Department was in each of the years concerned. [132762]

Dr. Moonie: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Press Releases

Mr. Lansley: To ask the Secretary of State for Defence how many press releases have been issued so far this year; and what the total cost of the production and issuing of press releases was in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* 2000 to date. [132776]

Dr. Moonie: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Married Quarters

Mr. Cox: To ask the Secretary of State for Defence what new married service quarters have been built since May 1997 *(a)* in the UK and *(b)* overseas. [133219]

Dr. Moonie: Since May 1997 the Ministry of Defence has funded 637 new build service married quarters in the UK. Of these, 394 were built from new, the remaining 243 were demolition rebuilds. Since May 1997, DHE have also placed four contracts in Great Britain under the Government's Private Finance Initiative (PFI), for a total of 615 properties.

For properties overseas, 120 are under construction in Cyprus and 13 have been built in the Falkland Islands.

Mr. Swayne: To ask the Secretary of State for Defence what plans he has to increase funding for the improvement of married quarters. [133416]

Dr. Moonie: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Reports

Mr. Stunell: To ask the Secretary of State for Defence if he will list the reports submitted to his Department, by bodies that were created after May 1997 and that include significant and plural membership from outside the Civil Service, stating in each case the body writing the report, the date the report was submitted, how many recommendations were made, the number of those recommendations that have been implemented to date and the number of recommendations that have been rejected; and if he will make a statement. [133568]

Dr. Moonie: I refer the hon. Member to the answer given to my hon. Friends the Members for Cannock Chase (Tony Wright) and for Eastwood (Mr. Murphy) by the Parliamentary Secretary, Cabinet Office on 27 July 2000, *Official Report*, column 799W. Copies of the first central list of information that was published on 11 January 2000 are available in the Libraries of the House.

Information about the number of recommendations made and the number rejected is not held centrally by the Ministry of Defence.

Compensation

Mr. Hancock: To ask the Secretary of State for Defence how much his Department has paid in compensation to its contractors in each of the last five years; which companies received payment and what were the reasons for payment; and if he will make a statement. [127174]

Dr. Moonie: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Written Questions

Mr. Maclennan: To ask the Secretary of State for Defence how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April have not received substantive answers, citing as the reason that the information is *(a)* not held centrally, *(b)* not held in the form requested and *(c)* not available. [128014]

Dr. Moonie: The information requested cannot be provided without disproportionate cost as it is not held by the Ministry of Defence in the form requested.

Defence Attaches

Mr. Cox: To ask the Secretary of State for Defence if he will list the countries where there is a UK defence attaché stationed. [133221]

Mr. Spellar: I refer my hon. Friend to the HM Diplomatic Overseas Reference List, copies of which are in the Library of the House.

Nuclear Weapons

Mr. Cox: To ask the Secretary of State for Defence if he will list the countries in the world that have nuclear weapons. [133220]

Mr. Spellar: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Queen Mother's Birthday

Mr. Llew Smith: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Islington, North (Mr. Corbyn) of 10 July 2000, *Official Report*, column 376W, on the Queen Mother's birthday, how much public money was spent on the event. [133492]

Dr. Moonie: Cost to the public purse of the commemorations will not be calculated until the final event on 4 August has taken place. I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

LORD CHANCELLOR'S DEPARTMENT

Kenneth Noye

Mr. Cohen: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the granting of legal aid to Kenneth Noye. [132583]

Jane Kennedy: Following the granting of legal aid to Kenneth Noye at the central criminal court, a team of qualified auditors from the Lord Chancellor's Department's Internal Assurance Division have undertaken an investigation. They checked criminal legal aid applications made in respect of defendants, including Kenneth Noye, at the central criminal court over the past year. They have reported to the Permanent Secretary at the Lord Chancellor's Department, in his capacity as Accounting Officer. The auditors found that the proper procedures for granting legal aid were not followed in this case. As a result, additional training, checking and controls are being introduced across the court Service to ensure that the correct procedures for the granting of legal aid by the Crown court are followed.

Disciplinary proceedings are under way affecting the officers concerned with handling the application in the Noye case.

Queen's Counsel (Northern Ireland)

Mr. McNamara: To ask the Parliamentary Secretary, Lord Chancellor's Department, what changes have been made to the procedure for barristers being called to serve as Queen's Counsel in Northern Ireland; and what related correspondence he has had with Seamus Tracey and Barry Macdonald. [133092]

Mr. Lock: The declaration made by barristers being called to serve as Queen's counsel in Northern Ireland has been changed and is now in the following form:

> I [name] do sincerely promise and declare that I will well and truly serve all whom I may lawfully be called upon to serve in the office of one of Her Majesty's counsel learned in law according to the best of my skill and understanding.

Neither my noble and learned Friend the Lord Chancellor nor I have had any related correspondence with Seamus Tracey and Barry Macdonald.

Microfiche Census Returns

Mr. Swayne: To ask the Parliamentary Secretary, Lord Chancellor's Department what factors underlie the recent changes in the policy of the Public Record Office in respect of the retail of microfiche census returns to the general public; and if he will make statement. [133585]

Mr. Lock: There has been no change in the practice of the Public Record Office in respect of the retail of microfiche or microfilm copies of the census returns up to and including that for 1891.

The census of 1901 is due for release in January 2002. It will be released in digital format over the internet.

It is recognised that not all potential users will have or wish to have access to the internet. For this reason, a complete set of 1901 Census documents will also be available for consultation on microfiche at the Public Record Office at Kew. The PRO will also offer to other record offices and local studies libraries copies on microfiche of the 1901 Census returns for their area.

No final decision has been taken on whether microfiche will be made available for sale beyond libraries and archives, as was the practice in respect of earlier census releases. The situation will be reviewed in 2002 in the light of experience after the launch of the internet service.

Sentencing

Dr. Naysmith: To ask the Parliamentary Secretary, Lord Chancellor's Department what guidance the Lord Chancellor gives on sentencing in cases involving harassment of those suffering from mental health problems; and if he will make a statement. [133265]

Jane Kennedy: The Government do not issue guidance on the way judicial discretion should be exercised. Within the statutory limits laid down by Parliament, the nature and severity of penalties are matters for the court subject to any guidelines laid down by the Court of Appeal (Criminal Division).

The Magistrates Association has recently published the Magistrates Courts Sentencing Guidelines which has been sent to all magistrates. This contains guidance for magistrates on sentencing in harassment cases.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Hydrofluorocarbons

Mr. Amess: To ask the Secretary of State for the Environment, Transport and the Regions (1) what estimate he has made of the proportion of the UK consumption of hydrofluorocarbons used as refrigerants that are used *(a)* to replenish existing systems and *(b)* as original charges in refrigeration systems; [133577]

(2) what estimates he has made of the leakage rates of hydrofluorocarbons refrigerants. [133578]

Mr. Meacher: The report prepared for DETR and the DTI by EnvirosMarch, "UK Emissions of HFCs, PFCs and SF_6 and Potential Emission Reduction Options", was published in January 1999 and provide estimates of UK emissions of hydrofluorocarbons from refrigeration and air conditioning. These estimates are based in part on assumptions about charges and leakage rates of hydrofluorocarbons from refrigeration systems in nine different refrigeration and air conditioning sectors.

Leakage rates were subsequently updated for the hydrofluorocarbon emissions estimates published in the draft Climate Change Programme, March 2000. The table is based on Table A3, page A.4 of the EnvirosMarch report. It provides emissions and consumption parameters for refrigeration and air conditioning equipment used to estimate total emissions in 1995 and 2010. Copies of the report have been placed in the Library. However the proportion of hydrofluorocarbons used to *(a)* replenish existing systems and *(b)* as original charges is not explicitly provided in the report and could not be collated without incurring disproportionate cost.

Estimated leakage rates of hydrocarbon refrigeration are currently being reviewed in the light of latest information and I plan to publish updated hydrofluorocarbon emissions estimates alongside the final Climate Change Programme document this autumn.

Assumed refrigeration and air conditioning emission and consumption parameters used in the hydrofluorocarbon emission estimates published in the draft Climate Change Programme, March 2000

	Product manufacturing (%)		Product life (%)		Product disposal (%)		Typical plant life
Market sub-segment	*1995*	*2010*	*1995*	*2010*	*1995*	*2010*	*(years)*
Domestic refrigeration	1	1	1	1 to 2	50	20	13
Other small hermetic	1	1	1	1 to 2	50	20	9
Small commercial	3	2	20	8 to 15	10	5	13
Supermarket refrigeration	3	2	25	8 to 15	10	5	13
Industrial refrigeration	3	2	20	4 to 12	10	5	25
Air conditioning, distributed	3	2	20	8 to 15	10	5	12
Air conditioning, chillers	1	1	10	3 to 5	5	3	25
Transport refrigeration	1	1	15	8 to 10	15	5	8
Mobile air conditioning	1	1	15	6 to 10	50	25	12

[1] Range of leakage rates used for updated emissions projections published in the draft Climate Change Programme, March 2000

Notes:

1. Product Manufacturing factor, percentage emission of fluid used to manufacture new equipment
2. Product Life factor, percentage of refrigerant bank emitted annually
3. Product Disposal factor, percentage emission of fluid in old plant being decommissioned

Mr. Amess: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to reduce the quantities of hydrofluorocarbons released to the environment. [133576]

Mr. Meacher: The Government's policy for reducing emissions of hydrofluorocarbons (HFCs) is set out in the draft climate change programme. We recognise that HFCs are necessary replacements for ozone-depleting substances in some applications. However, we are concerned that emissions from these sources are forecast to grow strongly in the near future as ozone-depleting substances are phased out. This trend is unsustainable in the longer-term and action needs to be taken to limit the projected growth in emissions. We are sending a clear signal to industry and users to look closely at all alternatives and to select those that are more environmentally acceptable where they do exist. Safety, technical feasibility and cost effectiveness should be taken into account before investment decisions are taken.

We are exploring with industry how the voluntary agreements on HFCs might be strengthened to reduce the projected growth in emissions. Emissions from industrial processes have already been substantially reduced and will continue to be regulated under the Integrated Pollution Prevention and Control regime.

Endangered Species (Import and Export) Act 1976

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* prosecutions and *(b)* successful prosecutions there were under the (i) Endangered Species (Import and Export) Act 1976 and (ii) Control on Trade in Endangered Species (Enforcement) Regulations (COTES) 1997 in each of the last 10 years; and if he will make a statement. [131987]

Mr. Mullin: The 1976 Act originally implemented the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in the UK. In 1984, however, it was largely superseded by EC legislation, which implemented CITES throughout the European Union. The 1984 legislation was then itself replaced by revised EC Regulations which came into force on 1 June 1997.

There is no central record of prosecutions or convictions of offences under the COTES regulations. However, we are aware that since 1 June 1997 at least 27 cases have been brought under the COTES regulations, 10 of which resulted in convictions. Of the remaining 17 cases, seven have led to a formal caution and 10 are awaiting trial.

Dangerous Wild Animals Act 1976

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* prosecutions and *(b)* successful prosecutions there were under the Dangerous Wild Animals Act 1976 in each of the last 10 years; and if he will make a statement. [131980]

Mr. Mullin: Responsibility for licensing under the Dangerous Wild Animals Act 1976 rests with local authorities, and information on prosecutions is not held centrally. My Department will shortly be commissioning research into the effectiveness of the Dangerous Wild Animals Act 1976.

Tingewick Bypass

Mr. B[illegible]w: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of heavy goods vehicles driven through Gawcott *(a)* in each of the five years before the opening of the Tingewick Bypass and *(b)* since its opening. [133225]

Mr. Hill: Buckinghamshire county council have undertaken the following daytime counts of heavy goods vehicles, in both directions, on the C29 minor road from Gawcott to Tingewick, both before and after the A421 Tingewick Bypass opened to traffic on 16 October 1998:

Date of count[1]	*Number of heavy goods vehicles*
18 May 1994	82
17 May 1995	37
15 May 1996	70
14 May 1997	[2]139
13 May 1998	[2]73
12 May 1999	[3]68
10 May 2000	32

[1] 7 am to 7 pm
[2] Bypass work in progress
[3] Bypass open

Transport Projects

Mr. Peter Bradley: To ask the Secretary of State for the Environment, Transport and the Regions what grants for transport projects have been allocated to *(a)* Telford and The Wrekin and *(b)* Shropshire county councils since May 1997. [133203]

Mr. Hill: Shropshire county council has been allocated the following amounts for transport projects, through the Local Transport Settlement, since May 1997:

	£ million
1997–98	4.207
1998–99	3.364
1999–2000	4.348
2000–01	6.093

Since its establishment as a unitary authority in 1998, Telford and Wrekin council has been allocated the following in Local Transport Settlement:

	£ million
1998–99	0.955
1999–2000	1.696
2000–01	2.103

In addition, Shropshire county council has been allocated £630,354 in Rural Bus Subsidy Grant for each of the years 1998–99, 1999–2000 and 2000–01, and £43,500 through the Rural Bus Challenge in 1999. Telford and Wrekin council has been allocated £76,048 each year for Rural Bus Subsidy Grant, and £174,000 through the Rural Bus Challenge in 1999.

Accident Investigations

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library the guidelines that advise accident investigators how to work with third party manufacturers in the event of an accident investigation. [133389]

Mr. Mullin: The International Civil Aviation Organisation (ICAO) lays down the International Standards and Recommended Practices for the participation of aircraft manufacturers in aircraft accident investigations. These are detailed in Annex 13 to the Convention on International Civil Aviation (the Chicago Convention), a copy of which can be found in the Library.

Car Registrations

Mrs. Browning: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 18 July 2000, *Official Report*, column 137W, on car registrations, if he will publish the number of new registration using form V55/5 at the DVLA for each month from January 1999 to June 2000 for *(a)* new cars and *(b)* cars first registered and used outside the UK. [133498]

Mr. Hill: Figures for new and used cars registered on form V55/5 from January 1999 cannot be produced because of the disproportionate cost of extracting the information. However, DVLA have recently undertaken an exercise on a sample of V55/5 forms. This exercise in February and March 2000 covered only imported cars. The exercise showed 45 per cent. of imported cars were new and 55 per cent. were first registered and used outside Great Britain.

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions what was the average time taken to inform *(a)* the police and *(b)* local authorities regarding ownership of vehicles for which only the registration mark was traced, in each of the last 10 years; and if he will make a statement. [133235]

Mr. Hill: The statistics requested are not available.

However, I can confirm that the police have immediate access to information on vehicle keepers through the Police National Computer. Local authorities make application for this information direct to the Driver and Vehicle Licensing Agency.

The Agency aims to deal with manual inquiries from local authorities within eight to 10 working days and the majority are dealt with within this timescale. A small percentage of requests take slightly longer to answer because detailed investigation involving the retrieval of microfilmed documents is necessary. In addition to the manual inquiry service, DVLA has long-standing magnetic tape interchange arrangements with some local authorities that enable them to receive information within three working days. Since 1997, the Agency has encouraged customers to exchange data electronically, making them available overnight. Currently, 134 local authorities use the electronic service.

Electronic Communications Act 2000

Mr. Cotter: To ask the Secretary of State for the Environment, Transport and the Regions what orders he *(a)* has made and *(b)* intends to make using section 8 of the Electronic Communications Act 2000; and if he will make a statement. [133383]

Ms Beverley Hughes: I refer the hon. Member to the reply given by my right hon. Friend the Minister for the Cabinet Office today.

Housing (Greater London)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what his Department's policy is on the selling of local authority housing in the Greater London area. [133548]

Mr. Mullin: Local authorities can sell houses voluntarily to tenants and in some cases tenants have the right to buy. The Government do not intend to make any significant changes to the current right to buy scheme.

House Prices (Yorkshire and the Humber)

Mr. Ennis: To ask the Secretary of State for the Environment, Transport and the Regions what were the average house prices in Yorkshire and the Humber in *(a)* 1995, *(b)* 1996, *(c)* 1997, *(d)* 1998 and *(e)* 1999. [133746]

Mr. Mullin: Average house prices for the Yorkshire and Humberside region are as follows:

	£
1995	54,356
1996	55,867
1997	60,019
1998	62,214
1999	67,416

Source:
GOYH Local Government and Housing team/DETR Central

Bridge Tolls

Mrs. Gilroy: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact which VAT on bridge tolls will have in respect of new and current businesses which use the Tamar Bridge and the development of integrated transport facilities between Cornwall and Plymouth. [133095]

Mr. Hill: A judgment of the European Court, on whether or not toll charges should attract VAT, is expected in September. The impact of a judgment that required VAT to be charged would, in the first instance, be for the local authorities of Cornwall and Plymouth to assess, since they own and operate the Tamar Bridge and are responsible for the development of the local transport and commercial infrastructures.

A34

Dr. Harris: To ask the Secretary of State for the Environment, Transport and the Regions when the A34 north of Oxford will be resurfaced under the initiative announced recently in respect of concrete roads; and what difference the new resources announced in the 10-year plan have made to the forecast timescale. [133579]

Mr. Hill: Our 10-year strategy for transport, "Transport 2010—The Ten Year Plan", has been published and sets out proposals for dealing with road noise, including the provision of quieter surfaces on over 60 per cent. of the network, including all concrete surfaces.

I have asked the Highways Agency to draw up a programme for all such trunk roads for agreement. The A34 north of Oxford will be included in this programme.

A30 (Exeter)

Dr. Harris: To ask the Secretary of State for the Environment, Transport and the Regions how the costs of the resurfacing of the A30 near Exeter recently announced by the Prime Minister will be split between the Highways Agency and the private sector. [133580]

Mr. Hill: I have asked the Chief Executive of the Highways Agency to write to the hon. Member.

Letter from Richard Thorndike to Dr. Evan Harris, dated 28 July 2000:

The Transport Minister, Keith Hill, has asked me to reply to your recent Parliamentary Question about the cost of resurfacing the A30 near Exeter.

Although the Government is firmly committed to resurfacing this road, the road is privately financed and we have yet to discuss the matter with the operating company.

M3

Mr. Hawkins: To ask the Secretary of State for the Environment, Transport and the Regions when the M3 will *(a)* be resurfaced and *(b)* have noise reduction measures provided beside it, between junctions 2 and 4a. [133226]

Mr. Hill: Our 10-year strategy for transport, "Transport 2010—The 10 Year Plan," has been published and sets out proposals for dealing with road noise, including the provision of quieter surfaces on over 60 per cent. of the network, including all concrete surfaces.

I have asked the Highways Agency to draw up a programme for all such trunk roads for agreement. Junctions 2 to 4a will be included in the programme.

Great Western Main Line

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what the start date is for construction works on the upgrade of the Great Western Main Line cited on page 47 of his Department's Ten-Year Plan. [133503]

Mr. Hill: The upgrade options which Railtrack has set out in its Network Management Statement, and the timetable for taking them forward, will be developed in discussions between Railtrack, the shadow Strategic Rail Authority, and the train operators, in the light of consultation with appropriate industry stakeholders.

Road Improvements

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions (1) what the expected start date is for *(a)* the A27 Southerham-Beddington improvement, *(b)* the M23 junctions 8 to 9 widening, *(c)* the M25 junctions 15 to 16 widening, *(d)* the M25 junctions 16 to 19 widening, *(e)* the M4 junction 4B to 8/9 widening, *(f)* the A2 Lydden-Dover improvement, *(g)* the A3 Hindhead improvement, *(h)* the A21 Tonbridge-Pembury dualling, *(i)* the A27 Wilmington bypass and *(j)* the A27 Selmeston bypass; [133495]

(2) what the expected start date is for *(a)* the M5 junctions 17 to 21 widening, *(b)* the A31 Poole link road, *(c)* the A36 Codford-Heytesbury improvement, *(d)* the A30/A303 Marsh Honiton and A35 Honiton Eastern bypass, *(e)* the A38 Saltash-Stoketon Cross improvement, *(f)* the A38 Dobwalls bypass, *(g)* the A303 Ilminster to Marsh improvement, *(h)* the A303 Sparkford to Ilchester improvement, *(i)* the A303 Wylye-Stockton Wood improvement and *(j)* the A303 Chicklade Bottom-Mere improvement; [133496]

(3) what the expected start date is for *(a)* the A27 Arundel bypass, *(b)* the A259 Pevensey to Bexhill improvement, *(c)* the A259 Bexhill and Hastings western bypass, *(d)* the A205 Catford Town Centre improvement, *(e)* the A4 Henlys/Waggoners' Corner improvement, *(f)* the A406 Bounds Green-Green Lanes improvement, *(g)* the A406/A1/A598 Regents Park Road junction improvement and *(h)* the A406 Golders Green Road junction improvement; [133542]

(4) what the expected start date is for *(a)* the M1 Junctions 31–32 widening, *(b)* the M62 East-M606 link roads, *(c)* the A1(M) Redhouse Ferrybridge

improvements, *(d)* the A63 Castle Street (Hull) improvement, *(e)* the A49 Hereford bypass, *(f)* the M6 junctions 11A-16 widening, *(g)* the M42 junctions 3A-7 widening, *(h)* the A43 Geddington bypass, *(i)* the A43 Moulton-Broughton improvement, *(j)* the A43/A16 Stamford Relief Road and *(k)* the A45 Weedon Flore/ Upper Heyford bypass; [133501]

(5) what the expected start date is for *(a)* the A1 Gateshead Western Bypass improvement, *(b)* the M60 junctions 12 to 18 improvements, *(c)* the M62 junction 6 improvements, *(d)* the A6(M) Stockport North/South bypass, *(e)* the A555 Poynton bypass, *(f)* the A523 Poynton bypass, *(g)* the A555 Manchester Airport Link west road scheme, *(h)* the A570 Ormskirk bypass, *(i)* the A595 Parton-Lillyhill improvement, *(j)* the A65 Gargrave bypass, *(k)* the A65 Hellifield and Long Preston improvement and *(l)* the A650 Hard Ings improvement; [133499]

(6) what the expected start date is for *(a)* the A46 Newark-Widmerpool improvement, *(b)* the M1 junctions 25 to 28 junction improvements, *(c)* the M1 junctions 23A to 25 widening (including A6 to M1 link), *(d)* the M1 junctions 21A to 23A widening, *(e)* the A38 Derby Ring Road, *(f)* the A61 grade-separated junction, *(g)* the A52/A5111 grade-separated junction, *(h)* the A453 Clifton-M1 improvement, *(i)* the A453 Clifton Lane improvement, *(j)* the A47 Hardwick roundabout flyover and *(k)* the A428 Norse Road link; [133506]

(7) what the expected start date is for *(a)* the M11 junction 5 north-facing slip-road improvement, *(b)* the M1 junctions 10 to 14 widening, *(c)* the M11 junctions 8 to 9 widening, *(d)* the A11 Fiveways to Thetford improvement, *(e)* the A11 Attleborough bypass, *(f)* the M1 junctions 6A to 10 widening, *(g)* the M11 junction 14 improvement, *(h)* the A1(M) junctions 6 to 8 widening, *(i)* the A5 Dunstable eastern bypass and *(j)* the A14/M11 junction 14 to M1/A1 link improvement. [133497]

Mr. Hill: I have asked the Chief Executive for the Highways Agency to write to the hon. Member.

Letter from Peter Nutt to Mr. Bernard Jenkin, dated 28 July 2000:

I have been asked by the Transport Minister, Keith Hill, to reply to your recent parliamentary Questions about the start dates for various road schemes.

The start dates for most of the schemes are subject either to the outcome of statutory procedures or to decisions following studies announced in the Government's White Paper, "A New Deal for Trunk Roads in England". The White Paper also withdrew some schemes because they were on roads which were to be detrunked, or because they were to be replaced by smaller scale schemes.

Details for each scheme are given in the enclosed table, and are arranged according to the order in which you requested them.

Trunks roads in England

PQ/133495		
(a)	A27 Southerham-Beddington Improvement	Withdrawn—Southampton to Folkestone Study
(b)	M23 Junctions 8 to 9 Widening	Gatwick Area Study
(c)	M25 Junctions 15 to 16 Widening	London Orbital Study
(d)	M25 Junctions 16 to 19 Widening	London Orbital Study
(e)	M4 Junction 4B to 8/9 Widening	London and Reading Study
(f)	A2 Lydden-Dover Improvement	Next round of RPG
(g)	A3 Hindhead Improvement	A3 Hindhead Study
(h)	A21 Tonbridge-Pembury Dualling	Access to Hastings Study
(i)	A27 Wilmington Bypass	Southampton to Folkestone Study
(j)	A27 Selmeston Bypass	Southampton to Folkestone Study
PQ/133496		
(a)	M5 Junctions 17 to 21 Widening	Withdrawn—London to South West Study and South Wales Study
(b)	A31 Poole Link Road	Withdrawn, to be detrunked
(c)	A36 Codford-Heystesbury Improvement	Withdrawn, to be detrunked
(d)	A30/A303 Marsh Honiton and A35 Honiton Eastern Bypass	London to South West Study
(e)	A38 Saltash-Stoketon Cross Improvement	London to South West Study
(f)	A38 Dobwalls Bypass	London to South West Study
(g)	A303 Illminster to Marsh Improvement	London to South West Study
(h)	A303 Sparkford to Ilchester Improvement	London to South West Study
(i)	A303 Wylye-Stockton Wood Improvement	London to South West Study
(j)	A303 Chicklade Bottom-Mere Improvement	London to South West Study
PQ/133497		
(a)	M11 Junction 5 North-facing Slip Road Improvement	Withdrawn—problem for RPC
(b)	M1 Junctions 10 to 14 Widening	Withdrawn—London to South Midlands Study
(c)	M11 Junctions 8 to 9 Widening	Withdrawn—London to South Midlands Study
(d)	All Fiveways to Thetford Improvement	In TPI—Subject to Statutory Procedures (Public Consultation)
(e)	All Attleborough Bypass	In TPI—Subject to Statutory Procedures (Public Consultation)
(f)	M1 Junctions 6A to 10 Widening	London to South Midlands Study
(g)	M11 Junction 14 Improvement	Cambridge-Huntingdon Study—considered by RPC
(h)	A1(M) Junctions 6 to 8 Widening	London to South Midlands Study—considered by RPC
(i)	A5 Dunstable Eastern Bypass	London to South Midlands Study—considered by RPC
(j)	A14/M11 Junction 14 to M1/A1 Link Improvement	Cambridge to Huntingdon Study—considered by RPC
PQ/133499		
(a)	A1 Gateshead Western Bypass Improvement	Tynesdie Area Study
(b)	M60 Junctions 12 to 18 Improvements	M60 12–18 Study
(c)	M62 Junction 6 Improvements	Withdrawn—RPC to consider
(d)	A6(M) Stockport North/South Bypass	Withdrawn—to be detrunked

	Trunks roads in England	
(e)-(f)	A555 Poynton Bypass/A523 Poynton Bypass	Withdrawn—to be detrunked
(g)	A555 Manchester Airport Link West Road Scheme	Withdrawn—to be detrunked
(h)	A570 Ormskirk Bypass	Withdrawn—to be detrunked
(i)	A595 Parton-Lillyhill Improvement	Withdrawn—to be detrunked
(j)	A65 Gargrave Bypass	Withdrawn—to be detrunked
(k)	A65 Hellifield and Long Preston Improvement	Withdrawn—to be detrunked
(l)	A650 Hard Ings Improvement	Withdrawn—Smaller scale solution
PQ/133501		
(a)	M1 Junctions 31–32 Widening	HA to consider smaller scale option
(b)	M62 East-M606 Link Roads	To be considered by RPC
(c)	A1(M) Redhouse Ferrybridge Improvements	South and West Yorkshire Motorway Box Study
(d)	A63 Castle Street (Hull) Improvement	Hull Study
(e)	A49 Hereford Bypass	Withdrawn—RPC to consider
(f)	M6 Junctions 11A-16 Widening	West Midlands to North West Conurbation Study
(g)	M42 Junctions 3A-7 Widening	West Midlands Area Study
(h)	A43 Geddington Bypass	Withdrawn—to be detrunked
(i)	A43 Moulton-Broughton Improvement	Withdrawn—to be detrunked
(j)	A46/A16 Stamford Relief Road	Withdrawn—to be detrunked
(k)	A45 Weedon Flore/Upper Heyford Bypass	Withdrawn—to be detrunked
PQ/133506		
(a)	A46 Newark-Widmerpool Improvement	Withdrawn—RPC to consider
(b)	M1 Junctions 25 to 28 Junction Improvements	North South East Midlands Study
(c)	M1 Junctions 23A to 25 Widening (including A6 to M1 Link)	North South East Midlands Study
(d)	M1 Junctions 21A to 23A Widening	North South East Midlands Study
(e)	A38 Derby Ring Road	A38 Derby Junction Study
(g)	A52/A5111 Grade-Separated Junction	A38 Derby Junction Study
(h)	A453 Clifton-M1 Improvement	A453 M1 Nottingham Study
(i)	A453 Clifton Lane Improvement	A453 M1 Nottingham Study
(j)	A47 Hardwick Roundabout Flyover	Withdrawn—Smaller scale solution
(k)	A428 Norse Road Link	Withdrawn—Problem for RPC
PQ/133542		
(a)	A27 Arundel Bypass	Southampton to Folkestone Study
(b)	A259 Pevensey to Bexhill Improvement	Access to Hastings Study
(c)	A259 Bexhill and Hastings Western Bypass	Access to Hastings Study
(d)	A205 Catford Town Centre Improvement	Withdrawn—to be detrunked
(e)	A4 Henlys/Waggoners' Corner Improvement	Withdrawn—small scale solution
(f)	A406 Bounds Green-Green Lanes Improvement	Withdrawn—to be detrunked
(g)	A406/A1/A578 Regents Park Road Junction Improvement	Withdrawn—to be detrunked
(h)	A406 Golders Green Road Junction Improvement	Withdrawn—to be detrunked

Train Protection and Warning System

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to page 49 of his Department's Ten-Year Plan, what the completion date is for the installation of TPWS across the rail network. [133494]

Mr. Hill: The Railway Safety Regulations 1999 require that train protection be operational on all trains and across the network by the end of 2003 at the latest.

Railtrack announced at the second Rail Safety Summit on 30 November 1999 that it will aim to complete fitting the train protection and warning system (TPWS) on its infrastructure by the end of 2002, a year earlier than required. The train operators have committed to fit 33 per cent. of trains with TPWS by the end of 2001, 75 per cent. of trains by the end of 2002 and all trains by the end of 2003.

Thameslink 2000 Scheme

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what the completion date is for construction works on the Thameslink 2000 scheme cited on page 47 of his Department's Ten-Year Plan. [133493]

Mr. Hill: Subject to the outcome of the Transport and Works Act 1992 public inquiry, and co-ordination of construction work with CTRL Stage 2, Thameslink 2000 construction would could be completed in 2006.

Transport Funding

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions (1) what the total contribution from public funds is for transport in each year of the 10-year transport plan, and what the equivalent amounts were in each of the preceding 10 years, broken down into *(a)* roads, *(b)* rail, *(c)* light rail and *(d)* other; [133462]

(2) what the annual amount is of capital investment in transport infrastructure assumed in the ten-year transport plan; and what the equivalent amounts were in each of the preceding 10 years, broken down into *(a)* road, *(b)* rail, *(c)* light rail and *(d)* other; and what is the amount of expenditure in each year of the 10-year transport plan. [133461]

Mr. Hill: Table A3 in Annex 1 of "Transport 2010—The 10 Year Plan" gives a breakdown of the historic and planned public expenditure and private investment for rail over the period 199–92 to 2010–11. I will write to the

hon. Member with a breakdown of the available roads and light rail figures in due course, and will place a copy of my letter in the Library.

Light Rail Lines

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what is the start-date for construction work of each of the new light rail lines referred to in his Department's 10-Year Plan. [133502]

Mr. Hill: Of those new light rail lines listed in "Transport 2010—The 10-Year Plan" as having been approved for funding, construction start dates are:

Tyne and Wear Metro extension to Sunderland—February 2000;

Nottingham Express Transit—June 2000;

Docklands Light Railway extension to London City Airport—late 2001 or early 2002 subject to the outcome of an application for Transport and Works Act 1992 powers; Manchester Metrolink extensions—early 2002 subject to the outcome of applications for Transport and Works Act powers.

Other proposed new light rail lines mentioned in the Plan are subject to satisfactory completion of economic appraisals and Transport and Works Act 1992 procedures.

Channel Tunnel Rail Link

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what the start date is for construction works on the Channel Tunnel Rail Link Part 2 cited on pages 44 and 47 of his Department's Ten-Year Plan announced on 27 July 2000. [133505]

Mr. Hill: Some construction work on Phase 2 has already started and the Government has already approved £300 million for preliminary Phase 2 work. London and Continental Railways (LCR)'s current expectation is that the main construction will commence in July 2001 and Phase 2 will be opened in 2007.

East Coast Main Line

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what the completion date is for construction works on the upgrade of the East Coast Main Line cited on page 47 of his Department's 10-Year Plan. [133504]

Mr. Hill: On current proposals, the expected completion date for the East Coast Main Line upgrade works is 2009–10.

Learner Motorcyclists

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what plans the Government have to amend the rule providing for a one-year ban on learner motorcyclists if the motorcycle test is not passed within two years of commencement of learner-driving; and if he will make a statement. [133463]

Mr. Hill: As announced in March in our road safety strategy "Tomorrow's roads—Safer for Everyone", we propose to abolish that rule in the context of improved training arrangements. Learner riders will have to hold a training certificate, and these certificates will have a two year validity period after issue.

Most learner riders pass their test within six months, and we want to encourage learner riders to reach test standard within a reasonable period. But we think a further training requirement for anybody who has not passed a test within two years is preferable to a one year disqualification, during which riding skills are likely to decline rather than improve. We hope to bring these new arrangements into force around the end of the year.

Green Belt (Stevenage)

Mr. Lilley: To ask the Secretary of State for the Environment, Transport and the Regions whether Government Office for the East has sought legal advice about the impact of PPG3 on the plans to build houses in the Green Belt west of Stevenage. [133295]

Ms Beverley Hughes: My right hon. Friend the Secretary of State for the Environment, Transport and the Regions has various powers of intervention in the planning process and for this reason it would be inappropriate to comment on the specifics of any particular case.

Planning Policy Guidance Note 3

Mr. Lilley: To ask the Secretary of State for the Environment, Transport and the Regions whether Ministers took legal advice on the impact of PPG3 on local development plans before writing to the right hon. Member for Hitchen and Harpenden on 16 May. [133294]

Ms Beverley Hughes: Prior to publication of PPG3 in March, full consideration, including taking legal advice, was given to the implications for development plans of the new approach to planning for housing it sets out.

Government Loans (House Purchase)

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those key workers in the private and public sectors who will qualify for interest-free Government loans to help them buy houses; and on what terms the loans will be provided. [133572]

Mr. Mullin: The hon. Gentleman is referring to the Starter Home Initiative set out in the Government's Housing Green Paper—"Quality and Choice: A Decent Home for All".

The Green Paper seeks proposals on how the initiative could be operated most successfully and cost effectively. During the autumn the Government will announce details of the initiative, including the points raised by the hon. Gentleman, in the light of responses to the Green Paper. The consultation period closes at the end of July.

Housing Developments

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions what the average density of new housing developments, in units per hectare, was on *(a)* greenfield sites and *(b)* brownfield sites in (i) 1997–98, (ii) 1998–99 and (ii) 1999–2000. [133460]

Ms Beverley Hughes: The information is available only so far for the period 1994 to 1998 as the data are not robust enough to be presented on an annual basis. In England, over this period the average density of new

dwellings built on previously developed land was 28 dwellings per hectare and on land that had not been previously developed was 22 dwellings per hectare.

Homelessness

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many homeless applicants were *(a)* rehoused by the local authority directly without spending time in temporary accommodation and *(b)* placed in temporary accommodation under section 193 of the Housing Act 1996 in each of the last three years; [133484]

(2) how many homeless applicants were considered to have a priority need under section 189 (1) *(c)* of the Housing Act 1996 due to *(a)* domestic violence and *(b)* racial harassment and violence in each of the last three years; [133485]

(3) how many applicants were accepted as homeless by local authorities under section 175 (3) of the Housing Act 1996 due to racial harassment or violence, in each of the last three years. [133486]

Mr. Mullin: Data are not collected centrally in the precise form requested. Available information on households accommodated under statutory homelessness provisions in England is published in a quarterly Information Bulletin, "Statistics of local authority activities under the homelessness legislation: England". Table 3 of the Bulletin presents a summary of those households accepted as unintentionally homeless and in priority need under the homelessness provisions of the 1985 and 1996 Housing Acts, identifying which category was most crucial in determining priority need. Cases where domestic violence was the exclusive reason are identified separately, but further cases may also exist where, for example, the presence of dependent children was the crucial determining factor. Table 4 further summarises acceptances by reason for loss of the household's last settled home and the category "Violent breakdown of relationship" will include all instances where domestic violence was the cause of homelessness. In both tables, cases involving racial harassment or violence are not separately distinguished, but would be reported under "Other".

Tables 5 and 6 show the number of accepted households in accommodation arranged by the local authority, as at the end of each quarter. Information on the number of households directly rehoused by authorities, without first going into accommodation secured for the minimum two-year period, is not collected.

Copies of the Bulletin are held in the Library and the latest edition, published on 16 June, presents statistics up to and including the first quarter of 2000.

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 7 July 2000, *Official Report*, columns 312–13W, (1) what plans he has to introduce arrangements to monitor reviews of homelessness decisions made by local authorities under sections 202 and 203 of the Housing Act 1996; and if he will make a statement; [133464]

(2) what proposals he has to require local authorities to make available written information on procedures for reviewing homelessness decisions under sections 202 and 203 of the Housing Act 1996; and if he will make a statement. [133487]

Mr. Mullin: I refer my hon. Friend to the answer given on 7 July 2000, *Official Report*, columns 312–13W. The Housing Green Paper, "Quality and Choice; A decent home for all", sets out the Government's proposals for reform of homelessness legislation. As part of these proposals we will consider the introduction of arrangements to monitor reviews of homelessness decisions made by local authorities, and will consider responses to the Green Paper before deciding whether to develop this further. We would wish to discuss any such proposals with representatives of local government, Shelter and others before taking them forward.

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions (1) what assessment he has made of the extent to which local authorities have had regard to the provisions of the code of guidance on parts VI and VII of the Housing Act 1996 in relation to finding the following groups to be vulnerable and in priority need under section 189 (1)*(c)* of the Housing Act 1996 *(a)* victims of violence and abuse and racial harassment and violence, *(b)* people with mental health problems, *(c)* 16 and 17-year-olds and *(d)* people leaving care; [133481]

(2) what assessment he has made of the extent to which local authorities have had regard to the provisions of the Code of Guidance on Parts VI and VII of the Housing Act 1996 in relation to whether it is reasonable for victims of violence and racial abuse and racial harassment to continue to occupy accommodation under sections 175 and 177 of the Housing Act 1996. [133483]

Mr. Mullin: In exercising their functions under Parts VI and Part VII of the Housing Act 1996, local authorities must have regard to the guidance issued by the Secretary of State under sections 169 and 182 of the 1996 Act.

The Department has commissioned research on local authority policy and practice on allocations, transfers and homelessness. The research will provide information on how local authorities apply the homelessness legislation, and look at definitions of the vulnerability dimension of priority need. This will include victims of violence and abuse; racial harassment; people with mental health problems; 16 and 17-year-olds and people leaving care. The research will also look at outcomes of allocation schemes for different groups such as homeless acceptances.

Allotments

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions what his policy is on the use of allotment land for open space; and if he will make a statement. [133236]

Ms Beverley Hughes: The Government believe that informal recreation spaces, such as allotments and community gardens, are important for maintaining the quality of people's lives and contribute to healthy and sustainable neighbourhoods. We consider it important that

people should have access to such spaces and lands close to where they live, and attach high importance to retaining such spaces particularly in urban areas.

Local Authorities, other than inner London Boroughs, are under a duty to provide and let allotments where they are of the opinion that there is a demand for them. Inner London Boroughs have a discretionary power to provide allotments. Section 8 of the Allotments Act 1925 requires local authorities to obtain the Secretary of State's consent for the sale or appropriation of statutory allotments. Consent can be granted only where adequate alternative provision is made for any affected plot holders, and the number of people on any waiting list is taken into account when making this decision.

Housing

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions (1) what pilot schemes for introducing choice into letting of social housing he is evaluating in addition to the Harborough Home Search Scheme identified in the Housing Green Paper; [133507]

(2) how he intends to evaluate the impact on homeless households of pilot schemes for introducing choice into letting of social housing; [133509]

(3) how he intends to evaluate the pilot schemes for introducing choice into letting of social housing; and if he will make the evaluations public. [133508]

Mr. Mullin: We will shortly be inviting expressions of interest from local authorities. Bids will be invited from authorities who wish to develop schemes that achieve our aims on a choice based lettings system, including schemes that make innovative use of information technology to help tenants to choose their homes. In inviting expressions of interest we will make it clear to authorities the level of monitoring and evaluation they will be expected to undertake. Any pilot scheme will need to be evaluated fully, including the impact on homeless households.

We will announce the successful bids publicly, and the evaluation will lead to good practice guidance available for all social housing landlords.

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to ensure that *(a)* victims of violence and harassment and *(b)* people with mental health problems are given priority in the letting of social housing in areas of high housing demand under the proposals set out in the Housing Green Paper to use waiting time as the criterion to determine priority for households in the same needs band. [133511]

Mr. Mullin: The Housing Green Paper, "Quality and Choice: A decent home for all", sets out the Government's proposals for increasing choice in social lettings, and gives banding of applicants in similar housing need as an example of how authorities can move away from points based systems. It will remain the responsibility of each local authority to develop housing policies which are pertinent to their local housing markets, whether in high or low demand areas, taking into account the need to ensure equality of access for their most vulnerable residents. The Housing Green Paper also proposes making the victims of harassment a separate priority need category under homelessness legislation.

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to ensure that the proposals set out in the Housing Green Paper to advertise vacancies in social housing do not disadvantage householders *(a)* with mental health problems, *(b)* without English as a first language and *(c)* who are hospitalised; and if he will make a statement. [133510]

Mr. Mullin: I refer to my earlier answer, *Official Report*, column 937W, given today. Advertising is an option within developing effective choice based systems. We will shortly be inviting expressions of interest from local authorities in bidding to develop schemes which achieve our aims of choice. These pilots will look at how extra support can be given to those who may need it, such as those whose first language is not English, those with mental health problems, and those who are hospitalised.

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions what the average density of social housing, in units per hectare, was in areas covered by regeneration schemes *(a)* prior to regeneration, *(b)* after regeneration, in England in (i) 1997–98, (ii) 1998–99 and (iii) 1999–2000. [133459]

Mr. Mullin: We are not able to provide this information. No details are collected centrally about the average density of social housing and regeneration partnerships are not required to collect such information.

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions if he will *(a)* list the regeneration schemes in England which have resulted in a net reduction in available units of affordable rented housing and *(b)* estimate the total net loss of available units for each of the last five years. [133482]

Mr. Mullin: We are not able to provide this information. Regeneration partnerships are not required to collect details about the number of units of affordable housing affected by regeneration schemes. We therefore do not have the details from which such information would be collated.

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to introduce a 10-year performance target for his Department to meet housing need; and if he will make a statement. [133458]

Mr. Mullin: There are no plans to introduce a performance target on meeting housing need—which I understand to mean here the need for affordable housing. While the Government have from time to time commissioned studies of the extent and nature of housing need to inform their views on the need for affordable housing in England, they believe that neither national or regional estimates can adequately reflect the diversity of needs and priorities which exist at the local level. For these reasons the Government believe that local authorities are best placed to carry out robust assessment of housing need in their areas.

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of households accommodated

through *(a)* the HOMES scheme and *(b)* other mobility schemes, by local authority area for each of the last three years. [133254]

Mr. Mullin: According to Local Authority Housing Investment Programme returns the number of local authority dwellings let through mobility arrangements over the last three years were:

Year	*Number*
1998–99	5,729
1997–98	6,303
1996–97	6,803

Source:
Housing Investment Programme (Operational information Section 1)

A table of mobility scheme lettings by local authority area has been placed in the Library of the House.

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the answer of 18 July 2000, *Official Report*, column 131W, if he will list the occasions where registered social landlords have failed to comply with statutory guidance to make at least 50 per cent. of lettings available to local authority nominees from the housing register. [133257]

Mr. Mullin: The Housing Corporation monitors the proportion of new lettings going to local authority nominations and may make inquiries of those RSLs with nomination levels below 50 per cent. However, nomination levels below 50 per cent. do not necessarily indicate a failure to make lettings available to local authority nominees.

It is important to bear in mind factors which may influence the level of local authority nominations, for instance the effect of depressed nomination levels in areas where there is low demand and where the overall number of lettings is small.

I have placed in the Library a list of registered social landlords whose lettings to local authority nominees fell below 50 per cent. in 1998–99, the most recent year for which data are available. The list is ranked in order of the number of units and/or bedspaces owned or managed and excludes those registered social landlords with fewer than 250 units of accommodation or 250 bed spaces.

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions if he will place the responses to the consultation Licensing of Houses in Multiple Occupation—England in the Library. [133253]

Mr. Mullin: A list of responses has been placed in the Library, and in accordance with normal practice individual responses will be available at my Department's library.

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions how many local authorities have *(a)* contracted out their homelessness services and *(b)* subsequently brought these services back in-house in the last five years. [133258]

Mr. Mullin: This information is not available in a form which can be broken down in this way. Local authorities provide the Department of the Environment, Transport and the Regions with limited information about the extent to which services are provided centrally or externally, but these do not distinguish in any detail between functions under Part VI of the Housing Act 1996, relating to the allocation of social housing, and those relating to homelessness under Part VII of the Act.

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of the capital expenditure in the Housing Corporation's Annual Development Programme from 2001–02 to 2003–04 will be for low-cost home ownership schemes. [133261]

Mr. Mullin: Following our recent Spending Review, we are providing nearly £1 billion extra for investment in affordable housing through the Approved Development Programme over the four years 2000–01 to 2003–04. By 2003–04, the programme will be £1.2 billion a year, nearly double the planned level of investment following the 1998 Comprehensive Spending Review.

The proportion of the Housing Corporation's Approved Development Programme which will be directed towards low cost home ownership from 2001–02 to 2003–04 will depend on local and regional assessments of housing need. This reflects the more strategic approach being adopted by the Housing Corporation to ensure that resources are targeted effectively and meet local priorities.

In addition to the Approved Development Programme funding, our spending plans for the same period include an additional £250 million in further support of low cost home ownership. The additional resources will fund the new Starter Homes Initiative, which was proposed in the Housing Green Paper, to help key workers to achieve home ownership in high price, high demand areas.

Local authorities can also support low cost home ownership through the Cash Incentive and the Do-It-Yourself Shared Ownership schemes.

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to require registered social landlords to have regard to the provisions of the Code of Guidance on Parts VI and VII of the Housing Act 1996 where stock transfer has taken place. [133256]

Mr. Mullin: The Code of Guidance on Parts VI and VII of the Housing Act 1996 applies only to local authorities. Following the transfer of their housing stock, local authorities must continue to keep a register of applicants seeking social housing in their area and continue to have obligations towards homeless households under Part VI and Part VII of the Housing Act 1996. To ensure that they have access to accommodation to enable them to discharge their housing functions, they generally negotiate nomination rights of between 50 per cent. and 75 per cent. of the transferred stock with the transfer landlord. RSLs are regulated by the Housing Corporation which has the power, under s.36 of the Housing Act 1996, to issue guidance with respect to the management of housing, including the allocation of housing.

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has for monitoring and regulating the performance of agencies who are contracted by local authorities to carry out their duties under Parts VI & VII of the Housing Act 1996. [133259]

Mr. Mullin: Under Best Value local authorities are required to review all their services, including housing, over a five year cycle. The Housing Inspectorate will inspect all housing authorities over the same period and as part of that aims to inspect particular housing services, such as homelessness and the allocation of tenancies, when those services have been subject to a completed Best Value Review.

The Housing Inspectorate will, where services have been legitimately contracted out to agencies, inspect the contractual performance of the Local authority as the client, and the other party as their agents/contractors, and make the results publicly available.

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of households accommodated through the HOMESWAP scheme in each of the last three years; and what assessment he has made of the reasons for which households have used the scheme. [133255]

Mr. Mullin: The HOMESWAP Scheme is managed by an independent organisation called HOMES. The total number of exchanges is collected from local authority Housing Investment Programme returns. It is estimated that a quarter to a third of those occur through HOMESWAP. This proportion is based on what was happening when HIP stopped collecting separate statistics for HOMESWAP as opposed to all exchanges (in 1994–95) and is supported by the limited information that HOMES are able to collect from landlords.

The total number of households accommodated through the HOMESWAP in England over the last three years are estimated as:

	1998–99	*1988–97*	*1997–96*
Total exchanges	29,900	35,200	41,200
Estimate HOMESWAP based on 1/4	7,475	8,800	10,300
Estimate HOMESWAP based on 1/3	9,966	11,733	13,733

HOMES does not record the reason for exchanging when people register on HOMESWAP, although this information is gathered from time to time by research organisations. The most recent published research, which gives reasons for using the scheme is "An Evaluation of HOMES" (MORI for DoE 1995). Research into mutual exchanges is currently being undertaken by University of Cambridge on behalf of the Joseph Rowntree Foundation, to be published later this year, which will include an analysis of reasons for exchanging.

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the housing stock transfers where new social housing has been built using the resources released by the transfer in each of the last three years. [133260]

Mr. Mullin: This information is not held centrally and could be produced only at disproportionate cost.

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions if the remit of the new Community Housing Taskforce will include the impact of stock transfer on homelessness and housing need; and if these concerns will be reflected in its membership. [133252]

Mr. Mullin: The remit and structure of the Community Housing Taskforce is currently being considered by the Department. Local housing authorities retain their obligations towards homeless households under Part VII of the Housing Act 1996 and are expected to assess housing need as part of their housing strategy after the transfer of their stock. It is proposed that the Taskforce will work together with the Government Offices for the Regions to ensure that local housing authorities take account of their statutory obligations when developing their housing transfer proposals.

House Sales (Information Pack)

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions when the pilot scheme to test the components of the seller's information pack to assist the sale of houses will be completed; and if he will make a statement. [133240]

Mr. Mullin: The Bristol Seller's Information Pack Pilot Scheme will be completed over the summer and my Department is due to receive a draft final report in September. We expect to make the results public in November.

A summary of interim findings[1] was published on 27 June. The key findings from this were:

Six in 10 sellers believe that the pack is easy to understand and contains the right amount of information needed. A similar proportion of buyers also agree that the pack contains the right amount of detail on which to make decisions.

Two thirds of seller's information packs are completed within the 10-day target for pack assembly. However, recently the assembly of the legal part of the pack has slipped beyond this target.

Note:

Housing Research Summary No 124: Bristol Seller's Information Pack Pilot Summary of interim findings, DETR, June 2000

Rail Franchise (Greater London)

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions if he will set out the timetable for awarding the rail franchise for each of the communities services into Greater London; what length of franchise is being envisaged in each case and maximum franchise requirements; and if he will make a statement. [133237]

Mr. Hill: There are no specific target dates for the replacement of franchises, or any specified length for new franchise agreements that are to be negotiated. While the shadow Strategic Rail Authority will be offering longer term franchises, the length will be entirely dependent on the amount of investment that is proposed by the bidder. The Franchising Director is aiming to replace all the current shorter franchises including, Connex South Central, Chiltern, South West Trains, Thameslink, West Anglia Great Northern, Thames and Great Eastern within two years.

Wind Turbines

Mr. Prior: To ask the Secretary of State for the Environment, Transport and the Regions if he has published guidelines regarding the siting of wind turbines. [133625]

Ms Beverley Hughes: "Planning Policy Guidance note 22: Renewable Energy" sets out guidance regarding the siting of wind farms and other sources of renewable energy.

A316

Mr. Redwood: To ask the Secretary of State for the Environment, Transport and the Regions for what reason the two lanes on the eastbound carriageway of the A316 west of the junction with the B358 are being narrowed. [133472]

Mr. Hill: This is a matter for the Mayor of London and Transport for London.

Air Quality

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions what his Department's budget is for 2000 to 2004 for *(a)* improvements in air quality and *(b)* reduction in greenhouse gas emissions. [133478]

Mr. Hill: This year's budget for climate change research (as shown in DETR's Annual report 2000, Cm 4604) is £11.6 million; for air and environmental quality research the budget is £8.5 million; for specific support to local authorities' air quality expenditure the budget is £2.6 million. Additional relevant DETR expenditure is accounted for under Departmental Running Costs, International Subscriptions, and other spending lines. Figures from Spending Review 2000 have not yet been disaggregated sufficiently to identify comparable sums for subsequent years.

However, the DETR PSA target for achieving the Government's climate change objectives will be met by implementing a range of policies and measures covering many sectors of the economy. Some European measures are included in our draft Climate Change Programme, and action by local authorities will also be crucial. Funds spent in other areas of DETR, for example, programmes to promote better energy efficiency, CHP and integrated transport will also help to deliver reductions in greenhouse gases.

The DETR PSA target for improving air quality will be met largely through a range of European and national policy measures which are being taken to reduce pollution from industry and vehicles. For local pollution hot-spots, local authorities will be drawing up action plans to reduce local pollution levels through the local air quality management arrangements.

Energy Efficiency

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions what his plans and budget are for improving energy efficiency for vulnerable households between April 2001 and 31 March 2004. [133476]

Mr. Meacher: The principal programme for improving the energy efficiency of vulnerable householders in private sector housing in England is the Home Energy Efficiency Scheme (HEES). Following the Comprehensive Spending Review, the budgets for HEES have been set as follows.

Year	*£ millions*
2001–02	153
2002–03	167
2003–04	171

By 2004, the scheme is expected to have helped 800,000 households.

Improvements in the energy efficiency of social sector housing are delivered through local authorities' and registered social landlords' renovation and improvement programmes. The resources made available for housing investment in the 2000 Spending Review will allow half a million social sector houses (over a third of the total in poor condition) to be brought up to a decent standard by 2004.

Recycling and Composting

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions what his Department's budget is for 2000 to 2004 for recycling and composting. [133477]

Mr. Mullin: The Spending Review 2000 provided £140 million specifically for local authority waste and recycling, and substantial resources towards the Waste and Resources Action Plan, which will tackle barriers to increased recycling and promote new markets for recycled materials. Substantial extra resources—an increase of £1,127 million by 2003–04—will help fund environmental, protective and cultural services, including waste management. Local authorities will set their own priorities for the use of these resources. The Department also supports local authority sustainable waste management projects through the Private Finance Initiative (PFI). An announcement on PFI funding for the Spending Review period will be made shortly.

Aldermaston

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 11 July 2000, *Official Report*, column 497W, on Aldermaston, if he will list those bodies which were sent a copy of the draft authorisation arising from the public consultation process; and if he will place copies of their responses in the Library. [133725]

Mr. Meacher: Copies of the draft authorisation were sent to the Health and Safety Executive and to the Ministry of Agriculture, Fisheries and Food. Copies of their responses are being placed in the Library.

Brownfield Land

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many acres of vacant, dormant, derelict, unused or underutilised land there are in England and Wales; and what percentage of this he estimates will have to be built on to achieve the Government's house-building targets by 2011; [133425]

(2) how many hectares of brownfield land in England and Wales are in *(a)* public ownership and *(b)* private ownership. [133426]

Ms Beverley Hughes: Estimates from the National Land Use Database show that in 1998 there were an estimated 57,710 hectares of previously developed land for England that were unused or potentially available for redevelopment.

There are no Government targets for house-building.

There is a national target that by 2008, 60 per cent. of additional housing should be provided on previously developed land and through the conversions of existing buildings. Planning Policy Guidance Note 3: Housing, published in March 2000, seeks to maximise the re-use of previously developed land and buildings.

It is not possible to estimate what proportion of previously developed land available in 1998 will be used for house-building as further amounts of land will become available for recycling.

Phase 1 of the National Land Use Database collected information on public and private ownership of brownfield land in England, for which no results have yet been published. My Department will undertake this analysis and I will write to the hon. Member when it becomes available.

Reports

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the reports submitted to his Department, by bodies that were created after May 1997 and that include significant and plural membership from outside the Civil Service, stating in each case the body writing the report, the date the report was submitted, how many recommendations were made, the number of those recommendations that have been implemented to date and the number of recommendations that have been rejected; and if he will make a statement. [133560]

Ms Beverley Hughes: I refer to the answer given by my hon. Friend the Parliamentary Secretary to the Cabinet Office on 27 July 2000, *Official Report*, columns 799–800W.

Pesticides

Mr. Tyler: To ask the Secretary of State for the Environment, Transport and the Regions how many people have been poisoned by pesticides in each year since 1995, indicating the pesticide concerned in each case. [133298]

Mr. Meacher: Comprehensive information on the number of people who are poisoned by pesticides each year is not available. Some information is available from the Health and Safety Executive's (HSE's) Pesticide Incidents Appraisal Panel, which considers all incidents investigated by HSE or local authorities where the use of a pesticide is alleged to have caused ill health. Summary statistics of such incidents are published annually in HSE's Pesticide Incidents Report. I have asked officials to compile a table listing, for each year since 1995–96, the pesticide active ingredients involved in such incidents, the number of people concerned, and whether or not the Panel assessed the case as having a confirmed or likely link with pesticide exposure. I will arrange for a copy of this table to be placed in the Libraries as soon as possible.

Low-cost Housing

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to ensure increased access to high-quality low-cost housing. [133393]

Mr. Mullin: The recently announced spending plans for 2001–02 to 2003–04 provide extra investment of £1.6 billion for housing and will increase both the quality and supply of low cost housing. This extra investment includes an additional £872 million over the next three years for new social rented housing provided through the Housing Corporation's Approved Development Programme. It also includes an additional £250 million between 2001–02 and 2003–04 to expand our support for low cost home ownership through the new Starter Home Initiative.

Local authorities are also able to use their additional resources towards the provision of affordable housing, where this best meets local needs. We have recently reinforced the powers available to local authorities to seek the provision of affordable housing as a proportion of new private developments. We will be issuing best practice guidance to help authorities to make more effective use of these powers.

Our spending plans will also ensure that we tackle the backlog of repairs and modernisation in local authority housing in line with our target to bring all social housing up to a decent standard within a decade.

For full details of our planned investment in the quality and provision of low cost housing, I refer the hon. Member to the answer given by my hon. Friend the Minister for Housing and Planning to my hon. Friend the Member for Harrow, West (Mr. Thomas) on 24 July 2000, *Official Report*, columns 398–404W.

Concorde

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to ensure that the BA Concorde fleet is airworthy; and if he will make a statement. [133714]

Mr. Mullin: British Airways carry out regular inspections and maintenance on its Concorde aircraft in accordance with a programme which was determined at the time Concorde received its initial certification. The Civil Aviation Authority is therefore satisfied that the BA fleet of Concorde aircraft is airworthy. However, in the light of the recent accident, BA, in consultation with the CAA, carried out exhaustive tests on its Concordes overnight 25–26 July. These involved a range of engineering and systems checks, including the running of all engines; boroscope inspections of the engines; and visual inspections. These tests did not reveal any airworthiness problems.

Inspectors from the UK Air Accidents Investigation Branch are participating in the technical investigation of the accident being carried out by the French Bureau Enquetes Accidents. If the investigation identifies any additional action which is necessary to maintain the airworthiness of the Concorde fleet the CAA will take appropriate action.

Timber Procurement

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on timber procurement following the commitment made by G8 heads of Government. [133792]

Mr. Meacher: The UK has worked hard in recent years to promote sustainable forest management and help reduce illegal logging world wide. Illegal logging damages both the environment and society. It reduces government revenues, destroys the basis of poor people's livelihoods and in some cases even fuels armed conflict.

Working directly with affected countries to combat illegal logging will continue to be the mainstay of our efforts in this area. Among other initiatives we will sponsor later this year, along with the US and World bank, is a high-level meeting in south-east Asia to examine what can be done to strengthen enforcement of forestry laws in the region, and how donors can assist in this. However, we must also deal with parts of the problem nearer to home. It is counterproductive to help enforce laws abroad without striving to ensure that illegally produced timber is not consumed at home.

The Government are a major purchaser of both timber and timber products, and have a responsibility to ensure their own house is in order. Guidelines already exist to encourage Government Departments to purchase from legal and sustainable sources, but we can do more. To show a lead in addressing the G8 communiqué's call to

> examine how best we can combat illegal logging, including export and procurement practices,

we will implement a progressive programme of work to improve current purchasing practice for timber and timber products. This initiative will have three components:

> Current voluntary guidance on environmental issues in timber procurement will become a binding commitment on all central Government Departments and agencies actively to seek to buy timber and timber products from sustainable and legal sources, for example those identified under independent certification schemes such as that operated by the Forestry Stewardship Council.
>
> Each central Government Department will report annually on its timber purchases. It will be required to explain what steps it is taking to pursue this objective; the quantity and types of its purchases; and what assurances it has received that the source of timber is sustainable and legal.
>
> This process will be monitored by an inter-departmental group reporting to the committee of "Green Ministers". The group will: assist Departments and agencies in working with timber suppliers and producers; give guidance on best purchasing practice; set progressive overall targets for government timber purchases from assured sustainable and legal sources; agree appropriate targets for individual Departments and agencies.

This programme does not involve banning the purchase of timber or timber products which cannot be shown to be sustainably and legally produced. That would be both unfair and impractical. There is currently not enough timber that can be independently guaranteed to have come from sustainable and legal sources to meet all needs; albeit that different assurance schemes are growing quickly. We would also not want to penalise poorer countries and producers which have not been able to put in place such schemes. We will continue to work with such producers to ensure they have fair market access, and that any action is fully consistent with our international obligations. Our aim is to give confidence to those obeying their country's laws and managing their forests responsibly that they will find a welcome market in the UK, and will not be undercut by unscrupulous and illegal competitors.

Government Panel on Sustainable Development

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions when the response to the sixth annual report of the Government Panel on Sustainable Development will be published. [133793]

Mr. Meacher: I am pleased to announce that the Government's Response to the sixth and final annual report of the Government Panel on Sustainable Development will be published on 8 August. We agree with many of the Panel's recommendations; notably

> Reducing carbon dioxide emissions is a priority and that sequestration has a role to play. We are funding research into mitigation measures.
>
> The World Trade Organisation needs to reform and modernise; we are committed to playing a leading role within the EU to ensure this happens.
>
> Noise can have a detrimental effect on people's quality of life. The forthcoming review of the current Noise Act and the EU directive on Noise will provide opportunities to consider effective remedies to noise disturbance.
>
> The need for continued open and cautious exploration of the potential of biotechnology, both possible benefits and downsides.
>
> Better integration of environmental concerns with fisheries management and management of the oceans is required.

The Panel has been an extremely valuable source of advice for Government in the achievement of sustainable development and I am grateful to the Convenor of the Panel, Sir Crispin Tickell, and his colleagues for all their work over recent years.

Copies of the Response will be placed in the Library, and it will also be available in electronic form on the Department of Environment, Transport and the Regions website www.detr.gov.uk.

Planning Guidance (South West)

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions when the Panel report will be published on draft regional planning guidance for the south west of England. [133802]

Mr. Raynsford: The Government Office for the South West intend to publish the Panel report on Thursday 3 August.

Ethical Conduct

Mr. Meale: To ask the Secretary of State for the Environment, Transport and the Regions what progress he has made in drawing up principles governing the ethical conduct of local authority members; and if he will make a statement. [133803]

Ms Beverley Hughes: My right hon. Friend, the Minister for Local Government and the Regions will publish a consultation paper today setting out nine principles which we propose should govern the conduct of elected and co-opted members of local government. This will be based on the work of the Committee on Standards in Public Life, chaired by Lord Nolan. The consultation period runs until 31 October.

We will also write today to the Local Government Association asking them to help draw up a new model code of conduct for councillors. The new Code will need to provide members with a clear set of rules in order that they can know what standards of conduct are expected of them.

We will ask the LGA to take account of the views of bodies representing parish and town councils, police authorities and the Greater London Authority among others. They will be asked to submit their proposals by the end of October.

Reserve Capping Powers

Mr. Derek Twigg: To ask the Secretary of State for the Environment, Transport and the Regions if he proposes to use his reserve capping powers for 2000–01; and if he will make a statement. [133934]

Ms Armstrong: Ministers have not yet taken a final decision on whether to use the reserve capping powers for 2000–01 in respect of any individual authorities.

GM Crop Trials

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions when ACRE will publish the criteria against which changes in biodiversity will be measured in the GM crop trials. [120715]

Mr. Meacher *[holding answer 3 May 2000]:* The farm scale evaluations have been designed to test the hypothesis that there are no significant differences between the biodiversity associated with the management of certain GM herbicide tolerant crops and comparable non-GM crops at the farm scale. When the results are available they will be reviewed by the Scientific Steering Committee and published.

The Advisory Committee on Releases to the Environment will be asked to consider the results and advise ministers. The ACRE sub-group set up to consider the assessment of these issues intends to publish draft assessment criteria for discussion shortly.

GM Farm Trials

Jackie Ballard: To ask the Secretary of State for the Environment, Transport and the Regions what variables are to be measured in the assessment of GM farms trials; and how the criteria for judging success in relation to a particular GM crop will be measured against those variables. [126632]

Mr. Meacher: The objective of the evaluations is to test the null hypothesis that there are no significant differences between the biodiversity associated with the management of genetically modified herbicide tolerant crops and comparable non-GM crops at the farm scale. In practice, the variation in biodiversity can not be recorded for all species. The approach is to compare key indicators of biodiversity between the GM HT and non-GM HT cropping systems. In reporting these effects, they will be placed into the context of national recording schemes that can help to show the relationships between the biodiversity associated with the study sites and arable areas in general.

The indicators being measured are:

soil seed bank;

arable plant diversity, biomass and estimated seed return;

field margin and boundary vegetation, noting species in flower and signs of spray drift;

Gastropods (slugs and snails) abundance, activity and diversity measures;

Arthropods on vegetation, concentrating on plant bugs (Heteroptera), spring tails (Collembola), and the caterpillars of butterflies, moths, (Lepidoptera) and sawflies; diversity and biomass measures;

Carabid beetles and other ground dwellings arthropods; abundance and diversity measures;

bees and butterflies; observational studies;

birds and small mammals, observational studies.

The study is limiting the number of confounding factors by using a split-field design and controlling for all the variables except the herbicide treatment. After the first year the studies will continue in the subsequent follow-on conventional crops. Further details of the study and monitoring protocols have been published by the research consortium in two interim reports. These are available on the DETR website and copies have been placed in the Library.

When sufficient data sets are available the null hypothesis will be tested separately for each indicator. The data will then reveal whether or not there are any statistically significant differences in biodiversity arising from the two cropping regimes. The independent Scientific Steering Committee is over-seeing the evaluations to ensure appropriate scientific rigor of the evaluations. The Advisory Committee on Releases to the Environment will consider the outcome of the evaluations, assess the implications for the environment and advise Ministers. A sub-group of ACRE is currently considering the criteria which are appropriate for such assessments.

In addition, there are studies to monitor geneflow. These are monitoring the extent of cross pollination with neighbouring sexually compatible crops for the oil seed rape and maize, both of which will flower and produce pollen, and, in the case of rape, the formation of hybrids with wild relatives.

Crop Contamination

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the oral statement of 18 May, *Official Report*, column 474, on the introduction of a seed purity inspection system, when the process of planning this system began; when he will publish details of how the system will work; if the introduction of the system is conditional upon EU or other international agreements; how much the system will cost; and how the system's costs will be funded. [124151]

Mr. Meacher *[holding answer 5 June 2000]:* The process of planning seed purity inspections began in February this year when the new arrangements for the inspection of GM release and marketing consents were being developed with the Central Science Laboratory (CSL), who were formerly appointed to undertake this task on 1 June. CSL's responsibility is to ensure that every GMO release site in England and, where appropriate, Wales is visited and expected once a year, and that

consent holder's arrangements to ensure compliance with consents are audited. Consent holders are charged an annual subsistence fee to pay for these inspections.

In the light of the recent Advanta oilseed rape case, interim arrangements have been made to audit imports of seed, and sample seed for testing where necessary. These inspections are being carried out under provisions in the Environmental Protection Act 1990 and are not conditional on EU or other international agreements. My main concern is that unauthorised GM seed is not imported and released into the environment. Importers of seed have been contacted and reminded of their duties. Industry will be carrying out their own tests to ensure imported seeds and grain does not contain unauthorised GMOs. The costs of this testing will fall to the industry. CSL will audit their arrangements to ensure that this has been carried out effectively.

Costs of the audits have not yet been finalised. For the time being the Government is funding CSL to do his work. The Government will consider how to charge for these inspections when implementing forthcoming EU legislation on GMOs and seed purity.

Dioxin

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the answer to the hon. Member for East Worthing and Shoreham of 24 May 2000, *Official Report*, column 539W, on dioxin, what recent assessment his Department has made of the effectiveness and accuracy of the programmes which monitor dioxin levels; and if he will make a statement. [126260]

Mr. Meacher *[holding answer 19 June 2000]:* There are 210 dioxin and furan compounds, of which 17 are thought to have toxicological consequences. Each of these 17 compounds is measured, weighted according to its relative toxicity and aggregated to give a single result in terms of the toxic equivalence of the total mix. These measurements are made over each quarter of the year, and the uncertainty of an individual quarterly dioxin measurement in air has been assessed as 19 per cent., expressed in terms of the overall toxic equivalent. The corresponding annual mean value has an uncertainty of 9 per cent.

Nolan Rules

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions if he will list each group that is responsible to his Department, with significant and plural membership from outside the Civil Service, and to which the Nolan rules on non-departmental public bodies do not apply; and for each such group, if it *(a)* is a company limited by guarantee, *(b)* is a charity, *(c)* has no formal legal basis and *(d)* has some other legal basis, giving details. [131178]

Ms Beverley Hughes *[holding answer 18 July 2000]:* I refer the hon. Member to the reply given by my hon. Friend the Parliamentary Secretary to the Cabinet Office on 27 July 2000, *Official Report*, columns 799–800W. I can confirm that apart from the Review of the Index of Local Deprivation none of my Department's groups listed have a legal basis. The legal basis for the Review of the Index of Local Deprivation is the contract with the University of Oxford for this research project.

Advisory Bodies

Tony Wright: To ask the Secretary of State for the Environment, Transport and the Regions if he will list all the *(a)* task forces, *(b)* action teams, *(c)* policy reviews and *(d)* other temporary advisory bodies with external members currently in existence within his Department; and on what date each body (i) was set up and (ii) is expected to terminate. [131455]

Ms Beverley Hughes: I refer to the answer given by my hon. Friend the Parliamentary Secretary to the Cabinet Office on 27 July 2000, *Official Report*, column 799W.

Incinerators

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how many incinerators have started operation in each of the last eight years in each region; and if he will make a statement. [132570]

Mr. Mullin: Only two new municipal waste incinerators have opened in the past eight years: SELCHP (Thames Region, 1994) and Stockton (North East Region, 1997).

Many other plant were closed down because they did not comply with stringent emissions standards introduced in 1996. Of these, several were refurbished, and re-opened on the following dates:

Region	*Operator*	*Re-start*
Midlands	Coventry and Solihull Waste Disposal Co. Ltd, Coventry	1996
Midlands	WasteNotts (Reclamation) Ltd., Nottingham	1995
Midlands	MES Environmental Ltd., Stoke	1995
Midlands	MES Environmental Ltd., Wolverhampton	1998
Midlands	MES Environmental Ltd., Dudley	1998
Midlands	Tyseley Waste Disposal Ltd.	1996
North East	Sheffield city council	1997
North West	GM Waste Ltd., Bolton	2000

The London Waste incinerator at Edmonton (Thames Region) was refurbished without a break in operation in 1996.

This information relates to conventional solid municipal waste incinerators within the Integrated Pollution Control regime. I shall respond separately on other incinerators, including plant burning processed wastes.

Transport (London)

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what were the total amounts provided for transport in London in each year since 1990–91, including a breakdown showing the amounts for *(a)* London Transport, *(b)* local authority net expenditure, current and capital, *(c)* Highways Agency expenditure and *(d)* other. [131999]

Mr. Hill: I will write to the hon. Member, and place a copy of my reply in the Libraries of both Houses.

Sellafield

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions if he will advise the Environment Agency during its review of Sellafield discharge authorisations, that it should consider dry storage technologies in addition to the use of magnox fuel and the addition of a head-end plant to THORP. [130874]

Mr. Meacher *[holding answer 25 July 2000]:* I expect to discuss this with the Environment Agency and the Nuclear Installations Inspectorate at my next meeting with them.

Radiological Protection

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions when he will issue advice on the observance of the justification principle including the needs *(a)* to carry out full cost-benefit analyses of practices giving rise to radiation exposures, *(b)* to discuss available alternatives to such practices and *(c)* to estimate global untruncated population doses from such practices. [132292]

Mr. Mullin *[holding answer 25 July 2000]:* I expect to issue a statement in the autumn on the way justification issues will be handled, that will take account of the considerations to which my hon. Friend refers.

Press Releases

Mr. Lansley: To ask the Secretary of State for the Environment, Transport and the Regions how many press releases have been issued so far this year; and what the total cost of the production and issuing of press releases was in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* 2000 to date. [132783]

Ms Beverley Hughes: The Department of the Environment, Transport and the Regions have issued 455 press releases until the end of June this year. This is a 28 per cent. drop from the same time last year.

The total cost of the production and issuing of press releases in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* 2000 to date is as follows:

	Year	*Number of press releases*	*Total costs (£000)*
DoT/DoE/DETR	1997	853	81,101.78
DETR	1998	1,121	56,948.92
DETR	1999	1,248	62,380.38
DETR	2000	455	33,839.60

Figure at end of June

Deprivation Index

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will place in the Library the ward level data on ranks and scores for the Index of Deprivation 1999, already given to individual authorities, in *(a)* hard copy and *(b)* electronic format; [132892]

(2) when a full underlying data set for the Index of Deprivation 1999 will be made available. [132893]

Ms Armstrong: For the last 18 months, my Department has undertaken a review of the 1998 Index of Local Deprivation. The technical side of the review has been carried out by a team from the University of Oxford led by Dr. Mike Noble and has included four public consultations. I am very grateful to Dr. Noble and his colleagues for their hard and excellent work.

There has been considerable interest in the review and quite rightly so, because the Index is one of the main instruments used to allocate resources to the most disadvantaged communities. The review process has taken a long time. This has been necessary if only because the numerous detailed responses received during the consultations have meant that the Oxford team needed to examine and test what were very technical suggestions. I will shortly be issuing a paper that responds to all of the technical points that were raised.

I shall also be publishing the indices, that is the scores and ranks at the ward level which is available for each domain of deprivation and the district level measures.

Hard copies of the technical paper and the summary which will include the scores and rankings on the district level measures will be placed in the Library of the House along with a CD-ROM containing all of the ward and district scores and rankings. The summary report will provide details of where to obtain, subject to any confidentiality constraints, the underlying raw data.

However, the indices are not a definitive instrument and will need to be revised when further substantial small area data streams become available and could be incorporated into the indices. For example, while the review of the Index has been going on, the Social Exclusion Unit's Policy Action Team (PAT) 18 on Better Information has reported. This report of PAT 18 recognised that its recommendations for increasing the availability and coverage of small area data would be useful for the Indices in the longer term. One of its key outputs would be a national ward-level data set which would include as much as possible of the data on which the Indices scores and rankings are based. In the longer term the 2001 Census data will also be relevant. We will also be looking at the way social housing conditions could be incorporated into the indices.

In the meantime, the Government have decided to use the new indices rather than the old Index of Deprivation as the primary but not the sole basis for the allocation of resources for deprived areas. This will not rule out the possibility of other areas being offered regeneration assistance. However, I fully realise that whenever a change of this kind is made, there is the risk that authorities that would have benefited on the old basis for allocations might not do so under the new one. We therefore intend to set up transitional arrangements that make allowances for authorities that had been among the most deprived areas on the old Index and are not among the most deprived areas on the new indices. We will also be considering how areas that have pockets of deprivation can be eligible for help. We will be detailing these transitional arrangements when we publish any proposals for allocating resources that make use of the new indices.

Road Safety

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the

proposals for improving road safety contained in "Tomorrow's Roads—Safer for Everyone", according to whether *(a)* implementation (i) commenced before the strategy was published, (ii) will commence in 2000 and (iii) will commence in 2001 and *(b)* they will require parliamentary time. [132850]

Mr. Hill: Each chapter of "Tomorrow's Roads—Safer for Everyone", copies of which are in the Library, includes an "implementation timetable" which tabulates all the proposed actions and shows which ones will require primary legislation. The timetable also indicates whether each action will be implemented "now" or "in the next 2–3 years" or whether it is a "longer term intention". We are still developing a more detailed implementation plan.

Bridges

Mr. Wigley: To ask the Secretary of State for the Environment, Transport and the Regions how many bridges there are in England on recognised public highways; how many of these were strengthened to current standards by 31 December 1999; and what is the estimated cost of strengthening the remainder of these bridges to the new standard of weight which will come into force next year. [133122]

Mr. Hill: There are some 60,900 bridges in England on roads maintainable at the public expense. 8,500 are on trunk roads and 52,400 on local roads.

EC Directive 85/3/EC requires the United Kingdom to allow the use on principal routes of vehicles of 40 tonnes weight with 11.5 tonne axle loads from 1 January 1999. Of those bridges requiring to be strengthened to take these vehicles, some 4,450 were strengthened by the end of March this year. We estimate that about 3,400 remain to be strengthened, at a cost of some £800 million.

Consultation will take place soon on whether to allow 44 tonne vehicles, subject to certain technical constraints. Any decision would depend upon the results of that consultation. These 44 tonne vehicles would not require extra bridge strengthening above that necessary for the 40 tonne vehicles already permitted.

Vehicle Clamping

Ms Atherton: To ask the Secretary of State for the Environment, Transport and the Regions what regulations govern the clamping of vehicles; and who monitors local practice by those agents responsible for this. [133224]

Mr. Hill: Under the Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997, the Driver and Vehicle Licensing Agency has powers to clamp road-going vehicles that are unlicensed and on a public road to enforce the payment of vehicle excise duty. Under the Refuse Disposal (Amenity) Act 1978, the Road Traffic Regulation Act 1984 and the Road Traffic Act 1991, local authorities have powers to remove unlicensed vehicles abandoned on a public road or to clamp licensed vehicles which are unlawfully parked on a public road. In all these circumstances the operation of clamping is closely regulated, with a right of appeal and a maximum release fee specified by the Secretary of State.

There are no statutory regulations governing the clamping of vehicles left on private land but my right hon. Friend the Home Secretary has announced an intention to include such a provision in the proposed legislation on the private security industry, when parliamentary time allows.

London Underground Escalators

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions how many London Underground station escalators have been out of service for *(a)* up to three months, *(b)* up to six months and *(c)* longer than six months. [133213]

Mr. Hill: This is an operational matter for London Underground, which informs me that out of 34 escalators out of service in July, 13 have been out of service for no more than three months, 12 for no more than six months and nine longer than six months.

Planning

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions how many appeals to the Planning Inspectorate against local authority planning decisions were *(a)* allowed and *(b)* rejected; how many such appeal decisions were taken to judicial review and what was the (i) outcome of such proceedings and (ii) cost of the Planning Inspectorate in the last convenient period for which figures are available. [133361]

Ms Beverley Hughes: I have asked the Chief Executive of the Planning Inspectorate, Chris Shepley, to write to the hon. Gentleman, because the question relates to decisions made by planning inspectors.

Letter from Chris Shepley to Mr. Don Foster, dated 28 July 2000:

The Secretary of State has asked me to reply to your Question about planning appeal decisions and the number that are the subject of judicial review.

For the year 1999–2000 planning inspectors decided 12,411 planning appeals in England. Of these 4,485 were allowed and 7,926 dismissed. To date, 84 decisions have been the subject of a legal challenge and of these 17 have been withdrawn. In a further 11 cases we have accepted that the decision contained an error in law and the appeals are being reconsidered. 11 cases have been heard in court and we wee successful in resisting all but one challenge. The remaining 45 cases have yet to be settled.

Turning to your final question, I am unsure what costs you are interested in. The costs associated with High Court challenges may accrue over several years so it is not possible to give you a precise figure as to how much the challenges made last year will cost. However, on average we estimate that a challenge costs us about £5,300. The total cost of running the Inspectorate in 1999/2000 was £33m.

BNFL

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what consultation he had with *(a)* Ministers and *(b)* officials from the Department of Trade and Industry prior to the announcement of 11 July in respect of the payments to be made as a result of the agreement to return MOX fuel from Japan to Sellafield. [133453]

Mr. Meacher: There was no consultation between Ministers or officials from my Department and the Department of Trade and Industry over the payments to be made as a result of the agreement to return to Sellafield the MOX fuel currently stored at Takahama.

Rents

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions (1) what was the percentage of rent determinations made by the Rent Service where the appropriate rent was in excess of the local reference rent in *(a)* England and Wales and *(b)* Scotland, in each of the last three years; [133263]

(2) what was the average level of rent restriction following a local reference rent determination in *(a)* England and Wales and *(b)* each local authority area, in each of the last three years; [133264]

(3) what percentage of rent officer determinations exceeded the local reference rent in *(a)* England and Wales and *(b)* Scotland, in each of the last three years. [133262]

Mr. Mullin: Information on rent determinations is not available for Scotland. The figures in the following table are for rent determinations for private lettings in England and Wales for 1996, 1997, 1998 and for the first quarter of 1999.

	1996	*1997*	*1998*	*1999*[1]
Rent officer determinations where property specific rent (PSR) was greater than the local reference rent (LRR)[2]	40.0	43.5	43.3	43.1
Rent officer determinations where appropriate rent (AR) was greater than the local reference rent (LRR)[2]	35.9	38.9	38.2	37.9
Average rent restriction where appropriate rent (AR) was greater than the local reference rent (LRR)[3]	7.58	7.16	6.91	6.71

[1] First quarter of 1999.
[2] Percentage of.
[3] £ per week.
Source:
Rent Officer Statistics, published quarterly by DETR

The Property Specific Rent (PSR) is the Rent Officer's initial determination before taking into account other circumstances which culminate in the determination of an appropriate rent for the property: whether the landlord's referred rent is exceptionally high or whether the property is too large compared with the number of occupants.

Rent determinations for different local authorities are not published. A breakdown by rent officer area can be produced, but not within the time available. I will write separately with these figures as soon as possible.

Private Finance Initiative

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 5 July 2000, *Official Report*, column 185W, what standard liquidated damages clauses are included in private finance initiative contracts for *(a)* roads and *(b)* other transport infrastructure for which his Department has responsibility; how these are specified; and if he will make a statement. [133367]

Mr. Hill: This information will take a little time to collect for the range of PFI transport projects. I will write to the hon. Member as soon as it is available.

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 21 July 2000, *Official Report*, column 351W, on PFI, if he will list the rate of return for each of the eight trunk road DBFO projects; and if he will make a statement. [133276]

Mr. Hill: No. This information is commercially confidential.

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 5 July 2000, *Official Report*, column 185W, on PFI contracts, if he will list the number of points accumulated for each road scheme; for which reason each of these points was awarded; what penalties were invoked; and if he will make a statement. [133251]

Mr. Hill: The overall performance of our PFI contracts is good. I am content with the point system in PFI contracts for roads and it is subject to confidentiality agreements within its contracts. Most points have been awarded during the construction phase of the contracts. During operations it has been necessary to award fewer points.

Clean Energy

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what funding will be allocated to the development of clean energy sources in the forthcoming spending review; if the Government will end the exemption of incineration from the Climate Change Levy; and if he will make a statement. [126276]

Mr. Meacher: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

INTERNATIONAL DEVELOPMENT

Overseas Pensioners

Mr. Boswell: To ask the Secretary of State for International Development how many colonial and overseas pensioner schemes are still in existence; how many British residents are *(a)* current or *(b)* potential beneficiaries of such schemes; and what steps she is taking to align benefits with comparable domestic public sector schemes. [133293]

Mr. Foulkes: There are 104 colonial pension schemes still in existence. Some 26,700 pensioners currently receive benefits under the differing provisions of those

schemes, of whom 17,214 reside in the UK. There is no record of how many British residents are potential beneficiaries.

The colonial pension arrangements are unique, and cannot be compared with those of domestic public sector schemes. The Government therefore have no plans to bring them into line.

Pakistan

Mr. Andy King: To ask the Secretary of State for International Development what support she is able to give General Musharraf in order that he is able to carry out legislative reforms in Pakistan. [133211]

Mr. Foulkes: As my right hon. Friend the Secretary of State informed the House on 6 June 2000, *Official Report*, columns 173–74W, we have agreed to provide technical assistance to assist the Administration to prepare some key reforms. We have not received any specific requests to help with legislative aspects; but we would be ready to consider these, should they be made.

Mr. Andy King: To ask the Secretary of State for International Development what support she intends to offer Pakistan during the forthcoming elections there. [133209]

Mr. Foulkes: The Pakistan Government has embarked upon a very ambitious timetable for local elections and has requested Britain's assistance in this process. A DFID Senior Governance Adviser is visiting Pakistan at present to formulate detailed proposals for possible support by this Department for preparations for these elections and electoral reform more generally.

AIDS

Dr. Tonge: To ask the Secretary of State for International Development what proportion of her Department's total budget is for AIDS-related projects; and what proportion of the projects supported by her Department are AIDS-related. [132857]

Mr. Foulkes: In 1998–99, the latest year for which complete figures are available, DFID's total bilateral expenditure on projects and programmes was £1,176 million and total bilateral expenditure on HIV/AIDS was £43 million. This sum excludes multilateral contributions to organisations such as Joint United Nations Programme in HIV/AIDS(UNAIDS) and United Nations Population Find (UNFPA), support to vaccine research and development initiatives, and funding of projects costing less than £100,000. Thus some 4 per cent. of total bilateral expenditure was spent on HIV/AIDS related projects. We will forward the 1999–2000 figures to the Library of the House as soon as they have been prepared.

The total number of active bilateral projects for 1999–2000 was 1,832 of which 194 were related to HIV/AIDS projects. Thus some 10 per cent. of projects supported by the Department are related to HIV/AIDS. These figures do not include projects containing elements of HIV/AIDS work which are deemed too small to be reported or activities costing less than £100,000.

Arms Exports

Ann Clwyd: To ask the Secretary of State for International Development what recent discussions she has had with her ministerial colleagues on introducing legislation to limit the impact of small arms in developing countries. [132509]

Mr. Foulkes: My right hon. Friend the Secretary of State has had recent discussions with Ministerial colleagues about the Government's proposed legislation on arms export controls which will address, *inter alia*, the control of small arms in developing countries. She has also had discussions with colleagues regarding the Government's cross-cutting review on conflict prevention and resolution in Africa and the UN Conference on the Illicit Trade in Small Arms and Light Weapons, both of which will also address the control of small arms.

Official Visits

Mr. Matthew Taylor: To ask the Secretary of State for International Development if she will list the visits outside Britain made by her Department's Permanent Secretary on official business since 1 January 1999, indicating the date and purpose of the visit in each case. [132753]

Mr. Foulkes: The Permanent Secretary of the DFID made the following visits outside Britain on official business since 1 January 1999:

Official visits made outside Britain by DFID's Permanent Secretary since 1 January 1999

Date	*Venue*	*Purpose*
1999		
17–19 February	New York	Discussion with Heads of UN Funds and programmes
2–9 March	Sydney	International meeting on SE Asia Economic Crisis
	Thailand	Discussion with DFID's Regional Office
24–28 April	Washington	IMF/World Bank Spring Meetings
3–4 May	Macedonia	
	Romania	Accompanying the Prime Minister
14 May	Helsinki	Discussion of EU business with Finish Presidency
17–18 May	Bulgaria	
	Albania	Accompanying the Prime Minister
18–22 May	Zimbabwe	
	Kenya	Discussion with Ministers and with DFID Regional Office

Official visits made outside Britain by DFID's Permanent Secretary since 1 January 1999

Date	*Venue*	*Purpose*
28 May-1 June	Rome	Discussion with heads of FAO, WFP and IFAD
8–10 June	New York and Washington	Discussion with UN and World Bank on Kosovo
15–29 September	Barbados	Discussion with DFID Regional Office
	St. Lucia	Discussion with the Prime Minister and others
	Cayman Islands	Commonwealth Finance Ministers Meeting
	Washington	IMF/World Bank Autumn Meeting
24–26 October	Russia	Discussion with Ministers
28–31 October	Senegal	Global Coalition for Africa Meeting
31 October-1 November	Sierra Leone	Discussion with the President and others
14–18 November	Tokyo	Discussion with Japanese colleagues
6–11 December	China	Discussion with Minsters and Provincial Governors
2000		
6–11 February	Kenya	Discussion with Ministers and DFID Regional Office
	Uganda	Discussion with the President and others
19–29 February	South Africa	Discussion with Ministers and DFID Regional Office
	Botswana	Discussion with the President and others
20–22 March	New York	Discussion with Heads of UN Funds and Programmes
15–22 April	Washington	IMF/World Bank Spring Meetings
11 May	Paris	High Level Meeting of OECD's Development Assistance Committee
19 May	Brussels	Discussion with EU Commissioners and Commission Officials
5–14 June	Manila	Discussion with President of Asian Development Bank and others
	Indonesia	Discussion with Ministers and others
	Bangkok	Discussion with DFID Regional Office
7–11 July	Bonn	Annual Meeting of Heads of International Development Agencies

Advisory Bodies

Tony Wright: To ask the Secretary of State for International Development if she will list all the *(a)* task forces, *(b)* action teams, *(c)* policy reviews and *(d)* other temporary advisory bodies with external members currently in existence within her Department; and on what date each body (i) was set up and (ii) is expected to terminate. [131451]

Mr. Foulkes: I refer my hon. Friend to the answer given yesterday by my hon. Friend the Parliamentary Secretary, Cabinet Office, 27 July 2000, *Official Report*, column 800W.

Press Releases

Mr. Lansley: To ask the Secretary of State for International Development how many press releases have been issued so far this year; and what the total cost of the production and issuing of press releases was in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* 2000 to date. [132778]

Mr. Foulkes: Rules governing the work of the GICS are laid down in the Guidance on the work of the Government Information Service published by the Cabinet Office in July 1997. More specific guidance on the writing and issuing of press releases is given in the Working Guide for Government Information Officers. Copies of both documents are in the Libraries of the House. Twenty-three Press Releases have been issued by the Department so far this year. Press Releases are issued via post, and through the COI's News Distribution Service. The total cost of production and issuing of releases for the years 1997–2000 inclusive is outlined as follows:

(a) 1997—8,180

(b) 1998—10,090

(c) 1999—10,710

(d) 2000—5,420.

Press Officers

Mr. Lansley: To ask the Secretary of State for International Development how many press officers were employed in her Department in *(a)* May 1997, *(b)* January 1998, *(c)* January 1999 and *(d)* January 2000; and what the total expenditure on press officers by his Department was in each of the years concerned. [132760]

Mr. Foulkes: Detailed information on the number of press officers employed by the Department during the financial years 1997–98 and 1998–99 was provided in Appendix II of the report "The Government Information and Communications Service" (HC 770) published by the Select Committee on Public Administration (29 July 1998). Copies are available in the Library.

As at January 2000, the Department employed three press officers. The cost of these press officers in the financial year 1999–2000 is estimated to have been £84,000.

Disabled People

Mr. Rowe: To ask the Secretary of State for International Development what steps she has taken to implement the issues paper on disability, poverty and development; and if she will require a disability equality checklist to be available before proposals are funded by her Department. [133107]

Mr. Foulkes: We have been supporting work on disability for a long time. The issues paper "Disability, Poverty and Development", has put this work on a more strategic footing. Published earlier this year (February 2000), it has been circulated to all our offices and will be an influence in the future development of country programmes. It recognises the importance of ensuring the full inclusion of people with disabilities in the fight against poverty. To achieve such an aim, we do not view disability equality checklists as the most appropriate tools, and will not be requiring their use.

Mr. Rowe: To ask the Secretary of State for International Development how many projects in support of disabled people and their organisations have been supported by her Department in 1999–2000; and at what cost. [133106]

Mr. Foulkes: It is not possible to provide the precise number or cost of all my Department's activities in support of disabled people and their organisations. We support disabled people in a number of ways. In 1999–2000, almost £800,000 was spent on 26 projects thorough a joint funding scheme with non-governmental organisations. Additionally there are many initiatives at country level which either specifically target the needs of disabled people or incorporate their concern in wider development projects.

Reports

Mr. Stunell: To ask the Secretary of State for International Development if she will list the reports submitted to her Department, by bodies that were created after May 1997 and that include significant and plural membership from outside the Civil Service, stating in each case the body writing the report, the date the report was submitted, how many recommendations were made, the number of those recommendations that have been implemented to date and the number of recommendations that have been rejected; and if she will make a statement. [133563]

Mr. Foulkes: I refer the hon. Member to the answer given to my hon. Friend the Member for Eastwood (Mr. Murphy) by my hon. Friend the Parliamentary Secretary, Cabinet Office on 27 July 2000, *Official Report*, column 799-800W.

I also refer the hon. Member to the first central list of information that was published on 11 January 2000. Copies of the list are available in the Libraries of the House.

The detailed information requested about the numbers of recommendations made and the number rejected is not held centrally and could be provided only at a disproportionate cost.

Unilateral Debt Cancellation

Dr. Tonge: To ask the Secretary of State for International Development how much additional funding she estimates will be provided for the United Kingdom's unilateral debt cancellation initiative between 2000 and 2003. [133429]

Miss Melanie Johnson: I have been asked to reply.

Under the UK's policy of 100 per cent. debt forgiveness once countries have reached decision point under the Heavily Indebted Poor Countries (HIPC) Initiative, they can immediately stop making payments on all their debts outstanding to the UK Government.

So far nine countries have reached their decision point, of which eight owed money to the UK. For these countries all payments to the UK Government have already ceased. In total the debt relief to these countries afforded by the HIPC initiative and the Government's 100 per cent. debt relief policy will add up to £241 million.

A further 11 countries are expected to reach decision point by the end of 2000. If they did the total amount that the UK Government would be writing off for these 20 countries would be £659 million. The total due for payment between 2000 and 2003 depends entirely on how quickly countries reach decision point, and hence how many benefit from the UK's policy of 100 per cent. debt relief.

WALES

Departmental Travelling Costs

Mr. Wigley: To ask the Secretary of State for Wales what is his Department's budget for the current financial year for Ministers' chauffeurs and travelling costs. [132790]

Mr. Paul Murphy: There is no specific budget for Ministerial travel costs as such, because this expenditure is demand led, but a sum of £150,000 has been set aside to cover all Ministerial travelling costs in 2000–01.

Electronic Communications Act 2000

Mr. Cotter: To ask the Secretary of State for Wales what orders he *(a)* has made and *(b)* intends to make using section 8 of the Electronic Communications Act 2000; and if he will make a statement. [133372]

Mr. Paul Murphy: I refer the hon. Member to the answer given earlier today by my right hon. Friend the Minister of State, Cabinet Office.

Reports

Mr. Stunell: To ask the Secretary of State for Wales if he will list the reports submitted to his Department, by bodies that were created after May 1997 and that include significant and plural membership from outside the Civil Service, stating in each case the body writing the report, the date the report was submitted, how many recommendations were made, the number of those

recommendations that have been implemented to date and the number of recommendations that have been rejected; and if he will make a statement. [133556]

Mr. Paul Murphy: I refer the hon. Member to the answer given on 27 July 2000 by my hon. Friend the Parliamentary Secretary, Cabinet Office, *Official Report*, column 799-800W, advising that an updated list of information on such bodies is being placed in the Libraries of the House. The original list of information was published on 11 January 2000, and copies are available in the Libraries of the House.

Information about the number of recommendations made, the number implemented, and the number rejected, could only be provided at disproportionate cost.

PRIME MINISTER

Government Buildings

Mr. Baker: To ask the Prime Minister (1) what was the total recorded expenditure by the Cabinet Office for 1999–2000; and what is the anticipated expenditure for 2000–01 on *(a)* maintaining, *(b)* decorating and *(c)* otherwise improving 10 Downing Street; [125886]

(2) what the total cost of works was for each year since 1 May 1997 carried out to *(a)* 10 Downing Street, *(b)* 11 Downing Street, *(c)* Admiralty House flats, *(d)* Carlton Gardens and *(e)* Government House in Pimlico, broken down in respect of (i) kitchens, (ii) bathrooms, (iii) carpets, (iv) wallpaper, (v) other furnishings, (vi) other decoration, (vii) repairs and renewals and (viii) other expenditure. [133437]

The Prime Minister *[holding answer 13 June 2000]*: I refer the hon. Member to the Answer I gave him on 11 November 1999, *Official Report*, column 783W where I provided information on expenditure in the 1999–2000 financial year up to end October 1999. For the period November 1999 to end March 2000 expenditure was £227,000. Expenditure to date in the current financial year is £83,000.

Economic and Monetary Union

Mr. Gill: To ask the Prime Minister, pursuant to the answer of 17 May 2000 from the hon. Member for Welwyn Hatfield (Miss Johnson), *Official Report*, column 185W, if the decision to implement a national changeover plan was taken in Cabinet. [129755]

The Prime Minister: *[holding answer 7 July 2000]*: It is established practice under section 2 of the Code of Practice on Access to Government Information not to disclose information relating to proceedings of Cabinet.

Public Bodies

Mr. Allan: To ask the Prime Minister how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which he has made to non-departmental public bodies since 1 May 1997 were women. [129838]

The Prime Minister *[holding answer 11 July 2000]*: Since 1997 I have made 149 appointments to non-departmental bodies of whom 58 were women. Of these 10 (14.9 per cent.) women were paid and 48 (31 per cent.) women unpaid.

Pesticides Tax

Mr. Alan Simpson: To ask the Prime Minister if he will list the *(a)* representations he has received and *(b)* meetings he has held on the proposed Pesticides Tax with (i) UKASTA, (ii) NOAH, (iii) the National Farmers Union, (iv) the Country Landowners Association, and (v) named agrochemical companies, giving the date and durations of the meetings. [131104]

The Prime Minister: I refer my hon. Friend to the answer given to him by my hon. Friend, the Financial Secretary to the Treasury on 21 June 2000, *Official Report*, columns 215–16W.

Government's Annual Report

Mr. Evans: To ask the Prime Minister how many orders the Government have received for the Government's Annual report through the No. 10 Website. [131443]

The Prime Minister: Copies of the Government Annual Report can be ordered over the Internet from The Stationery Office (TSO), either by accessing the TSO site directly, or via the No. 10 Website. Out of a total of 1,353 copies sold by TSO to date, 34 orders have been taken on the Internet. It is not possible to distinguish how many of these were via the TSO web-site directly and how many were via the No. 10 Website.

Philip Gould

Mr. Gordon Prentice: To ask the Prime Minister how many people were on the list of recipients of the leaked memos from Philip Gould; and if he will make a statement. [132317]

The Prime Minister: It is not my practice to comment on matters connected with a leak investigation.

Appointments

Mr. Baker: To ask the Prime Minister what the role is of the Secretary of Appointments; what *(a)* salary and *(b)* selection procedure applies to this position; and what his responsibilities are. [132348]

The Prime Minister *[holding answer 24 July 2000]*: I refer the hon. Member to the answer I gave to the right hon. Member for South-West Surrey (Mrs. Bottomley) on 1 November 1999, *Official Report*, column 5W. In line with established practice the salaries of individual civil servants are not disclosed as this would breach the privacy of the individuals concerned.

Mr. Baker: To ask the Prime Minister, pursuant to his answer of 10 July 2000, *Official Report*, column 425W, regarding appointments, (1) if he will list the positions for which his official advice is routinely sought during selection processes; [132327]

(2) if he will list the level of remuneration attached to the appointments he makes as Prime Minister. [132328]

The Prime Minister *[holding answers 24 July 2000]*: I will write to the hon. Member.

Lords Lieutenant

Mr. Baker: To ask the Prime Minister, pursuant to the answer of 13 July 2000, *Official Report*, column 663W, on Lords Lieutenant, if he will make a statement on the consultation process which is carried out prior to the appointment of a Lord Lieutenant. [132326]

The Prime Minister *[holding answer 24 July 2000]:* I have nothing to add to the answer given by my hon. Friend.

Mr. Baker: To ask the Prime Minister, pursuant to the answer of 13 July 2000, *Official Report*, column 663W, on Lords Lieutenant, if it is his policy to advertise vacancies for Lord Lieutenancies. [132332]

The Prime Minister *[holding answer 24 July 2000]:* No. It is usually well known in a county when a Lord Lieutenant is due to retire.

Duty Roster

Mr. Peter Bottomley: To ask the Prime Minister how information is made available on each Department's daily duty ministerial duty roster for the summer adjournment. [132975]

The Prime Minister *[holding answer 27 July 2000]:* This is a matter for Departments.

Research and Information Office

Mr. Lansley: To ask the Prime Minister what is the cost in the current financial year of the *(a)* salary bill and *(b)* general running costs of the Research and Information Office in 10 Downing Street. [132692]

The Prime Minister: The actual costs to date for the current financial year of the Research and Information Office are £104,761 for the salary bill and £18,169 for running costs.

Press Releases

Mr. Lansley: To ask the Prime Minister how many press releases were issued by his Office in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* this year to date; and what the total cost of the production and issuing of these press releases was in each year. [132755]

The Prime Minister: As was the case under the previous Administration, the majority of press releases issued by my office relate either to appointments or speeches.

Information on the number of press releases issued by my Office is as follows:

Year	*Number of press notices*
1997	119
1998	204
1999	138
2000[1]	106

[1] From 1 May
To date

Information on staff time spent on the preparation of press releases or costs incurred in their distribution is not separately recorded.

British-Irish Council

Mr. Rooney: To ask the Prime Minister when the British-Irish Council will next meet. [133855]

The Prime Minister: The Irish Government will host the next Summit meeting of the British-Irish Council in Dublin on Tuesday 31 October 2000.

Chief Commissioner (Police)

Mr. Watts: To ask the Prime Minister when the annual report of the Chief Commissioner appointed under section 91(1)(a) of the Police Act 1997 will be laid before the House; and if he will make a statement. [133856]

The Prime Minister: A copy of Sir Andrew Leggatt's annual report for 1999 is being laid before the House today in accordance with section 107(3) of the Police Act 1997. After consultation with the Chief Commissioner material in an annex to a report has been excluded from that copy under section 107(4) of the Act because its publication would be prejudicial to the prevention or detection of serious crime.

This is Sir Andrew's first annual report. I am most grateful to him and his colleagues for the work which has gone into preparing it.

Parliamentary Questions

Mr. Gill: To ask the Prime Minister when he will answer question 129755, tabled by the hon. Member for Ludlow on 4 July. [133936]

Mr. Nicholls: To ask the Prime Minister when he will answer the question tabled by the hon. Member for Teignbridge for answer on 17 July (reference 131363). [133939]

The Prime Minister: I have done so today.

Electronic Communications Act 2000

Mr. Cotter: To ask the Prime Minister what orders he *(a)* has made and *(b)* intends to make using section 8 of the Electronic Communications Act 2000; and if he will make a statement. [133384]

The Prime Minister: I refer the hon. Member to the answer given to him today by my right hon. Friend the Minister of State, Cabinet Office.

Alastair Campbell

Mr. Redwood: To ask the Prime Minister what restrictions are placed on his Press Secretary in relation to actions and statements of a party political nature. [133474]

The Prime Minister: I refer the right hon. Member to the answer I gave to the hon. Member for South Cambridgeshire (Mr. Lansley) on 23 June 2000, *Official Report*, column 328W.

Mr. Redwood: To ask the Prime Minister to whom Mr. Alastair Campbell reports. [133475]

The Prime Minister: Me.

Reports

Mr. Stunell: To ask the Prime Minister if he will list the reports submitted to his Department, by bodies that were created after May 1997 and that include significant and plural membership from outside the Civil Service, stating in each case the body writing the report, the date the report was submitted, how many recommendations were made, the number of those recommendations that have been implemented to date and the number of recommendations that have been rejected; and if he will make a statement. [133561]

The Prime Minister: I refer to the answer given to the hon. Member today by my hon. Friend, the Parliamentary Secretary, Cabinet Office.

Ministerial Visits

Mr. Derek Twigg: To ask the Prime Minister if he will list *(a)* Government expenditure on ministerial overseas visits for the financial years 1995–96 to 1999–2000 and *(b)* all visits overseas undertaken by Cabinet Ministers costing in excess of £500 between 1 April 1999 and 31 March 2000, including the cost, destination and purpose of the visit. [133854]

The Prime Minister: Expenditure on Ministerial overseas visits for the periods requested is estimated as follows:

Year	*£ million*
1995–96	7.3
1996–97	7.9
2 May 1997–31 March 1998	6.4
1998–99	4.9
1999–2000	4.6

The figure for 1995–97 does not include some expenditure falling to the Scottish Office, the Ministry of Defence and the Welsh Office because the information was not recorded centrally or is incomplete. Full costs are available from 1996–97 onwards. All figures are in 1999–2000 prices[1]. The figure for 1999–2000 reflects payments made so far for travel undertaken in this period; a few bills have yet to be submitted to Departments for payment.

A list of all visits overseas undertaken by Cabinet Ministers costing £500 or more during the period 1 April 1999 to 31 March 2000 has been placed in the Libraries of the House. The list provides details of the date, destination and purpose of all such visits and the cost of Ministers' travel and accommodation where appropriate.

[1] Using GDP deflators dated 29 June 2000

Ministerial Residences

Mr. Baker: To ask the Prime Minister, pursuant to his answer of 5 June 2000, *Official Report*, column 50W, on ministerial residences, how much has been spent on each property and the residences within them for each year since 1 May 1997, and how much in each case for each year of the sums spent was spent on *(a)* kitchens, *(b)* bathrooms, *(c)* vehicle-related facilities and *(d)* leisure facilities. [125903]

The Prime Minister *[holding answer 13 June 2000]:* The cost of routine maintenance and repairs in 1997–98 and 1998–99 respectively were: 10 Downing Street flat (£3,994 and £5,824), 11 Downing Street flat (£16,471 and £48,336), Government House, Pimlico (£2,604 and £14,848), and the Carlton Gardens flat (£19,093 and £3,510). For Admiralty House for 1997–98 the Cabinet Office spent £65,452 and the other Departments £63,901, £78,759 and £17,000 respectively. For the following year costs only fell to the Cabinet Office which were £63,650.

In 1997–98 and 1998–99 respectively, £1,896 and £1,336 was spent on maintenance and minor works on the accommodation in Hillsborough Castle used by Northern Ireland Office Ministers while on duty in Northern Ireland.

For details in respect of expenditure in 1999–2000 I refer the hon. Member to the answer I gave him on 5 June 2000, *Official Report*, columns 50–51W.

It is not possible to disaggregate expenditure on maintenance and repair in the manner requested.

Mr. Baker: To ask the Prime Minister what has been the total cost to public funds for each year since 1 May 1997 in respect of *(a)* entertainment and *(b)* staff costs for (i) Chequers and (ii) Chevening. [129227]

The Prime Minister *[holding answer 5 July 2000]:* Expenditure on entertainment was as follows:

£

	Chequers	*Chevening*
1 May 1997 to 31 March 1998	11,279	19,800
1 April 1998 to 31 March 1999	10,462	5,658
1 April 1999 to 31 March 2000	7,867	13,024

Staff costs figures for Chequers by amounts charged for these periods were as follows:

	£
1 May 1997 to 31 March 1998	264,950
1 April 1998 to 31 March 1999	315,292
1 April 1999 to 31 March 2000	364,319

Figures relating to Established Staff at Chevening are unavailable since costs are borne by the Chevening Trust and fall outside the jurisdiction of and budgets of the FCO. Charges for ad hoc staff employment are included in the figures for entertainment.

This expenditure is comparable with that of the previous Administration.

Lord Levy

Mr. Maude: To ask the Prime Minister when Lord Levy will next be meeting the Israeli Prime Minister. [130460]

The Prime Minister *[holding answer 13 July 2000]:* This is a matter for Lord Levy.

Mr. Maude: To ask the Prime Minister if he will list the overseas trips which have been planned for Lord Levy acting as his personal envoy. [130459]

The Prime Minister *[holding answer 13 July 2000]:* There are no firm plans at present.

Mr. Maude: To ask the Prime Minister what the cost to public funds was of Lord Levy's last visit to Syria. [130458]

The Prime Minister *[holding answer 13 July 2000]:* Lord Levy's last visit to Syria was, like some members of the Opposition, as a member of the official party to the condolence ceremony to mark the death of President Hafez al Asad. The costs of assistance provided were not separately itemised.

Mr. Maude: To ask the Prime Minister whom Lord Levy briefed following his visit to Syria. [130457]

The Prime Minister *[holding answer 13 July 2000]:* Following his visit to Syria in May, Lord Levy briefed me, my right hon. Friend the Foreign Secretary and my hon. Friend the Minister of State, Foreign and Commonwealth Office in person. The visit was also reported by telegram by the Ambassador in Damascus, who attended all Lord Levy's meetings.

Mr. Maude: To ask the Prime Minister in which regions of the world Lord Levy acts as a Prime Ministerial envoy. [130469]

The Prime Minister *[holding answer 13 July 2000]:* The Middle East and North Africa.

Ministerial Code

Mr. Nicholls: To ask the Prime Minister who the final arbiter is on questions involving the Ministerial Code of Conduct when the Minister involved is the Prime Minister. [131363]

The Prime Minister: It is for individual Ministers—including the Prime Minister—to account to Parliament for their actions and decisions.

Press Officers

Mr. Lansley: To ask the Prime Minister how many press officers were employed in his Department in *(a)* May 1997, *(b)* January 1998, *(c)* January 1999 and *(d)* January 2000; and what the total expenditure on press officers by his Department was in each of the years concerned. [132765]

The Prime Minister: The number of Press Officers employed and expenditure incurred by the Press Office at No. 10 is as listed. The expenditure is the total pay bill for all the staff in the Press Office, which includes the Press Officers as well as the support staff.

The details are listed per financial year.

£

Financial year	*Number of press officers*	*Cost per financial year*
1 April 1997–31 March 1998	Chief Press Secretary 5 Press Officers 2 Special Advisers	[1]556,798
1 April 1998–31 March 1999	Chief Press Secretary 5 Press Officers 2 Special Advisers	[1]584,746
1 April 1999–31 March 2000	Chief Press Secretary 6 Press Officers 2 Special Advisers	[1]618,174

[1] Actual pay

Ministerial Advisers

Mr. Matthew Taylor: To ask the Prime Minister if he will list the *(a)* paid and *(b)* unpaid Special Advisers to Ministers indicating when each adviser was appointed. [132794]

The Prime Minister: Listed are the paid and unpaid Special Advisers in post on 24 July 2000. All appointments require my prior approval. Information on the actual date of appointment of Special Advisers is not held centrally as Ministers are not required to inform me of the date individual Advisers start work.

Minister	*Special Adviser*
The Prime Minister	Jonathan Powell
	Alastair Campbell
	Kate Garvey
	Anji Hunter
	David Miliband
	Hilary Coffman
	Roger Liddle
	James Purnell
	Derek Scott
	Robert Hill
	Geoff Mulgan
	Geoffrey Norris
	Peter Hyman
	Liz Lloyd
	Phil Bassett
	David Bradshaw
	Andrew Adonis
	Ed Richards
	Bill Bush
	Phil Murphy
	Catherine Rimmer
	Bob Bartram
	Carey Oppenheim
	Carl Sobhan
	Chris McShane
	Fiona Millar

Minister	*Special Adviser*
Chief Whip (Commons)	Ian McKenzie Sue Jackson
Chief Whip (Lords)	Margaret Ounsley
Minister of Agriculture, Fisheries and Food	Kieran Simpson Jack Thurston
Secretary of State for Culture, Media and Sport	Andy Burnham Ruth Mackenzie
Secretary of State for Defence	Alasdair McGowan Andrew Hood
Secretary of State for Education and Employment[1]	Conor Ryan Leala Padmanabhan[2,3] Tom Engel Nick Pearce
Deputy Prime Minister	Joe Irvin Paul Hackett[3] Joan Hammell Adrian Long David Wilson[3]
Secretary of State for Foreign and Commonwealth Affairs	David Clark Michael Williams
Secretary of State for Health	Simon Stevens Darren Murphy
Secretary of State for the Home Department	Ed Owen Justin Russell
Lord Chancellor	Garry Hart
Secretary of State for International Development	David Mepham Dee Sullivan
Leader of the House of Lords and Minister for Women	Clare Cozens Jo Gibbons
Secretary of State for Northern Ireland	—
Minister for the Cabinet Office[4]	Nigel Warner Andrew Lappin
President of the Council and Leader of the House of Commons	Sheila Watson Nicci Collins
Secretary of State for Scotland	Richard Olszewski Michael Elrick Professor Mike Donnelly[3,5]
Secretary of State for Social Security	Andrew Maugham Elsbeth Johnson
Secretary of State for Trade and Industry	Dan Corry Jo Moore[3]
Chancellor of the Exchequer[6]	Ed Balls (Chief Economic Adviser) Ian Austin
Chief Secretary	Paul Andrew Ed Miliband
Secretary of State for Wales	Andrew Bold Adrian McMenaman

[1] In addition, the Secretary of State for Education and Employment has appointed Professor Michael Barber as Standards and Effectiveness Adviser.
[2] Leala Padmanabhan appointed as a temporary Special Adviser to provide cover for Sophie Linden who is on maternity leave.
[3] Part-time
[4] In addition, the Minister for the Cabinet Office has appointed Keith Hellawell as the UK Anti-Drugs Co-ordinator and Michael Trace as the Deputy UK Anti-Drugs Co-ordinator on Special Adviser terms.
[5] Unpaid
[6] In addition, the Chancellor of the Exchequer has appointed Chris Wales, Paul Gregg, Shriti Vadera and Maeve Sherlock as Members of the Council of Economic Advisers.

G8 Summit

Mr. Spring: To ask the Prime Minister how many people accompanied the Prime Minister to the G8 Summit; and how many officials represented the UK at the Summit. [132874]

The Prime Minister: I represented the United Kingdom at the Summit.

I was accompanied by five key No. 10 officials, five senior Foreign and Commonwealth Office officials, two senior officials from HM Treasury and an interpreter. In addition, 18 journalists accompanied me at their own expense.

In line with the practice of previous Administrations, I was supported by the usual number of security and secure telecommunications staff that accompany a Prime Minister on an overseas visit.

Mr. Spring: To ask the Prime Minister if he will estimate the cost of *(a)* travel, *(b)* accommodation and *(c)* other expenses associated with United Kingdom attendance at the G8 Summit. [132876]

The Prime Minister: No. Details of costs are not yet available.

HEALTH

Human Fertilisation and Embryology Act 1990

Ms Shipley: To ask the Secretary of State for Health (1) during which month the Minister for Health will respond to the 1998 Review by Professor Sheila McLean of the Human Fertilisation and Embryology Act 1990; [126779]

(2) if he will make a statement on the issue of retrospectivity of child birth registration raised in the 1998 review of the Human Fertilisation and Embryology Act 1990 by Professor Sheila McLean; [127431]

(3) if he will make a statement on the issue of inheritance as raised in the review of the Human Fertilisation and Embryology Act 1990 by Professor Sheila McLean. [128774]

Yvette Cooper *[holding answers 19 June and 23 June 2000]:* Professor Sheila McLean made a number of recommendations about consent issues under the common law for the removal of human gametes (sperm and eggs) and the consent provisions in the Human Fertilisation and Embryology Act 1990 for their storage and use. The McLean report did not recommend making child birth registering retrospective. The report recommended that the law of succession should not be amended to secure succession rights for children born after the death of the sperm provider. We will make an announcement on the Government's response to the McLean report in August.

Hospital Consultants' Contracts

Mr. Edwards: To ask the Secretary of State for Health what plans he has to change hospital consultants' contracts to increase the proportion of them who work exclusively for the NHS. [128700]

Mr. Denham: Our proposals on the reform of hospital consultants' contracts are set out in "The NHS Plan: A Plan for Investment, A Plan for Reform", copies of which are available in the Library.

Health Council

Mr. Jim Marshall: To ask the Secretary of State for Health what the outcome was of the Health Council held in Brussels on 29 June; and if he will make a statement. [129300]

Ms Stuart: I attended the Health Council on 29 June in Luxembourg on behalf of the United Kingdom.

The items in the table were discussed.

Agenda item	*Issue*	*UK position*	*Outcome*
1. Approval of provisional agenda	—	—	—
2. Approval of "A" points	—	—	—
3. Proposal for a Directive on the approximation of the laws, regulations and administrative provisions of the member states concerning the manufacture, presentation and sale of tobacco products (recast)	To agree a revised text on a proposal for a Directive regarding the manufacture, presentation and sale of tobacco products. The Directive consolidates and strengthens three previous directives. It would reduce tar and nicotine yields and introduce a new maximum carbon monoxide yield for all cigarettes manufactured in the EU; increase the size of health warnings and toughen them; ban misleading descriptions such as "light" and "mild"; and require and publicise information on additives	The UK supports the revised text	Commissioner Byrne outlined the proposal and a compromise text, containing the European Parliament's amendments, was tabled. Common position was reached despite Germany voting against and Austria, Spain and Luxembourg abstaining
4. Communication from the Commission on the health strategy of the European Community and Proposal for a Decision adopting a programme of community action in the field of public health (2001–06)	To receive a Communication on the health strategy. This includes a proposal for a public health action programme which will be subject to the co-decision procedure and will be negotiated by the Council and the Parliament in the autumn	The UK broadly welcomes the proposals but with the caveat that they should enhance our national efforts and focus on areas where Community action can bring genuine added value, without straying into areas where the Community has no competence	Commissioner Byrne presented the Communication and there was an initial exchange of views between member states, with general approval of the overall direction
5. Follow up to the Evora Conference on health determinants	To adopt a Resolution on action on health determinants	The UK supports the Resolution	The Resolution was adopted
6. Follow up to the Lisbon Conference on medicinal products and public health	To adopt Conclusions on medicinal products and public health	The UK supports the Conclusions	The Conclusions were adopted

Agenda item	*Issue*	*UK position*	*Outcome*
7. WHO Framework Convention on Tobacco Control	Update on developments on the WHO Framework Convention on Tobacco Control	UK supports the objective of the Convention in securing global action to support national initiatives	Oral report from Commissioner Byrne, underlining the need for co-ordinated action in line with the Commission's negotiating mandate. There was no discussion on this item
8. Follow up to the Feira European Council	To take forward the public health aspects of the Feira Council Conclusions including the integration of health into other Community policies, Food Safety White Paper and the Precautionary Principle	The UK welcomes the recognition of health as both a vertical and a horizontal issue. The UK's response to the proposals for a European Food Agency has been submitted to the Commission. The UK broadly welcomes the Commission's Communication on the Precautionary Principle but it is still subject to inter-departmental discussion	Health Ministers noted the outcome of the Feira summit and the Commissioner's remit to look at ways in which the horizontal aspects of the health agenda could be addressed
9. Any other business a. Conference of experts on quality and safety in the transplantation of tissue and organs of human origin	—	—	The Presidency gave an oral report on the outcome of the conference
b. Medical Devices for self-diagnosis of HIV	Note from the Danish delegation concerning proposals to prohibit the marketing and use of medical devices for self-testing of HIV in Denmark	The UK has no legislation in place. It does not see the need for separate regulation in this area as the Medical Devices Directive allows member states to introduce national provisions	Commissioner Byrne agreed to bring this issue to the attention of Commissioner Liikanen, Commissioner for Enterprise
c. Follow up of the CIDEX case	A note from the Belgian delegation raising concerns about the recall of CIDEX, a medical device disinfectant produced in the UK, and proposed revisions to the Medical Devices Directive	The UK acknowledges the concerns raised by Belgium and is co-operating fully with the Belgian authorities. It agrees that there are some areas where the Directive needs strengthening	Following a statement from the UK, Commissioner Byrne agreed to bring this issue to the attention of Commissioner Liikanen
d. Errors when administering intravenous medication in emergencies	Note from the Belgian delegation proposing that minimal standards or norms be defined at European level for emergency injectable drugs	The UK would resist any proposal to introduce more legislation on this issue as it is already adequately covered	Commissioner Byrne agreed to bring this issue to the attention of Commissioner Liikanen

TB

Mr. Blizzard: To ask the Secretary of State for Health if he will make a statement on the incidence of tuberculosis among homeless and poorly housed people. [130728]

Yvette Cooper: Certain parts of the community—certain ethnic minority populations including immigrants from areas with a high prevalence for tuberculosis, older white people who were exposed to TB when they were younger, homeless people and HIV infected individuals—are at an increased risk from TB.

Information on tuberculosis rates in homeless people, along with recommendations for prevention and control, is contained in the June 1996 report of the Interdepartmental Working Group on Tuberculosis entitled "Tuberculosis and Homeless People, A review and recommendations for health professionals, local authorities and voluntary and support groups". Copies are available in the Library.

The Department has also funded The Passage Day and Nightshelter for the homeless to write a project on TB control and prevention, which we hope will be available soon. The aims of the report are to improve identification and cure rates for TB in homeless people and to develop a proactive education and awareness programme of TB aimed at homeless individuals and voluntary sector workers and volunteers.

Information on the incidence of tuberculosis among poorly housed people is not collected.

Dr. Gibson: To ask the Secretary of State for Health if he has plans to restore TB vaccination. [132428]

Yvette Cooper: Bacillus Calmette-Guerin (BCG) the vaccine used to protect against tuberculosis has been and is still used to protect those most at risk from TB such as health service and veterinary staff, contacts of people known to be suffering from active pulmonary TB, immigrants from countries with a high prevalence of TB and their children and infants wherever born, including this country. However, due to severe manufacturing problems encountered by the sole United Kingdom licensed source, Celltech Medeva, routine immunisation of 10 to 14-year-olds was suspended nationally in September 1999.

The Department did try to obtain UK licensed and batch released BCG vaccine from elsewhere before suspending the schools BCG immunisation programme. However, only Celltech Medeva vaccine meets these requirements at present. The Department has identified

other manufacturers of BCG vaccine worldwide and is investigating these possible sources together with experts from the National Institutes for Biological Standards and Control, the Medicines Control Agency and NHS Purchasing Supply Agency. Products from different manufacturers vary in their composition and side effect profile, and we will need to be assured of the safety and efficacy of these products and that they satisfy current UK requirements.

Suspending the schools programme has allowed us to maintain supplies of the vaccine for all those at a higher risk of TB mentioned above. However we have remained committed to restarting the schools programme as soon as sufficient supplies of the vaccine were available. On 19 July 2000, the Department announced that there is now sufficient supply of vaccine to restart the routine schools programme initially in the London area, where the highest rate of TB in the country currently occurs. We hope to announce, by the end of the summer, when we will have enough vaccine to start the schools programme again in the rest of the country. Copies of the Department's press release of 19 July are available in the Library.

Fertility Treatments

Mr. Hancock: To ask the Secretary of State for Health which health authorities limit free IVF treatment to patients who have become infertile due to errors by the NHS; and if he will make a statement. [130478]

Yvette Cooper: The information requested is not available centrally.

Free Prescriptions

Mr. Gerald Howarth: To ask the Secretary of State for Health what was the total cost of free prescriptions in *(a)* 1970, *(b)* 1980, *(c)* 1990 and *(d)* 1999. [131109]

Ms Stuart: Information for 1970 is not available. The net ingredient cost of prescriptions dispensed in the community in England by community pharmacists and appliance contractors for 1977 (the earliest year for which information is available), 1980, 1990 and 1999 is shown in the table. Prescriptions dispensed by dispensing doctors cannot be analysed in this way.

Net ingredient cost of prescriptions dispensed by community pharmacists and appliance contractors, 1977, 1980, 1990 and 1999 England

£ million

Year	Charged	Exempt and NHS LIS[2]	No charge contraceptives	Grant total
1977	175.7	250.5	8.2	434.4
1980	262.7	444.1	9.2	716.0
1990	543.1	1,508.2	27.9	2,079.2
1999	946.9	3,848.3	40.5	4,835.7

[1] Includes prescriptions dispensed to pre-payment certificate holders
[2] NHS LIS: NHS Low Income Scheme

Notes:
1. The analysis is based on a 1 in 20 sample of all prescriptions submitted to the Prescription Pricing Authority by community pharmacists and appliance contractors. Items dispensed by dispensing doctors and personal administration prescriptions are excluded. Dispensing doctor prescriptions are not analysed into exempt, non exempt, or other categories; personally administered items are free of charge. The analysis of exempt and chargeable prescriptions is available only from 1977.
2. 1997, 1980 and 1990 data are based on fees. 1999 data are based on items.
3. The net ingredient cost (NIC) is the basic cost of a drug and does not take account of discounts, dispensing costs, fees or prescription charges income.

Departmental Initiatives

Dr. Lynne Jones: To ask the Secretary of State for Health if he will list each departmental initiative since May 1997 requiring bids for funding together with the total resources available, the number of successful bids and the proportion this represents of total bids received; and what data he collects on the average expenditure of organisations bidding for funding through each initiative. [131079]

Mr. Denham: The available information is contained in the tables. Information is not routinely collected on organisations' expenditure as part of bidding exercises.

1997–98

Budget title	Total budget expenditure 1997–98 £000	Proportion handled via a bidding process: Bids received Number	Bids received £000	Bids agreed Number	Bids agreed £000
Special Assistance to HAs	48,920	19	78,660	14	48,420
NHS Training for Doctors	1,537	1	65	1	65
Ethnic Health Unit Development Work	500	244	[1]	8	500
Ethnic Minority Health	407	27	[1]	13	407
Breast Cancer Services	1,377	[1]	[1]	12	1,377
Research and Development					
Northern and Yorkshire Region	6,138	323	21,243	93	2,368
Trent Region	4,359	125	4,375	23	817
Anglia and Oxford Region	10,040	92	3,099	42	1,175
North Thames Region	6,956	118	8,847	16	1,974
South Thames Region	6,078	154	8,415	27	1,280
South West Region	7,408	277	14,931	75	2,214
West Midlands Region	4,717	115	3,391	39	1,055
North West Region	6,993	232	17,114	65	4,315
Drug and Alcohol Specific Grant	2,300	158	4,780	81	2,300
Medical and Dental Education Levy-West Midlands Region	54,453	50	1,439	34	699

[1] Information not available

1998–99

Budget title	Total budget expenditure 1998–99 £000	Proportion handled via a bidding process: Bids received Number	Bids received £000	Bids agreed Number	Bids agreed £000
PDS Pilots	3,679	22	5,500	16	3,679
Special Assistance Fund	47,600	21	83,169	16	24,600
Medical Curriculum Development Scheme	221	31	1,849	5	195
Ethnic Minority Health	407	24	—	18	407
Ethnic Health Unit Development Work	500	—	—	9	500
NHS Training for Doctors	1,784	8	109	8	109
Research and Development					
Central	349,974	388	424,000	291	348,000
Northern and Yorkshire Region	5,595	398	26,903	80	2,996
Trent Region	4,556	147	5,105	27	1,030
Anglia and Oxford Region	10,121	63	2,314	28	802
North Thames Region	6,426	110	9,704	19	1,426
South Thames Region	5,434	192	1,131	31	1,377
South West Region	6,524	270	13,928	87	2,723
West Midlands Region	4,679	125	155	39	698
North West Region	7,107	80	7,324	22	2,071
Mental Health Grant	72,200	[1]—	[1]—	98	3,500
Training Support Grant	35,500	125	2,130	125	537
Drug and Alcohol Specific Grant	2,400	224	4,050	118	2,400
Medical and Dental Education Levy-West Midlands Region	58,923	53	3,650	37	936

[1] Information not available

1999–2000

Budget title	Total budget expenditure 1999–2000 £000	Proportion handled via a bidding process: Bids received Number	Bids received £000	Bids agreed Number	Bids agreed £000
NHS Roles, Functions and Costs Project	154	23	—	10	151
Personal Dental Service Pilots	12,274	40	7,000	25	4,000
Special Assistance Fund	41,670	16	49,090	15	41,670
Ethnic Health Unit Development Work	500	[1]—	[1]—	9	500
Ethnic Minority Health	407	8	[1]—	8	407
Purchase of Vaccines	213,929	182	10,000	12	5,000
Medical Curriculum Development Scheme	255	2	204	1	219
NHS Training for Doctors	1,807	9	146	7	110
Out of hours	2,035	700	5,633	77	2,035
Walk-in Centres	2,222	101	414,413	36	2,252
NHS Walk-in Centres (Capital)	1,884	101	57,124	36	6,271
Health Action Zones	46,196	261	14,454	89	2,307
Breakfast Clubs	100	10	204	6	100
Public Health Development Fund	501	35	1,665	9	284
Research and Development					
Central	360,134	43	6,600	39	5,000
Northern and Yorkshire Region	5,407	321	15,733	2,479	2
Trent Region	4,421	100	3,500	13	495
Eastern Region	2,969	80	4,596	34	1,611
London Region	7,494	121	[1]—	12	1,568
South East Region	7,327	136	9,343	19	1,257
South West Region	4,574	187	9,596	45	1,327
West Midlands Region	4,801	82	193	31	87
North West Region	6,827	174	12,288	42	2,815
Medical and Dental Education Levy					
Northern and Yorkshire Region	4,579	16	204	13	184
Trent Region	17,051	4	85	4	85
London Region	14,030	12	305	8	150
West Midlands Region	62,044	33	1,542	21	867
Training Support Grant	39,000	351	6,005	343	5,353
Mental Health Grant	115,000	[1]—	[1]—	[1]—	7,200
Drug and Alcohol Specific Grant	4,600	132	3,741	62	2,007
Medical and Dental Education Levy-North West Region	50,184	44	1,354	9	310

[1] Information not available

2000-01

Budget title	Total spend to the end of June 2000 £000	Proportion handled via a bidding process: Bids received Number	Bids received £000	Bids agreed Number	Bids agreed £000
PDS Pilots (Revenue)	0	64	17,000	39	8,000
Special Assistance Fund	0	19	66,020	15	36,750
Medical Curriculum Development Scheme	0	0	0	0	75
Pathology Services	0	186	83,000	41	15,000
Audiology Services	0	97	—	15	4
Ethnic Health Unit Development Work	0	—	—	1	500
Research and Development					
Central Budget	93,861	109	18,000	97	10,000
Northern and Yorkshire Region	738	178	8,296	52	1,019
Eastern Region	610	37	2,422	18	1,181
London Region	1,212	15	—	2	941
South East Region	874	26	1,720	7	105
South West Region	992	47	506	8	94
Medical and Dental Education Levy					
London Region	4,192	30	450	24	300
West Midlands Region	14,139	30	403	19	246
North West Region	12,130	60	1,140	22	149

— Information not available

Note:

The table excludes allocations or awards that were based on pre-determined tests, formula or criteria or where the sums issued were as a result of competitive tendering arrangements.

Meat Inspection

Mr. Gill: To ask the Secretary of State for Health when he will respond to the report of the task force on meat inspection charges. [R] [131098]

Ms Stuart: I refer the hon. Member to the answer given on 3 July 2000, *Official Report*, column 29W.

Mr. Gill: To ask the Secretary of State for Health what discussions he has had with the French Presidency regarding the future of meat inspection charges. [R] [131099]

Ms Stuart: None, because there is currently no proposal before the European Union Council of Ministers to alter the EU legislation on meat inspection charges. However, my right hon. Friend the Minister of Agriculture, Fisheries and Food has had discussions with the European Commission about the application of that legislation in other member states.

AIDS

Dr. Gibson: To ask the Secretary of State for Health what factors underlie NHS guidance recommending that men be given priority over women in the allocation of AIDS treatment. [131483]

Yvette Cooper: I am not aware of such a recommendation.

CJD

Dr. Gibson: To ask the Secretary of State for Health what assessment the Food Standards Agency has made of the evidence concerning a cluster of new variant CJD cases in Leicestershire. [131484]

Yvette Cooper: I am advised by the Food Standards Agency that it is aware of the recent cases of variant Creutzfeldt Jakob Disease (vCJD) in Leicestershire, and welcomes the investigation which is currently underway to look into the circumstances of the apparent cluster. This may provide a useful opportunity to learn more about the possible causes of vCJD. The agency has asked to be kept in close touch with developments and has offered any assistance that may be required. The results of the investigation will be carefully considered once they are available.

Mr. Baker: To ask the Secretary of State for Health, pursuant to his answer of 9 March 2000, *Official Report*, column 786W, regarding BSE, if his Department's investigation into the cluster of new variant CJD cases in Leicestershire will use as the basis of its investigation his Department's own assessment of the hierarchy, by method of transmission, of the likelihood of risk of transmission of BSE. [133500]

Yvette Cooper: The investigation of the apparent cluster of variant Creutzfeldt Jakob disease currently under way will look for any common links of exposure. This will include examination of the medical records of patients and their dietary and occupational histories.

Medicinal Product Licences

Mr. Hancock: To ask the Secretary of State for Health for what reason a medicinal product licence is required for a product that is a mixture of two or more ingredients that would, if sold separately, need no such licence; what plans he has to review the law on this matter; and if he will make a statement. [131489]

Ms Stuart: A product licence is required for any substance or substances which come within the legal definition of a medicinal product and which are not exempt from licensing. A medicinal product may contain some ingredients which would not, if sold separately without making medicinal claims, be classified as medicinal products. It may also contain ingredients which are herbal remedies and would, if sold separately and subject to certain conditions, be classified as medicinal

products exempt from licensing. That exemption is not available to a product in which the two types of ingredient are combined. We have no plans to review the law on combination products.

Mental Health

Dr. Lynne Jones: To ask the Secretary of State for Health, pursuant to his answer of 17 July 2000, *Official Report*, column 73W, on the reform of the Mental Health Act 1983, if his Department has produced a summary of responses to the Green Paper on reform of the Mental Health Act 1983. [131720]

Mr. Hutton: No, the analysis of responses to the Green Paper on reform of the Mental Health Act 1983 is not yet complete.

The Government intend to publish a summary of the analysis of responses to the consultation exercise to Parliament in the autumn, and will set out the detail of its proposals in a White Paper to be published before Christmas.

Health Care Capital Projects

Ms Keeble: To ask the Secretary of State for Health how many capital projects in health care have been approved in Northampton since May 1997. [131943]

Mr. Denham: The table sets out details of health care capital projects in Northamptonshire which have been approved by the South East Regional Office of the National Health Service Executive since May 1997.

Details of capital schemes not requiring approval at regional level can be obtained direct from the relevant National Health Service trust.

NHS Trust	*Status and Approval Date*	*Purpose*
Northampton Community Healthcare NHS Trust	Outline Business Case April 1999	Reprovision of mental health facilities
Northampton Community Healthcare NHS Trust	Outline Business Case August 1999	Reprovision of mental health facilities
Rockingham Forest NHS Trust	Outline Business Case November 1999	Reprovision of mental health inpatient ward
Northampton Community Healthcare NHS Trust	Full Business Case February 1999	Development of Mental Health Intensive Care Unit
Northampton Community Healthcare NHS Trust	Full Business Case August 1999	Reprovision of Learning Disability services

Breast Cancer

Mrs. Mahon: To ask the Secretary of State for Health what assessment she has made of the possibility of the two-view mammographic screening programme for breast cancer being made available to all women. [131894]

Yvette Cooper: We announced yesterday in the National Plan for the National Health Service that, in addition to extending routine invitations to women aged 65 to 70 within the NHS breast screening programme, the current service will also be upgraded by offering two view mammography at all screening rounds leading to an estimated improvement of some 40 per cent. in detection rates. We will roll out the programme to older women and introduce two-view mammography on a phased basis as sufficient staff become available to guarantee that the high quality of the current programme can be maintained.

Mr. Lidington: To ask the Secretary of State for Health if it is his policy to instruct health authorities which offer screening for breast cancer at intervals of less than three years to move to offering screening once every three years. [133394]

Yvette Cooper: The current national policy is that the National Health Service breast screening programme offers screening once every three years to women aged 50 to 64. This frequency was recommended by the Forrest report, on which the programme was based. The Forrest report also recommended that this frequency must be kept under review, and results are awaited from the United Kingdom Co-ordinating Committee on Cancer Research's Frequency Trial.

There is no national policy to instruct health authorities which offer screening for breast cancer at intervals of less than three years to move to offering screening once every three years.

Therapists

Mr. Gordon Marsden: To ask the Secretary of State for Health what proportion of vacancies have remained unfilled for three months or more for *(a)* speech and language therapists, *(b)* all therapists and *(c)* the NHS overall in (i) Blackpool, Fylde and Wyre, (ii) the North West and (iii) England and Wales. [131736]

Mr. Denham: The available information is contained in the table.

Department of Health Recruitment, Retention and Vacancies Survey—vacancies in NHS Trusts by region and health authority, therapists and all NHS staff three month vacancy rates[1]

Percentages

	England	*North West*	*North West Lancashire HA*[2]
Speech and language therapists staff	1.2	1.2	0.0
All therapists staff[3]	2.5	2.5	1.3
All NHS staff	1.7	1.1	0.5

[1] Posts that had been vacant for three months or more at 31 March 1999

[2] North West Lancashire Health Authority include the following NHS Trusts; Blackpool, Wyre, Fylde and Preston

[3] All therapists staff include; physiotherapists, occupational therapists and speech and language therapists

Notes:

1. Percentages are rounded to one decimal place
2. All NHS staff include non-medical and medical and dental staff

Source:

Department of Health Recruitment, Retention and Vacancies Survey 1999

Mr. Gordon Marsden: To ask the Secretary of State for Health what assessment his Department has made of the change in referral rates to physiotherapists over the last five years for which figures are available. [131740]

Mr. Denham: Information about referral rates to physiotherapists is not collected centrally. Information about patient contacts with the physiotherapy service is available and show that in 1998–99 there were 4.2 million initial contacts, a measure of the number of new episodes of care commenced in the year, about one per cent. more than 1997–98.

Mr. Gordon Marsden: To ask the Secretary of State for Health what proportion of student speech and language therapists who graduated in the last year for which figures are available did not go on to work as speech and language therapists. [131734]

Mr. Denham: The information requested is not held centrally.

Shrewsbury Hospitals

Mr. Paul Marsden: To ask the Secretary of State for Health how many representations he has received against moving hospital services from Copthorne South to Copthorne North in Shrewsbury; and if he will make a statement [131703]

Yvette Cooper: To date, the Secretary of State for Health has received no representations against moving hospital services from Copthorne South to Copthorne North in Shrewsbury.

Mr. Paul Marsden: To ask the Secretary of State for Health when he expects the Copthorne South hospital buildings in Shrewsbury to be demolished; and if he will make a statement. [131705]

Yvette Cooper: The demolition of buildings on Royal Shrewsbury Hospital (RSH) South will occur after the site is subsequently sold, and will be undertaken by the new owners. The timing of this will depend on when a suitable scheme is agreed for moving the services from RSH South currently being developed as part of the business case.

Mr. Paul Marsden: To ask the Secretary of State for Health what health and safety category has been given to Copthorne South hospital buildings; and if he will make a statement. [131701]

Yvette Cooper: The trust has assessed the buildings on Royal Shrewsbury Hospital (RSH) Copthorne South as being predominantly either Health and Safety Category C or Category DX.

In order to mitigate the risks which arise from this, the trust is expected to have in place a formal Risk Management Plan which enables a safe environment to be maintained for patients, staff and visitors until the accommodation can be reprovided elsewhere. Such a plan may involve, for example, additional training for staff, the production of safe working procedures for all staff and the employment of additional staff where required for safety. The trust is of course required under the Management of Health and Safety at Work Regulations to carry out general risk assessments and the development of the Risk Management Plan should be informed by these.

The trust in conjunction with its local colleagues is submitting a business case to the NHS Executive Regional Office for the movement of services from RSH Copthorne South by the end of this financial year.

Hospital Staff (Shropshire)

Mr. Peter Bradley: To ask the Secretary of State for Health how many additional *(a)* doctors and *(b)* nurses have been recruited by Shropshire's hospitals since May 1997. [133202]

Mr. Denham: The information requested is shown in the table.

NHS hospital and community health services (HCHS) Nursing, Midwifery and Health visiting staff/hospital medical staff employed within Shropshire health authority area, as at 30 September each year

	1997	*1998*	*1999*
Nursing, Midwifery and Health visiting staff:			
Whole time equivalents	2,100	2,180	2,240
Numbers (headcounts)	2,620	2,770	2,970
Hospital Medical staff:			
Whole time equivalents	370	380	420
Numbers (headcount)	440	460	520

Notes:
1. Figures are rounded to the nearest ten.
2. Due to rounding totals may not equal the sum of component parts.
3. Figures exclude learners and agency staff.

Source:
Department of Health non-Medical Workforce Census.
Department of Health Medical and Dental Workforce Census.

Dentistry (Shropshire)

Mr. Peter Bradley: To ask the Secretary of State for Health what new dentistry schemes have been funded in Shropshire since May 1997; and how many patients have benefited. [133201]

Ms Stuart: The Investing in Dentistry scheme has seen £409,000 in grants approved in return for promises of 23,900 new National Health Service patient registrations in Shropshire.

The health authority is also piloting a dental access centre, which has been operational since February 1999. The access centre, funded centrally, will see up to 10,000 patients a year.

Health Funding (Shropshire)

Mr. Peter Bradley: To ask the Secretary of State for Health what have been the increases in funding for Shropshire Health Authority in cash and percentage terms for each year since May 1997. [133199]

Mr. Denham: The Information is shown in the table.

Health authority allocations—Shropshire Health Authority

	£ million	*Increase, real percentage*	*Increase, cash percentage*
1997–98	169.6	2.0	4.1
1998–99	178.3	2.1	4.9
1999–2000[1]	247.6	3.9	6.5
2000–01[2]	265.7	4.3	6.9
2001–02[3]	271.0	6.44.3	9.0

[1] Not directly comparable from 1999–2000 onwards due to introduction of unified budgets for HA and primary care services.
[2] Original.
[3] Including budget announcement.

Source:
Department of Health

Waiting Lists (Shropshire)

Mr. Peter Bradley: To ask the Secretary of State for Health what reductions in hospital waiting lists have been achieved in Shropshire since May 1997. [133200]

Mr. Denham: The information for Shropshire Health Authority area is provided in the table.

Number of people waiting for inpatient treatment

	Total
Q1 (June) 1997	7,221
Q4 (March) 2000	6,831

[1] Including day cases

In-patient Waiting Lists

Mr. Swayne: To ask the Secretary of State for Health what percentage of patients on the in-patient waiting list in each NHS trust has been suspended from the list in each year since May 1997. [130513]

Mr. Denham *[holding answer 20 July 2000]:* Patients are suspended from the waiting list because they are medically unfit for the operation, or for social reasons (where a patient is unavailable for admission because of family commitments, holidays or other reasons). The information has been placed in the Library.

Pathologists

Mr. Gordon Prentice: To ask the Secretary of State for Health how many hospital pathology laboratories there are in England; how many have unfilled vacancies; and if he will make a statement. [132318]

Mr. Denham: Statistics for England are collected centrally from 221 National Health Service trusts which have pathology laboratories and from four other statutory organisations.

The available information on their vacancies is contained in the table:

Department of Health recruitment, retention and vacancies survey vacancies in England; pathology staff at 31 March 1999

Whole time equivalents

	Total employed	*Total vacancies*[1]	*Three month vacancies*[2]
Pathology staff	20,580	470	150

[1] Posts that Trusts were actively trying to fill at 31 March 1999
[2] Posts that had been vacant for three months or more at 31 March 1999

Note:
Figures are rounded to the nearest 10.

Mr. Beggs: To ask the Secretary of State for Health how many vacancies exist within the National Health Service for persons qualified to carry out medical testing on *(a)* analytical investigation of blood, *(b)* tissue sampling, *(c)* virology, *(d)* microbiology and *(e)* immunology histopathology. [132813]

Mr. Denham: The detailed information requested is not available centrally. General information about vacancies in the National Health Service for medical, scientific, therapeutic and technical staff working in the Pathology Group is contained in the Department of Health Recruitment, Retention and Vacancies Survey, March 1999. Data are only available for that year. Copies of the survey are available in the Library.

Mr. Beggs: To ask the Secretary of State for Health what assessment he has made of the effect of the present salary structure for graduates who will carry out medical tests on behalf of the NHS on recruitment and retention; and if he will make a statement. [132815]

Mr. Denham: Medical tests are carried out by a wide range of non-medical graduates employed by the National Health Service in a range of staff groups that include clinical scientists, clinical perfusionists, radiographers, biomedical scientists among others. Many of these staff groups are not separately identified in the 1999 Recruitment and Retention and Vacancies Survey, a copy of which is in the Library.

The National Health Service pay system is in need of modernisation. We are working in partnership with the trades unions and professional organisations to negotiate a new pay system which will offer NHS staff a more attractive career structure and which will enhance recruitment and retention.

Mr. Beggs: To ask the Secretary of State for Health how many trained staff capable of carrying out medical testing within the National Health Service left in each of the last three years. [132814]

Mr. Denham: The information requested is not available centrally. Information about the number of National Health Service trusts reporting retention difficulties for medical, scientific, therapeutic and technical staff working in the Pathology Group, is contained in the Department of Health Recruitment, Retention and Vacancies Survey, March 1999. Data are only available for that year. Copies of the survey are available in the Library.

Communication (Deaf People)

Mr. Sheerman: To ask the Secretary of State for Health how many officials in his Department are able to communicate using British Sign Language. [132101]

Ms Stuart: We do not collect information regarding British Sign Language centrally.

Salt

Mr. Paice: To ask the Secretary of State for Health (1) if he intends to accept the offer by the Salt Manufacturers Association to part-fund a review of the scientific evidence on dietary sodium intake; [132010]

(2) if he will list the evidence on which he based his policy that there is a causal link between salt and hypertension. [132009]

Yvette Cooper: *[holding answer 24 July 2000]:* The evidence on the relationship between sodium consumption and blood pressure was considered by the Government's advisory committee, the Committee on Medical Aspects of Food and Nutrition Policy in its 1994 report entitled "Nutritional Aspects of Cardiovascular Disease." COMA concluded that sodium intake appears to be an important determinant of blood pressure in the population as a whole at least partly by influencing the rise of blood pressure with age. A diet lower in common salt, which is a major source of sodium, and higher in potassium would be

expected to result in lower blood pressure and a smaller rise in blood pressure with age. COMA recommended a reduction in the average intake of common salt by the adult population from the current level of about nine grams per day to six grams per day.

Recognising that there are differences of opinion in this area, a workshop was organised at the Department's request by the Faculty of Public Health Medicine (FPHM) in collaboration with the British Heart Foundation in December 1997 to consider the issues surrounding salt consumption and its effect on blood pressure and subsequent cardiovascular disease. The workshop endorsed COMA's advice, concluding that salt intake was one of a number of dietary and other lifestyle factors influencing blood pressure and that reducing salt intake would be an appropriate public health measure. We do not intend to review the evidence at this stage and therefore will not be accepting the offer of the Salt Manufactures Association.

Osteoporosis

Mr. Boswell: To ask the Secretary of State for Health what action is being taken to co-ordinate the various specialties which are relevant to the prevention and treatment of osteoporosis; and what action is being taken to improve access to densitrometry and appropriate follow-on treatment. [132908]

Yvette Cooper *[holding answer 27 July 2000]:* The launch of the Department's Osteoporosis Strategy in June 1998 provided evidence-based clinical guidelines for the treatment and prevention of osteoporosis. These should provide the basis for health authorities wishing to develop their own strategies. It is for local health authorities to decide what services to provide taking into account resources available and the needs of the local population.

Merchant Navy Day

Mr. Flynn: To ask the Secretary of State for Health if he will ensure that the Red Ensign is flown from departmental buildings on Merchant Navy Day, 3 September. [132958]

Ms Stuart *[holding answer 27 July 2000]:* I refer my hon. Friend to the answer given by the Parliamentary Under-Secretary of State for the Home Department on 27 July 2000, *Official Report*, column 895W.

NHS Management Training

Mr. Healey: To ask the Secretary of State for Health how much money will be allocated to the NHS Management Training Scheme *(a)* in the next year and *(b)* for each successive year for the spending review period. [132922]

Mr. Denham *[holding answer 27 July 2000]:* The indicative funding allocations for the Management Training Scheme in the current year and the next two years are as shown.

£000

Year	*Allocation*
2000–01	5,235
2001–02	5,306
2002–03	5,306

The increase in cost between 1999–2000 and 2000–01 reflects the introduction of a new contract for management education and a re-focusing of the Scheme to better address current service modernisation issues.

Mr. Healey: To ask the Secretary of State for Health how many entrants were recruited on to the NHS Management Training Scheme and within these totals, broken down by *(a)* the number and percentage of university graduates, *(b)* the number and percentage who are graduates of Oxford and Cambridge universities and *(c)* the number and percentage with HND and equivalent qualifications in each of the last 10 years. [132925]

Mr. Denham *[holding answer 27 July 2000]:* The figures for the last three years are representative of typical National Health Service Management Training Scheme intakes:

2000—59 out of 62 (95 per cent.) are university graduates, and 8 (13 per cent.) are from Oxbridge.

1999—61 out of 62 (98 per cent.) are university graduates, and 5 (8 per cent.) are from Oxbridge.

1998—53 out of 55 (96 per cent.) are university graduates, and 6 (11 per cent.) are from Oxbridge.

Some 30 per cent. of each annual intake is made up of in-service professionals from nursing and other clinical or health-related backgrounds. These entrants are a mixture of graduates and non-graduates holding a degree-level professional or managerial qualification—in the last three years one in-service applicant had graduated from Oxbridge. In the last round of recruitment, 18 per cent. of the applicants were in-service: 30 per cent. of those awarded places on the Scheme were in-service. There would therefore appear to be some advantage in having service experience, regardless of graduate background. Although applications are accepted from holders of an appropriate HND qualification, no such applicants have been successful in the last three years.

Mr. Healey: To ask the Secretary of State for Health what the intake has been on the NHS Management Training Scheme was in each of the last 10 years. [132923]

Mr. Denham *[holding answer 27 July 2000]:* For the years since 1990, the number of trainees taken onto the National Health Service Management Training Scheme are shown in the table:

Intake year	*Trainees*
1990	51
1991	58
1992	71
1993	74
1994	73
1995	60
1996	47
1997	48
1998	55
1999	62
2000	62

Mr. Healey: To ask the Secretary of State for Health how many people took management positions in the NHS following completion of the NHS Management Training Scheme in each of the last three years. [132924]

Mr. Denham: Posts taken by ex-trainees on leaving the Scheme could be considered as training positions in which they further develop their management skills, but most ex-trainees take on real management roles within the National Health Service on leaving the Scheme. Of the 1997 intake who completed the Scheme last year, all bar one hold posts in the NHS. Of the 1995 intake 77 per cent. are still working in the NHS as are 83 per cent. of the 1996 intake. The majority of trainees take on posts reporting to chief executives or executive directors in NHS trusts or health authorities.

Mr. Healey: To ask the Secretary of State for Health how many trainees are involved in the NHS Management Training Scheme; and how they are dispersed by region. [132920]

Mr. Denham *[holding answer 27 July 2000]:* The information requested is in the table:

Regional allocation of trainees

	1998	*1999*	*2000*
West Midlands	6	10	8
London	7	9	9
Trent	6	7	7
Eastern	7	6	6
South East	6	9	9
North West	9	9	8
Northern and Yorkshire	7	5	8
South West	7	7	7
Total	55	62	62

Mr. Healey: To ask the Secretary of State for Health what the overall costs were for the NHS Management Training Scheme in each of the last three years. [132921]

Mr. Denham *[holding answer 27 July 2000]:* The cost of the Management Training Scheme in the year 1999–2000 was £4,723,000. Central figures are not immediately available, but this figure is indicative of the cost of the Scheme in each of the previous three years.

Mr. Healey: To ask the Secretary of State for Health where graduates of the NHS Management Training Scheme went on completion of the scheme, broken down by region, in each of the last two years. [132930]

Mr. Denham *[holding answer 27 July 2000]:* A survey of ex-trainees who graduated from the scheme over the 10 year period 1986–96 showed:

67 per cent. employed by National Health Service trusts

22 per cent. employed by health authorities

2 per cent. employed in primary care

9 per cent. other organisations.

The data from more recent ex-trainees reflect this general pattern, with an increase in the proportion of ex-trainees working in primary care as a result of the recent establishment of primary care groups and trusts.

These proportions do not vary noticeably between regions.

Female Genital Mutilation

Ms McCafferty: To ask the Secretary of State for Health what research his Department has undertaken with the organisation Foundation for Women's Health Research and Development concerning female genital mutilation in the UK; and if the findings will be published. [132942]

Yvette Cooper *[holding answer 27 July 2000]:* The Department has undertaken no research on Female Genital Mutilation (FGM) with the Foundation for Women's Health Research and Development. The Department does however provide funding through the Section 64 scheme to help them with their work in educating and informing the communities practising FGM about the brutality of the practice and the clear health risks associated with it.

This support includes core grant funding of £25,000 for 1999–2000 to 2001–02, to help meet the organisation's running costs. Over the last few years the Department of Health has provided funds totalling nearly £280,000 for projects developed by FORWARD in the United Kingdom.

Cochlear Implants

Mr. Bob Russell: To ask the Secretary of State for Health (1) how many and what proportion of cochlear implants were undertaken in each of the last three years on the basis of *(a)* extra contractual referral, *(b)* long term service agreements and *(c)* out-of-area treatments; [133079]

(2) what guidance his Department has given to health authorities and NHS trusts on monitoring the number and proportion of cochlear implants undertaken in each of the last three years on the basis of *(a)* extra contractual referral, *(b)* long term service agreements and *(c)* out-of-area treatment; [133080]

(3) what mechanisms his Department uses to monitor the number and proportion of cochlear implants undertaken in each of the last three years on the basis of *(a)* extra contractual referral, *(b)* long term service agreements and *(c)* out-of-area treatment. [133081]

Mr. Denham *[holding answer 27 July 2000]:* The Department collects information on cochlear implant operations by the hospital episode statistics (HES) system. HES contains details of patients admitted to, and treated in NHS hospitals in England. More detailed information about extra-contractual referrals, long term service agreements and out of area treatments is collected locally. Guidance in Health Service Circular 1998/198 and Health Service Circular 1999/244 set out arrangements for commissioning specialised services through service agreements. These new arrangements for specialised services require National Health Service trusts and commissioners to draw up service agreements with agreed levels of activity and funding. By March 2001, there should be no cochlear implant operations funded as out of area treatments (OATs) because OATs are primarily intended to cover situations where a patient requires emergency treatment away from home.

PFI Contracts

Mr. Alan Williams: To ask the Secretary of State for Health in how many of his Department's PFI contracts KPMG has been an adviser. [132864]

Mr. Denham *[holding answer 27 July 2000]:* Of the 19 major private finance initiative projects that have so far reached financial close, KPMG were lead financial advisers on the following:

Hereford

Greenwich

Dartford and Gravesham

South Durham (Bishop Auckland)

King's.

Of the 15 major PFI schemes announced, but yet to reach financial close, KPMG have been appointed as lead financial advisers on the following:

Oxford

Walsgrave

Fair Mile

West Middlesex.

Bladder Problems (Women)

Mr. Austin: To ask the Secretary of State for Health, pursuant to the answer given by the Minister for Women on 11 July 2000, *Official Report*, column 458W, what types of operation were provided by the NHS for bladder weakness in *(a)* 1997–98 and *(b)* 1998–99; what the average cost of each type of operation was; and how many women underwent each operation in the same periods. [133410]

Yvette Cooper: I shall write to my hon. Friend.

Dentists (North Yorkshire)

Mr. Grogan: To ask the Secretary of State for Health how many dentists were registered with the National Health Service in each of the last 10 years in the area covered by North Yorkshire Health Authority. [133423]

Ms Stuart: The number of dentists in the General Dental Service (GDS) in the North Yorkshire Health Authority area at 30 September in each of the years 1990 to 1999 is shown in the table.

General Dental Service: Number of dentists in North Yorkshire HA area

Year	*Number of dentists*[1]
1990	241
1991	243
1992	235
1993	247
1994	248
1995	244
1996	264
1997	267
1998	278
1999	287

[1] Dentists include principals on the HA or FHSA list, their assistants and vocational dental practitioners. Number at 30 September each year.

Note:

Before April 1996, the area was covered by North Yorkshire Family Health Services Authority (FHSA).

Mr. Grogan: To ask the Secretary of State for Health how many patients were registered with National Health Service dentists in each of the last 10 years in the area covered by the North Yorkshire Health Authority. [133422]

Ms Stuart: The number of recorded child and adult registrations in the General Dental Service (GDS) in the North Yorkshire Health Authority area is shown in the table at 31 March in each of the years 1993 to 2000. Data for March 1991 and 1992 are not comparable because registration numbers were building up following the introduction of the new dental contract in October 1990.

Changes in administration procedures by the Dental Practice Board throughout the period, in particular improvements in the removal of duplicate registrations, have acted to reduce recorded registration numbers.

Registration numbers from December 1997 are affected by the shortening of the registration period to 15 months. Previously the period was 24 months for adults while children's registrations expired at the end of the following calendar year if the patient had not visited their dentist in the meantime.

General Dental Service: Number of recorded adult and child registrations in North Yorkshire[1] HA area at 31 March each year

Year	*Number of child registrations*	*Number of adult registrations*	*Total number of registrations*
1993	103,593	342,713	446,306
1994	106,177	340,913	447,090
1995	105,595	328,538	434,133
1996	105,965	318,092	424,057
1997	106,307	312,061	418,368
1998	108,708	303,545	412,253
1999	110,282	288,037	398,319
2000	110,609	286,020	396,629

[1] Area covered by North Yorkshire Family Health Services Authority (FHSA) before April 1996.

Source Informatics

Mr. Cohen: To ask the Secretary of State for Health if his Department's appeal with regard to Source Informatics is to proceed; and if he will make a statement. [132805]

Ms Stuart: The petition for leave to appeal to the House of Lords has been withdrawn because I concluded that it would not be in the public interest to pursue this litigation further.

NHS Dental Services

Mr. Hammond: To ask the Secretary of State for Health what the planned increase is in total spending on NHS dental services between 2000–01 and 2003–04. [133391]

Ms Stuart: The information is not available in the form requested.

Expenditure on the General Dental Services is non-cash limited and is mainly determined by the level of demand for NHS care and the volume and type of treatments provided by dentists. Funding for the community and hospital dental services is not determined centrally, but by individual health authorities in the light of their local priorities and circumstances.

Our plans for the improvement and future direction of primary dental services, including personal dental services, will be set out in its Dental Strategy to be published shortly.

Hospital Beds (Road Accidents)

Mr. Horam: To ask the Secretary of State for Health what proportion of NHS hospital beds were occupied by patients who have had road accidents, in the latest year for which statistics are available. [132982]

Ms Stuart: The proportion of bed days attributable to patients in National Health Service hospitals in England in the year 1 April 1998 to 31 March 1999, who were injured in collision with a pedal cycle or motor vehicle was 0.35 per cent.

Health Authorities

Mr. Lidington: To ask the Secretary of State for Health what the dates of *(a)* compilation and *(b)* publication were of the population data which he used to make his allocations to health authorities for 2000–01; and if he will make a statement. [133392]

Mr. Denham: The starting point for populations used in the 2000–01 weighted capitation formula are the 1996 based sub-national population projections for residents in mid year 2000 produced by the Office for National Statistics.

The final populations used in the 2000–01 weighted capitation formula were produced by adjusting the population projections for mid year 2000 by:

adding patients identified as registered with general practitioners who form part of primary care groups for which the health authority are responsible but who are resident elsewhere;

deducting residents identified as registered with GPs belonging to another health authority's primary care group.

The 1996 based population projections were published by the Office for National Statistics in Monitor PP3 98–1 issued on 3 December 1998.

The data used to adjust these populations to take account of GP patient registrations were validated with health authorities during June and July 1999. Adjusted populations were shared with health authorities in September 1999.

The final adjusted population figures used in the health authority weighted capitation formula were published in the 2000–01 Health Authority Revenue Cash Limits Exposition Book on 19 January 2000, copies of which are available in the Library.

Reports

Mr. Stunell: To ask the Secretary of State for Health if he will list the reports submitted to his Department, by bodies that were created after May 1997 and that include significant and plural membership from outside the Civil Service, stating in each case the body writing the report, the date the report was submitted, how many recommendations were made, the number of those recommendations that have been implemented to date and the number of recommendations that have been rejected; and if he will make a statement. [133565]

Ms Stuart: An updated central list was published on 27 July covering a certain amount of this information.

In addition, a first central list of information was published on 11 January 2000. Copies of the lists are available in the Library. Information about the numbers of recommendations made and the number rejected could be provided only at disproportionate cost.

National Poisons Information Service

Mr. Tyler: To ask the Secretary of State for Health, pursuant to his answer of 28 June 2000, *Official Report*, columns 511–12W, what *(a)* staff, *(b)* staff-time, *(c)* services and *(d)* in-laid support are provided to the Medical Toxicology Unit at Guy's and St. Thomas's by the agrochemical industry; and on what basis information relating to pesticides is provided from the Medical Toxicology Unit to agrochemical companies. [133290]

Yvette Cooper: I shall write to the hon. Member.

Mr. Tyler: To ask the Secretary of State for Health, (1) pursuant to his answer of 28 June 2000, *Official Report*, column 511–12W, if he will place in the Library a copy of the outstanding National Poisons Information Service Centre reports for the year 1999–2000 that were scheduled to be completed by the end of June; [133299]

(2) pursuant to the answer of 28 June 2000, *Official Report*, columns 511–12W, if he will make it his policy to allow a lay representative on the National Poisons Information Service; [133288]

(3) pursuant to his answer of 28 June 2000, *Official Report*, column 511–12W, if he will place in the Library the reports made by the National Poisons Information Service Centre to comply with the provisions of European Commission Resolution 90/C 329/03. [133300]

Yvette Cooper: The Management Board of the National Poisons Information Service is not a statutory body. It exists to support the internal funding and management arrangements between the NPIS centres and the United Kingdom Health Departments. Membership is drawn from the UK Health Departments and from specialists in the field representing users of the service, for example: accident and emergency consultants; general practitioners; purchasers; paediatricians; general physicians and nursing. We believe that lay membership is not appropriate to the work of this Board.

I am happy to place copies of the National Poisons Information Service Centre Reports for the year 1999–2000 in the Library. The hon. Member may wish to know that plans are in hand to make the reports routinely available on a wider basis in the future.

I am also happy to provide a copy of the last report (1998) required under the provisions of the European Commission Resolution 90/C 329–03 which comprises contributions from each of the NPIS centres.

Mr. Tyler: To ask the Secretary of State for Health, pursuant to his answer of 28 June 2000, *Official Report*, columns 511–12W, on the National Poisons Information Service, if he will list the other associated activities that take place at the Medical Toxicology Unit. [133297]

Yvette Cooper: The other associated activity that take place at the Medical Toxicology Unit are:

Chemical Incident Response Service:

Medical Toxicology Laboratory providing a wide range of services to the National Health Service and the coroners. The laboratory undertakes funded contract work but not for the agrochemical industry.

Medical Toxicology Clinical Service—funded by referring health authorities and the trust;

Veterinary Poisons Information:

Research within the Department of Health contracts and as funded by outside bodies such as South East Asia Regional Office, World Health Organisation;

Memorandum of Understanding with the Royal Botanic Gardens, Kew.

Mr. Tyler: To ask the Secretary of State for Health, pursuant to his answer of 28 June 2000, *Official Report*, columns 511–12W, on the National Poisons Information Service Board, from what sources the establishment of the equipment and testing procedures at the Medical Toxicology Unit at Guys' and St. Thomas' has been funded. [133289]

Yvette Cooper: The establishment of the equipment and testing procedures at the Medical Toxicology Unit at Guy's and St. Thomas's has been funded from trust contracts with health authorities and the Charitable Foundation at Guy's and St. Thomas's Hospital.

HOUSE OF COMMONS

Water Metering

Mr. Brake: To ask the Chairman of the Accommodation and Works Committee if the Committee will review water metering arrangements in non-metered buildings and set a maximum level of water consumption in them. [131933]

Sir Sydney Chapman *[holding answer 26 July 2000]:* All parliamentary buildings, except residential accommodation, are fitted with water meters already. Measures to reduce water consumption include reduced cistern capacity, economies on urinals and the re-use of grey water.

Asbestos

Mr. Brake: To ask the Chairman of the Accommodation and Works Committee if the Committee will ensure *(a)* that the House uses appropriate risk management techniques when undertaking work in buildings where asbestos could be present, *(b)* that asbestos materials are removed and disposed of safely and *(c)* asbestos-free materials are used for new work and for replacing existing asbestos materials. [131926]

Sir Sydney Chapman *[holding answer 26 July 2000]:* I am pleased to advise the hon. Member that the Parliamentary Works Directorate operates in these ways already.

Water Consumption

Mr. Brake: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if the Commission will establish a target for the House to achieve a maximum level of water consumption equivalent to an average of 7.7 cubic metres per person by April 2002. [131932]

Mr. Kirkwood *[holding answer 26 July 2000]:* No. It is not realistic to measure the water consumption per head on the Parliamentary Estate. However, water economy measures are being taken. For example, recycled water is used in Portcullis House and it is planned for the Norman Shaw (South) building after its refurbishment.

Recycling

Mr. Brake: To ask the hon. Member for Roxburgh and Berwickshire representing the House of Commons Commission, if the Commission will establish a target for the House to *(a)* recover a minimum of 40 per cent. of total office waste, with at least 25 per cent. coming from recycling or composting, in 2000–01, *(b)* to increase the amount recovered and recycled by 10 per cent. each year to achieve 70 per cent. recovery or recycling in 2003–04 and *(c)* to reduce the amount of hazardous waste generated. [131931]

Mr. Kirkwood *[holding answer 26 July 2000]:* No. We exceed the target of 25 per cent. recycling and 40 per cent. recovery already. Increased recycling is to be considered when our waste disposal contract next comes for renewal.

Mr. Brake: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if the Commission will establish targets for the House to *(a)* reduce paper use, *(b)* buy 100 per cent. recycled paper comprising at least 80 per cent. genuine post-consumer waste and to use this for all work not requiring specialist papers, *(c)* ensure that any virgin pulp used in paper purchased comes from sustainably-managed woodlands and that both the pulp and the recycling process is chlorine free and *(d)* ensure that only water-based varnish is used. [131924]

Mr. Kirkwood *[holding answer 26 July 2000]:* This is a matter for the Serjeant at Arms; I have asked him to write to my hon. Friend.

Environmental Performance

Mr. Brake: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if the Commission will establish a target for the House *(a)* not to buy products which contain ozone-depleting substances, where there are suitable alternatives, *(b)* to control leaks through regular servicing of refrigeration and air-conditioning equipment containing ozone-depleting substances and *(c)* to reduce emissions which occur through regular servicing of refrigeration and air-conditioning equipment. [131930]

Mr. Kirkwood *[holding answer 26 July 2000]:* Refrigeration and air conditioning is regularly serviced to control leaks and reduce emissions. Contractors supplying materials to Parliament are not permitted to include products which contain ozone-depleting substances where there are suitable alternatives.

Mr. Brake: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if the Commission will establish a target for the House *(a)* to reduce the use of hazardous substances

and techniques, *(b)* for the use of building materials and furnishings which are low emitters of formaldehyde, volatile organic compounds and other potentially-hazardous substances, *(c)* for the use of recycled batteries, *(d)* for limiting the use of products containing potentially-harmful solvents, *(e)* to the increase in use of biodegradable substances, *(f)* to comply with the Environmental Protection Act 1990 and *(g)* for noise reduction. [131925]

Mr. Kirkwood *[holding answer 26 July 2000]:* In all these areas, apart from recycled batteries, which are considered separately, the Parliamentary Works Directorate maintains a safety and environmental check list which sets out a code of practice and measures performance based on COSHH risk assessment.

Energy Use

Mr. Brake: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if the Commission will improve the House's environmental performance in relation to energy use by measuring and reporting on emission levels from buildings and transport. [131929]

Mr. Kirkwood *[holding answer 26 July 2000]:* Energy consumption from buildings on the parliamentary estate is measured and reported with corresponding savings in emission levels.

Mr. Brake: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if the Commission will improve energy efficiency by *(a)* promoting best practice, *(b)* buying energy-efficient equipment, *(c)* introducing more energy-efficient techniques and technologies and *(d)* increasing the amount of the House's electricity that comes from internal combined heat and power. [131928]

Mr. Kirkwood *[holding answer 26 July 2000]:* Our energy conservation policies have achieved significant savings in all these areas already and we plan to continue to make savings year by year.

Mr. Brake: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if the Commission will establish targets *(a)* to reduce energy use by 20 per cent. from 1990–1991 levels by 2010 and *(b)* to buy a minimum of 10 per cent. of electricity from renewable sources by March 2002. [131927]

Mr. Kirkwood *[holding answer 26 July 2000]:* A target to reduce energy usage by 20 per cent. from 1990–91 levels by 2010 is in place already. Our purchasing policy is to seek best overall value for money, not simply environmental sustainability.

NORTHERN IRELAND

Opus Dei

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many members of Opus Dei have been convicted for scheduled offences in Northern Ireland in the last three years. [130500]

Mr. Ingram: This information is not available.

Mr. McNamara: To ask the Secretary of State for Northern Ireland (1) if he met representatives of Opus Dei before the decision to include that organisation in section 49(1) of the Police (Northern Ireland) Bill; [133488]

(2) on how many occasions his Department contacted the Opus Dei information offices in London or Dublin during the period 29 June to 11 July; [133490]

(3) what correspondence he has received from the Holy See concerning his decision to include Opus Dei in section 49(i) of the Police (Northern Ireland) Bill. [133489]

Mr. Ingram: The Government did not meet any of the bodies listed in clause 49 of the Police (Northern Ireland) Bill about their inclusion in the list. The reason for any groups being included is set out in my reply of 24 July 2000, *Official Report*, column 443W. The Department has not contacted Opus Dei's information offices nor received any correspondence from the Holy See, though as I said in my most recent reply officials recently met representatives of Opus Dei to listen to their concerns and the Government are considering the points made.

Advisory Bodies

Tony Wright: To ask the Secretary of State for Northern Ireland if he will list all the *(a)* task forces, *(b)* action teams, *(c)* policy reviews and *(d)* other temporary advisory bodies with external members currently in existence within his Department; and on what date each body (i) was set up and (ii) is expected to terminate. [131449]

Mr. Mandelson: I refer my hon. Friend to the answer given by the Parliamentary Secretary, Cabinet Office, on 27 July 2000, *Official Report*, column 799W.

Departmental Groups

Mr. Stunell: To ask the Secretary of State for Northern Ireland if he will list each group that is responsible to his Department, with significant and plural membership from outside the Civil Service, and to which the Nolan rules on non-departmental public bodies do not apply and for each such group, if it *(a)* is a company limited by guarantee, *(b)* is a charity, *(c)* has no formal legal basis, and *(d)* has some other legal basis giving details. [131240]

Mr. Mandelson: I refer the hon. Member to the answer given by the Parliamentary Secretary, Cabinet Office, on 27 July 2000, *Official Report*, column 799W.

None of the bodies responsible to the Northern Ireland Office has a separate legal identity in their own right and therefore come within *(c)*.

State of Emergency

Mr. McNamara: To ask the Secretary of State for Northern Ireland what plans he has made to make a formal declaration ending the state of emergency relating to the affairs of Northern Ireland following passage of the Terrorism Bill; and when he plans to communicate this to *(a)* the United Nations Secretary General and *(b)* the Council of Europe Secretary General. [133061]

Mr. Ingram: A major policy aim has been achieved with the passage of the Terrorism Act, in that when the Act comes into force early in 2001 we will introduce a new system of judicial authorisation of extended detention

between 48 hours and seven days for all types of terrorism. This will enable the UK's derogation from the European Convention on Human Rights to be withdrawn. The new regime will be taken forward as a project under the Terrorism Act implementation plan. As Royal Assent was received only on 20 July, implementation work is at a very early stage, therefore I am unable to advise my hon. Friend at this stage of our communication plans.

Prison Service

Mr. Patrick Hall: To ask the Secretary of State for Northern Ireland what further progress has been made with the Quinquennial Review of the Northern Ireland Prison Service. [133789]

Mr. Ingram: I have recently received the Review Team's report on the second and final stage of the Quinquennial Review. The report—a copy of which I am placing in the Library of each House—examines how the effectiveness and efficiency with which the Prison Service delivers its services and functions can be further improved in the future.

It makes a number of very valuable recommendations that will assist the Prison Service to focus more clearly on the outcomes it will need to achieve. These include Key Performance Indicators that for the first time explicitly address the need to reduce the differential in cost per prisoner place between Northern Ireland and Great Britain and to secure a more balanced workforce. There are also important recommendations covering closer co-operation with the probation service and with neighbouring prison services.

I have accepted the recommendations of the report and have asked the Prison Service to reflect them in the new Framework Document that will be published in the autumn.

Appointments

Dr. Stoate: To ask the Secretary of State for Northern Ireland if he will make an announcement about the post of Independent Commissioner for Holding Centres. [133790]

Mr. Mandelson: I am happy to announce that Dr. William Norris has accepted appointment to the post of Independent Commissioner for the Holding Centres and will take up the position on 1 October 2000.

I am grateful to him for accepting the appointment and am confident that he will provide a valuable contribution in monitoring the care and treatment of detainees held in Holding Centres for as long as the Centres remain open and will produce well informed annual reports.

I wish to express my appreciation and thanks to his predecessor, Sir Louis Blom-Cooper, for the very valuable work he has done over the past eight years and the invaluable reassurances he has provided to the Government and to the public that detainees have been treated fairly and properly.

Mr. Barron: To ask the Secretary of State for Northern Ireland what steps he has taken to fill the post of Independent Assessor of Military Complaints Procedures when the present incumbent's term of office ends on 24 August. [133791]

Mr. Mandelson: The Government continue to value highly the work of the Independent Assessor of Military Complaints Procedures. I have today re-appointed Mr. Jim McDonald as Independent Assessor of Military Complaints Procedures in Northern Ireland. Mr. McDonald's appointment will continue until 24 August 2003.

Electronic Communications Act 2000

Mr. Cotter: To ask the Secretary of State for Northern Ireland what orders he *(a)* has made and *(b)* intends to make using section 8 of the Electronic Communications Act 2000; and if he will make a statement. [133373]

Mr. Mandelson: I refer the hon. Member to the answer given by the Minister of State, Cabinet Office, earlier today.

Paramilitary Roadblocks

Mr. McNamara: To ask the Secretary of State for Northern Ireland what measures he will take to apologise to tourists from overseas who were refused assistance from the police, or treated rudely by the police, after they had been stopped at illegal paramilitary roadblocks on 12 July; and what communication has been sent to *(a)* Mr. Ole Jorgensen and Mr. Lars Holleufer of the City Museum in Aarhus and *(b)* Mr. and Mrs. Robert and Carla Steiner of Morrisville, Pennsylvania. [133090]

Mr. Ingram: The Royal Ulster Constabulary has no central record of any complaints having been made against police by visitors to Northern Ireland on 12 July. Neither is there any record of any correspondence having been received from or sent to those individuals named in the question. If my hon. Friend could provide me with specific details of any such incidents, I will arrange for them to be investigated.

Parades

Mr. McNamara: To ask the Secretary of State for Northern Ireland what the circumstances were that determined the police decision to allow members of the Castlederg Young Defenders to parade through the nationalist area surrounding Ferguson Crescent, Strabane, on 11 July; and what correspondence he has had with representatives of the local community. [133091]

Mr. Ingram: I have assumed my hon. Friend is referring to a parade by the Castlederg Young Loyalists Flute Band which took place in Castlederg on 11 July 2000.

The Parades Commission issued a determination on 5 July, namely that the parade is prohibited from entering that part of the notified route which includes Ferguson Crescent and Killeter Road. Following the Commission's decision an application for a review was made. On 7 July the Commission met to hear oral representations and to review its decision in light of these representations. After hearing all the available information against the factors contained in the Commission's guidelines document, the Commission upheld its original decision.

Diplock Review Group

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will commission an independent

study to complete the work undertaken by the Diplock Review Group in drawing up arrangements for a return to jury trial. [133088]

Mr. Ingram: There are no plans for an independent review of the provisions. However, under section 126 of the Terrorism Act the Government are required to lay a report on the working of the Act before both Houses of Parliament at least every 12 months. The report will be completed by an independent reviewer. Part VII of the Terrorism Act contains temporary measures for Northern Ireland only including the Diplock court system provisions. All these powers are subject to annual review and renewal by affirmative order taking account of the Government's overall objective, under the Belfast Agreement, to remove the powers as soon as it is safe to do so. The Reviewer's report would obviously inform any debates on the renewal of Northern Ireland powers.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will place the external submissions to the Diplock Review Group in the Library. [133089]

Mr. Ingram: The Review Group received a total of eight written submissions from external organisations and the full list of those who responded is set out at Annexe B of the report. A number of the organisations requested that their submissions should remain confidential therefore I would suggest my hon. Friend approach the organisations directly if he wishes to obtain a copy of their written submission.

Reports

Mr. Stunell: To ask the Secretary of State for Northern Ireland if he will list the reports submitted to his Department by bodies that were created after May 1997 and that include significant and plural membership from outside the civil service, stating in each case the body writing the report, the date the report was submitted, how many recommendations were made, the number of those recommendations that have been implemented to date and the number of recommendations that have been rejected; and if he will make a statement. [133562]

Mr. Mandelson: I refer the hon. Member to the answer given by my hon. Friend the Parliamentary Secretary, Cabinet Office, 27 July 2000, *Official Report*, column 799W.

SCOTLAND

Assisted Areas

Mrs. Ewing: To ask the Secretary of State for Scotland what additional representations have been made by his Department calling for the possible inclusion of all wards within the Inverness and Nairn, and Moray, Badenoch and Strathspey Local Enterprise Company areas since the publication of the assisted area status map for Scotland on 10 April submitted to the European Commission for consideration. [130560]

Dr. Reid *[holding answer 17 July 2000]:* I shall write to the hon. Member and arrange for a copy of my reply to be placed in the Library of the House.

Official Visits

Mr. Matthew Taylor: To ask the Secretary of State for Scotland if he will list the visits outside Britain made by his Department's Permanent Secretary on official business since 1 January 1999, indicating the date and purpose of the visit in each case. [133273]

Dr. Reid: In the period between 1 January 1999 and 30 June 1999 the Permanent Under-Secretary of State at The Scottish Office made one overseas visit on official business, to Dublin on 10 and 11 February 1999, for discussions with senior Irish civil servants about aspects of their administration relevant to Scottish devolution. Since 1 July 1999 the Head of the Scotland Office has made no overseas visits on official business.

Electronic Communications Act 2000

Mr. Cotter: To ask the Secretary of State for Scotland what orders he *(a)* has made and *(b)* intends to make using section 8 of the Electronic Communications Act 2000; and if he will make a statement. [133379]

Dr. Reid: I refer the hon. Member to the answer given today by my right hon. Friend the Minister of State, Cabinet Office.

Saltire

Mr. Gorrie: To ask the Secretary of State for Scotland if he will take steps to ensure that the blue in the Saltire is a consistent shade of sky blue. [133627]

Dr. Reid: No. The heraldic description of the Saltire is an argent cross on an azure background. There is no officially recognised shade of blue for the Saltire, the longstanding convention being that any blue that is clearly "blue" is acceptable.

Reports

Mr. Stunell: To ask the Secretary of State for Scotland if he will list the reports submitted to his Department, by bodies that were created after May 1997 and that include significant and plural membership from outside the Civil Service, stating in each case the body writing the report, the date the report was submitted, how many recommendations were made, the number of those recommendations that have been implemented to date and the number of recommendations that have been rejected; and if he will make a statement. [133559]

Dr. Reid: I shall write to the hon. Member and arrange for a copy of my reply to be placed in the Library of the House.

TREASURY

Employment (Merseyside)

Mr. Field: To ask the Chancellor of the Exchequer if he will give the employment rate for people of working age for each quarter since 1997 in each of the Merseyside constituencies. [119820]

Miss Melanie Johnson *[holding answer 20 April 2000]:* The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Frank Field, dated 28 July 2000:

As National Statistician I have been asked to reply to your parliamentary question on employment rates in the Merseyside constituencies (119820).

The attached table shows employment rates for people of working age in each of the Merseyside constituencies from 1996 to 1998 from the Labour Force Survey (LFS) which is the main source of labour market data on individuals. Estimates for parliamentary constituencies are compiled on an annual basis to provide more reliable estimates for these small areas. Quarterly estimates at constituency level are not available.

People aged 16 or over are classed as in employment by the LFS if they have done at least one hour of paid work (as an employee or self-employed) in the week prior to their LFS interview or if they have a job that they are temporarily away from. People who do unpaid work in a family business and people on Government-supported training and employment programmes are also included according to the International Labour Organisation convention.

Employment rate for those of working age[1] employed in Merseyside constituencies, not seasonally adjusted

	1996–97	*1997–98*	*1998–99*
Birkenhead	59.4	60.5	54.5
Bootle	55.5	53.1	53.4
Crosby	70.2	79.2	74.9
Knowsley, North and Sefton, East	59.3	56.2	58.8
Knowsley, South	59.8	60.3	56.9
Liverpool, Garston	58.9	62.3	57.4
Liverpool, Riverside	42.9	45.1	47.4
Liverpool, Walton	54.5	51.5	55.0
Liverpool, Wavertree	64.6	62.4	65.0
Liverpool, West Derby	54.2	56.6	53.3
Southport	75.4	73.8	75.2
St. Helens, North	68.3	75.2	70.3
St. Helens, South	63.8	69.2	70.4
Wallasey	67.1	71.8	64.7
Wirral, South	71.5	76.8	73.7
Wirral, West	77.0	72.0	69.7

[1] Men aged 16–64 and women aged 16–59.

Source:
ONS Labour Force Survey

Budget Expenditure

Mr. Ashdown: To ask the Chancellor of the Exchequer what was the real terms increase in budgeted expenditure between 1996–97 and 2000–01 for *(a)* the Home Office, *(b)* the Chancellor of the Exchequer's departments, *(c)* the Foreign Office, *(d)* Scotland Office, *(e)* Wales Office, *(f)* the Department of Social Security, *(g)* the Ministry of Agriculture, Fisheries and Food, *(h)* overseas aid spending, *(i)* Department of Health, *(j)* Department of Education and Employment, *(k)* Lord Chancellor's Department, *(l)* No. 10 Downing street, *(m)* Cabinet Office, *(n)* the Ministry of Defence, *(o)* the Department of the Environment, Transport and the Regions, *(p)* the Department of Trade and Industry, *(q)* the Department of Culture, Media and Sport and *(r)* Northern Ireland; and if he will rank these from highest to lowest increases. [122240]

Mr. Andrew Smith *[holding answer 16 May 2000]:* Real terms increases in Departmental Expenditure Limit spending between outturn for 1996–97 and plans for 2000–01 for these areas are set out in the following table, ranked from the highest to lowest increases. Data are taken from "Public Expenditure Statistical Analyses", published in April.

£ million

Department/function	*Real terms increase 1996–97 to 2000–01*[1]
(i) Department of Health	7,121
(j) Department for Education and Employment	2,402
(a) Home Office	886
(o) Department of the Environment, Transport and the Regions	569
(e) Wales	468
(b) Chancellor's departments[2]	439
(h) Overseas aid spending[3]	400
(d) Scotland	286
(r) Northern Ireland	255
(q) Department of Culture, Media and Sport	−46
(p) Department of Trade and Industry	−48
(c) Foreign and Commonwealth Office	−53
(k) Lord Chancellor's Department	−54
(m) Cabinet Office[4]	−229
(f) Department of Social Security	−549
(n) Ministry of Defence	−927
(g) Ministry of Agriculture, Fisheries and Food[2]	−1,148

[1] 1998–99 prices

[2] Changes and transfers of responsibility over the period mean that figures should be interpreted with care. For example, MAFF spending was exceptionally high in 1996–97 because of spending on BSE-related measures which are now unwinding; Chancellor's department figures are affected by machinery of government changes (principally the transfer of responsibility for the Contributions Agency from DSS) offset by reductions elsewhere

[3] Includes all DFID Departmental Expenditure Limit programme spending

[4] For budgeting purposes 10 Downing street is treated as part of the Cabinet Office

Incomes

Mr. Cox: To ask the Chancellor of the Exchequer (1) how many *(a)* men and *(b)* women working in the Greater London area benefit from the national minimum wage; [127385]

(2) if he will make a statement on the average salary scales of *(a)* men and *(b)* women in employment in the UK. [127387]

Miss Melanie Johnson: I will write to my hon. Friend.

Part-time Workers

Mr. Moore: To ask the Chancellor of the Exchequer (1) what percentage of workers on adult rates of pay in part-time employment have hourly earnings, including and excluding overtime pay, that are less than *(a)* £4.94, *(b)* £6.58, *(c)* £7.18 and *(d)* £3.60 in (i) Scotland, (ii) each of the unitary local authority areas in Scotland and (iii) Great Britain, broken down by (1) male manual, (2) male non-manual, (3) all male workers, (4) female manual, (5) female non-manual, (6) all female workers, (7) all manual, (8) all non-manual and (9) all workers; [128287]

(2) what the average weekly earnings are, including and excluding overtime, for part-time workers in *(a)* Scotland, *(b)* each of the local unitary local authority areas in Scotland and *(c)* Great Britain, broken down by (i) men and (ii) women in (1) manual employment, (2) non-manual employment and (3) all employment. [128288]

Miss Melanie Johnson: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Michael Moore, dated 28 July 2000:

As National Statistician, I have been asked to reply to your recent questions about earnings of part-time employees in Scotland, the unitary authority areas in Scotland and Great Britain (128287/8).

The New Earnings Survey (NES) can provide earnings data for small geographical areas. However, the release of NES data is restricted to figures that are derived from a sufficiently large sample of employees, and have an acceptable level of accuracy. I have provided the available data for Scotland, the unitary authorities in Scotland and Great Britain; these are based on the 1999 NES, the latest survey for which data are available. These are large tables and copies of them are being placed in the Library of the House rather than reproduced in *Hansard*.

The NES is based on a one per cent. sample of employees in PAYE system and is therefore likely to under-represent relatively low paid staff earning below the tax threshold and in particular those who work part-time.

Income Tax

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer (1) what estimate he has made of the cost of reducing the upper rate of income tax from 40 per cent. to 30 per cent.; and if he will make a statement; [127501]

(2) what estimate he has made of the cost of abolishing the 10p tax band and extending the personal income tax allowance over this range of income; [127621]

(3) if he will estimate the yield from introducing a 50 per cent. rate of income tax on taxable income of over £100,000 per annum, for each of the next five years; [127604]

(4) if he will estimate the resulting level of the personal income tax allowance if the 10p tax band were abolished on a revenue-neutral basis. [127622]

Dawn Primarolo *[holding answer 27 June 2000]:* The full year revenue effects for making changes to income tax rates or allowances in 2000–01 are given in the table:

£ billion

	Revenue effect
Reducing the top rates of income tax by 10 percentage points[1]	−7.5
Introducing a 50 per cent. rate of income tax on taxable income of over £100,000[1,2,3]	+2.9
Abolishing the 10p tax band and extending the personal income tax allowances over this range of income[4,5]	−4.6

[1] Including tax on dividends
[2] Taxable income has been defined as income after deducting the personal allowance
[3] For later years this figure will increase by on average £200 million per year
[4] The revenue effect provided has not taken account of any consequential effects on the level of National Insurance contributions
[5] This option would benefit most higher rate taxpayers by £456, most basic rate taxpayers by £182 and starting rate taxpayers by up to £152

If the starting rate band of income tax was abolished and all income tax personal allowances were increased by £740, the changes would be revenue neutral.

All the figures shown are the estimated direct effects of tax changes on tax revenues. In practice, tax changes will themselves effect economic variables, which in turn will have further effects on tax revenues.

These estimates are based on the Survey of Personal Incomes and are consistent with the March 2000 Budget.

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will estimate the extra revenue for the next five financial years that would be raised by restricting the rate of tax relief on *(a)* employee pension contributions and *(b)* employer pension contributions to the standard rate of income tax; and if he will make a statement. [129827]

Miss Melanie Johnson *[holding answer 10 July 2000]:* I will write to the hon. Member and place a copy of my letter in the library of the House.

Rural Public Services

Mr. Kidney: To ask the Chancellor of the Exchequer if he will make a statement on the differences between the methods of funding the provision of public services in rural areas. [124933]

Mr. Andrew Smith: I will write to my hon. Friend and place a copy of my letter in the Library of the House.

Opinion Research

Mr. Portillo: To ask the Chancellor of the Exchequer (1) how much his Department spent on opinion research in the financial year 1999–2000; and if he will list the opinion research projects undertaken on behalf of his Department in the financial year 1999–2000, broken down by *(a)* focus group research, *(b)* quantitative surveys and *(c)* other market research surveys, listing in each case when and in what form the results were published. [128074]

Mr. Don Foster: To ask the Chancellor of the Exchequer, (2) pursuant to his answer of 20 June, *Official Report*, column 168W, on opinion research, if he will list all the market and opinion research carried out by his Department, its agencies and non-departmental public bodies since May 1997, stating in each case if the results will be placed in the Library or the reason for not doing so. [132024]

Miss Melanie Johnson *[holding answer 21 July 2000]:* The information requested is not held centrally and could be provided only at disproportionate cost.

Earnings Statistics

Mr. Welsh: To ask the Chancellor of the Exchequer how many of those in employment currently earn less than *(a)* £4.20, and *(b)* 4.50; and how many of those aged 18 to 21 years currently earn less than (i) £4.20, (ii) £4.50 and (iii) £3.70 in (1) Scotland and (2) the UK. [128172]

Miss Melanie Johnson *[holding answer 4 July 2000]:* The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Andrew Welsh, dated 28 July 2000:

As National Statistician I have been asked to reply to your recent question about earnings of employees in Scotland and the United Kingdom. (128172)

The New Earnings Survey (NES) can provide earnings data for geographical areas. These are released for all areas where there is a sufficiently large sample of employees and the statistics have an acceptable level of accuracy. I have provided the available data for

Scotland and the United Kingdom in the attached table. These are based on the 1999 NES, the latest survey for which data are available.

From the NES I am only able to give percentages earning below specified thresholds, rather than numbers because appropriate grossing factors for the survey sample are not readily available.

The NES is based on a one per cent sample of employees in the PAYE system and is therefore likely to under-represent relatively low paid staff earning below the tax threshold and in particular those who work part-time.

New Earnings Survey, April 1999 (UK)

Gross hourly earnings excluding overtime (£)

	All ages		*Age 18 to 21 years*		
	Percentage earning less than		*Percentage earning less than*		
	£4.20	*£4.50*	*£3.70*	*£4.20*	*£4.50*
Scotland					
Full-time	6.7	9.5	13.4	29.0	38.6
Part-time	28.8	37.1	25.4	47.8	55.7
All	11.8	15.9	17.5	35.4	44.4
United Kingdom					
Full-time	6.0	8.6	15.1	29.7	38.8
Part-time	27.3	36.2	24.1	46.2	59.4
All	10.8	14.8	17.9	34.7	45.1

Note:
Employees on all rates of pay, whose pay for the survey period was unaffected by absence.

Job Creation

Mr. Loughton: To ask the Chancellor of the Exchequer how many new jobs have been created in *(a)* metropolitan boroughs and *(b)* the rest of the UK since May 1997. [129111]

Miss Melanie Johnson *[holding answer 4 July 2000]:* The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Tim Loughton, dated 28 July 2000:

As National Statistician I have been asked to reply to your recent question about jobs created in metropolitan boroughs and the rest of the UK since May 1997.

Information is not available for job gains or losses. However, the Annual Employment Survey (AES) can provide the net change in the number of employee jobs between 1997 and 1998. The data collected from this survey is for Employee Jobs only. This means that other employment components are excluded (i.e. jobs in Self-employment, Government-supported trainees, and HM Forces). This information is shown in the attached table for metropolitan boroughs and the remainder of Great Britain. The AES does not collect Northern Ireland data.

The AES sample is drawn from the Inter-Departmental Business Register (IDBR). The 1998 survey comprised 65,000 enterprises, covering nearly half a million workplaces.

Net change in employee jobs, September 1997-September 1998

	Thousand
City of London	+14.8
Inner London boroughs	
Camden	+19.9
Hackney	+3.3
Hammersmith and Fulham	+11.9
Haringey	−0.9
Islington	+5.4
Kensington and Chelsea	+2.6
Lambeth	+6.7
Lewisham	−2.4
Newham	+1.5
Southwark	+4.7
Tower Hamlets	+9.9
Wandsworth	−1.4
City of Westminster	+20.5
Outer London boroughs	
Barking and Dagenham	−5.9
Barnet	+16.5
Bexley	+4.2
Brent	+5.7
Bromley	+2.4
Croydon	+7.0
Ealing	+5.1
Enfield	+1.2
Greenwich	+1.8
Harrow	+1.0
Havering	−1.0
Hillingdon	+8.6
Hounslow	+7.9
Kingston-upon-Thames	−5.0
Merton	+1.0
Redbridge	+2.9
Richmond-upon-Thames	+2.9
Sutton	+2.9
Waltham Forest	+1.7
West Midlands boroughs	
Birmingham	+5.8
Coventry	−1.0
Dudley	−4.2
Sandwell	+2.9
Solihull	+2.5
Walsall	+6.0
Wolverhampton	−1.1
South Yorkshire boroughs	
Barnsley	−1.4
Doncaster	−1.8
Rotherham	+4.4
Sheffield	+2.6
West Yorkshire boroughs	
Bradford	+1.6
Calderdale	−0.9
Kirklees	+4.0
Leeds	+4.7
Wakefield	−0.7
Greater Manchester boroughs	
Bolton	0
Bury	+2.5
Manchester	+9.4
Oldham	−1.0
Rochdale	+1.5
Salford	+2.5
Stockport	−2.5
Tameside	−2.0
Trafford	+5.2
Wigan	+0.5
Merseyside boroughs	
Knowsley	−0.4
Liverpool	+6.8
St. Helens	+7.1
Sefton	−1.5
Wirral	−1.7
Tyne and Wear boroughs	
Gateshead	+2.7
Newcastle-upon-Tyne	−4.5

Net change in employee jobs, September 1997-September 1998

	Thousand
North Tyneside	+4.8
South Tyneside	+0.8
Sunderland	+5.0
Net change in Metropolitan boroughs:	+216.0
Net change in rest of Great Britain:	+289.0

Source:
Annual Employment Survey (AES), ONS

Electronic Data Systems

Mr. Field: To ask the Chancellor of the Exchequer, pursuant to his answer of 28 June 2000, *Official Report*, column 541W, on Electronic Data Systems, if he will list for each Department the *(a)* contracts and *(b)* framework agreements held with EDS. [128919]

Mr. Timms *[holding answer 4 July 2000]:* The Treasury, including its agencies, have the following contracts with Electronic Data Systems (EDS):

Treasury (Office of Government Commerce)

"Framework contract": EDS is responsible for managing the Government Catalogue procurement scheme (GCat) for the supply of IT commodity products to public sector organisations.

"Framework contract": Government Telecommunications Contracts service. EDS offers services covering all categories including mobile communications and electronic commerce.

Inland Revenue

IT Services Agreement. EDS is responsible for the provision of the full range of IT services across the Department except the procurement of desktop hardware and other office IT equipment. In addition, EDS provide Inland Revenue with Voice Telecommunications advice and EDS personnel use Inland Revenue contracts to purchase Voice Telecommunications equipment and services for the Department.

The contracts and framework arrangements held by other Government Departments with EDS are a matter for each individual Department.

Mr. Field: To ask the Chancellor of the Exchequer if he will list *(a)* the functions carried out by Electronic Data Systems for his Department and its agencies and *(b)* the total amount of annual taxation revenue to which contracts and framework agreements with Electronic Data Systems are relevant. [129250]

Mr. Timms *[holding answer 6 July 2000]:* The functions carried out by Electronic Data Systems (EDS) for HM Treasury and its agencies are as follows:

Treasury (Office of Government Commerce)

EDS is responsible for managing the Government Catalogue procurement scheme (GCat) for the supply of IT commodity products to public sector organisations. EDS also offers services under the Government Telecommunications Contracts (GTC) service.

Inland Revenue

EDS is responsible for the provision of the full range of IT services across the Department except the procurement of desktop hardware and other office IT equipment. In addition, EDS provide Inland Revenue with Voice Telecommunications advice and EDS personnel use Inland Revenue contracts to purchase Voice Telecommunications equipment and services for the Department.

EDS supplies the IT infrastructure that is used for processing the Inland Revenue's collection of taxation revenue. Inland Revenue's net taxation receipts are published in "Financial Statistics" Table 2.1C, a publication of the Government Statistical Service.

Mr. Field: To ask the Chancellor of the Exchequer if he will list all the benchmarking exercises on Government contracts with Electronic Data Systems; and if he will place copies of the results in the Library. [131906]

Mr. Timms *[holding answer 21 July 2000]:* Information in the form requested is not readily available and could be obtained only at disproportionate cost. The Treasury's new Office of Government Commerce, which commenced operations on 1 April 2000, is giving a high priority to examining ways in which value for money from Government IT projects can be improved.

Pensions Provision

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the cost to the Treasury of higher rate tax relief on contributions to personal pension plans and retirement annuity plans for the self-employed in each of the next five financial years; and if he will make a statement. [129825]

Miss Melanie Johnson *[holding answer 10 July 2000]:* I will write to the hon. Member and place a copy of my letter in the Library of the House.

Euro

Sir Teddy Taylor: To ask the Chancellor of the Exchequer how much has been spent to date by HM Government on the publication and distribution of information relating to the introduction of the euro; and what further spending is planned. [129449]

Miss Melanie Johnson *[holding answer 10 July 2000]:* Since 1998 the Treasury has spent £8.8 million on information to help UK firms understand the impact that the euro may have on their business and to provide them with practical advice.

The Treasury will continue to provide support to firms.

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what assessment he has made of the progress of the UK retail financial sector in preparedness for membership of the euro; and if he will make a statement. [131587]

Miss Melanie Johnson *[holding answer 20 July 2000]:* I refer the hon. Gentleman to the answer I gave him on 24 July 2000, *Official Report*, column 420W.

Capital Gains Indexation

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will estimate the net revenue yield over the next five financial years of reintroducing a system of indexation of capital gains from 6 April 2001 and simultaneously abolishing taper relief from the same date; and if he will make a statement. [130274]

Dawn Primarolo *[holding answer 13 July 2000]:* The net revenue yield from reintroducing indexation and abolishing taper is estimated to be £400 million for the first year, most of which would be received in the following year. Estimates thereafter are highly dependent on assumed growth in asset values.

Green Purchasing

Mr. Gill: To ask the Chancellor of the Exchequer what discussions he has held with DETR Ministers regarding

the green purchasing commitment set out in the document entitled, "Building a better quality of life-a strategy for more sustainable construction". [131091]

Mr. Timms: "Building a better quality of life—a strategy for more sustainable construction" recognised the Government's responsibilities to set an example in the sustainable procurement, maintenance and operation of their built assets.

The Office of Government Commerce published a sustainability action plan, "Achieving sustainability in construction procurement", which commits Departments, agencies and NDPBs to assess their current sustainable construction procurement practices and to develop action plans. This was produced in close consultation with the DETR and was launched by my right hon. Friend the Minister for Housing Planning and Construction on 10 July.

Strikes

Mrs. Browning: To ask the Chancellor of the Exchequer (1) what the total number of days lost through strikes in the *(a)* ferry, *(b)* railway, *(c)* aviation, *(d)* motor manufacturing, *(e)* docks, *(f)* construction, *(g)* coal and *(h)* road haulage industries was in each year since 1992; [130541]

(2) how many unofficial strikes took place in the *(a)* ferry, *(b)* aviation, *(c)* railway, *(d)* road haulage, *(e)* construction, *(f)* coal, *(g)* docks and *(h)* motor manufacturing industries in each year since 1992; [130543]

(3) how many ballots for strike action there have been in the *(a)* construction, *(b)* road haulage, *(c)* coal, *(d)* docks, *(e)* motor manufacturing, *(f)* aviation, *(g)* railway and *(h)* ferry industries in each year since 1992. [130542]

Miss Melanie Johnson *[holding answer 17 July 2000]:* The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mrs. Angela Browning, dated 28 July 2000:

As National Statistician, I have been asked to reply to your three recent questions about strikes. (130541/2/3)

The table below shows the number of working days lost to labour disputes for the broad industry groups containing those industries in your questions. These statistics are not compiled at the level of industrial detail in your original request.

Number of working days lost due to labour disputes in the UK

Thousand

	Industry group			
Year	*Transport, storage and communication*	*Manufacture of transport equipment*	*Construction*	*Mining and quarrying*
1992	13	16	10	8
1993	160	55	1	27
1994	110	24	5	1
1995	120	27	10	—
1996	884	43	8	2
1997	36	51	17	2
1998	139	26	13	—
1999	50	55	49	—

Source:
Office for National Statistics

The figures cover both official and unofficial disputes, although no distinction is made between the two.

Data are not collected about the number of ballots for strike action that have taken place.

Insurance Policies

Mr. Hawkins: To ask the Chancellor of the Exchequer (1) how much he estimates the loss to each consumer to be when motor insurance policies are cancelled; [130553]

(2) if he will estimate the increase in the number of uninsured drivers resulting from each 10,000 cancelled policy notices; [130556]

(3) how many policy cancellation notices were issued in the last two years; and what forecast he has made for such notices issued in the next two years; [130551]

(4) what proportion of policy cancellation notices were returned unopened to the Policy Protection Board in each of the last five years. [130552]

Miss Melanie Johnson *[holding answer 17 July 2000]:* No information is available on these matters.

Mr. Hawkins: To ask the Chancellor of the Exchequer (1) what action he is taking to ensure that the reserves available to the Policyholders' Protection Board are used appropriately to protect the policyholders of Drake Insurance plc; [130554]

(2) what financial reserves are available to the Policyholders' Protection Board to assist consumers; and what assessment he has made of the adequacy of these reserves; [130555]

(3) what action he has taken to ensure that the Policyholders' Protection Board warns motor policy holders with Drake Insurance plc that they have no motor insurance; [130558]

(4) if he will use his powers under the Policyholders' Protection Act 1997 to intervene to protect the policyholders of Drake Insurance plc. [130550]

Miss Melanie Johnson *[holding answer 17 July 2000]:* It is for the Policyholders Protection board (PPB) as an independent statutory body to decide how best to use its statutory powers to protect policyholders. The PPB raises funds through a levy on authorised insurers and its accounts are published annually. I have arranged for a copy of the most recent Report and Accounts for the year ended 31 March 1999 to be placed in the Library of the House.

Policyholders whose policies are to be cancelled are given formal notice by their insurers (in this case the provisional liquidator), not the PPB.

Annual Reports and Job Plans

Mr. Cousins: To ask the Chancellor of the Exchequer if he will place in the Library the annual reports and workplans for the forthcoming year of the Financial Action Task Force and the Financial Stability Forum in *(a)* 1998, *(b)* 1999 and *(c)* 2000; and if he will list the key decisions taken by those bodies in each of those years. [130826]

Miss Melanie Johnson *[holding answer 17 July 2000]:* Copies of the annual reports containing all key decisions have today been placed in the Library.

Working Families Tax Credit

Mr. Willetts: To ask the Chancellor of the Exchequer in how many families the Working Families Tax Credit is paid to *(a)* a woman and *(b)* a man. [128934]

Dawn Primarolo *[holding answer 5 July 2000]:* I will write to the hon. Member and place a copy of my letter in the Library of the House.

Mr. Willetts: To ask the Chancellor of the Exchequer how many families are eligible for the Working Families Tax Credit. [130408]

Dawn Primarolo *[holding answer 17 July 2000]:* The number of families in receipt of Working Families Tax Credit at the end of May 2000 is provisionally estimated at 1,056,000.

Mr. Edward Davey: To ask the Chancellor of the Exchequer how many families received the Working Families Tax Credit *(a)* at the last date for which figures are available and *(b)* at the time of its introduction; what the reasons are for the difference between *(a)* and (b); and what steps he is taking to ensure that all eligible families claim the credit. [132831]

Dawn Primarolo: Working Families Tax Credit (WFTC) replaced Family Credit (FC) on 5 October 1999. The number of families in receipt of FC at the end of September 1999 was 788,000. The number of families in receipt of the WFTC at the end of May 2000 is provisionally estimated at 1,056,000. The increase is due to the successful introduction of WFTC and the transition from FC.

For the last part of the question, I refer the hon. Member to my reply to my hon. Friend the Member for Edmonton (Mr. Love) on 27 July 2000, *Official Report*, column 877W.

Mr. Greenway: To ask the Chancellor of the Exchequer how many Working Families Tax Credit claimants are being paid at *(a)* the pre-4 April rate of benefit and *(b)* the rate introduced on 11 April. [130707]

Dawn Primarolo *[holding answer 18 July 2000]:* The number of families in receipt of Working Families Tax Credit at the end of May 2000 is provisionally estimated at 1,056,000. Of these, it is estimated that 672,000 had start dates before 4 April 2000 and 384,000 had start dates on or after 11 April.

Mr. Willetts: To ask the Chancellor of the Exchequer (1) how many recipients of working families tax credit had the option of choosing payment *(a)* via the payroll and *(b)* not via the payroll; and of those how many have chosen not to be paid through the payroll; [130764]

(2) how many recipients of working families tax credit are receiving it via the payroll. [130765]

Dawn Primarolo *[holding answer 18 July 2000]:* I will write to the hon. Member and place a copy of my letter in the Library of the House.

Mr. Willetts: To ask the Chancellor of the Exchequer, pursuant to his reply of 4 July 2000, *Official Report*, column 176W, how many families have been in receipt of the Working Families Tax Credit in each month since April this year. [132401]

Dawn Primarolo *[holding answer 25 July 2000]:* Provisional estimates of the number of families in receipt of Working Families Tax Credit at each end-month are as follows:

	Thousand
April 2000	1,053
May 2000	1,056

Estimated figures for Family Credit in the corresponding months last year are as follows:

	Thousand
April 1999	823
May 1999	821

Bridge Tolls

Mrs. Gilroy: To ask the Chancellor of the Exchequer what representations the Treasury has made to the European Court of Justice in respect of VAT on bridge tolls and the impact that will have on the case of the Tamar Bridge. [133093]

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer if he will estimate the additional revenue from applying value added tax at 17.5 per cent. on existing toll charges. [130546]

Mr. Jenkin: To ask the Chancellor of the Exchequer, pursuant to the opinion of the Advocate-General of the European Court of Justice, dated 27 January, concerning Case C-359/97 (Commission *v.* European Communities), if he will estimate the proceeds that will accrue to the Exchequer per year from the application of the standard rate of VAT to roads, tunnels and bridges. [129782]

Dawn Primarolo: The United Kingdom's relief from VAT for all toll charges has been vigorously defended throughout the proceedings before the European Court of Justice.

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer if the Tamar Bridge Joint Committee was consulted during preparation for the ECJ court case concerning value added tax on toll charges. [130545]

Dawn Primarolo *[holding answer 17 July 2000]:* The Tamar Bridge Joint Committee was invited to a meeting hosted by HM Customs and Excise on 19 May 1998, at which the case was fully discussed. Thereafter, the Tamar Bridge Joint Committee was on the mailing list for Customs' written updates on the case.

Employment Rates

Mr. Field: To ask the Chancellor of the Exchequer in how many parliamentary constituencies *(a)* the employment rate has gone down and *(b)* both the employment rate and unemployment rate have gone down, in the past (i) six months, (ii) one year and (iii) two years and (iv) three years; and if he will give the source for each statistic. [131182]

Miss Melanie Johnson *[holding answer 18 July 2000]:* The information requested falls within the responsibility of the National Statistician. I have asked him to write to my right hon. Friend.

Letter from Len Cook to Mr. Field dated 28 July 2000:

As National Statistician I have been asked to reply to your recent question about employment and unemployment rates in parliamentary constituencies. (131182).

Information on economic activity at parliamentary constituency level can be derived on an annual basis from the Labour Force Survey (LFS), which is National Statistics' main source of labour market data on individuals. The latest estimates cover the year from March 1998 to February 1999. These show that the employment rate in 274 our of 659 constituencies was lower than in the year from March 1997 in February 1998. In 238 constituencies the rate was lower than in the year from March 1996 to February 1997, the earliest period for which estimates are available.

National Statistics' preferred measure of unemployment is the International Labour Organisation (ILO) unemployment rate, derived from the LFS. As with any sample survey LFS estimates are subject to sampling variability. The smaller the estimate, the larger the variability relative to the size of the estimate. Unfortunately analyses of unemployment at parliamentary constituency level only provide reliable estimates for a small proportion of constituencies. So it is not possible from the LFS to provide a total of those constituencies where both employment and unemployment have fallen.

People aged 16 or over are classed as in employment by the LFS if they have done at least one hour of paid work (as an employee or self-employed) in the week prior to their LFS interview or if they have a job that they are temporarily away from. People who do unpaid work in a family business and people on Government-supported training and employment programmes are also included according to the International Labour Organisation convention.

Advisory Bodies

Tony Wright: To ask the Chancellor of the Exchequer if he will list all the *(a)* task forces, *(b)* action teams, *(c)* policy reviews and *(d)* other temporary advisory bodies with external members currently in existence within his Department; and on what date each body (i) was set up and (ii) is expected to terminate. [131445]

Miss Melanie Johnson: I refer my hon. Friend to the answer given to him by the Parliamentary Secretary, Cabinet Office, on 27 July 2000, *Official Report*, column 799W.

Absenteeism

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what the level of absenteeism was in *(a)* his Department, *(b)* its agencies and *(c)* its related public bodies in the last year for which figures are available; what his estimate is of the total cost of this level of absenteeism to public funds in each of the last five years; and if he will make a statement. [131322]

Dawn Primarolo *[holding answer 18 July 2000]:* I refer the hon. Member to the answer given on 11 May 2000, *Official Report*, column 434W. The latest published departmental statistics on sickness absence were given in the report "Analysis of Sickness Absence in the Civil Service 1998" prepared by BMI Health Service Ltd.

Information on costs for the last five years is not available on a departmental basis and could be provided only at disproportionate cost.

In line with the work on reducing absence following the July 1998 report "Managing Attendance in the Public Sector", the civil service has a whole as a target to reduce absence by 20 per cent. by 2001 and 30 per cent. by 2003.

Census

Mr. John M. Taylor: To ask the Chancellor of the Exchequer under what powers researchers may be informed of personal details from closed decennial Census forms; and what limits are placed on the use of information from the 1971 to 1991 Census forms. [131722]

Miss Melanie Johnson: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. John Taylor, dated 28 July 2000:

As National Statistician and Registrar General for England and Wales I have been asked to reply to your recent question asking under what powers researchers may be informed of personal details from closed decennial Census forms; and what limits are placed on the use of information from the 1971 to 1991 Census forms (131722).

Under the provisions of Section 8(2) the Census Act 1920 as amended by the Census (Confidentiality) Act 1991, it is an offence for the Registrar General or any person who is either under the control of, or a supplier of any services to, the Registrar General to disclose any personal census information without lawful authority. Strict safeguards are maintained to protect the confidentiality of personal census information handled by persons either working for the Registrar General or providing services on his behalf. All such persons are required to make signed undertakings to fulfil the obligations required under the provisions of the Act and any Regulations made under the Act.

Information under the 1971 to 1991 Census returns may be published as reports to Parliament or abstracts under the provisions of Section 4 of the Census Act. Confidentiality thresholds are applied to the population of small areas below which no census information other than simple headcounts is made available. Other measures are taken to minimise the risk of inadvertent disclosure of information about identifiable individuals or households.

Pursuant to Section 5 of the Census Act, a number of researchers are permitted to come to ONS to undertake statistical analyses of census information regarding the number and condition of the population from the Longitudinal Study. They may only work on projects that have previously been approved by the Longitudinal Study Research Board and may only access Study data under supervised conditions on the ONS site. Such data do not contain details of names and addresses. The only outputs allowed are tables of aggregated data and statistics at a level that precludes identification of individuals or households. Hence no information which identifies individuals or households may be released from ONS premises at any time.

The Office for National Statistics maintains a confidentiality policy of only providing access to data from those records for which it is responsible that conforms to the provisions of both data protection and freedom on information legislation.

Tax Returns

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what data he compiles concerning monthly backlogs of tax returns; and if he will make a statement. [131939]

Dawn Primarolo: The Management Information Systems of the Inland Revenue provide information of the number of Self Assessment Tax Returns issued; received; sent back; waiting to be processed; and processed.

Household Incomes

Mr. Berry: To ask the Chancellor of the Exchequer how many households with children who had below half average income would have had incomes above that threshold in *(a)* 1997, *(b)* 1998 and *(c)* 1999 if the April 1998 rates of child benefit had been raised for all children in the family by 50 per cent. and linked with earnings; and what the net extra cost would have been for (i) 1998–99 and (ii) 1999–2000 after allowing for (A) the increases made by the Government in (1) child benefit and (2) WFTC and (B) changes in benefits for lone parents. [131953]

Dawn Primarolo: The simulation model used in the Treasury cannot easily be used to look back historically at what would have happened in specific years under different policies.

Computer Disasters

Mr. Fabricant: To ask the Chancellor of the Exchequer what estimate he has made of the time it would take to get new computers running in the wake of a major computer disaster in his Department. [130967]

Dawn Primarolo *[holding answer 19 July 2000]:* In the event of a major computer disaster the Treasury's aim would be to restore basic IT facilities (desktop or laptop stand-alone equipment) to key staff as soon as possible but at the latest within two days.

The timescale for the restoration of full IT services to the whole department would depend on the scale of the disaster.

Random Assignment Elements

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer which pilot projects undertaken by his Department since 1997 have involved random assignment elements; and what assessment he has made of their effectiveness in promoting more effective policy making. [131584]

Dawn Primarolo *[holding answer 20 July 2000]:* While no consolidated record of such schemes is kept, I am not aware of any pilot projects undertaken by the Treasury since 1997 with random assignment elements.

Sickness Absence

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will publish the monthly outturns on sickness absence as listed in reports from directors in his Department for each month for the last two years; and if he will make a statement. [130724]

Dawn Primarolo *[holding answer 20 July 2000]:* I refer my hon. Friend to the answer given on 11 May 2000, *Official Report*, column 434W. The latest published statistics on sickness absence were given in the report "Analysis of Sickness Absence in the Civil Service 1998" prepared by BMI Health Service Ltd. These show that HM Treasury has the lowest absence rate of Departments and Agencies of a similar size.

Worn-out Bank Notes

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what the face value of paper notes was, broken down by denomination, which were destroyed in the last 12 months because they were worn out. [132315]

Miss Melanie Johnson: The face value of Bank of England notes destroyed in the 12-month period ending 30 June 2000 was:

	£ million
£5	1,369
£10	3,177
£20	5,022
£50	440
Total	10,008

Note:
All figures rounded

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer where worn-out bank-notes are incinerated. [132316]

Miss Melanie Johnson: No notes are incinerated.

Spending Review

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his statement of 18 July 2000, *Official Report*, column 219–44, on the Spending Review, if he will publish Table A4 of "Prudent for a Purpose", Cm 4807, in a form which is comparable to Table C19 of the document entitled Budget 2000, HC 346. [132247]

Mr. Andrew Smith: A table in a comparable format to Table C19 of Budget 2000, showing the new plans for Departmental Expenditure Limits broken down into resource and capital budgets, can be found in "Prudent for A Purpose: Building Opportunity and Security for All", Cm 4807, at A3. This table is set out in real terms. An explanation of how departmental plans have changed for the new planning period on the move to resource budgeting is contained in Table A8.

Departmental Expenditure Limits—Resource and Capital Budgets in real terms

£ billion, 1999–2000 prices

	1999–2000	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Resource Budget:					
Education and Employment	14.2	16.3	17.9	19.0	19.8
Health	40.0	42.6	44.7	47.7	50.6
of which: NHS	39.4	41.9	43.6	45.7	48.6
Environment, Transport and Regions	3.9	4.2	4.9	5.2	5.1
Local Government	33.9	34.5	35.0	36.3	37.7
Home Office	7.0	7.4	8.3	8.7	8.9
Legal Departments	2.7	2.8	2.9	2.9	2.9

Departmental Expenditure Limits—Resource and Capital Budgets in real terms

£ billion, 1999–2000 prices

	1999–2000	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Defence	16.9	17.4	17.2	17.2	17.0
Foreign and Commonwealth Office	1.0	1.0	1.0	1.0	1.0
International Development	2.2	2.4	2.6	2.7	2.9
Trade and Industry	2.8	3.2	3.7	3.3	2.9
Agriculture, Fisheries and Food	1.0	0.9	1.0	1.0	1.0
Culture, Media and Sport	0.9	0.9	1.0	1.0	1.1
Social Security (administration)	3.2	3.1	3.6	3.9	3.8
Scotland	12.0	12.4	12.9	13.4	13.8
Wales	6.3	6.8	7.1	7.4	7.7
Northern Ireland Executive	4.2	4.4	4.6	4.7	4.8
Northern Ireland Office	1.0	1.0	1.0	1.0	0.9
Chancellor's Departments	3.4	3.7	3.7	3.8	3.7
Cabinet Office	1.1	1.1	1.2	1.2	1.2
Employment Opportunities Fund[1]	0.5	0.9	0.8	0.8	1.2
Invest to Save Budget	—	0.0	0.1	0.1	0.0
Capital Modernisation Fund	—	0.0	0.0	0.0	0.0
Policy Innovation Fund	—	—	0.0	0.0	0.0
Reserve	—	1.9	1.1	1.5	1.8
Total Resource Budget DEL	158.5	169.0	176.5	183.7	189.9
Capital Budget					
Education and Employment	1.2	2.2	2.4	2.8	3.5
Health	0.9	1.7	2.5	3.0	3.0
of which: NHS	0.9	1.6	2.4	2.9	2.9
Environment, Transport and Regions	5.8	6.3	7.7	9.3	11.1
Local Government	0.3	0.0	0.1	0.3	0.3
Home Office	0.5	0.6	0.8	0.9	0.8
Legal Departments	0.1	0.1	0.1	0.1	0.1
Defence	5.0	5.1	5.2	5.3	5.7
Foreign and Commonwealth Office	0.1	0.1	0.1	0.2	0.2
International Development	0.3	0.3	0.4	0.4	0.4
Trade and Industry	0.2	0.5	0.7	0.7	0.9
Agriculture, Fisheries and Food	0.1	0.2	0.2	0.2	0.2
Culture, Media and Sport	0.1	0.1	0.1	0.1	0.1
Department of Social Security	0.0	0.0	0.1	0.1	0.0
Scotland	1.8	2.3	2.6	2.8	2.9
Wales	0.8	0.8	1.0	1.1	1.2
Northern Ireland Executive	0.7	0.8	0.8	0.9	1.0
Northern Ireland Office	0.0	0.0	0.1	0.1	0.0
Chancellor's Departments	0.1	–0.1	0.2	0.2	0.2
Cabinet Office	0.2	0.2	0.2	0.1	0.2
Employment Opportunities Fund 1	0.0	0.0	0.0	0.0	0.0
Invest to Save Budget	—	0.0	0.0	0.0	0.0
Capital Modernisation Fund	—	0.1	0.4	0.8	1.1
Policy Innovation Fund	—	—	0.0	0.0	0.0
Reserve	—	0.7	0.3	0.4	0.5
Total Capital Budget DEL	18.3	22.0	25.8	29.7	33.2
Total Departmental Expenditure Limits	176.8	190.9	202.4	213.4	223.1

[1] Formerly Welfare to Work

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer in which year he expects to be able to judge that the trend rate of growth had increased from 2.5 per cent by 2004; how the Inland Revenue will judge total compliance costs to business; how compliance costs are defined in his document entitled "Prudent for a Purpose", Cm 4807; and if he will make a statement. [132267]

Mr. Andrew Smith: The Government's estimate of the UK's 2¼ per cent. trend growth rate was set out in "Trend Growth: Prospects and implications for policy" which was published in November 1999. The Government continually monitors all relevant evidence and data on the UK's trend rate of growth.

Inland Revenue will judge total compliance costs to business as those costs incurred by all businesses or third parties in meeting the requirements laid upon them by those parts of the tax system which are administered by Inland Revenue.

Prudent for a Purpose commits the Inland Revenue to reductions in costs which act as a barrier to the establishment and growth of small businesses.

Tobacco Industry

Mr. Hunter: To ask the Chancellor of the Exchequer (1) what the value of United Kingdom exports of tobacco products was to countries outside the European Union in *(a)* 1997, *(b)* 1998 and *(c)* 1999; [132336]

(2) what the contribution of the UK tobacco industry was to the balance of payments in *(a)* 1997, *(b)* 1998 and *(c)* 1999. [132335]

Miss Melanie Johnson *[holding answer 24 July 2000]:* The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Pullinger to Mr. Andrew Hunter, dated 28 July 2000:

As National Statistician I have been asked to reply to your recent questions on the United Kingdom's trade in tobacco. (132336/7).

The following table shows the latest estimates for UK trade in tobacco products. Figures are shown in £billion on a Balance of Payments basis and cover Division 16 of the 1992 Standard Industrial Classification—SIC(92). The balance of trade in goods is the value of goods exported less the value of goods imported.

	Contribution to balance of trade in goods	*Exports to non-EU countries*
1997	+1.0	0.7
1998	+0.9	0.6
1999	+0.9	0.6

Estimates for the tobacco industry in respect of the other components of the current account of the Balance of Payments are not available.

Interest Rates

Mr. Willetts: To ask the Chancellor of the Exchequer, pursuant to his answer of 10 May 2000, *Official Report*, columns 417–19W, what the average bank interest rate for mortgages has been since October 1995. [131780]

Miss Melanie Johnson *[holding answer 24 July 2000]:* The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from John Pullinger to Mr. David Willetts, dated 28 July 2000:

I have been asked to reply to your recent question asking about average bank interest rates for mortgages (131780). I am replying in the National Statistician's absence.

The average rate on standard variable mortgage rate loans by a cross-section of banks between October 1995 and May 2000 was 7.73%. End-month observations of this rate from January 1996 to date are published by National Statistics in table 71.J of Financial Statistics (series AJVR) or may be viewed on the National Statistics central database, to which the House of Commons Library has access.

Climate Change Levy

Mrs. Ewing: To ask the Chancellor of the Exchequer if he will estimate the cost of exempting *(a)* hydro power and *(b)* non-nuclear and non-fossil fuel generated electricity from the climate change levy in *(a)* Scotland and *(b)* the UK. [131588]

Mr. Timms *[holding answer 24 July 2000]:* The initial cost of exempting small scale hydro electric power and non-nuclear/non-fossil fuel generated electricity from the Climate Change Levy is estimated to be around £20 million in a full year. The exact cost of the exemption in future years will depend on the speed of progress made towards the Government's target of generating 5 per cent. of electricity from renewable sources by 2003. Separate estimates for Scotland are not available.

Debt Repayment (HIPCs)

Mr. Cousins: To ask the Chancellor of the Exchequer what was the size of Government debt repayment from the HIPC countries in 1996–97; what he estimates the debt repayment will be in 2000–01; and to what extent such repayments will be recycled into *(a)* primary healthcare and *(b)* AIDS care and prevention in these countries. [131626]

Miss Melanie Johnson *[holding answer 24 July 2000]:* The total amount received from HIPCs in 1996–97 was £29.4 million. Under the UK's policy of 100 per cent. debt forgiveness once countries have reached decision point under the Heavily Indebted Poor Countries (HIPC) Initiative, they can immediately stop making payments on all their debts outstanding to the UK Government.

So far nine countries have reached their decision point, of which eight owed money to the UK. For these countries all payments to the UK Government have already ceased. In total the debt relief to these countries afforded by the HIPC initiative and the Government's 100 per cent. debt relief policy will add up to £241 million.

A further 11 countries are expected to reach decision point by the end of 2000. If they did the total amount that the UK Government would be writing off for these 20 countries would be £659 million. The total payments due for payment in 2000–01 depends entirely on how quickly countries reach decision point, and hence how many benefit from the UK's policy of 100 per cent. debt relief.

Under the enhanced HIPC initiative, debt relief is tied much more closely to poverty reduction. Countries are developing national poverty reduction strategies as part of their qualification for debt relief. Countries will examine causes of poverty and opportunities for tackling it. The Poverty Reduction Strategy of an individual country will often identify primary healthcare and HIV/AIDS as priority areas for government action and increased resources. But many competing claims for additional resources, and it is up to the governments of the HIPC countries themselves to decide how to balance these, in discussion with key stakeholders.

Departmental Groups

Mr. Stunell: To ask the Chancellor of the Exchequer if he will list each group that is responsible to his Department, with significant and plural membership from outside the Civil Service, and to which the Nolan rules on non-departmental public bodies do not apply and for each such group, if it *(a)* is a company limited by guarantee, *(b)* is a charity, *(c)* has no formal legal basis, and *(d)* has some other legal basis giving details. [131237]

Miss Melanie Johnson *[holding answer 24 July 2000]:* The bodies falling within the scope of the question are as follows. Although they are not formally within the remit of the Commissioner for Public Appointments, Treasury Minsters observe the spirit of the rules and Nolan principles in making appointments to them:

(a) Companies limited by guarantee

Financial Services Authority.

(b) Charities

None

(c) No legal basis

None

(d) Other legal basis

(i) executive bodies

National Savings Agency Management Board

Public Works Loan Board

Building Societies Commission

Friendly Societies Commission

(ii) advisory Bodies

Retail Price Index Advisory Committee

Office for National Statistics Management board

Financial Reporting Advisory Board

Treasury Academic Advisory Panel

Royal Mint Management Board

Standing Committee on Preparations for EMU

Business Advisory Group on EMU

Property Advisers to the Civil Estate (PACE) Ministerial Advisory Board

PACE Central Advice Unit

(iii) Tribunals

Financial Services Tribunal

Inland Revenue Section 706 Tribunal

(iv) Non ministerial Crown Office

Crown Estates Commission

(v) Taskforces, reviews, working groups

Myners review of institutional investment

Review of central government audit steering group

Inland Revenue Finance Leasing Association Working Group

Review of Inland Revenue Officer's Powers

Inland Revenue Construction Industry Scheme User Panel

(vi) Public limited company

Partnerships UK, incorporating the Treasury taskforce.

Tobacco Industry

Mr. Hunter: To ask the Chancellor of the Exchequer what the current price is of a packet of 20 cigarettes in *(a)* the United Kingdom, *(b)* Belgium, *(c)* France and *(d)* Germany. [132337]

Dawn Primarolo *[holding answer 24 July 2000]:* The price of a packet of 20 cigarettes will vary according to the brand and these prices are not available for other EU countries. The most popular price category (MPPC) for cigarettes in each of the EU member states is contained in the Excise Duty Tables published by the European Commission.

Share and Security Dealing

Mr. Mitchell: To ask the Chancellor of the Exchequer what proposal was put forward by the Government of France at the meeting of ECOFIN in July concerning the operation of the single market in share and security dealing within the Community; if he will place a copy of that proposal in the Library; on what Treaty and Article it is based; what voting took place at ECOFIN on the proposal; what voting arrangements will govern any subsequent consideration by ECOFIN; and what action will follow in the European Parliament. [132574]

Miss Melanie Johnson: I will right to my hon. Friend and place a copy of my letter in the Library of the House.

Green Cars

Mr. Wigley: To ask the Chancellor of the Exchequer if he will make a statement on his taxation policy in respect of the development of non-polluting methods of powering motor cars. [132791]

Mr. Timms: Duty on road fuel gases was cut by 29 per cent. in 1999 and was frozen in the March Budget.

The duty differential between ultra low sulphur diesel and conventional diesel had succeeded in turning the UK market over to the more environmentally friendly low sulphur fuel. Furthermore, as announced in March 2000 a 1p/litre inventive will be introduced for ultra low sulphur petrol.

The graduated system of Vehicle Excise Duty for new cars, being introduced in March 2001, will offer discounted rates for cars using more environmentally friendly fuels.

Press Releases

Mr. Lansley: To ask the Chancellor of the Exchequer how many press releases have been issued so far this year; and what the total cost of the production and issuing of press releases was in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* 2000 to date. [132780]

Miss Melanie Johnson: In 2000, 125 press notices have been released to 30 June. The cost to date to the Treasury for the services of the Central Office of Information (COI), which distribute press releases, has been £14,709.60. The number of press notices released and the amounts billed to Treasury by COI in previous years are as follows:

	Number of press notices	*COI distribution costs (£)*
1997	184	18,682.00
1998	239	25,186.62
1999	283	23,899.50

Press Officers

Mr. Lansley: To ask the Chancellor of the Exchequer how many press officers were employed in his Department in *(a)* May 1997, *(b)* January 1998, *(c)* January 1999 and *(d)* January 2000; and what the total expenditure on press officers by his Department was in each of the years concerned. [132766]

Miss Melanie Johnson: For the number of press officers employed by the Treasury, I refer the hon. Gentleman to my reply of 17 May 2000, *Official Report*, column 183W, to the right hon. Member for Kensington and Chelsea (Mr. Portillo). As to expenditure, due to staff changes it is not possible to provide accurate figures for May 1997 on a consistent basis. However, basic salary costs for Treasury press officers for the years 1998, 1999 and 2000 to date are as follows:

£

	Press officer basic salary costs
1998	192,541
1999	246,103
2000 (to date)	53,470

Departmental Staff

Mr. Burstow: To ask the Chancellor of the Exchequer how many unfilled vacancies for permanent staff his Department has; what percentage of staff positions in his Department are vacant; what the monthly cost would be to his Department of employing civil servants in these positions; how many and what percentage of staff his Department employs on a temporary basis through employment agencies; how much his Department paid employment agencies to supply temporary staff in each of the last 12 months; and how much he expects to pay employment agencies to supply temporary staff in each of the next 12 months. [131426]

Dawn Primarolo *[holding answer 25 July 2000]:* On 1 April 2000 the gap between staff in post and planned demand in the Treasury was 72 around 8 per cent. of posts. The monthly cost of employing civil servants in those posts is estimated at £155k. In the week beginning 3 April 2000 there were 27 temporary agency staff in the Treasury, around 3 per cent. of the total, filling vacant posts or covering for staff in posts that were temporary vacant through maternity leave, annual leave or sickness absence. The amounts that were paid by the Treasury to supply temporary staff for each month in the Financial Year 1999–2000 are provided in the following table. The budget for payments to supply temporary staff in 2000–01 is £461,829k.

Payments by HM Treasury to employment agencies for temporary staff 1999–2000

	£
April 1999	48,097.49
May 1999	50,012.29
June 1999	35,705.49
July 1999	56,455.82
August 1999	53,718.22
September 1999	30,724.74
October 1999	38,390.13
November 1999	65,374.01
December 1999	43,657.45
January 2000	62,621.93
February 2000	65,252.66
March 2000	95,497.48
Total	645,507.71

ENTRUST

Mr. Baker: To ask the Chancellor of the Exchequer how much money was available to ENTRUST for distribution in the last year for which figures are available; how much was actually distributed; and how much was spent on overheads. [131664]

Mr. Timms *[holding answer 26 July 2000]:* In the financial year 1998–99, the last year for which figures are available, landfill site operators made contributions totalling £76 million directly to environmental bodies approved under the landfill tax environmental bodies credit scheme. ENTRUST charge a 2 per cent. administration fee on contributions received by the bodies to cover its expenses in regulating the scheme, but ENTRUST does not itself receive or distribute site operators' funds.

Endowment Mortgages

Mr. Gareth R. Thomas: To ask the Chancellor of the Exchequer if he will take action to help householders experiencing shortfalls on endowment mortgages due to bad advice; and if he will make a statement. [133365]

Miss Melanie Johnson: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Monmouth (Mr. Edwards) on 23 May 2000, *Official Report*, columns 415–16W.

Office for National Statistics

Mrs. Lawrence: To ask the Chancellor of the Exchequer how the Office for National Statistics performed against its key targets in 1999–2000. [133415]

Miss Melanie Johnson: The Office for National Statistics; performance is described in the Agency's Annual Report and Accounts which is being laid before the House today.

Currency Transaction Tax

Mr. Chaytor: To ask the Chancellor of the Exchequer what plans he has to contribute to the study into the concept of a currency transaction tax, as agreed at the recent special session of the United Nations General Assembly on Social Development; and if he will make a statement. [132297]

Miss Melanie Johnson *[holding answer 27 July 2000]:* The Special Session agreed to undertake an analysis of proposals for developing new and innovative sources of funding for social development. One of these proposals is likely to be a tax on international currency transactions. The Government will keep in touch with the UN study as it progresses. We expect that UK Government and non-government organisations will be able to contribute to the UN analysis.

Demographic Statistics

Mr. Field: To ask the Chancellor of the Exchequer (1) if he will estimate how many men will turn 65 years in each of the next 10 years; [132973]

(2) if he will estimate how many women will turn 60 years in each of the next 10 years. [132971]

Miss Melanie Johnson *[holding answers 27 July 2000]:* The information requested is available from the House of Commons Library's Statistics Resource Unit on a copy of a CD-ROM, named '1998-based national population projections'.

VAT (Charities)

Mr. Wigley: To ask the Chancellor of the Exchequer if he will make a statement on the Government's policy on relieving charities of some or all of the costs of VAT on transactions directly related to their charitable objectives. [132911]

Miss Melanie Johnson *[holding answer 27 July 2000]:* Charities already benefit from a range of special VAT reliefs. Systems for relieving charities' irrecoverable VAT were given very careful consideration during the recent Review of Charity Taxation. In the Review's consultation

document, published in March 1999, the Government made it clear that for reasons of principle and cost these were not ideas that it wished to pursue.

Permanent Secretary (Official Business)

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will list the visits outside Britain made by his Department's Permanent Secretary on official business since 1 January 1999, indicating the date and purpose of the visit in each case. [133275]

Dawn Primarolo: The information is as follows:

Destination	*Date*	*Purpose*
Paris	February 1999	Meeting Finance Ministry officials
Frankfurt	March 1999	Visit to ECB
Bonn	June 1999	Meeting Finance Ministry officials
Rome	November 1999	Meeting Finance Ministry officials
Dublin	February 2000	Economic conference
Paris	June 2000	OECD Working Party 3

Family Incomes

Mr. Peter Bradley: To ask the Chancellor of the Exchequer how many employees resident in the Wrekin have benefited from the introduction of the national minimum wage. [133193]

Miss Melanie Johnson The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Peter Bradley, dated 28 July 2000:

As National Statistician I have been asked to reply to your recent question on the number of employees resident in the Wrekin who have benefited from the introduction of the national minimum wage. (133193).

Definitive estimates on the number of people that have been affected by the national minimum wage are not yet available. Currently available estimates for assessing the effect draw on data from both the New Earnings Survey and the Labour Force Survey, and recognise the particular value that each survey adds to the quality and analytical details that can be provided. However, the latest adjusted estimates are mainly based on data for the Spring (March - May) 1999 Labour Force Survey. Because the reference period spans the implementation date for the National Minimum Wage Act on 1 April 1999, these adjusted estimates are unlikely to accurately measure the effect of this Legislation since there are employees who could have been earning below the minimum wage rates in March 1999, before the law took effect.

The currently available estimates for March - May 1999 were published in an Office for National Statistics (ONS) First Release on 14 October 1999 and show that the number of people earning below the minimum wage rates set in April 1999 had fallen significantly between 1998 and 1999. A copy of this first release is available in the House of Commons Library.

National Minimum Wage

Mr. Michael J. Foster: To ask the Chancellor of the Exchequer how many employees resident in *(a)* Worcester and *(b)* mid Worcestershire have benefited from the introduction of the national minimum wage. [133764]

Miss Melanie Johnson: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Michael Foster, dated 28 July 2000:

As National Statistician I have been asked to reply to your recent question on the number of employees resident in Worcester and Mid Worcester who have benefited from the introduction of the national minimum wage (133764)

Definitive estimates on the number of people that have been affected by the national minimum wage are not yet available. Currently available estimates for assessing the effect draw on data from both the New Earnings Survey and the Labour Force Survey, and recognise the particular value that each survey adds to the quality and analytical details that can be provided. However, the latest adjusted estimates are mainly based on data for the Spring (March-May) 1999 Labour Force Survey. Because the reference period spans the implementation date for the National Minimum Wage Act on 1 April 1999, these adjusted estimates are unlikely to accurately measure the effect of this Legislation since there are employees who could have been earning below the minimum wage rates in March 1999, before the law took effect.

The currently available estimates for March-May 1999 were published in an Office for National Statistics (ONS) First Release on 14 October 1999 ; show that the number of people earning below the minimum wage rates set in April 1999 had fallen significantly between 1998 and 1999. A copy of this first release is available in the House of Commons Library.

Television Advertisements

Mr. Baker: To ask the Chancellor of the Exchequer how many television advertisements his Department has commissioned since 1 May 1997; and, of these, how many have been provided with closed caption subtitling. [133436]

Dawn Primarolo: The Treasury has commissioned 16 commercials for one main campaign since 1 May 1997. Of the 16 commercials, eight of them were provided with closed caption subtitling.

The Inland Revenue has commissioned 62 commercials for four main campaigns since 1 May 1997. Of the 62 commercials, 51 of them were provided with closed caption subtitling.

Customs and Excise have commissioned no television advertising since 1 May 1997.

Tax Returns (Internet)

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 18 July 2000, *Official Report*, column 110W, on tax returns, what estimate he has made of *(a)* the fixed cost and *(b)* the marginal cost of providing self-assessment tax returns on the internet; and if he will make a statement. [133633]

Dawn Primarolo: It is not possible to give an answer to this question at this time.

Public Service Agreements

Mrs. Lawrence: To ask the Chancellor of the Exchequer when the public service agreements for 2001 to 2004 will be published. [133949]

Mr. Andrew Smith: I am presenting a White Paper (Cm 4808) to Parliament today.

Parliamentary Questions

Mr. Gill: To ask the Chancellor of the Exchequer when he will answer question 131091, tabled by the hon. Member for Ludlow on 12 July. [133937]

Mr. Timms: I did so on 20 July.

Tax Benefit Reference Manual

Mrs. Lawrence: To ask the Chancellor of the Exchequer when the next edition of the Tax Benefit Reference Manual will be published. [133867]

Dawn Primarolo: Copies of the 2000–01 Edition of the Tax Benefit Reference Manual are today being deposited in the Library of the House.

Electronic Communications Act 2000

Mr. Cotter: To ask the Chancellor of the Exchequer what orders he *(a)* has made and *(b)* intends to make using section 8 of the Electronic Communications Act 2000; and if he will make a statement. [133382]

Miss Melanie Johnson: I refer the hon. Member to the answer given today by the Minister of State, Cabinet Office.

ISAs

Mr. Cotter: To ask the Chancellor of the Exchequer if the consultancy used to analyse the success of ISAs has reported their results; and if he will publish their findings. [133385]

Miss Melanie Johnson: The research to inform Government policy making on ISAs is continuing.

Insurance Companies

Dr. Cable: To ask the Chancellor of the Exchequer (1) if he will make a statement on how *(a)* his Department and *(b)* the FSA, propose that the orphan assets of demutualised insurance companies should be appointed as between shareholders and policyholders; [133409]

(2) what decisions *(a)* his Department and *(b)* the FSA have taken on the appointment of orphan assets between shareholders and policyholders, for each insurance company for which a regulatory determination has been made; [133408]

Mr. Cohen: To ask the Chancellor of the Exchequer if he will introduce legislation to regulate the proposed distribution of orphan assets; and if he will make a statement. [133278]

Mr. Love: To ask the Chancellor of the Exchequer (1) what powers are available to decide the proportion of surplus assets held in the life fund of insurance companies to be distributed to *(a)* policyholders and *(b)* shareholders; what authority is available to use these assets to compensate for pension mis-selling; and if he will make a statement; [133233]

(2) what guidance is given to the Financial Services Authority regarding the split in surplus assets between policyholders and shareholders; and if he will make a statement; [133239]

(3) what authority is given to the Financial Services Authority to vary the proportional split in surplus assets between policyholders and shareholders; and if he will make a statement. [133238]

Miss Melanie Johnson: I will write to the hon. Member and my hon. Friends and place a copy of my letter in the Library of the House.

Monetary Policy Committee

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answers of 25 July 2000, *Official Report*, columns 575–76W, and 17 July 2000, *Official Report*, column 99W, on the Monetary Policy Committee, what criteria he uses to judge whether his appointees to the Monetary Policy Committee have distinguished professional track records in fields relevant to monetary policy; and if he will make a statement. [133634]

Miss Melanie Johnson: I refer the hon. Gentleman to the answers given to his earlier questions on this subject on 17 July 2000, *Official Report*, column 99W, and 25 July 2000, *Official Report*, column 576W. The second of these answers stated that

> The criteria for the appointment of external members of the MPC are set out in section 13(4) of the Bank of England Act 1998.
>
> The criteria set out in the Act are that appointees have knowledge or experience which is likely to be relevant to the Committee's functions.

Student Loans

Mr. Boswell: To ask the Chancellor of the Exchequer what the estimated annual cost is to the revenue of collection of a student loan through the tax system; and what arrangements have been made to recoup this cost. [133624]

Dawn Primarolo: There is no annual cost to the Inland Revenue.

Omnibus Survey

Mr. Horam: To ask the Chancellor of the Exchequer if he will place in the Library a copy of all the questions asked in the current Omnibus survey being conducted by the Office of National Statistics. [133412]

Miss Melanie Johnson: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. John Horam, dated 28 July 2000:

As National Statistician I have been asked to reply to your recent question on Omnibus Survey (133412).

The Omnibus Survey conducted by the Office for National Statistics (ONS) is a multi-purpose survey which runs eight times a year and is carried out on behalf of government departments, public bodies, charities and academics. The Omnibus interview is in two parts. The first part consists of a set of core classificatory questions about respondents that remains unchanged from survey to survey; the second, larger, part consists of a series of unrelated modules on varying topics that are included in the survey at the request of customers. The modules are generally different for each round of the survey, although some customers may ask us to include the same modules in several rounds or at regular intervals.

There are many questions on the current, July, Omnibus survey therefore rather than printing in Hansard I have arranged for copies to be placed in the House of Commons Library.

Tax Credits

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 21 July 2000, *Official Report*, column 346W, on employment tax credit, what estimate he has made of total expenditure on the *(a)* adult component and *(b)* other components of the Working Families Tax Credit in each month since it has been introduced; and if he will make a statement. [133037]

Dawn Primarolo: I refer the hon. Member to the answer I gave the hon. Member for Havant (Mr. Willetts) on 27 March 2000, *Official Report*, column 48W.

Mr. Letwin: To ask the Chancellor of the Exchequer what assessment he has made of the effects of widening the criteria for child tax credit to include NNEB-qualified nannies working in the parents' home. [131528]

Dawn Primarolo *[holding answer 20 July 2000]:* The rules in the Working Families Tax Credit and the Disabled Persons Tax Credit about eligible child care ensure that the help provided goes to safe, good quality, child care. Help through the Childcare Tax Credit is mainly available for child care that is inspected, registered and supported by local authorities. There is no comparable system of inspection, registration or support for child care providers—whether qualified or not—who are paid to look after children in their own home. We are continuing to monitor and evaluate all aspects of the tax credits, including the criteria underlying eligible child care.

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will make a statement on the distribution of changes in net incomes due to child tax credit by *(a)* gross income bands, *(b)* equivalised gross income bands and *(c)* equivalised net income bans of recipient families using (i) each band of £5,000 up to £40,000 and (ii) over £40,000; and if he will make a statement. [128098]

Dawn Primarolo: I will write to the hon. Member and place a copy of my letter in the Library of the House.

Mr. Michael J. Foster: To ask the Chancellor of the Exchequer how many families in *(a)* Worcester and *(b)* Mid Worcester have benefited from the Working Families Tax Credit. [133765]

Dawn Primarolo: The number of families in receipt of the Working Families Tax Credit at the end of May 2000 is provisionally estimated at 1,056,000. For the numbers in the Worcester and Mid Worcestershire constituencies, I refer my hon. Friend to my answer to my hon. Friend the Member for Northampton, North (Ms Keeble) on 24 July 2000, *Official Report*, column 487W.

Mr. Ennis: To ask the Chancellor of the Exchequer how many families in Barnsley, East and Mexborough have received the Childcare Tax Credit. [133743]

Dawn Primarolo: Nationally, it is estimated that about 10 per cent. of awards of the Working Families Tax Credit (WFTC) include the Childcare Tax Credit. There are too few awards falling into the 5 per cent. sample used for these analyses to provide a reliable estimate for the Barnsley, East and Mexborough constituency. For an estimate of the number of families in receipt of WFTC in the constituency, I refer my hon. Friend to my answer to my hon. Friend the Member for Northampton, North (Ms Keeble) on 24 July 2000, *Official Report*, column 487W.

Mr. Peter Bradley: To ask the Chancellor of the Exchequer what estimate he has made of the number of families in The Wrekin likely to benefit from the introduction of the children's tax credit. [133194]

Dawn Primarolo: An estimate of the number of families in The Wrekin who could benefit from the children's tax credit is not available, but an estimated 450,000 families in the West Midlands Government Office region could do so.

Mr. Peter Bradley: To ask the Chancellor of the Exchequer how many families in The Wrekin have benefited from the working families tax credit. [133195]

Dawn Primarolo: The number of families in receipt of the Working Families Tax Credit at the end of May 2000 is provisionally estimated at 1,056,000. For the number in The Wrekin constituency, I refer my hon. Friend to my answer to my hon. Friend the Member for Northampton, North (Ms Keeble) on 24 July 2000, *Official Report*, column 487W.

Mr. Michael J. Foster: To ask the Chancellor of the Exchequer what estimate he has made of the number of families in *(a)* Worcester and *(b)* Mid Worcestershire, who will benefit from the introduction of the children's tax credit. [133770]

Dawn Primarolo: I regret that estimates of the number of families in Worcester and Mid Worcestershire who could benefit from the children's tax credit are not available, but an estimated 450,000 families in the West Midlands Government Office region could do so.

SOLICITOR-GENERAL

Press Releases

Mr. Lansley: To ask the Solicitor-General how many press releases were issued in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* this year to date; and what the total cost of the production and issuing of these press releases was in each year. [132757]

The Solicitor-General: In 1997 the Law Officers Department issued 15 press releases. In 1998 the Law Officers Department issued 21 press releases. In 1999 the Law Officers Department issued 13 press releases. This year to date the Law Officers Department has issued seven press releases. The Law Officers Department press office is small (15 per cent. of one person's total workload) and due to the low number of press notices and the limited circulation, the total cost of production and issuing of these press releases is negligible.

Glenn Howard

Mr. Cohen: To ask the Solicitor-General what conclusions the Crown Prosecution Service has reached concerning the case of Glenn Howard following its receipt of a transcript of the inquest. [133447]

The Solicitor-General: Following its receipt of a transcript of the inquest, the Crown Prosecution Service is reviewing the case again in the light of the evidence given at the inquest. Once this further review has been completed, the Crown Prosecution Service will inform the

victim's brother and the Metropolitan police of the outcome. The CPS hopes to complete this review by the middle of August.

Drink Driving

Mr. Garnier: To ask the Solicitor-General if he will make a statement on his Department's policy on the law relating to the compulsory supply of a sample of *(a)* breath, *(b)* urine and *(c)* blood by a person suspected of driving or being in charge of a motor vehicle while above the statutory alcohol limit following (i) the ruling of Judge Peter Crawford at Birmingham crown court in the case of R. *v.* Amesh Chauhan and Dean Hollingsworth and (ii) the Scottish case of Brown *v.* the Procurator Fiscal. [132633]

Mr. Hill: I have been asked to reply.

The Government's Road Safety Strategy "Tomorrow's Roads—Safer for Everyone" stated that it is our intention to examine police powers with respect to testing drivers for alcohol, with a view to taking new legislation as necessary.

The cases of Brown *v.* PF Dunfermline and R. *v.* Amesh Chauhan and Dean Hollingsworth relate to the determination of the identity of the driver. They raised issues about specific points in those cases and are not considered to have a bearing on the requirement to give samples of breath, blood or urine.

EDUCATION AND EMPLOYMENT

Performance Tables

Mr. Hilary Benn: To ask the Secretary of State for Education and Employment, pursuant to his answer to the hon. Member for Blyth Valley (Mr. Campbell) of 20 July 2000, *Official Report*, column 306W, if pupils from overseas also will not be counted in relation to any information collected and published about Key Stage 3 SATs. [133465]

Jacqui Smith: The Government do not publish school level information about Key Stage 3 test results and teacher assessments. Schools and governing bodies are required to publish such information on a basis which includes pupils from overseas—in Governors' annual reports, school prospectuses and individual pupil reports. They may, if they wish, publish additional information, including information about test results and teacher assessments which excludes pupils from overseas.

National level information about test and examination results and teacher assessments at all Key Stages will continue to be calculated on the same basis as in previous years, with overseas pupils included.

Teacher Dismissals

Mr. Cox: To ask the Secretary of State for Education and Employment how many teachers have been dismissed from their employment at schools in the Greater London area for poor teaching ability during the last 12 months. [133546]

Ms Estelle Morris: The information is not collected centrally.

School Funding

Mr. Steen: To ask the Secretary of State for Education and Employment, pursuant to his answer of 21 July 2000, *Official Report*, column 332W, if he will *(a)* list the 120 schools which benefited from projects supported by the Private Finance Initiative in 1998–99 and *(b)* the 230 schools that are benefiting from projects supported by the Private Finance Initiative in 1999–2000. [133411]

Jacqui Smith: The following schools are benefiting from projects allocated credits through the Private Finance Initiative in each of the last two years:

1998–99

Barnhill School, Hillingdon
Birches Green Infant School, Birmingham
Calshot Junior/Infant School, Birmingham
Clifton Junior School, Birmingham
Cockshut Hill Technology College, Birmingham
Cooper Perry Primary School, Staffordshire
Highlands School, Enfield
Marsh Hill Junior/Infant School, Birmingham
Miltoncross School, Portsmouth
Perry Beeches Infant School, Birmingham
Perry Beeches Nursery School, Birmingham
Perry Beeches Junior School, Birmingham
Perry Beeches Secondary School, Birmingham
Sir Graham Balfour Secondary School, Stafford
Temple School, Manchester
Yardleys Secondary School, Birmingham.

In addition to the above, 104 schools in Dudley are benefiting from a grouped information communication technology programme.

1999–2000

Alexandra Park Secondary School, Haringey
Alperton School, Brent
Barlby County Primary School, North Yorkshire
Bridlington School
Brotherton County Primary School, North Yorkshire
Cardinal Heenan High School, Leeds
Chalkhill Primary School, Brent
Donnington School, Brent
Earl Marshal Secondary School, Sheffield
Ecclesfield Secondary School, Sheffield
Fleetword High School
Fortismere Secondary School, Haringey
Fryent Junior and Infant School, Brent
Furness School, Brent
Gladesmore Secondary School, Haringey
Harlesden School, Brent
Headlands School, Bridlington
Highgate Wood Secondary School, Haringey
Hoddern Junior School, Peacehaven
Homelands primary School, Torquay
Hornsey Girls Secondary School, Haringey
Kensal Rise School, Brent
King Edward VII Secondary School, Sheffield

Kingsbury Green School, Brent
Kirby Hill CE Primary School, North Yorkshire
Lilian Baylis School, Lambeth
Lyon Park Infant School, Brent
Lyon Park Junior School, Brent
Martongate Primary School, Bridlington
Meridian County Primary School, Peacehaven
Mitchell Brook School, Brent
Moorfield Infant School, Bridlington
Moorfield Junior School, Bridlington
Mora Infant and Junior School, Brent
Mosborough Primary School, Sheffield
Mount Stewart Junior School, Brent
Mulberry school, Tower Hamlets
New Pasture Lane Primary School, Bridlington
Northumberland Park Secondary School, Haringey
Northview School, Brent
Owler Brook Primary School, Sheffield
Park Lane Primary School, Brent
Park View Secondary School, Haringey
Peacehaven Infant School
Peacehaven Secondary School
Preston Park School, Brent
Ripon Cathedral CE Primary School
St. David's and St. Katharine's Secondary School, Haringey
St. Thomas More Catholic Comprehensive School, Willenhall
Sudbury Infant and Junior School, Brent
Tapton Secondary School, Sheffield
Telscombe Cliffs County Primary School, East Sussex
Waltham Forest, new secondary school—not yet named
Wembley High School, Brent
Westlands Bilateral School, Torquay
White Hart Lane Secondary School, Haringey
Willesden High School, Brent.

In addition, large grouped repair and refurbishment projects are benefiting 126 schools in Stoke-on-Trent and 47 schools in Tower Hamlets.

Mr. Steen: To ask the Secretary of State for Education and Employment how many applications from schools for *(a)* assistance through the Private Finance Initiative and *(b)* funding from the New Deal for Schools were refused by his Department in each of the last two years. [133387]

Jacqui Smith: Since May 1997, the Government have made available over £1.3 billion of PFI credits to school projects and over £1.2 billion of New Deal for Schools funding.

In 1998–99, the Department received 37 applications for Private Finance Initiative credits on behalf of school projects expected to sign contracts during 1999–2001, of which six were not supported. In 1999–2000, 66 applications were received, of which 45 were not supported.

In 1998–99, 7,059 applications were made for assistance through the New Deal for Schools, of which 5,717 could not be supported; and in 1999–2000, 4963 applications were received of which 3,008 could not be supported.

Mr. Steen: To ask the Secretary of State for Education and Employment if he will list the criteria by which his Department determines application for funding and the New Deal for Schools. [133388]

Jacqui Smith: The criteria, notified to local education authorities, to enable the Department to support applications for funding in the last round the New Deal for Schools programme were:

> proposals which addressed the most serious condition defects identified by surveys of the buildings used by schools which Authorities maintain, in line with Part 3 of the Department's guidance on Asset Management Plans;
>
> proposals which addressed the most serious deficiencies in suitability of those premises which Authorities have identified, in line with Part 4 of the Department's guidance on Asset Management Plans; and
>
> proposals which identified other building work which could make an exceptional contribution to raising educational standards locally and nationally.

A full copy of the guidance issued to Local Education Authorities is available from the Library.

Education (The Wrekin)

Mr. Peter Bradley: To ask the Secretary of State for Education and Employment (1) in how many schools in The Wrekin infant class sizes have been reduced to 30 or less; [133191]

(2) how many five, six and seven year-olds in The Wrekin have benefited from a reduction in class sizes to 30 or less. [133190]

Ms Estelle Morris: The latest available data show that infant classes had been reduced to 30 or below in 24 of the 27 relevant schools in the constituency. Since 1997, 840 five, six and seven-year-olds have benefited from the Government's infant class size initiative. In January 2000, as few as 3.4 per cent. of the relevant age group remained in an infant class of 31 or over. The Government is well on target to deliver its infant class size pledge. Some £620 million is available to support the pledge, and allocations so far to Telford and Wrekin LEA amount to some £1.8 million. This has helped to reduce the size of the average infant class in The Wrekin to 24.7. The figure in January 1997 was 27.2

Mr. Peter Bradley: To ask the Secretary of State for Education and Employment how many pre-school places have been provided in The Wrekin since May 1997 and are planned in subsequent years for *(a)* four-year-olds and *(b)* three-year-olds. [133187]

Ms Hodge: Since this Government came to office, 120,000 new, free, early education places have been created for three and four-year-olds nationally. This Government have provided funding to create an additional 602 free early education places for three and four-year-olds in the Telford and Wrekin local education authority area, from 2,501 places in 1997 to 3,103 in 2000.

Now, all four-year-olds and over two thirds of the three-year-olds in the Telford and Wrekin local education authority area have access to a free, part-time, early education place. Future allocations will be decided later this year.

Mr. Peter Bradley: To ask the Secretary of State for Education and Employment what funding, over and above Rate Support Grant, has been provided to education services in The Wrekin since May 1997. [133188]

Ms Estelle Morris: Funding for education services in Telford and Wrekin over and above Revenue Support Grant since May 1997 is shown in the following table. The revenue funding for 2000–01 does not include Nursery Grant, for which data are not yet available. Telford and Wrekin was part of Shropshire county council up to 31 March 1998. Since 1997–98 spending per pupil in England has increased by £300 in real terms.

Telford and Wrekin education funding over and above Revenue Support Grant

£

	1998–99	*1999–2000*	*2000–01*
Revenue funding	1,389,027	2,964,079	4,840,484
Capital funding	2,205,875	5,431,251	8,527,827
Total	3,594,902	8,395,330	13,368,311

Mr. Peter Bradley: To ask the Secretary of State for Education and Employment how many additional teachers and classroom assistants have been employed in primary and secondary schools in The Wrekin since May 1997. [133189]

Ms Estelle Morris: The full-time equivalent of additional qualified teachers and educational support staff employed in primary and secondary schools in The Wrekin parliamentary constituency area between the third Thursday in January 1997 and 2000 (provisional) are shown.

Number

Qualified teachers	
Primary	19.9
Secondary	27.0
Educational support staff[1]	
Primary	23.6
Secondary	12.9

[1] Includes nursery assistants, special needs support staff, librarians and technicians

There has been a growth of 6,900 full-time equivalent regular teachers in the maintained school sector in England between January 1998 and January 2000.

The Government will also increase by 20,000 the numbers of full-time equivalent support staff working in primary and secondary schools in England by 2002.

Credit-based Qualifications

Mr. Hilary Benn: To ask the Secretary of State for Education and Employment what discussions his Department has had with the Open College Network about the future role and funding of locally-devised credit-based qualifications; and if he will make a statement. [133086]

Mr. Wicks: The National Open College Network responded to our recent consultation on the funding of post-16 provision. We are now considering their, and others', comments on how best the Learning and Skills Council can recognise the achievement of learners through its funding system. We will be publishing the outcome of the consultation in the autumn.

Youthtrain

Mr. Hilary Benn: To ask the Secretary of State for Education and Employment what plans he has to provide future funding for the Youthtrain project. [133082]

Ms Jowell: The Youthtrain project has been supported by the European Social Fund EMPLOYMENT programme. The programme was to test ideas, pilot innovative approaches, and then seek support through other means if the idea worked. The EMPLOYMENT programme closed at the end of June 2000 and projects such as Youthtrain which produce good results should now seek alternative funding, such as through the mainstream ESF Objective 3 programme which was launched in June.

Nursery Education (Greater London)

Mr. Cox: To ask the Secretary of State for Education and Employment how many children living in the Greater London area were receiving nursery education on 1 April. [133222]

Ms Hodge: The information is not available in the form requested. The Department does not aggregate data on early years education places by the children's area of residence.

The latest provisional estimates show that there were 148,400 children aged three or four who had early years education places with providers in the Greater London Government Office area in January 2000. This figure comprises data from the Annual Schools Census on pupils in maintained schools in Greater London and figures submitted by local education authorities for Nursery Education Grant purposes relating to private, voluntary and independent sector providers in the spring term.

Currently, all eligible four-year-old children in England are now in some form of early education, including 16 per cent. in private and voluntary places. Funding is provided through the early years partnerships for LEA, voluntary and private provision.

Since September 1999, we have also invested substantially in the creation of new, free early education places for three-year-olds. During 1999–2000, funding was focused on 65 authorities, chosen based on social need, where over 46,000 three-year-olds were able to access free early education for the first time.

Over 80 per cent. of new free places were concentrated in the private, voluntary and independent sectors and we expect this trend to continue over the next year. Our aim is that, by March 2002, some 66 per cent. of three-year-olds nationally should have access to a free early education place, enabling some 190,000 three-year-olds the opportunity to access a free place for the first time.

Press Releases

Mr. Lansley: To ask the Secretary of State for Education and Employment how many press releases have

been issued so far this year; and what the total cost of the production and issuing of press releases was in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* 2000 to date. [132777]

Mr. Wills: I will write to the hon. Member and place a copy of my letter in the Library.

Departmental Funding Policies

Caroline Flint: To ask the Secretary of State for Education and Employment in what ways his Department and executive agencies deliver services to meet the needs of the public as consumers, with particular reference to families. [124529]

Ms Hodge *[holding answer 5 June 2000]:* The Department for Education and Employment has taken many steps to improve the way they deliver services to meet the needs of families, an example of this is that 49 of the 127 Employment Service Districts currently hold Charter Marks, a recognition of high quality public service. More specifically:

The Employment Service is creating greater access to employment opportunities by offering services outside of "normal office hours", some of which are available 24 hours a day. Examples include:

Employment Service Direct—a national job inquiry line which is available to all jobseekers as a local rate telephone number, on week days and Saturday mornings;

New Deal Information line—a national information line for New Deal inquiries from members of the public, employers and providers which gives a literature-only service 24 hours a day, seven days a week, and personal advice during normal working hours;

Internet—the Employment Service website (www.employmentservice.gov.uk) which carries a sample of ES job vacancies as well as information on other services provided by Jobcentres;

Peterlee Call Centre—a pilot Call Centre for the Northern Region which gives advice on aspects of Jobcentre services to employers and jobseekers and is available from 8am to 8pm on weekdays and 10am to 4pm on Saturdays.

The Government are also committed to improving radically the ways in which employers can notify their vacancies to the Employment Service and to making it easier for jobseekers to apply for jobs using the full-range of new technologies. During 2000, we will:

create a jobs and learning bank, which will put jobs, jobseekers' CVs and information about careers and learning opportunities on the internet;

expand nationwide the network of touch-screen jobpoints in Jobcentres and other locations so that jobseekers can search not only all job vacancies notified to the ES but also those carried by private agencies and newspapers; and

develop links with the BBC and other potential partners to harness the potential of interactive television to link employers and jobseekers.

Other policies which provide services which are of direct benefit to families include:

the National Childcare Strategy, which was delivered over 175,000 new child care places and has made available some £470 million from 1998 to 2003. It supports those who wish to take up opportunities of employment or training by providing good quality child care and helps people to access the best options for child care in their area through a national information line and website, Childcarelink;

the work-life balance campaign, launched by the Prime Minister on 9 March, which aims to encourage employers, including those in the public sector, to recognise the benefits to their organisation of flexible working arrangements. The DfEE's work-life balance Challenge Fund will show employers how they can improve their business or service delivery at the same time as improving their employees' work-life balance.

My Department's strategy for encouraging parental involvement in their children's education includes the Parents' Website, launched in December last year, which gives information about all aspects of a child's education. In September we will be announcing the following further initiatives to help parents get involved in their children's learning:

the Parents and Schools Magazine, for a continuing dialogue between teachers and parents, which will cover articles or topics of particular interest, like bullying and school uniform;

QCA Topic Guides, on individual topics in the National Curriculum;

the Parents' Guides to the National Curriculum, which will set out clearly for parents what children learn at each Key Stage.

'Parents Week' to raise parents' awareness of the educational benefits of the internet is also being planned for the autumn;

the Family Literacy and Family Numeracy initiatives, in which children and their parents learn together, both supports parents in helping with their children's education and provides an opportunity to improve parents' own learning and skills.

My Department also provides a variety of other programmes designed to meet the needs of the families as consumers. They are:

Sure Start, for which DfEE and the Department of Health have joint responsibility, is led by local partnerships with strong parental and community involvement to ensure that the needs of consumers are met;

Early Excellence Centres which work with families to meet often complex needs through an integrated, high quality one-stop service for children and parents. There are now 29 pilot programmes offering a range of different models across England in inner city, urban and rural areas;

the Connexions Service, which will be phased in from April 2001, will provide a radical new approach to guiding and supporting young people through their teenage years and in their transition to adulthood and working life. The Connexions Service will work with parents and carers to complement and support existing family arrangements, not replace them;

as part of the Modernising Government agenda, my Department and its executive agency the Employment Service, have appointed a Consumer Champion at senior management level to champion the consumer cause in the development of policy and delivery of services.

Disability Service Teams

Mr. Paice: To ask the Secretary of State for Education and Employment if he will publish the minutes and conclusions of the meeting which took place on 8 May to consider the review of the disability service teams. [129982]

Ms Hodge *[holding answer 10 July 2000]:* The meeting on 8 May focused on the Access to Work programme, which is one of a range of services available to help Disability Service Teams achieve their aim of getting disabled people into, or to retain, jobs. This meeting was convened to obtain views from a range of Access to Work users on this programme. Sue Maynard-Campbell, who chairs the Advisory Committee

for Disabled People in Employment and Training (ACDET), chaired the meeting and a detailed report of the discussions held has been produced. A copy of the information requested is contained in a report which has been placed in the Libraries.

A number of key themes emerged and they are listed here:

Disabled people's experience and knowledge is just not taken seriously enough.

A change of approach in delivery of the service from one which focuses on an individual's "disability" and the help they need, to one which focuses on identifying and meeting access needs.

A "fast-track" scheme to enable people needing a significant level of impairment specific advice to enable appropriate equipment and/or support to be given to get to that advice quickly.

"Direct payments" to enable those who are clear about their needs to meet them in the most appropriate way within an agreed budget.

People with continuing access needs—with no significant changes—to have minor renewal application process or for them to manage their own budget.

A more effective system of monitoring to ensure that people do not get an inferior service when they move from one part of the country to another.

DEAs need disability equality training. They actually need to understand the culture that disabled people came from and how it may affect them, and the individuality of disabled people and the individuality of their situation as well.

Training to raise DEAs awareness of impairment specific issues and of equipment available to meet specific access is needed. DEAs should also be kept up to date with developments in equipment solutions

Accreditation to include an assessment of awareness of access needs and of current equipment, for external training providers.

Better arrangements are needed to facilitate speedy repair or replacement of essential equipment.

There needs to be ways of ensuring DEAs have a much greater understanding of the employer perspective.

This consultation exercise is one of a number of ways the Employment Service is seeking to improve Access to Work; these include a major survey of Access to Work customers and a full process review of Access to Work which will draw on the expertise of management consultants.

Nursery Places (Suffolk)

Mr. Ruffley: To ask the Secretary of State for Education and Employment how many *(a)* full-time and *(b)* part-time nursery places there were in the Suffolk Local Education Authority area in (i) 1996–97, (ii) 1997–98, (iii) 1998–99 and (iv) 1999–2000 for (A) three-year-olds, (B) four-year-olds and (C) all children aged under five years. [130521]

Ms Hodge: The available information on the numbers of under fives in Suffolk Local Education Authority area who are in some form of early years education is shown in the following tables. Table 1 gives the number of children in early years education places in Suffolk Local Education Authority area from 1997 to 2000.

Since September 1999, we have invested substantially in the creation of new, free early education places for three-year-olds. During 1999–2000 funding, via the Early Years Development and Childcare Partnerships, was focused on 65 authorities based on social need. From summer 2000 this extra funding will also be available in Suffolk and the other remaining LEAs. Table 2 shows current estimates of the number of new funded places of three-year-olds being created in all sectors in Suffolk for summer 2000, autumn 2000 and spring 2001.

Currently, all eligible four-year-old children in England are now in some form of early education, including 16 per cent. in private and voluntary places. Funding is provided through the early years partnerships for LEA, voluntary and private provision. In England, there are now 120,000 more free places for three and four-year-olds compared with 1997.

Table 1: Children aged three and four years of age in early years education places Suffolk Local Education Authority, 1997–2000 (provisional)

Positions as at January	*Part-time*	*Full-time*	*Total*
Aged three[1]			
2000	679	[2]—	679
1999	748	[2]—	748
1998	593	[2]—	593
1997	642	[2]—	642
Aged four[3]			
2000	5,221	2,497	7,718
1999	5,441	2,527	7,968
1998	5,677	1,959	7,636
1997	2,849	2,638	5,487
Total under five			
2000	5,900	2,497	8,397
1999	6,189	2,527	8,716
1998	6,270	1,959	8,229
1997	3,491	2,638	6,129

[1] Includes pupil numbers collected from maintained schools in England in January each year (Annual Schools' Census).
[2] Not applicable
[3] Includes pupil numbers collected from maintained schools in England in January each year (Annual Schools' Census). From January 1998 these data are combined with estimates submitted by LEAs for Nursery Education Grant purposes relating to private, voluntary and independent providers in spring.

Table 2: Current estimates of new funded places for three-year-olds in Suffolk Local Education Authority area: projected position as at summer 2000, autumn 2000 and spring 2000

	LEA maintained	*Private*	*Voluntary*	*Independent*
Summer 2000	75	220	230	0
Autumn 2000	75	290	290	0
Spring 2001	75	210	220	0

Correspondence

Mr. Nicholls: To ask the Secretary of State for Education and Employment when the Minister for Employment, Welfare to Work and Equal Opportunities, the right hon. Member for Dulwich and West Norwood (Ms Jowell), will answer the letter sent to her by the hon. Member for Teignbridge on 6 June. [130960]

Ms Jowell: I refer the hon. Member to the reply given on 16 July 2000.

Appointments (Religious Beliefs)

Mr. Beggs: To ask the Secretary of State for Education and Employment what representation is being made by the United Kingdom Government to the European Union

to protect the right of religious groups to appoint persons sharing the religious beliefs of the employing body; and if he will make a statement. [131160]

Ms Jowell: As a member of the European Union, the United Kingdom is fully involved in the negotiations on the European Commission's proposal for a Directive on Equal Treatment in Employment and Occupation which are being taken forward in the Council of Ministers.

As the proposal is still in the process of being negotiated it is not possible to assess the precise effect it will have on the employment policies of bodies such as that mentioned in the question. However, the Government is negotiating on the basis that the text finally agreed should be clear and workable in practice and should preserve, where appropriate, existing arrangements which allow religious bodies to protect their ethos.

Nolan Rules

Mr. Stunell: To ask the Secretary of State for Education and Employment if he will list each group that *(a)* is responsible to his Department, with significant and plural membership from outside the Civil Service, and to which the Nolan rules on non-departmental public bodies do not apply; and for each such group, if it *(a)* is a private company, (d) is a charity, (c) has no formal legal basis and (d) has some other legal basis, giving details. [131179]

Mr. Wills *[holding answer 18 July 2000]:* I refer the hon. Member to the answer given by my hon. Friend the Parliamentary Secretary to the Cabinet Office on 27 July 2000, *Official Report*, columns 799–800W. I also refer the hon. Member to the first central list of information that was published on 11 January 2000. Copies of the list are available in the Libraries. The information on the status of the groups is not immediately available. I will write to the hon. Member as soon as possible with the details, and place copies of my letter in the Libraries.

Advisory Bodies

Tony Wright: To ask the Secretary of State for Education and Employment if he will list all the *(a)* task forces, *(b)* action teams, *(c)* policy reviews and *(d)* other temporary advisory bodies with external members currently in existence within his Department; and on what date each body (i) was set up and (ii) is expected to terminate. [131456]

Mr. Wills: I refer my hon. Friend to the answer given by my hon. Friend the Parliamentary Secretary to the Cabinet Office on 27 July 2000, *Official Report*, column 799W. I also refer my hon. Friend to the first central list of information that was published on 11 January 2000. Copies of the list are available in the Libraries.

Local Deprivation

Paddy Ashdown: To ask the Secretary of State for Education and Employment (1) if he will make a statement on his assessment of local deprivation in Somerset and the allocation of free places for three-year-olds in early years education; [131500]

(2) if he will make a statement on the assessment of local social deprivation used by his Department for *(a)* Somerset, *(b)* Surrey, *(c)* Kensington and Chelsea, *(d)* Cornwall and *(e)* Hertfordshire; and if he will make a statement. [131501]

Ms Hodge *[holding answer 20 July 2000]:* A number of indices are used by the Department to measure social deprivation in local education authorities: the proportion of children in one parent families; the proportion of children of Income Support and Job Seeker's Allowance claimants; the numbers of conceptions per 1,000 girls aged 15 to 17; and the Index of Local Deprivation. The last of these is used to distribute funding to enable the creation of new early education places for three-year-olds. As part of the Government's expansion of three-year-old provision, in 2000–01 Somerset was given an initial allocation of £130,000 to enable it to create 112 new free places. The authority has also bid for a number of further places which have been funded in full. It can now provide up to 250 new free places for each of the autumn 2000 and spring 2001 terms.

Employment (Disabled People)

Mr. Allan: To ask the Secretary of State for Education and Employment what Employment Service guidelines exist in respect of making disabled clients aware of the Access to Work scheme; and if he will make a statement. [131566]

Ms Hodge: Responsibility for the subject of the question has been delegated to the Employment Service Agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Richard Allan, dated 28 July 2000:

As the Employment Service is an Executive Agency, the Secretary of State has asked me to reply to your question about Access to Work. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

The Access to Work programme provides advice and practical support towards meeting the additional employment costs which disabled people may incur in the work place. Our publicity strategy is to raise awareness of the whole range of support available to disabled people and their employers from our disability services. Thus we generally market these services collectively to give a coherent picture of the support available. We produce, for example, leaflets, audio tapes, videos, posters, advertisements and articles for publication in a range of general and specific disability journals. All such advertising includes information on the Access to Work programme.

The leaflets we produce are freely available from Jobcentres, our Disability Service Teams and at marketing events, and we produce them in alternative formats. There are specific leaflets for disabled people and employers promoting the Access to Work programme. Disability Employment Advisers use these leaflets on visits to employers to ensure they are aware of Access to Work. We also promote our services, including Access to Work, at many national, regional and local marketing events.

In addition to our own promotions, the Government's *See the Person* campaign was designed to raise awareness of the positive contribution which disabled people are able to make. The campaign referred directly to the support which the Access to Work programme can provide to those in work. Also, some disability organisations publicise the Access to Work programme in their membership magazines and at least two have web pages on the Internet, prepared in consultation with our Disability Services, advising about the Access to Work programme.

I hope this is helpful.

Mr. Allan: To ask the Secretary of State for Education and Employment how many disabled people have joined the New Deal for *(a)* young people, *(b)* 25 plus, *(c)* lone parents and *(d)* partners of the unemployed. [131567]

Ms Jowell: The information requested (for Great Britain) is as follows:

(a) Since January 1998 to the end of April 2000, 58,400 disabled people have joined the New Deal for Young People.

(b) Since July 1998 to the end of April 2000, 50,600 disabled people have joined the New Deal for Long-Term Unemployed People aged 25 and over national measures.

(c) Since October 1998, the start of the national programme, to the end of April 2000, 4,500 lone parents with disabilities have joined the caseload of the New Deal for Lone Parents.

(d) Since April 1999 to the end of June 2000, 178 disabled people have attended a NDPU initial interview with a personal adviser.

Pupil-Teacher Ratio

Mr. Clappison: To ask the Secretary of State for Education and Employment what the percentage change was between January 1997 and January 2000 in the number of pupils in classes taught by one teacher with 31 or more pupils in *(a)* primary and *(b)* secondary schools. [131679]

Ms Estelle Morris: The number of pupils in primary classes of 31 or more pupils taught by one teacher in January 2000 was 1,072,000 (26.5 per cent.) compared with 1,344,000 (33.4) in January 1997. The number of pupils in secondary classes of 31 or more pupils taught by one teacher in January 2000 was 334,200 (11 per cent.) compared with 245,400 (9 per cent.) in January 1997. This reflects a general upward trend that dates back to 1991 when the figure was 6.4 per cent. However, 90 per cent. of secondary pupils are still being taught in classes of 30 or below.

The average size of secondary classes in January 2000 was 22.0, and the pupil-teacher ratio was 17.1. In the Budget earlier this year, secondary headteachers received between £30,000 and £50,000 each to spend as they choose. If they spent it on teachers, they could reduce the secondary pupil:teacher ration by 0.4.

In the meantime, the number of pupils in infant classes over 30 pupils has already fallen by 300,000 and the Government are well on target to deliver their infant class size pledge. Some £620 million is available to support the pledge. In addition the average class size in maintained primary schools went down for the second year running—from 27.5 in January 1999 to 27.1 in January 2000, after rising for the previous 10 years. The average size of junior classes also fell, from 28.4 in January 1999 to 28.3 in January 2000.

Mr. Clappison: To ask the Secretary of State for Education and Employment what was the pupil-teacher ratio in *(a)* primary, *(b)* secondary and *(c)* all maintained schools in (i) January 1997 and (ii) according to the most recent figure available. [131690]

Ms Estelle Morris: The information requested is shown in the following table.

Pupil-teacher ratios (PTRs) in maintained primary and secondary schools in England: 1997 and 2000

Position as at January	*Primary*	*Secondary*
2000	23.3	17.1
1997	23.4	16.7

In respect of class sizes, the number of pupils in key stage 1 classes in England of over 30 pupils has already fallen by 300,000 and the Government are well on target to deliver their infant class size pledge. Some £620 million is available to support the pledge.

Secondary PTRs nationally have been rising steadily for the last decade. In the Budget, secondary headteachers received between £30,000 and £50,000 each to spend as they choose. If they spend it on teachers, they could reduce the secondary pupil:teacher ratio by 0.4.

In the recent Year 2000 Spending Review, we also announced that headteachers would be handed £540 million in direct grants next year to spend on boosting standards in classrooms. A typical secondary school will get £60,000 and a typical primary £20,000.Funding per pupil has already increased by over £300 per pupil in real terms since 1997. The Year 2000 Spending Review means a real term increase of £370 over the three years bringing the total to almost £700 per pupil between 1997–98 and 2003–04. Spending per pupil fell by £60 in real terms under the last three years of the previous administration.

Performance-related Pay

Mr. Clappison: To ask the Secretary of State for Education and Employment how many external assessors have been recruited for the purpose of performance-related pay; and what estimate he has made of the number of assessors who will be required after year one of the scheme. [131713]

Ms Estelle Morris: We expect that in the first year of operation of the performance threshold a full-time equivalent of around 570 assessors will be required in England and Wales during the period in which assessor visits will be taking place.

In steady state we estimate numbers to be in the region of 275 full-time equivalents, during the period of the year in which assessments are carried out.

Mr. Clappison: To ask the Secretary of State for Education and Employment, pursuant to the oral statement by the Minister for School Standards of 17 July 2000, *Official Report*, columns 21–29, what the length was of the period of consultation on line managers' responsibilities through the fast track; and what plans he has to carry out further consultation. [132005]

Ms Estelle Morris: I will write to the hon. Member and place a copy of the letter in the Library.

Child Care Places

Mr. Clappison: To ask the Secretary of State for Education and Employment how many child care places for under eights have been available in each of the last three years for which figures are available, broken down by places available through *(a)* day nurseries, *(b)* pre-school playgroups and *(c)* child minders; and what

estimate he has made of the number of such places which will be available over the period covered by the Comprehensive Spending Review. [132402]

Ms Hodge: I will write to the hon. Member and place a copy of the letter in the Library.

Ms Keeble: To ask the Secretary of State for Education and Employment how many additional child care and nursery places were created in Northampton between 1997 and 2000. [131944]

Ms Hodge: Since this Government came to office, 120,000 new, free, early education places have been created for three and four-year-olds nationally. We have provided sufficient funding to ensure that all four-year-olds and over 35 per cent. of three-year-olds in the Northamptonshire area receive a free, part-time, early education place.

With regard to out-of-school and pre-school child care places no information is available prior to 1999–2000 on a constituency basis. However, in 1999–2000, a total of 201 new child care places were created in Northampton.

Teachers (Retention)

Mr. Clappison: To ask the Secretary of State for Education and Employment how many *(a)* heads, *(b)* deputy heads and *(c)* teachers have (i) retired on grounds of ill health and (ii) otherwise left the profession, excluding those barred or dying in service, in each of the last 10 years, in (1) primary and (2) secondary schools. [131680]

Ms Estelle Morris: I will write to the hon. Member and place a copy of my letter in the Library.

Public Service Agreements

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment, pursuant to the Public Service Agreement targets in Prudent for a Purpose, Cm 4807, page 114, which statistical measure he will use to define employment; how he will make cyclical adjustments for unemployment and employment; which statistical measure he will use to define unemployment for the over 18s; what will be the minimum change in employment rates to qualify as a change; and if he will make a statement. [132270]

Ms Jowell: I will write to the hon. Member and place a copy of the letter in the Library.

Pilot Projects

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment which pilot projects undertaken by his Department since 1997 have involved random assignment elements; and what assessment he has made of their effectiveness in promoting more effective policy making. [131583]

Mr. Wills *[holding answer 20 July 2000]:* I will write to the hon. Member and place a copy of the letter in the Library.

Disabled People (North-west)

Mr. Fearn: To ask the Secretary of State for Education and Employment what funding for training is available for blind and disabled persons in the North West Region. [132090]

Ms Hodge: I will write to the hon. Member and place a copy of the letter in the Library.

Mr. Fearn: To ask the Secretary of State for Education and Employment how many disabled persons are employed through Government supported employment schemes in the North-west region. [132089]

Ms Hodge: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Richard Foster to Mr. Ronnie Fearn, dated 28 July 2000:

As the Employment Service is an Executive Agency, the Secretary of State has asked Leigh Lewis to reply to your question concerning the number of disabled people employed through government supported employment schemes in the North West Region. This is something which falls within the responsibilities delegated to Mr. Lewis as Chief Executive of the Agency. I am replying in his absence.

In answer to your specific question, I am sorry that we cannot provide the information you request as we are unable to isolate the programme figures by regions. Contracts for the Supported Employment Programme are managed nationally and include some contractors whose provision is spread across the country. Although we do collect a national figure annually for the number of individuals employed in the programme on a set date, we cannot identify people working in a specific geographical area.

I can let you know that the average number of disabled people working in the programme for the period 1 April 1999 to 31 March 2000 was 22,908.

If you would like to discuss whether we can help further in any way please contact Jocelyn Dann, Supported Employment Programme Manager, on telephone number 0114 259 6310.

Teacher Training

Mr. Clappison: To ask the Secretary of State for Education and Employment how many applications have been received for initial teacher training in *(a)* primary and *(b)* secondary courses commencing in September 2000; and how many were received at the same stage in (i)1999 for commencement in September 1999 and (ii) 1997 for commencement in September 1997. [131711]

Ms Estelle Morris: I will write to the hon. Member and place a copy of the letter in the Library.

Summer Camps

Mr. Bob Russell: To ask the Secretary of State for Education and Employment, pursuant to his answers of 18 January 2000 to the hon. Member for Daventry (Mr. Boswell), *Official Report*, column 389W, and of 6 March 2000 to the hon. Member for Colchester, *Official Report*, column 477W, how many summer activity camps will be held this year; at what locations; how many people will be taking part; and what is the expected cost. [132027]

Jacqui Smith: I will write to the hon. Member and place a copy of my letter in the Library.

Hotel Industry

Mr. Fearn: To ask the Secretary of State for Education and Employment what Government training schemes are available to those working within the hotel industry in England. [132092]

Ms Jowell: My Department has worked with the Hospitality Training Foundation, the National Training Organisation for the hospitality sector including the hotel industry, to secure the skills for greater competitiveness and employability needed in this sector. Government support for training is currently given through the Training and Enterprise Councils for Foundation Modern Apprenticeships, Advanced Modern Apprenticeships and National Vocational Qualifications. A Vocational 'A' Level (GNVQ) and a range of further higher education courses are also available, providing students with broad knowledge and an understanding of the basic skills needed for those who are planning to enter this sector.

Local Education Authorities

Mr. David Taylor: To ask the Secretary of State for Education and Employment what plans he has to reform the *(a)* role, *(b)* powers and duties and *(c)* resourcing of local education authorities; and if he will make a statement. [132397]

Ms Estelle Morris *[holding answer 25 July 2000]:* The Government will be publishing shortly a Green Paper on the future funding arrangements for local authorities.

Global Business Dimensions Ltd.

Helen Jones: To ask the Secretary of State for Education and Employment (1) when his Department was first notified of concerns over the use of European Social Fund money by Global Business Dimensions Ltd.; to whom these concerns were reported; and what action was subsequently taken; [132458]

(2) when his Department began its investigation into Global Business Dimensions Ltd.; what the result of that investigation was; and if he will place a copy of the report in the Library. [132460]

Ms Jowell *[holding answer 26 July 2000]:* Information raising concerns regarding Global Business Dimensions Ltd. was received by Government Office for the West Midlands on 16 December 1999. As a result of this information an investigation was initiated by the Department's ESF Unit and carried out by the Special Investigation Unit (SIU). As the SIU investigation is still continuing, it would be inappropriate to comment further at this stage.

Pre-school Provision

Mr. Cox: To ask the Secretary of State for Education and Employment what the funding from his Department has been in each of the last three years for pre-school provision within the Greater London area. [132635]

Ms Hodge: The following table shows the amount of funding that has been made available for pre-school provision through the Under Five's Education Standard Spending Assessment (SSA) sub block, the Standards Fund and Nursery Education Grant. The funding has risen by around 30 per cent. over the period.

Funding for pre-school provision in the Greater London area

	£
1997–98	222,006,828
1998–99	250,613,813
1999–2000	285,094,491

Departmental Initiatives

Dr. Lynne Jones: To ask the Secretary of State for Education and Employment, pursuant to his answer of 19 July 2000, *Official Report*, column 200W, if he will list all departmental initiatives between May 1997 and 18 July 2000 requiring bids from voluntary organisations and local authorities for funding together with the total resources allocated to these initiatives, the number of successful bids and the proportion this represents of total bids received; and what data he collects on the average cost of preparing the bids for funding through each initiative. [132670]

Mr. Blunkett: A detailed breakdown of the Department's activities is given in the annual Departmental Expenditure Plans Report for Education and Employment (CM4062), published by The Stationery Office Ltd.

The Department for Education and Employment does not collate information on the types of organisation applying for funding and such information could be compiled only at disproportionate cost. Applicants for funding are not required to provide details of their application costs to the Department.

Work-based Training

Mr. Don Foster: To ask the Secretary of State for Education and Employment by what date proposals for the provision of work-based training from 1 April 2001 must be submitted to the Employment Service; and by what date existing providers will be notified of the required content for such proposals and the funding arrangements for such provision. [132829]

Ms Jowell *[holding answer 27 July 2000]:* The formal tendering process for delivery of work-based learning for adults from April 2001 will start in all Employment Service regions by November 2000. As part of this process potential providers will be given all the necessary details about our requirements and the funding arrangements. We know from experience that this timetable will allow sufficient time for the Employment Service and providers to ensure that appropriate provision is in place at the right time.

The arrangements we put in place will be the culmination of a great deal of work with existing providers. We have, for example, issued two technical consultation documents about the funding arrangements, which were supported by a series of conferences. This level of consultation will help ensure that the tendering process runs smoothly.

Early Years Education

Paddy Ashdown: To ask the Secretary of State for Education and Employment, pursuant to his answer of 4 July 2000, *Official Report*, column 121W, for what reason he estimates that 10.9 per cent. of three-year-olds in Somerset will have a free early years educational place by April 2001; and if he will make a statement. [131499]

Ms Hodge *[holding answer 20 July 2000]:* In 2000–01, Somerset local education authority was allocated funding to provide 112 free early education places for three-year-olds, in addition to around 500 places already available in their schools. In total, this would mean that 10.9 per cent. of three-year-olds in the Somerset local education authority area would have had access to a free, early education place.

I am sure the right hon. Gentleman will be pleased to note, however, that Somerset local education authority has now been allocated further funding to provide a total of 250 new early education places in the autumn term 2000 and the spring term 2001. This means that by April 2001, around 13.5 per cent. of three-year-olds in the Somerset local education authority will have access to a free, early education place.

Dr. Harris: To ask the Secretary of State for Education and Employment what extra expenditure announced in the comprehensive spending review is to be made available for early years provision in *(a)* 2001–02, *(b)* 2002–03 and *(c)* 2003–04. [133115]

Ms Hodge: The detail of the Comprehensive Spending Review and its effect on early years provision has yet to be finalised. An announcement will be made in due course.

Duty Roster

Mr. Bercow: To ask the Secretary of State for Education and Employment if he will publish the daily ministerial duty roster for his Department during the Summer Adjournment. [133280]

Mr. Wills: I refer the hon. Member to the reply I gave to his hon. Friend the Member for Hertsmere (Mr. Clappison) on 27 July 2000, *Official Report*, column 870W.

Electronic Communications Act 2000

Mr. Cotter: To ask the Secretary of State for Education and Employment what orders he *(a)* has made and *(b)* intends to make using section 8 of the Electronic Communications Act 2000; and if he will make a statement. [133380]

Mr. Wills: I refer the hon. Member to the answer given by my right hon. Friend the Minister of State, Cabinet Office, today. My Department intends to remove the statutory barriers to electronic communication and storage in legislation on education through a single order. I expect to be able to lay this order before the House in the next parliamentary session.

School Capital Grants

Mr. Dismore: To ask the Secretary of State for Education and Employment if he will list the schools in Hendon which have received capital grants for improvements or repairs since May 1997, stating the amounts concerned in each case. [133406]

Jacqui Smith: The following tables show the schools in the Hendon constituency which have benefited from allocations of New Deal for Schools grant. All schools in the constituency will have benefited in 2000–01 from their share of Devolved Formula Capital totalling £1,052,000, which is allocated by the local education authority. In addition, capital allocations were made through the annual capital round to local education authorities for the benefit of schools.

New Deal for Schools grant allocations to schools in the Hendon constituency

£

School	*Total grant allocation under NDS*
Copthall Secondary	642,000
Colindale JMI	50,000
Deansbrook Junior	1,388,500
Total	2,080,000

Notes:
1. In addition to the above, Broadfields Junior and St. Joseph's RC Infant schools were included in an overall allocation of £97,000 made to six schools in phase 1 of New Deal for Schools. Deals of the funding allocated to each school are held by Barnet local education authority.
2. In addition to the above, Broadfields Junior, St. Mary's Junior and St. John's Infants schools were included in a package of four schools totalling £197,581 in phase 2 of New Deal for Schools. Details of the funding allocated to each school are held by Barnet local education authority.

Credit approvals issued to Barnet local education authority through the annual capital round

£000

	Barnet
1997–98	948
1998–99	2,853
1999–2000	1,462
2000–01	1,030
Total	6,293

Reports

Mr. Stunell: To ask the Secretary of State for Education and Employment if he will list the reports submitted to his Department, by bodies that were created after May 1997 and that include significant and plural membership from outside the Civil Service, stating in each case the body writing the report, the date the report was submitted, how many recommendations were made, the number of those recommendations that have been implemented to date and the number of recommendations that have been rejected; and if he will make a statement. [133567]

Mr. Wills: I refer the hon. Member to the answer given by my hon. Friend the Parliamentary Secretary to the Cabinet Office on 27 July 2000, *Official Report*, columns 799–800W. I also refer the hon. Member to the first central list of information that was published on 11 January 2000. Copies of the list are available in the Libraries. I am unable to provide the detailed information

requested about the numbers of recommendations made and their details as to do so would incur disproportionate costs.

School Inspections

Mr. Cox: To ask the Secretary of State for Education and Employment how many Ofsted school inspections took place in England and Wales during the last 12 months. [133726]

Ms Estelle Morris: School inspections in Wales are the responsibility of Estyn (Her Majesty's Inspectorate for Education and Training in Wales). Those in England are a matter for Ofsted and I have asked Her Majesty's Chief Inspector of Schools, Chris Woodhead, to write to my hon. Friend and to place a copy of his letter in the Library.

Primary Education (Worcestershire)

Mr. Michael J. Foster: To ask the Secretary of State for Education and Employment how many additional teachers and classroom assistants have been employed in primary schools in *(a)* Worcester and *(b)* Mid-Worcestershire since May 1997. [133772]

Ms Estelle Morris: The full-time equivalent numbers of additional qualified teachers and educational support staff employed in maintained primary schools between January 1997 and January 2000 in the parliamentary constituency areas of Worcester and Mid-Worcestershire are shown in the following table.

	Number
Qualified teachers	
Worcester	1.3
Mid-Worcestershire	12.1
Educational Support staff[1]	
Worcester	39.8
Mid-Worcestershire	38.3

[1] Includes nursery assistants, special needs support staff, librarians and technicians

There has been a growth of 6,900 full-time equivalent regular teachers in the maintained school sector in England between January 1998 and January 2000. The Government will also increase by 20,000 the numbers of full-time equivalent support staff working in primary and secondary schools in England by 2002.

Mr. Michael J. Foster: To ask the Secretary of State for Education and Employment how many five, six and seven year-olds in *(a)* Worcester and *(b)* Mid-Worcestershire have benefited from a reduction in class sizes to 30 or less. [133766]

Ms Estelle Morris: I will write to my hon. Friend and place a copy of my letter in the Library.

Mr. Michael J. Foster: To ask the Secretary of State for Education and Employment how many pre-school places have been provided in *(a)* Worcester and *(b)* Mid-Worcestershire since May 1997 and are planned in the next three years for (i) four year-olds and (ii) three year-olds. [133771]

Ms Hodge: I will write to my hon. Friend and place a copy of my letter in the Library.

Remploy

Ms Dari Taylor: To ask the Secretary of State for Education and Employment what targets Remploy has been set in its 2000–01 Annual Performance Agreement. [133781]

Ms Hodge: I have, on behalf of my right hon. Friend the Secretary of State, written to the Chairman of Remploy approving the 2000–01 Annual Performance Agreement between the Department and the Company. This agreement covers the year from 1 April 2000. It has been negotiated by the Chief Executive of the Employment Service on behalf of my right hon. Friend. The targets are:

- the average number of disabled people employed by Remploy Ltd. will be 10,400;
- the average number of disabled people employed under the Interwork scheme will be 4,400;
- the average number of progressions will increase to 700;
- Remploy Ltd. will maintain a total unit cost target (operating deficit per disabled worker) of £9,600.

I have today arranged for the text of the Annual Performance Agreement to be placed in the Library.

Special Educational Needs

Mr. Miller: To ask the Secretary of State for Education and Employment when he will publish findings from the first stage of the Quinquennial Review of the Special Educational Needs Tribunal. [133785]

Jacqui Smith: The Prior Options stage of the Quinquennial Review of the Special Educational Needs Tribunal is now complete. The review team found clear support for a formal system of resolving disputes between local education authorities and parents in relation to the special educational needs of children. The SEN Tribunal is seen as the most appropriate body to deliver that function.

The Prior Options Review has, however, raised a number of issues in relation to the Tribunal and these will be considered in Stage 2 of the review. Stage 2 will begin shortly. Issues to be considered will include performance, quality of service and financial controls and systems.

A full report of the Prior Options stage will be published within the next two weeks. Copies will be placed in the Libraries of both Houses and will be sent to key stakeholders and contributors to the consultation exercise. It will also be available on the DfEE website.

Employment Service

Mr. Anthony D. Wright: To ask the Secretary of State for Education and Employment what sustainable employment target will be set for the Employment Service in 2000–01. [133804]

Mr. Blunkett: I am today announcing that I have set the Employment Service a new target as part of their Annual Performance Agreement. It will measure sustainable employment in two pilot regions (ES' Northern region and Wales), and will be set at a level of 67 per cent. The Employment Service will aim to ensure that 67 per cent. of long-term JSA claimants remain off JSA 13 weeks after starting a job. In addition to the challenging goals that I have already announced, the

setting of a stretching but realistic pilot target on sustainable employment will help the Employment Service to maintain the very high levels of performance that I expect of it.

The new target is contained in Objective A of the Annual Performance Agreement text which follows.

Performance Requirements

Vision and Purpose

The Employment Service aims to make a major contribution to an efficient and flexible labour market and to the Government's objectives of high and stable employment growth, equality of opportunity and social inclusion. ES works closely with employers and with its private, voluntary and public sector partners to provide a quality service for all people without a job and to promote employment opportunities for all who can work. It aims to attract a diverse range of vacancies and to fill those vacancies quickly by matching the right people and skills with the right jobs. Its chief priority is to help individuals facing particular difficulty in the labour market to move from welfare and economic inactivity into sustainable employment. It does this through correct application of the Jobseeker's Allowance (JSA) regime, delivery of the New Deals and the pilot ONE service, and provision of appropriate information, advice, training and support. The Agency has achieved much over the past three years. The challenge and opportunity now facing it is to sustain continuous improvement in its services to jobseekers and employers and to make those services more accessible and relevant to customer needs, through effective use of modern technology and close working with a wide range of partners.

Aim

To help people without jobs to find work and employers to fill their vacancies.

Objectives and Targets

Objective A:

To help all people without jobs, and particularly those on welfare and at a disadvantage in the labour market, to find and keep work by providing appropriate information, advice, training and support and by encouraging employers to open more opportunities to them.

Targets

A1: To help 178,000 participants in the New Deals and Employment Zones into work, directly or in partnership with others.

A2: To help 100,000 people with disabilities into work, directly or in partnership with others.

A3: To help 295,000 disadvantaged jobseekers into work, directly or partnership with others.

A4: To help 735,000 people from welfare into work, directly or in partnership with others.

A5: To help 1,325,000 jobless people into work, directly or in partnership with others.

A6: Pilot target for Wales and Northern region: for 67 per cent. of long term JSA claimants to be off benefit 13 weeks after starting a job.

Objective B:

To ensure that the rights and relevant labour market responsibilities of people on JSA and other benefits are fulfilled, while helping to combat fraud and abuse of the benefit system.

Target

B1: To ensure that the relevant labour market responsibilities of people on JSA are fulfilled in 90 per cent. for cases checked.

Objective C:

To harness new technology, the pursuit of excellence and continuous improvement to deliver effective, efficient and accessible services to all people without jobs and to employers, in Jobcentres and increasingly through other locations and means of communication.

Targets

C1: To achieve a 90 per cent. customer service level for jobseekers.

C2: To achieve a 80 per cent. customer service level for employers.

Milestone Targets

Modernising the Employment Service

ES will be introducing an Internet based Learning and Work Bank, a new Labour Market computer System, touch screen kiosks for jobseekers to access job vacancies and a single national telephone number for employers by March 2001.

Work Based Learning for Adults

The Employment Service will be working towards the successful transfer of Work Based Learning for Adults from Training and Enterprise Councils to the Employment Service in England by April 2001 to form part of a coherent package of support for unemployed adults.

Objective D:

To deliver services to all ES customers in a way which respects individual differences, helps to overcome disadvantages due to ethnicity, gender, age or disability and achieves the best possible outcome for each of them.

Schools (Barnet)

Sir Sydney Chapman: To ask the Secretary of State for Education and Employment if he will make a statement on the conclusion of the discussions his Department has had with Barnet Local Education Authority on its failure to pass on the full increase of 5.4 per cent. in standard spending assessment for education to schools in this year's budget. [133296]

Ms Estelle Morris: I will write to the hon. Member and place a copy of my letter in the Library.

New Deal

Mr. Brady: To ask the Secretary of State for Education and Employment (1) what his Department's criteria are for judging an entrant to New Deal for 18 to 24-year-olds to be functionally illiterate; [128819]

(2) what percentage of entrants to the New Deal for Young People are functionally illiterate; and what was the percentage when the national New Deal was established. [128820]

Ms Jowell: I will write to the hon. Member and place a copy of my letter in the Library.

Dr. Strang: To ask the Secretary of State for Education and Employment (1) how many people were on the New Deal for *(a)* People over 50, *(b)* Jobseekers with Disabilities, *(c)* Disabled People and *(d)* Partners of Unemployed People in (i) Great Britain, (ii) Scotland, (iii) Edinburgh and (iv) Edinburgh East and Musselburgh at the end of March; [132730]

(2) how many people in total had entered the New Deal for *(a)* People over 50, *(b)* Jobseekers with Disabilities, *(c)* Disabled People and *(d)* Partners of Unemployed People in (i) Great Britain, (ii) Scotland, (iii) Edinburgh and (iv) Edinburgh East and Musselburgh at the end of March; [132731]

(3) how many people *(a)* had entered, *(b)* were on and *(c)* had left the New Deal for (i) People over 50, (ii) Jobseekers with Disabilities, (iii) Disabled People and (iv) Partners of Unemployed People in (1) Great Britain,

(2) Scotland, (3) Edinburgh and (4) Edinburgh East and Musselburgh at the end of March; and if he will break down the figure for people who have left by immediate destination. [132732]

Ms Jowell *[holding answer 27 July 2000]:* I will write to my right hon. Friend and place a copy of my letter in the Library.

Mr. Malcolm Bruce: To ask the Secretary of State for Education and Employment how many people *(a)* are on placements with the New Deal for Young People and *(b)* have found a permanent position through the New Deal for Young People, in each parliamentary constituency in Scotland. [133063]

Ms Jowell *[holding answer 27 July 2000]:* I will write to the hon. Member and place a copy of my letter in the Library.

Mr. Allan: To ask the Secretary of State for Education and Employment if he will list, from the beginning of August 1999 to the latest date for which figures are available, by unit of delivery, the number and percentage of those who have left the New Deal for 18 to 24-year-olds before taking up one of the options, from the beginning of August 1999 to the latest date for which figures are available. [132322]

Ms Jowell *[holding answer 24 July 2000]:* The New Deal tables placed in the Library each month give quarterly figures on the number of young people who leave the New Deal before starting an option, by Unit of Delivery.

Mr. Field: To ask the Secretary of State for Education and Employment what comparison was carried out between *(a)* the Pathfinder areas for the New Deal for Young People from January 1998 to April 1998 and *(b)* areas in which the New Deal was not in operation. [131186]

Ms Jowell *[holding answer 18 July 2000]:* The New Deal for Young People is the subject of probably the most comprehensive programme of evaluation ever undertaken of a UK labour market initiative. The continuing qualitative and quantitative evaluation was carried out both in Pathfinder areas and nationally. The evaluation includes surveys of individuals and employers and case studies of delivery and impact, as well as a macro-evaluation of the impact of the New Deal on the wider economy and on the labour market. The evaluation studies are underpinned by monitoring information which tracks individuals through New Deal and indefinitely thereafter.

Pathfinders started in January 1998 to test processes and procedures prior to national implementation in April 1998; there were therefore no direct comparisons made between Pathfinders and non-Pathfinder areas in that period. However lessons learnt from the Pathfinders were reflected in the operation of the New Deal when it was introduced nationally.

Mr. Allan: To ask the Secretary of State for Education and Employment if he will list, from the beginning of August 1999 to the latest date for which the figures are available, by unit of delivery *(a)* the number of those who have completed the full-time education and training option of the New Deal for 18 to 24-year-olds and *(b)* the percentage of these who have left to sustained unsubsidised jobs. [132324]

Ms Jowell *[holding answer 24 July 2000]:* Comprehensive information on whether young people left their options having completed them or before having done so is not collected in that form. The New Deal aims to help unemployed people to move as quickly as possible from welfare into a job. Many young people will leave their New Deal options before completing them because they have found jobs in the regular labour market and are no longer unemployed. Young people do not therefore need to complete their New Deal options in order to succeed in the programme.

Mr. Allan: To ask the Secretary of State for Education and Employment, pursuant to his answer of 12 January 2000, *Official Report*, column 168W, to the hon. Member for Harrogate and Knaresborough (Mr. Willis), on the New Deal, how many people joined the full-time education and training option of the New Deal for 18 to 24-year-olds from the beginning of August 1999 to the latest date for which figures are available, by unit of delivery; how many and what percentage of these *(a)* completed their courses before leaving the New Deal, *(b)* left their courses before completing them and *(c)* left at any stage for unknown destinations. [132323]

Ms Jowell *[holding answer 24 July 2000]:* The New Deal tables placed in the Library each month give quarterly figures on the starts to the Full-Time Education and Training option by Unit of Delivery.

Comprehensive information on whether young people left their options having completed them or before having done so is not collected in that form. The New Deal aims to help unemployed people to move as quickly as possible from welfare into a job. Many young people will leave their New Deal options before completing them because they have found jobs in the regular labour market and are no longer unemployed. Young people do not therefore need to complete their New Deal options in order to succeed in the programme.

Mr. Cox: To ask the Secretary of State for Education and Employment how many young unemployed people living in Greater London have benefited from the New Deal. [132636]

Ms Jowell: The latest figures to April 2000 show that 72,050 young unemployed people have benefited from the New Deal in Greater London.

Dr. Strang: To ask the Secretary of State for Education and Employment how many people in *(a)* Edinburgh and *(b)* Scotland were on (i) the 18 to 24 New Deal Gateway, (ii) each of the 18 to 24 New Deal options and (iii) follow-through at the end of March. [132660]

Ms Jowell *[holding answer 27 July 2000]:* At the end of March 2000 the information on the status of participants on the New Deal for Young People in Scotland and Edinburgh is contained in the following table:

	Scotland	*Edinburgh*
On the 18–24 New Deal Gateway at the end of March	6,843	447
Total on a New Deal option	5,770	264
Employer	1,611	71
Full time education/training	1,900	90
Voluntary sector	1,098	60
Environment Task Force	1,161	43
On Follow Through	2,502	116

Dr. Strang: To ask the Secretary of State for Education and Employment how many people on the 25 plus New Deal in *(a)* Scotland and *(b)* Great Britain (i) found unsubsidised jobs through the Advisory Interview Process and (ii) transferred to other provision in March. [132661]

Ms Jowell *[holding answer 27 July 2000]:* In March 2000 the number of people on the New Deal for long term unemployed people aged 25 over, who found unsubsidised jobs through the Advisory Interview Process was 180 in Scotland and 2,200 in Great Britain. The number of people who transferred to other provision (i.e. benefits, subsidised employment, education and training opportunities and Work based Learning for Adults) was 379 in Scotland and 3,700 in Great Britain.

Free School Meals

Mr. Drew: To ask the Secretary of State for Education and Employment what research his Department has undertaken on the accuracy of the number of free school meals as a measure of social deprivation in *(a)* urban areas and *(b)* rural areas. [132672]

Jacqui Smith *[holding answer 27 July 2000]:* I will write to my hon. Friend and place a copy of the letter in the Library.

Ministerial Visits

Mr. Clappison: To ask the Secretary of State for Education and Employment what plans *(a)* he and *(b)* other Ministers in his Department have to travel overseas on ministerial visits between 28 July and 23 October. [133051]

Mr. Wills: *[holding answer 27 July 2000]:* I will write as soon as possible to the hon. Member and place a copy of my letter in the Library.

Student Finances

Dr. Harris: To ask the Secretary of State for Education and Employment what the cost to public funds has been of student loans provision in terms of *(a)* interest rate subsidies and *(b)* administration costs; and what default rate exists on that debt. [133117]

Mr. Wicks: The data required to answer the question in full are not immediately available. I will write to the hon. Member as soon as possible after the data has been obtained.

Dr. Harris: To ask the Secretary of State for Education and Employment what the net revenue yields would be for the next 10 financial years if those students taking out student loans in the academic year beginning September were to pay a real interest rate of *(a)* 1 per cent., *(b)* 2 per cent., *(c)* 3 per cent. and *(d)* 4 per cent. on their debt. [133103]

Mr. Wicks: The following table provides an indication of the net revenue yields over the next ten financial years for four alternative real interest rates. Estimates relate only to the cohort of English and Welsh students expected to enter higher education in September 2000. Most typically these students will take out loans for three years, graduate in summer 2003, and begin repayments in April 2004. These are estimates based on a series of assumptions such as: the numbers eligible for loans; the number and size of loans taken out; and the cohort's earning profile upon leaving higher education.

£ million

Financial year	*Net revenue yields assuming real interest rates of:*			
	(a) 1 per cent.	*(b) 2 per cent.*	*(c) 3 per cent.*	*(d) 4 per cent.*
2001–02	0	0	0	0
2002–03	0	0	0	0
2003–04	0	1	1	1
2004–05	2	4	6	8
2005–06	1	2	4	5
2006–07	1	2	2	3
2007–08	4	8	12	15
2008–09	6	12	17	22
2009–10	8	19	29	39
2010–11	12	23	33	43

Net revenue yields have been calculated as the difference between forecast repayments under current policy (zero per cent. real interest) and forecast repayments given each of the higher rates of interest *(a)* to *(d)*

PRESIDENT OF THE COUNCIL

Westminster Hall

Mr. Fraser: To ask the President of the Council if she will make it her policy not to increase the number of debates that take place in Westminster Hall. [133407]

Mrs. Beckett: The Select Committee on Modernisation of the House of Commons is currently reviewing the Westminster Hall experiment. I do not wish to pre-empt the Committee's recommendations.

Electronic Communications Act 2000

Mr. Cotter: To ask the President of the Council what orders she *(a)* has made and *(b)* intends to make using section 8 of the Electronic Communications Act 2000; and if she will make a statement. [133378]

Mrs. Beckett: No orders have yet been made by any department using section 8 of the Electronic Communications Act 2000, which came into force on 25 May. For the Government's intentions, I refer the hon. Member to the reply given by my right hon. Friend the Minister of State, Cabinet Office to my hon. Friend the Member for Doncaster, Central (Ms Winterton) on 24 May 2000, *Official Report*, columns 532–33W.

SOCIAL SECURITY

Housing Benefit

Mr. Field: To ask the Secretary of State for Social Security, pursuant to his answer of 4 July 2000, *Official Report*, column 155W, when results for the extended measurement of Housing Benefit fraud will be available for all local authorities. [130177]

Angela Eagle: We plan to commence national measurement of standard Housing Benefit across all local authorities from April 2001. The first year of measurement will run to March 2002, with results expected to be available and published in the autumn of that year.

Mr. Tynan: To ask the Secretary of State for Social Security if he will publish for each Scottish local authority a breakdown for each of the last three years of Housing Benefit overpayments, in terms of *(a)* the numbers of overpayments and *(b)* the amounts involved for each category of claimant and fraudulent errors; and if he will express (b) as a percentage of (a). [132873]

Angela Eagle: The information is not available in the format requested.

Departmental Initiatives

Dr. Lynne Jones: To ask the Secretary of State for Social Security if he will list each departmental initiative since May 1997 requiring bids for funding together with the total resources available, the number of successful bids and the proportion this represents of total bids received; and what data he collects on the average expenditure of organisations bidding for funding through each initiative. [131085]

Angela Eagle: I will write to my hon. Friend.

Advisory Bodies

Tony Wright: To ask the Secretary of State for Social Security if he will list all the *(a)* task forces, *(b)* action teams, *(c)* policy reviews and *(d)* other temporary advisory bodies with external members currently in existence within his Department; and on what date each body (i) was set up and (ii) is expected to terminate. [131447]

Mr. Rooker: I refer my hon. Friend to the written answer from my hon. Friend the Parliamentary Secretary, Cabinet Office, on 27 July 2000, *Official Report*, column 799W.

Disregard Allowances

Mr. Gerald Howarth: To ask the Secretary of State for Social Security what the total cost was of *(a)* premium and *(b)* disregard allowances, including where appropriate their equivalents, in (i) 1970, (ii) 1980, (iii) 1990 and (iv) 1999. [131417]

Angela Eagle *[holding answer 19 July 2000]:* I will write to the hon. Member.

Cold Weather Payments and Winter Fuel Allowance

Ms Keeble: To ask the Secretary of State for Social Security if he will list, by constituency, *(a)* the number of people who received and *(b)* the amount of money received in (i) Cold Weather Payments for the years 1995–96 and 1996–97 and (ii) Winter Fuel Allowances in 1998–99 and 1999–2000. [132376]

Angela Eagle: The administration of Cold Weather Payments and Winter Fuel Payments are matters for Alexis Cleveland, the Chief Executive of the Benefits Agency. She will write to my hon. Friend.

Letter from Alexis Cleveland to Ms Sally Keeble, dated 28 July 2000:

The Secretary of State has asked me to reply to your recent Parliamentary Question asking if he will list, by constituency, (a) the number of people who received and (b) the amount of money received in (1) cold weather payments for the years 1995–96 and 1996–97 and (2) winter fuel allowances in 1998–99 and 1999–2000.

The CWP information is collected on the estimated number of qualifying individuals (which includes non pensioner customers) and by weather station area rather than Benefits Agency district or constituency areas. The weather stations cover wide areas, and therefore may encroach on more than one constituency. It is not possible to provide a breakdown by constituency area.

Winter Fuel Payments were introduced in the winder of 1997–98 and help pensioners with the cost of their winter fuel bills. They are paid in addition to any Cold Weather Payments that may be due.

The information requested has been placed in the House of Commons library.

I hope this is helpful.

Angela Smith: To ask the Secretary of State for Social Security how much was paid in Cold Weather Payments in the Basildon constituency in each year from 1990 to 1997. [132640]

Angela Eagle: The administration of Cold Weather Payments is a matter for Alexis Cleveland, the Chief Executive of the Benefits Agency. She will write to my hon. Friend.

Letter from Alexis Cleveland to Angela Smith, dated 28 July 2000:

The Secretary of State has asked me to reply to your recent Parliamentary Question asking how much was paid in cold weather payments in the Basildon constituency in each year from 1990 to 1997.

Cold Weather Payments (CWP) are paid to people awarded Income Support (IS) or income-based Jobseekers Allowance (JSA(IB)) with a pensioner or disability premium or if they have a child under 5, when the temperature criterion is met for their postcode. Payment is issued automatically without the need to claim.

The CWP information is collected on the number of qualifying individuals (which includes non pensioners) and by weather station area rather than Benefits Agency district or constituency areas.

During the period in question, the weather stations at Stansted and Manston were used to serve the Basildon Constituency. The figures that are available are for the whole weather station areas, which included parts of other constituencies. Therefore the payments for Basildon only cannot be provided. The information available is in the attached table.

I hope this is helpful.

Estimated qualifiers and total expenditure on Cold Weather Payments since the winter of 1990 to 1997 at the weather stations to which Basildon constituency has been linked

Year	*Weather station*	*Number of qualifiers*	*Total expenditure (£)*
1990–91	Stansted	[1]—	[1]—
1991–92	Stansted	[1]—	[1]—
1992–93	Stansted	[1]—	[1]—
1993–94	Stansted	[1]—	[1]—
1994–95	Stansted	85,445	0
1995–96	Stansted	89,855	3,055,070
1996–97	Stansted and Manston	43,394 and 79,041	2,450,244
1997–98	Stansted and Manston	40,720 and 77,876	0

[1] Not known

Notes:

1. No payment data are held for periods prior to 1995–96
2. Figures for number of qualifiers includes non-pensioners
3. An estimate of the number of pensioners among the qualifiers is not available
4. The weather station at Manston only covered postcodes in the Basildon constituency from 1996–97; from 1996–97 both weather stations were used to cover different parts of the constituency
5. One period of cold weather was triggered at Stansted weather station in 1990–91
6. One period of cold weather was triggered at Stansted weather station in 1991–92
7. One period of cold weather was triggered at Stansted weather station in 1992–93

8. No periods of cold weather were triggered at Stansted weather station in 1993–94 and 1994–95

9. Four periods of cold weather were triggered at Stansted weather station in 1995–96

10. Three periods of cold weather were triggered at Stansted and two at Manston in 1996–97

11. No periods of cold weather were triggered at Manston Stansted in 1997–98

12. All postcode districts and the weather stations which currently serve them are detailed in Schedule 1 of the Social Fund Cold Weather Payments (General) Amendment Regulations 1999

13. Numbers of qualifiers are per period of cold weather

Mr. Ennis: To ask the Secretary of State for Social Security how much has been paid out in winter fuel allowances to people in Barnsley East and Mexborough from 1997–98 to 1999–2000. [133745]

Angela Eagle: This is a matter for Alexis Cleveland, the Chief Executive of the Benefits Agency. She will write to my hon. Friend.

Letter from Alexis Cleveland to Mr. Jeff Ennis, dated 28 July 2000:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how much has been paid out in winter fuel allowances to people in Barnsley East and Mexborough from 1997–98 to 1999–2000.

Winter Fuel Payments (WFP) were introduced in the winter of 1997/98. For the winters of 1997/98 and 98/99 eligible people receiving Income Support (IS) or income based Jobseekers' Allowance (JSA (IB)) which included a pensioner premium, who were not living in residential care or a nursing home received payments of £50. All other eligible pensioners received £20 or £10 depending on their household circumstances. Where only one eligible pensioner lived in the household they would receive £20, otherwise they would receive £10 each. Last winter, 1999/00 the amount of the payment increased to £100 for all eligible households.

In 1997/98, WFP expenditure for Barnsley East and Mexborough constituency was £323,800; in 1998/99, it was £291,570; and in 1999/00, it was £1,164,900.

I hope this is helpful.

Mr. Michael J. Foster: To ask the Secretary of State for Social Security how many over 60s in *(a)* Worcester and *(b)* Mid Worcester qualify for the winter fuel allowance. [133768]

Angela Eagle: Last winter (1999–2000) 16,715 clients in the Mid Worcestershire constituency and 15,040 in the Worcester constituency, qualified for Winter Fuel Payment of either £100 or £50, dependant on their circumstances. This figure includes those in receipt of one of the qualifying benefits as well as men from age 60 who qualified through receipt of either Income Support or income-based Jobseekers' Allowance.

My hon. Friend will know that the Winter Fuel Payment scheme has now been extended so that men as well as women will be eligible for a payment from age 60, providing they satisfy the qualifying criteria. The changes apply from the beginning of the scheme in 1997–98 and payments will be made for past winters to customers who are entitled. The majority of the customers who are newly eligible will need to make a claim.

This will mean the figure given above in respect of 1999–2000 could be higher for winter 2000. How much higher will depend on the number of people who decide to make a claim and how many are entitled.

Therefore, it is not possible to give my hon. Friend a precise number of customers who may now qualify for payment in Mid Worcestershire and Worcester until claim forms are returned and processed.

Mr. Peter Bradley: To ask the Secretary of State for Social Security how many over 60s in The Wrekin qualify for the Winter Fuel Allowance. [133197]

Angela Eagle: For winter 1999–2000, 13,617 customers in The Wrekin qualified for a Winter Fuel Payment of either £100 or £50, dependant on their circumstances. This figure includes those in receipt of one of the qualifying benefits as well as men from age 60 who qualified through receipt of either Income Support or income-based Jobseeker's Allowance.

My hon. Friend will know that the Winter Fuel Payment scheme has now been extended so that men as well as women will be eligible for a payment from age 60, providing they satisfy the qualifying criteria. The changes apply from the beginning of the scheme in 1997–98 and payments will be made for past winters to customers who are entitled. The majority of the customers who are newly eligible will need to make a claim.

This will mean the figure given in respect of 1999–2000 could be higher for winter 2000. How much higher will depend on the number of people who decide to make a claim and how many are entitled.

Therefore, it is not possible to give my hon. Friend a precise number of who may now qualify for payment in The Wrekin until claim forms are returned and processed.

Disability Benefits

Mr. Andrew George: To ask the Secretary of State for Social Security (1) how many requests for revisions of Disability Living Allowance and Attendance Allowance were not dealt with within the target time for clearance over the period October 1999 to June 2000; [132062]

(2) how many renewal claims for Disability Living Allowance and Attendance Allowance were not dealt with within the target time for clearance over the period October 1999 to June 2000. [132061]

Mr. Bayley *[holding answer Monday 24 July 2000]:* I will write to the hon. Member in mid August.

Mr. Todd: To ask the Secretary of State for Social Security how many benefit claimants in Derbyshire have had their benefits reduced or eliminated as a result of the advice of examining medical practitioners in each of the last five years. [133552]

Angela Eagle: The administration of benefits is a matter for Alexis Cleveland, the Chief Executive of the Benefits Agency. She will write to my hon. Friend.

Letter from Alexis Cleveland to Mr. Mark Todd, dated 28 July 2000:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many benefit claimants in Derbyshire have had their benefits reduced or eliminated as a result of the advice of examining medical practitioners in each of the last five years.

The information available is only statistically viable for Incapacity benefit claims because the data collected for other benefits is only based on a 5 per cent. sample of claims made. Details of the Incapacity Benefit claims are shown below.

Incapacity Benefit claims terminated in Derbyshire

	Percentage
1 March 1998 to 28 February 1999	1,400
1 March 1999 to 29 February 2000	1,400

Unfortunately at the time of writing, statistics showing the claims reduced or disallowed following referral to Medical Services, are only available for the last two years. I will write to you again when the remaining data are obtained from our statisticians.

Long-term Care

Sir Peter Emery: To ask the Secretary of State for Social Security (1) on what basis an elderly wife in a residential care home and suffering from Alzheimer's disease can claim Income Support; [132487]

(2) for what reason the amount of a husband's capital is taken into account when an elderly wife in long-term care and suffering from Alzheimer's disease claims Income Support. [132488]

Mr. Bayley: A wife in a residential care home can claim Income Support in her own right. In these circumstances, her income and capital is treated separately from her husband's, but he may be asked to contribute to the upkeep of his wife to the extent that he can afford to do so through the payment of maintenance.

Benefit Over Payments

Mr. Burstow: To ask the Secretary of State for Social Security how many Benefits Agency claimants were overpaid *(a)* benefit and *(b)* income support in each of the last 12 months; how many of these claimants have repaid that (i) benefit and (ii) income support in full; how much (x) benefit and (y) income support was overpaid in each of the last 12 months; how much of this (1) benefit and (2) income support was recovered from claimants; what estimate he has made of the annual administrative costs of recovering unpaid (A) benefit and (B) income support per claimant; and how much was spent by the Benefits Agency recovering overpaid (I) benefit and (II) income support in each of the last 12 months. [132286]

Angela Eagle: Administration of benefits and recovery of overpayments is a matter for the Chief Executive of the Benefits Agency, Alexis Cleveland. She will write to the hon. Member shortly.

Letter from Alexis Cleveland to Mr. Paul Burstow, dated 27 July 2000:

The Secretary of State has asked me to respond to your recent questions asking how many Benefits Agency claimants were overpaid *(a)* benefit and *(b)* income support in each of the last 12 months; how many of these claimants have repaid that (i) benefit and (ii) income support in full; how much (x) benefit and (y) income support was overpaid in each of the last 12 months; and how much of this (1) benefit and (2) income support was recovered from claimants; what estimate he has made of the annual administrative costs of recovering unpaid (A) benefit and (B) income support per claimant; and how much was spent by the Benefits Agency recovering overpaid (I) and (II) income support in each of the last 12 months.

We do not capture specific information on the number of claimants that have been overpaid or have repaid overpayments.

The Benefits Agency pays out around £1 billion in Income Support and almost £7 billion in all benefits each month.

Recoverable overpayments account for about 1.5 per cent. and 0.4 per cent. of the totals respectively. Non recoverable overpayments account for around 0.55 per cent. and 0.1 per cent.

Recoveries are currently running at around two thirds of this total for income support and a half of total overpayments.

The Agency spent £60 million recovering overpayments in the period June 1999 to May 2000. We do not keep information breaking this down by benefit or by the number of overpayments recovered.

I hope this is helpful.

Benefits (Ribble Valley)

Mr. Evans: To ask the Secretary of State for Social Security how many people in Ribble Valley *(a)* were eligible for, *(b)* claimed and *(c)* applied for social security benefits in the last year for which figures are available, broken down by type of benefit. [132726]

Angela Eagle *[holding answer 26 July 2000]:* The administration of Social Security benefits is a matter for the Chief Executive of the Benefits Agency, Alexis Cleveland, she will write to the hon. Member.

Letter from Alexis Cleveland to Mr. Nigel Evans, dated 27 July 2000:

The Secretary of State has asked me to reply to your recent Parliamentary Question asking how many people in Ribble Valley (a) were eligible for, (b) claimed and (c) applied for social security benefits in the last year for which figures are available, broken down by type of benefit.

The information requested is not available for all social security benefits and where partially available it is not necessarily in the requested format. The information that is available is the number of claimants receiving specific benefits and is provided in the attached tables.

I hope this is helpful.

Income Support claimants in Ribble Valley Parliamentary Constituency

From May 1999 to February 2000: 14.5 thousand customers

Notes:

1. Sample size 5%, therefore subject to sampling error.

Source:

Income Support Statistics Quarterly Enquiries, May 1999 to February 2000

Jobseekers Allowance claimants in Ribble Valley Parliamentary Constituency

From August 1999 to February 2000: 1.4 thousand customers

Notes:

1. Figures are subject to a high degree of sampling error and should only be used as a guide to the current situation only.

2. Figures may include 'nil' benefit cases.

3. Figures from May 1999 are not available.

Source:

Jobseekers Allowance Statistics Quarterly Enquiries, August 1999 to February 2000.

Disability Living Allowance in Ribble Valley Parliamentary Constituency

From February 1999 to November 1999: 9.91 thousand customers

Note:

1. Figures based on 5% sample sizes are subject to sampling error.

Source:

DSS Information Centre: 5% sample & 100% data.

Incapacity Benefit and Severe Disablement Allowance in Ribble Valley parliamentary constituency

Thousand

	Number of customers from May 1999 to February 2000
Incapacity Benefit Short Term (low)	0.6
Incapacity Benefit Short Term (high)	0.7
Incapacity Benefit Long Term	8.2
Incapacity Benefit Credits Only	2.3
Severe Disablement Allowance	3.2

Notes:
1. Figures are subject to a high degree of sampling error and should only be used as a guide to the current situation only.
2. Figures will exclude a small number of clerically held cases.

Source:
Benefit Computer System

Maternity Allowance in Ribble Valley Parliamentary Constituency

Parliamentary Constituency figures are not available. Figures for Ribble Valley Local Authority show Nil for all four quarters.

Source:
Benefit Computer System

Child Benefit in Ribble Valley Parliamentary Constituency

As at 15 August 1999 there were 11,477 families in receipt of Child Benefit.

Note:
100% scan, therefore figure is unrounded.

Source:
Child Benefit Computer System

Figures are not available for Retirement Pension, War Pension, Widows Benefit, and Invalid Care Allowance. Information is not collated in the format requested and could only be obtained at disproportionate cost.

Attendance Allowance in Ribble Valley Parliamentary Constituency

From February 1999 to November 1999: 8,393 thousand customers

Note:
Figures based on 5% sample sizes are subject to sampling error.

Source:
DSS Information Centre: 5% sample & 100% data.

Housing Benefit and Council Tax Benefit figures are shown at Local Authority level, as Parliamentary Constituency breakdown is not available for these benefits.

Housing Benefit in Ribble Valley Local Authority

From February 1999 to November 1999: 5.81 thousand customers

The Total and & renewal Housing Benefit claims in Ribble Valley Local Authority for April 1998 to March 1999 was 2,310

Note:
1. Claimant figures have been rounded to the nearest ten cases.

Source:
Housing Benefit Management Information System, Quarterly 100% caseload stock count taken on the second Thursday in February, May August, & November 1999. Housing Benefit Management Information System Quarterly Administration Returns for 1998/99.

Council Tax Benefit in Ribble Valley Local Authority

From February 1999 to November 1999: 8.81 thousand customers

The Total new & renewal Council Tax Benefit claims in Ribble Valley Local Authority for April 1998 to March 1999 was 3,530.

Note:
1. Claimant figures have been rounded to the nearest ten cases.

Source:
Housing Benefit Management Information System, Quarterly 100% caseload stock count taken on the second Thursday in February, May August & November 1999. Housing Benefit Management Information System Quarterly Administration Returns for 1998/99.

Minimum Income Guarantee

Mr. Michael J. Foster: To ask the Secretary of State for Social Security how many pensioners in *(a)* Worcester and *(b)* Mid Worcestershire quality for the Minimum Income Guarantee. [133767]

Mr. Rooker: There are around 2,200 pensioners in the parliamentary constituency of Worcester in receipt of the Minimum Income Guarantee and some 2,100 in Mid Worcestershire parliamentary constituency.

Source:
Income Support Quarterly Statistical Enquiry, February 2000.

Mr. Peter Bradley: To ask the Secretary of State for Social Security how many pensioners in The Wrekin qualify for the Minimum Income Guarantee. [133196]

Mr. Bayley: There are 2,100 pensioners in The Wrekin receiving the Minimum Income Guarantee.

Source:
Income Support Quarterly Statistical Enquiry, February 2000.

Mr. Corbyn: To ask the Secretary of State for Social Security what estimate he has made of *(a)* the number of pensioners who qualified for Income Support and did not take it up, in the most recent year for which figures are available and *(b)* the comparable figures for Minimum Income Guarantee. [133951]

Mr. Bayley: I will write to my hon. Friend.

Administrative Costs

Mr. Corbyn: To ask the Secretary of State for Social Security what the administrative costs were for *(a)* 1998–99, *(b)* 1999–2000 and *(c)* the current year to date as a proportion of the benefit delivered, of (i) state pensions, (ii) Income Support, (iii) Minimum Income Guarantee, (iv) the Social Fund and (v) disability benefits. [133950]

Angela Eagle: I will write to my hon. Friend.

Electronic Communications Act 2000

Mr. Cotter: To ask the Secretary of State for Social Security what orders he *(a)* has made and *(b)* intends to make using section 8 of the Electronic Communications Act 2000; and if he will make a statement. [133375]

Angela Eagle: I refer the hon. Member to the written answer from my right hon. Friend the Minister of State, Cabinet Office today.

Exceptional Hardship Fund

Mr. Love: To ask the Secretary of State for Social Security how many applications were made for Housing Benefit Exceptional Hardship Fund in *(a)* Greater London and *(b)* the London Borough of Enfield; what percentage were accepted and what was the expenditure in each case;

how much was unspent in each case, for each of the last five years for which figures are available; and if he will make a statement. [133234]

Angela Eagle: The information is not available in the format requested. Such information as is available is contained in the table.

Exceptional hardship payments

	Number of awards for exceptional hardship payments	*Total discretionary rent allowance expenditure (£)*	*Unspent discretionary rent allowance expenditure (£)*	*Percentage unspent*
1995–96				
Greater London Local Authorities	20	31,150	652,530	95
London Borough of Enfield	0	100	16,420	99
1996–97				
Greater London Local Authorities	1,350	692,390	4,298,470	86
London Borough of Enfield	30	54,960	65,640	54
1997–98				
Greater London Local Authorities	2,830	1,643,990	3,450,520	68
London Borough of Enfield	40	80,810	54,280	40
1998–99				
Greater London Local Authorities	3,260	1,758,180	3,853,040	69
London Borough of Enfield	60	144,240	14,540	9

Note:
Figures are rounded to the nearest £10

FOREIGN AND COMMONWEALTH AFFAIRS

Gibraltar

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions has he had with the Government of Spain on Gibraltar; and if he will list the subjects raised. [131163]

Mr. Vaz: I will write to my hon. Friend shortly and place a copy of the letter in the Libraries of the House.

Advisory Bodies

Tony Wright: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list all the *(a)* task forces, *(b)* action teams, *(c)* policy reviews and *(d)* other temporary advisory bodies with external members currently in existence within his Department; and on what date each body (i) was set up and (ii) is expected to terminate. [131454]

Mr. Robin Cook: I refer my hon. Friend to the answer my hon. Friend the Parliamentary Secretary to the Cabinet Office gave on 27 July 2000, *Official Report*, column 799W.

Public Bodies

Mr. Stunell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list each group that is responsible to his Department, with significant and plural membership from outside the Civil Service, and to which the Nolan rules on non-departmental public bodies do not apply; and for each such group, if it *(a)* is a company limited by guarantee, *(b)* is a charity, *(c)* has no formal legal basis and *(d)* has some other legal basis, giving details. [131177]

Mr. Robin Cook *[holding answer 18 July 2000]:* I refer the hon. Member to the answer my hon. Friend the Parliamentary Secretary, to the Cabinet Office, gave to my hon. Friend the Member for Eastwood (Mr. Murphy) on 27 July 2000, *Official Report*, column 799W.

Computer Disasters

Mr. Fabricant: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the time it would take to get new computers running in the wake of a major computer disaster in his Department. [130968]

Mr. Battle *[holding answer 19 July 2000]:* In UK, contingency plans in place would allow the replacement of FCO computer and communications systems within one day in the wake of a major computer disaster. Overseas, the time taken would be one day plus the time to transport the system to the Post for most systems: for some (which are shortly to be replaced) the lead time would be two weeks. We have a range of communications options as continuous back-up.

European Parliament Building, Strasbourg

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the total British financial contribution to date to the building and equipping of the new European Parliament building in Strasbourg. [132108]

Mr. Vaz: I will write to my hon. Friend shortly and place a copy of the letter in the Libraries of the House.

British Indian Ocean Territory

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what the financial arrangements are for the lease to the United States of Diego Garcia in the Indian Ocean. [132427]

Mr. Battle: No part of the British Indian Ocean Territory, including Diego Garcia, has been leased to the United States and no rent or similar payment is made in respect of their right to use the territory for defence purposes. However, in 1965 when it became clear that the costs of setting up the territory as a separate dependency would exceed original estimates, the US Government agreed to contribute £5 million towards these costs.

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if his Department is funding a study to assess the feasibility of returning the indigenous population to Diego Garcia and the other Chagos Islands in the Indian Ocean. [133271]

Mr. Battle: An initial study to consider the possibility of settlement on the outer islands only of the British Indian Ocean Territory (BIOT) has already been undertaken. It was funded by the Government of the BIOT. The funding of future stages is yet to be decided.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a copy of the Interim report by Consultants on the feasibility of re-settling the northern atolls of the British Indian Ocean Territory. [133456]

Mr. Battle: I can confirm this has been done.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps Her Majesty's Government are taking to monitor the environment of the British Indian Ocean Territory on a regular basis following its commitment to treat the area with no less strict regard for natural heritage considerations than for places nominated as World Heritage sites. [133457]

Mr. Battle: The Government of the British Indian Ocean Territory (BIOT), who made this commitment, employs a Conservation Consultant who makes annual visits to the territory to assess the state of the environment and report to the Commissioner. The last such visit was in March 2000. The BIOT Government also employs fisheries consultants who likewise assess the state of the fishery. Additionally, it sponsors ad hoc environmental research projects.

Michael John Smith

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs if the solicitor acting on behalf of Michael John Smith (PR 3345) in HMP Full Sutton may have access to the full Mitrokhin Archive; and if he will make a statement. [132276]

Mr. Robin Cook *[holding answer 24 July 2000]:* I am not aware of any such request from Mr. Smith's solicitor. It is, however, open to them to write to the Treasury Solicitor, who would take advice from the relevant authorities.

European Treaties

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 11 July 2000, *Official Report*, column 479W, on European Treaties, if he will list the title of each European document designated as a treaty under Article 1(3) of the European Communities Act 1972 since 1 May 1997, together with *(a)* the title and date of (i) relevant orders in council and (ii) associated report from a Select Committee of either House of Parliament *(b)* the date of each affirmative solution, debate and vote in Committee or in either House and *(c)* the purpose of the Treaty so ratified. [132584]

Mr. Vaz: This information will take some time to collate. I will write to my hon. Friend and place a copy of my letter in the Libraries of the House.

Communications Electronic Security Group

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs how many times officials in the Communications Electronic Security Group have held meetings with members and officials of the United States Government since 1 January; what were the dates and locations of each meeting; and which United States Government Departments took part in each meeting. [132743]

Mr. Robin Cook: Officials of the Communications-Electronic Security Group (CESG) are in frequent contact with a wide range of US Government officials; most dealings are with direct counterpart organisations and are conducted electronically.

Since 1 January the Director of CESG has attended the following formal meetings: 28–31 January with the US Government's Information Systems Security Organisation (ISSO) in Maryland; 1 February with the US Government's National Institute of Standards and Technology (NIST) in Maryland; 2–4 May with ISSO in Cheltenham; 17–18 May with ISSO in Maryland and 22–23 May with NIST and ISSO in Maryland.

Bilateral Treaties

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a list of bilateral treaties and agreements which have been agreed with the Government of the United States of America since 1 January 1997, listing the title of each treaty and agreement, the date on which it was signed and the names of the British and US Departments which signed each one. [132744]

Mr. Battle: Details of bilateral treaties and agreements which have been agreed with the Government of the United States of America since January 1997 will be placed in the Library by the end of August, listing the title of each treaty and agreement and the date on which it was signed. To list the names of the British and US Departments which signed each one would incur disproportionate costs.

Sanctions

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries in respect of which the UK Government have a policy of sanctions. [132843]

Mr. Hain: I refer my hon. Friend to my answer to my hon. Friend the Member for Hendon (Mr. Dismore) on 26 July 2000, *Official Report*, column 641W.

Visitor Bonds

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the proposed pilot study for financial bonds for visitors. [133687]

Mr. Vaz: After consultations with the Home Office, I can announce that we are unable to proceed with the scheme for the present.

Developmental work on detailed proposals for the pilot study has identified a number of difficult practical issues. In particular, moves toward a more flexible approach to the operation of the immigration control—including the introduction of new IT systems for issuing visas at posts overseas—have frustrated attempts to design a simple and effective scheme for providing a bond facility for visitors, and for recording their entry to and departure from the UK.

The planned pilot study in Manila and Casablanca will therefore not proceed.

Pakistan

Mr. Andy King: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will encourage his colleagues in the international community to join with him in supporting General Musharraf in resisting fundamentalist groups in Pakistan. [133212]

Mr. Hain: We are in regular contact with our friends and allies about all aspects of Pakistan. We are aware of inter-community violence, including sectarian attacks, and regularly raise the position of religious minorities in discussions with Pakistani authorities. We hope that, within the parameters of the law, the authorities in Pakistan success in reducing the level of violence. We believe this view is widely shared by the international community.

Mr. Andy King: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has made to develop links between Mullahs and minority groups in order to foster and encourage tolerance in Pakistan. [133208]

Mr. Hain: Our diplomatic missions seek to maintain links with a wide range of religious groups in Pakistan. In our discussions with them, we continue to urge all genuine efforts to foster inter-faith dialogue and tolerance.

Mr. Andy King: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received concerning the persecution of women during recent months in Pakistan. [133207]

Mr. Hain: We are deeply concerned about the position of women in Pakistan, particularly the practice of "honour killings". We have joined our EU partners in condemning the practice, and, in that context, we welcome General Musharraf's announcement condemning "honour killings" as pre-meditated murder and establishing the Commission on the Status of Women. We have urged the Pakistani authorities to implement the 1995 Beijing Platform and the Convention on the Elimination of Discrimination Against Women (CEDAW). We continue to monitor the situation closely.

Mr. Andy King: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received concerning the fundamentalist element within *(a)* the army and *(b)* the Cabinet in Pakistan; and if he will make a statement. [133210]

Mr. Hain: We receive regular reports from our diplomatic missions about all aspects of the political situation in Pakistan, including the policies of General Musharraf's Administration. We will continue to monitor these closely.

Russia

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs which departmental budget will cover the payment in respect of the programme of aid to the Russian Plutonium Disposition strategy, announced at the G8 summit in Okinawa; what is the total United Kingdom financial commitment to this programme; over what period the payments will be made; and if he will list those bodies consulted by the Government in advance of the announcement. [133363]

Mr. Hain: The Cross-cutting Review on Nuclear Problems in the Former Soviet Union proposed a new expenditure programme which will subsume all existing UK efforts in this field. This programme will take the form of a ring-fenced fund within the Department of Trade and Industry's Departmental Expenditure Limit. Overall priorities for the programme will be set on the advice of an interdepartmental committee. DTI will have responsibility for ensuring that this money is spent properly, and for day to day management of this new programme.

The review identified the management and disposition of weapons-grade plutonium surplus to military requirements as a key priority for the UK. All interest Government Departments were involved in the review. At Okinawa the Prime Minister announced the provision of £70 million over the next 10 years for plutonium disposition.

Wilton Park Executive Agency

Mr. Ivan Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs how the Wilton Park Executive Agency performed against the targets agreed for 1999–2000; and what the agreed targets are for the current year. [133857]

Mr. Hain: Wilton Park met all four of the agreed targets set for the 1999–2000 financial year, for income, cost recovery, the number of conference participants, and cost per head to the FCO overall. The 1999–2000 targets were:

Income—£2,182,000

Recovery of cost—82.5 per cent.

Number of Wilton Park conference participants—2,400

Cost to FCO per conference participant—£193.

The following targets have been agreed for the financial year 2000–01:

To increase overall income to £2,500,000

To maintain cost recovery at 82.3 per cent.

To maintain the target for the overall number of Wilton Park conference participants at 2,400

To achieve an average cost to the FCO of each participant of £224.

Handcuffs

Mr. Ivan Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the export controls on pairs of handcuffs and their individual component cuffs. [133858]

Mr. Hain: The Government have decided to introduce a control on individual "bracelet" cuffs having an internal perimeter when fully locked in excess of 165mm and shackles (i.e. including handcuffs) made therewith. This will be made by an amendment to the Export of Goods (Control) Order. Companies wishing to export such equipment will need to apply to the Department of Trade for an export licence. Such applications will be judged on a case by case basis against the national criteria and those in the EU Code of Conduct.

The control remains on shackles having a maximum locked dimension exceeding 240mm overall (i.e. including cuffs and connecting chain).

Ministers' Spouses (Hospitality)

Mr. Nicholls: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 20 July 2000, *Official Report*, column 269W, if he will give the same information on stays by unaccompanied spouses of Ministers at the Lisbon Embassy as for the Residence; and if he will make a statement. [133935]

Mr. Vaz: I refer the hon. Member to the answer I gave on 20 July 2000, *Official Report*, column 269W. Guests do not stay at the Embassy; they stay at the Residence.

General Pinochet

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what monitoring of legal processes in Chile against General Pinochet is being undertaken by the British embassy; and if he will make a statement. [133955]

Mr. Battle: I will write to my hon. Friend shortly and place a copy of the letter in the Libraries of the House.

Kosovo

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs how many *(a)* Ministry of Defence police and *(b)* police from the Royal Ulster Constabulary are serving in Kosovo. [133584]

Mr. Hain: There are currently 56 Ministry of Defence police officers and 58 Royal Ulster Constabulary officers serving with the United Nations International Police in Kosovo.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the extra costs arising from transit time across the Kosovo-Macedonia border. [133583]

Mr. Vaz: I will write to my hon. Friend shortly and place copies of the letter in the Libraries of the House.

Moluccas

Mr. Nigel Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the human rights situation in the Moluccas. [133720]

Mr. Battle: We receive regular reports from our embassy, NGOs and others. As the situation is fast developing, I will write to the hon. Member shortly and place a copy of the letter in the Libraries of the House.

Mr. Nigel Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what advice his Department gives to United Kingdom citizens intending to visit the Moluccas. [133722]

Mr. Hain: The FCO Travel Advice for Indonesia contains the following advice for the Moluccas.

We advise against travel to Maluku Province. The Indonesian Government has declared a state of civil emergency, including a ban on all travel to North Maluku and Maluku Provinces. Intercommunal violence between Christians and Moslems in Ambon has spread to other parts of the Moluccas. The situation is unstable and dangerous.

Mr. Nigel Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the security situation in the Moluccas. [133721]

Mr. Battle: We receive regular reports from our embassy, NGOs and others. As the situation is fast developing, I will write to the hon. Member shortly and place a copy of the letter in the Libraries of the House.

Fiji

Mr. Love: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to promote an early return to democratic Government in Fiji; and if he will make a statement. [133242]

Mr. Battle: Following the release of the hostages on 13 July and the armed overthrow of Fiji's democratically elected government we recalled our High Commissioner in Fiji for consultations. We also summoned the Fijian High Commissioner in London to make clear our disappointment that the new Fijian administration included individuals associated with Speight that the 1997 Constitution had been abrogated and to insist that Speight and his gang be brought to justice. We and EU partners made similar representations locally.

On 21 July we announced a number of targeted measures against Fiji,

urging EU partners to open consultations under Article 366a of the Lome Convention to establish a timetable for return to democracy; all new EU aid to Fiji is currently on hold;

pressing our EU partners to impose restrictions on travel by Speight and his associates;

cancelling all FCO-funded assistance to Fiji's government;

cancelling of naval visits and joint military exercises. All defence cooperation with Fiji will remain under review.

no licenses for any arms or security equipment for export to Fiji where there is a clear risk that it will be used for internal repression.

We are consulting Commonwealth and EU partners on the next steps and on ways to promote an early return to constitutional and democratic government in Fiji. The Commonwealth Ministerial Action Group, of which the UK is a member, meets in New York on 14 September to review its decision on 16 June to suspend Fiji from its councils, and to monitor Fiji's progress in drawing up a roadmap back to democracy.

War Crimes (Srebrenica)

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs when the International War Crimes Tribunal for Yugoslavia will publish the forensic evidence on Srebrenica. [133448]

Mr. Hain: The International Criminal Tribunal for the former Yugoslavia (ICTY) gathers forensic evidence for use in the prosecution of suspected war criminals. ICTY have produced significant amounts of evidence from Srebrenica in open court, for example in the ongoing trial of General Krstic. Records of trials are available to the public on ICTY's website (www.un.org/icty).

Western Sahara

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs what support Her Majesty's Government are giving to the UN Peace Plan in respect of the Saharawi people's right to self-determination. [133449]

Mr. Hain: We have supported the UN Settlement Plan for the western Sahara since its inception, and all UN efforts to bring about a just, durable and agreed resolution to this dispute. The UN Secretary-General and his Personal Envoy, James Baker, have reported fundamental differences between the two parties to the dispute—Morocco and the Polisario Front—on the provisions of the UN Settlement Plan. They are working to resolve these differences, including the possibility of the parties agreeing to a mutually acceptable political solution. We support these efforts. And we continue to believe that a just solution depends on the people of the western Sahara having the right to express their will at the ballot box.

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs how much money has been allocated by Her Majesty's Government towards the UN proposals for a referendum on the western Sahara. [133450]

Mr. Hain: In financial year 1999, the UK contributed £1.014 million in assessed contributions towards the running costs for MINURSO, the UN mission in the western Sahara.

Due to lack of time before the end of the parliamentary session, we have not been able to collate the figures for previous years. I will write to my hon. Friend shortly with these figures and arrange for a copy of the letter to be placed in the Libraries of the House.

Indonesia

Mr. Oaten: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his EC counterparts on the reimposition of restrictive measures against Indonesia following the repetition of violence in East Timor. [133428]

Mr. Battle: I refer the hon. Member to the reply I gave to the hon. Member for Richmond Park (Dr. Tonge), on 26 July 2000, *Official Report*, columns 641–42W. We deplore the death of Private Manning of the New Zealand Army on 24 July during an incursion by rogue militia. This is the first peacekeeper to be killed in combat in the territory since August 1999. Efforts are currently under way in the UN to put pressure on Indonesia to ensure full implementation of the Memorandum of Understanding on Tactical Co-ordination in the Border Area signed on 11 April this year.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has for a unilateral arms embargo on Indonesia. [133431]

Mr. Battle: I refer the hon. Member to the answer I gave her on 26 July 2000, *Official Report*, columns 461–62W.

Staff Secondment

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs if any of his Department's staff are seconded to the Cabinet Office or the Prime Minister's Office to work on European issues. [132979]

Mr. Hain: One member of the Foreign and Commonwealth Office is on loan to the Cabinet Office working exclusively on European issues. In addition, there are five members of Foreign and Commonwealth staff seconded to the Prime Minister's office who in part cover European issues.

Conflict Prevention

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs how much of the funding for conflict prevention in each of the next three years is *(a)* additional money provided as a result of the Comprehensive Spending Review and *(b)* taken from existing budgets. [132875]

Mr. Hain: The Spending Review 2000 settlement for conflict prevention is:

£ million

	2001–02	*2002–03*	*2003–04*
Sub-Saharan Africa			
Additional resources	20	20	20
Indicative resources for forecast peacekeeping	65	60	60
Contributions from Departments			
DFID	23.5	23.5	23.5
FCO	5.0	5.0	5.0
MOD	1.5	1.5	1.5

£ million

	2001–02	2002–03	2003–04
Rest of the World			
Additional resources	12	20	30
Indicative resources for forecast peacekeeping/enforcement operations	340	380	380
Contributions from Departments			
DFID	9	9	9
FCO	7	7	7
MOD	32	32	32

Of the indicative resources for peacekeeping for both sub-Saharan Africa and the Rest of the World, in the event of underspends, up to 10 per cent. can be used for programme expenditure.

Unforeseen peacekeeping operations or unexpected increases in assessed contributions for international peacekeeping will be met in the first instance by re-prioritising within the pool. If this proves insufficient, the pool will have access to the DEL Reserve.UN arrears of £30 million due to the UK for UNPROFOR which would be returned to the Treasury Consolidated Fund, will be retained by the conflict prevention pools. This amount is not included in the table.

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs how he proposes to measure his PSA target of reducing the number of people whose lives are affected by violent conflict where the United Kingdom make a significant contribution to conflict prevention and management, as set out in the Comprehensive Spending Review. [132978]

Mr. Hain: The Government have set themselves a target for the period beginning next financial year to improve the effectiveness of the UK contribution to conflict prevention and management, as demonstrated, inter alia, by the number of people whose lives are affected by violent conflict, where the UK can make a significant impact. We will be working with DFID, MOD and other relevant Government Departments in the autumn to identify priority activities to address this overall objective, verifiable indicators for each activity, and current baselines against which progress can be measured.

European Issues (Funding)

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs how he proposes to spend the additional resources being provided for his Department's activity on European issues, as announced in the Comprehensive Spending Review; how many new staff he proposes to employ; and what their remit will be. [132981]

Mr. Hain: Europe is one of the Foreign Secretary's key policy priorities, as reflected in the Foreign and Commonwealth Office's Public Service Agreement. The details of the allocation of extra resources to activity on Europe will be decided in the autumn within the Foreign and Commonwealth Office's annual internal budgeting round.

Reports

Mr. Stunell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the reports submitted to his Department, by bodies that were created after May 1997 and that include significant and plural membership from outside the Civil Service, stating in each case the body writing the report, the date the report was submitted, how many recommendations were made, the number of those recommendations that have been implemented to date and the number of recommendations that have been rejected; and if he will make a statement. [133566]

Mr. Robin Cook: I refer the hon. Member to the central list of information published on 11 January 2000 and the updated list published yesterday, 27 July 2000.

Kuwaiti Nationals

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Iraqi Government concerning the whereabouts of missing Kuwaiti nationals following Iraq's invasion of Kuwait. [133430]

Mr. Hain: The UK has consistently called on Iraq to end the suffering of the relatives of the 605 Kuwaitis and others missing since the Gulf War. The UK plays an active role in the Tripartite Commission process, chaired by the International Committee of the Red Cross, which seeks to account for the whereabouts of the missing. The process has been hampered, however, by continued Iraqi obstruction and since early 1999 Iraq has refused to attend Commission meetings. At the latest Consultation Meeting in Geneva on 21 June 2000, the UK delegation stress the urgent need for Iraq to return to the process. The UK has also sought to give added impetus to the process through Security Council resolution 1284 which provided for a high-level UN co-ordinator on this issue. I offered our full support to Mr. Yuli Vorontsov, who has taken up this post, which he called on me on 29 June.

Yugoslav Football Team

Mrs. Mahon: To ask the Secretary of State for Foreign and Commonwealth Affairs under what criteria the Sanctions Committee on Yugoslavia stopped payments to the Yugoslav football team after Euro 2000. [133451]

Mr. Hain: The UN Sanctions Committee on Yugoslavia, established by Security Council resolution 1160 (1998), has responsibilities only in relation to the measures imposed by that resolution—an embargo on the sale or supply of arms and related material to the Federal Republic of Yugoslavia and the arming and training for terrorist activities there. It has not considered any requests regarding payments to the Yugoslav football team.

There is a Management Committee for EU financial sanctions in relation to the Federal Republic of Yugoslavia. This Management Committee has not considered any requests for payments to the Yugoslav football team.

TRADE AND INDUSTRY

New Deal

Mr. Brady: To ask the Secretary of State for Trade and Industry (1) how many employees of his Department and its agencies have been recruited from the New Deal; and what percentage of total staff this represents; [129140]

(2) how many employees of his Department and its agencies have been recruited from the New Deal; and what percentage this represents of total staff. [129099]

Dr. Howells: I refer the hon. Member to the pursuant answer given today by my right hon. Friend the Minister of State, Cabinet Office to my hon. Friend the Member for Bradford, North (Mr. Rooney).

The number of New Dealers within my Department and its Executive Agencies as at 1 April 2000 represents 0.3 per cent. of total staff.

Trawlermen

Mr. Salmond: To ask the Secretary of State for Trade and Industry when the Government will make a decision on granting compensation to former distant water trawlermen; and if he will make a statement. [130549]

Mr. Mitchell: To ask the Secretary of State for Trade and Industry when he will make an announcement about the compensation scheme for those distant water trawlermen who lost their jobs with the closure of Icelandic fishing. [132304]

Shona McIsaac: To ask the Secretary of State for Trade and Industry if the Government will provide compensation for former fishermen who lost their livelihoods following the settlement of the Cod Wars with Iceland in the 1970s. [132249]

Mrs. Humble: To ask the Secretary of State for Trade and Industry when he will publish a response to the claim for compensation from former distant water trawlermen. [132476]

Mr. Doran: To ask the Secretary of State for Trade and Industry if the Government will provide compensation for former distant water trawlermen who lost their livelihoods following the settlement of the cod wars with Iceland in the 1970s. [133787]

Mr. Byers *[holding answer 17 July 2000]:* The Government recognise that the former Icelandic distant water trawlermen suffered an injustice. Many lost their jobs through the settlement of the 'Cod Wars' by the then Government and received little or no help. Given the exceptional circumstances in which they lacked basic employment protection we intend to remedy this by establishing a new scheme of compensation to be administered by my Department's Redundancy Payment Service.

Further details of the scheme and when and where claim forms will be available are to be announced before it is formally opened on 2 October.

Any former Icelandic distant water trawlermen who left the industry between 1974 and 1979 and had two years' continuous service, not necessarily with the same employer, will be entitled to claim under the new scheme. Surviving dependants will also be entitled to claim in cases where former fishermen who would have been eligible are now deceased. Once the scheme is opened, a period of around two years will be allowed for claims to be submitted.

Eligible claimants will receive £1,000 per year at sea, subject to a maximum of £20,000.

Sums received by former distant water trawlermen under ex-gratia redundancy payments arrangements operated by the Government between 1993 and 1995 will be offset against payments under the new scheme.

Mr. Mitchell: To ask the Secretary of State for Trade and Industry how many trawlermen were made redundant in *(a)* 1974, *(b)* 1975 and *(c)* 1976 when British fishing boats stopped fishing as a result of withdrawal of British boats from Icelandic waters. [132818]

Mr. Byers *[holding answer 27 July 2000]:* Precise statistics are not available.

Mr. Mitchell: To ask the Secretary of State for Trade and Industry what compensation proposals for trawlermen who lost their livelihood when British boats stopped fishing in Icelandic waters were put to his Department by the British Fishermen's Association. [132821]

Mr. Byers *[holding answer 27 July 2000]:* The British Fishermen's Association has proposed that compensation payments made to former Icelandic water trawlermen should be calculated on the basis of £1,000 for each year at sea with a maximum of 20 years' service taken into account; that any amounts paid to claimants under the ex-gratia redundancy payment arrangements operated by the Government between 1993 and 1995 should be offset; that the next of kin should be eligible to claim in any case where a former trawlerman is now deceased; and that there should be an independent review where any claims are disallowed.

Radio Spectrum

Mr. Gordon Prentice: To ask the Secretary of State for Trade and Industry how much the police, other emergency services, and the armed forces are projected to pay annually for access to the radio spectrum following the recent sale of the spectrum; and if he will make a statement. [131889]

Ms Hewitt: The police and other emergency services are expected to pay £2.05 million this year and the military are expected to pay £22.7 million this year for use of the radio spectrum.

These sums are equated to the payments made by commercial users under Section 1 of the Wireless Telegraphy Act 1998. They are not connected to sums paid for spectrum auctioned under Section 3 of the Act.

University Research

Mr. Hilary Benn: To ask the Secretary of State for Trade and Industry how much has been awarded by the Joint Infrastructure Fund since its establishment to each university in respect of *(a)* medical and *(b)* non-medial research. [131721]

Ms Hewitt: The Joint Infrastructure Fund (JIF) to date has made 109 awards worth £600 million to 39 universities.

Estimates of the biomedical and non-medical awards for the successful universities for Round 1 are listed in the table. Rounds 2 and 3 awards are subject to negotiation with successful applicants and further details will be announced later this year.

Universities awarded funding (Round 1)

£ million

	Round 1	*Biomedical*	*Non-medical*
Bangor (University of Wales)	2.8	—	2.8
Birmingham	11.1	—	11.1
Bristol	2.0	—	2.0
Cambridge	30.4	—	30.4
Edinburgh	6.3	3.3	3.0
Glasgow	2.1	—	2.1
Imperial College	11.3	3.3	8.0
Lancaster	0.6	—	0.6
Leeds	2.4	—	2.4
Liverpool	6.1	2.9	3.2
LSE	6.6	—	6.6
Manchester	1.8	—	1.8
Newcastle	4.4	4.4	—
Nottingham	5.0	0.8	4.2
Oxford	17.9	7.1	10.8
Queen Mary and Westfield College	24.8	—	24.8
Queen's Belfast	0.4	0.4	—
Southampton	3.8	3.8	—
Strathclyde	1.2	1.2	—
SUERC (Glasgow)	3.9	—	3.9
Surrey	4.7	—	4.7
Warwick	1.0	—	1.0

Near Earth Objects

Mr. Öpik: To ask the Secretary of State for Trade and Industry when the report on the threat posed by near earth objects, currently being prepared by the Near Earth Object Task Force, will be published; and if he will make a statement. [132086]

Ms Hewitt: The Task Force has not yet formally submitted its report to my noble Friend the Minister for Science. I expect that it will do so shortly. My noble Friend will write to the hon. Member when the report is published. Parliament will be informed once he has had the opportunity to consider the recommendations.

Regional Selective Assistance

Mr. Redwood: To ask the Secretary of State for Trade and Industry when, and for what purposes, Rover was recently granted regional selective assistance; and whether that was separate from the £129 million grant. [131824]

Mr. Byers *[holding answer 21 July 2000]:* To support the development of an all new leading-edge engine production facility to be built on a brownfield site at Harms Hall in the West Midlands.

This was separate from the £129 million offer in 1999.

Early Retirement

Mr. Fearn: To ask the Secretary of State for Trade and Industry if he will make a statement on the practice of employers in respect of compulsory early retirement. [132430]

Mr. Alan Johnson: Retirement ages are a matter for negotiation and agreement between employers and employees (or their representatives). It is for employers to decide whether dismissal in advance of normal retirement age may be necessary in any particular case. Subject to the necessary qualifying service, employees who believe they have been dismissed unfairly can complain to an employment tribunal.

Employment Contracts

Mr. Colman: To ask the Secretary of State for Trade and Industry if he will amend the law to prevent private sector companies from cutting pay and downgrading the working conditions of staff through the termination of existing contracts of employment coupled with an offer of re-employment on less favourable terms with particular reference to employees transferred from the public to the private sector. [132849]

Mr. Alan Johnson: It is unlawful for employers to dismiss employees in connection with a transfer within the meaning of the Transfer of Undertakings (Protection of Employment) Regulations 1981 (TUPE), unless the reason for doing so is an economic, technical or organisational reason entailing changes in the workforce. It is similarly unlawful for employers to change employees' terms and conditions of employment in connection with a TUPE transfer. The Government have made clear in the Cabinet Office Statement of Practice "Staff Transfers in the Public Sector" its policy that all transfers from the public sector to the private should be conducted on the basis that TUPE applies unless there are genuinely exceptional reasons for it not to do so.

Arms Exports

Mr. Menzies Campbell: To ask the Secretary of State for Trade and Industry what steps he has taken to improve the process of risk assessment for arms exports at the licensing stage; what further steps are being considered; and if he will make a statement. [133109]

Dr. Howells: The Government have taken a number of steps to strengthen the process of risk assessment at the licensing stage and continue to consider ways of further improving procedures in this area. We rigorously assess export licence applications to determine the risk of the proposed export being misused in contravention of our national export licensing criteria and those in the EU Code of Conduct on Arms Exports, including for internal repression or international aggression, or through diversion or re-export to undesirable end-users.

The DTI's Export Control Organisation (ECO) introduced a new computerised database in 1999 which has increased consistency in the assessment of licence applications and reduces the risk of errors. Further enhancements to this system are planned over the next two years. ECO has also increased the number of senior managers with oversight of the licensing process, and applications to export goods to destinations where there may be risk of diversion are considered with particular care. Applications are refused if it is assessed that an unacceptable risk of diversion exists.

ECO seeks advice on applications from other departments with an interest as determined by those departments in line with their policy responsibilities. DTI works in partnership with those departments to improve the overall effectiveness of the licensing process.

We systematically take into account reliable information from a variety of sources, including reporting from diplomatic posts, international organisations and Non-Governmental Organisations. We have taken a number of steps to increase the amount of such information available to us, for example by instructing overseas posts to report on any misuse of UK-supplied defence equipment and by promoting exchange on destinations and end-users of concern in relevant international fora.

All applications for Standard Individual Export Licences must be accompanied by appropriate end-user undertakings or, if the consignee is a Government body, a copy of the official purchase or relevant part of the contract. As noted in the 1999 Annual Report on Strategic Export Controls, we ask overseas posts to conduct checks to confirm the veracity of end-user information. ECO is also actively considering the possibility of introducing a standard model format for the presentation of end-user undertakings, and new guidance material for completion of such assurances, which should further enhance the effectiveness of our licensing process.

Euro

Mr. Matthew Taylor: To ask the Secretary of State for Trade and Industry which studies his Department has *(a)* commissioned, *(b)* reviewed and *(c)* undertaken that examine the cost to (i) UK businesses and (ii) euro zone business of preparing for introduction of the euro; and if he will make a statement. [132900]

Mrs. Liddell: HM Treasury is responsible for this subject. I refer the hon. Member to the answer given by my right hon. Friend the Economic Secretary on 26 July 2000, *Official Report,* column 695W.

Permanent Secretary (Official Visits)

Mr. Matthew Taylor: To ask the Secretary of State for Trade and Industry if he will list the visits outside Britain made by his Department's Permanent Secretary on official business since 1 January 1999, indicating the date and purpose of the visit in each case. [133274]

Mr. Byers: The Permanent Secretary of the Department of Trade and Industry has made one official overseas visit since 1 January 1999, to Paris. The visit took place on 21–22 October 1999, to attend the European Investment Bank Forum 1999 on "Euro Market: Changes Ahead".

MOX Fuel (Japan)

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what discussions he has had with the European Commission in respect of the compatibility of the recently announced payment to Japan arising from the problems of falsification of data sheets sent with MOX fuel, with EU rules governing state aid. [133364]

Mrs. Liddell: None. The costs of resolving the MOX fuel problem will be met by BNFL and are a commercial matter for them.

Rover

Mr. Burden: To ask the Secretary of State for Trade and Industry what assistance is being planned for companies in the Rover supply chain which are heavily dependent on revenue from supplying parts for the Rover 25 and 45 where business is being affected by interruption of production associated with the transfer of the Rover 75 production line from Oxford to Longbridge. [133860]

Mr. Byers: I have considered the position of suppliers to the Rover 25 and 45 models, who will be faced with considerable disruption and down-time as the assembly lines at Longbridge are re-configured to allow more flexible production of these two models from a single line. I have therefore decided to extend the support already announced for suppliers to the Rover 75 model, so as to make it available also to those companies most heavily reliant on the Rover 25 and 45.

Higher Eduction Research

Mr. Boswell: To ask the Secretary of State for Trade and Industry if he will give details of the extra funding for higher education research announced in the Comprehensive Spending Review, including the split of payments between *(a)* the Office for Science and Technology, *(b)* the Funding Councils and *(c)* the Wellcome Foundation the broad criteria for allocation and the degree of matched funding required for institutions. [133292]

Mr. Byers: I will write to the hon. Member shortly and place a copy of that letter in the Libraries of the House.

Employment Agencies

Mrs. Browning: To ask the Secretary of State for Trade and Industry what changes he intends to make to the temp-to-perm fee arrangements charged by employment agencies. [133439]

Mr. Byers: I am considering the responses to our consultation.

Trans Tec

Mrs. Browning: To ask the Secretary of State for Trade and Industry when he expects to receive the inspector's report into Trans Tec. [133440]

Mr. Byers: I have emphasised to the inspectors that their prime objective must be to provide me with a full report as quickly as possible consistent with the need to undertake a fair, thorough and professional investigation. I have also asked the inspectors to report in a form which will enable the report to be made public.

The inspectors are independent of Government and it is for them to judge when they have completed sufficient inquiries to present their report.

Horizon Project

Mr. Breed: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 24 July 2000, *Official Report,* column 418W, on post offices' IT, how much of the money that will be contributed to the Horizon project will be spent on *(a)* computer terminals for public access and *(b)* Internet provision. [133723]

Mr. Alan Johnson: None. Separate financial provision is being made for the pilot trials of the Government General Practitioner and Internet Learning and Access projects.

Universal Bank

Mr. Chope: To ask the Secretary of State for Trade and Industry if he will place in the Library a copy of the letter sent by him and the Economic Secretary to the Treasury to banks, building societies and other financial institutions about the proposed Universal Bank. [133163]

Mr. Alan Johnson: Yes. I have arranged for this to be done.

Rural Post Offices

Mr. Chope: To ask the Secretary of State for Trade and Industry what criteria are to be used to assess whether a rural post office closure is avoidable. [133049]

Mr. Alan Johnson: I refer the hon. Member to the statement given by my right hon. Friend the Secretary of State for Trade and Industry on 28 June 2000, *Official Report*, columns 907–20.

Postal Services Commission

Mr. Chope: To ask the Secretary of State for Trade and Industry on what date he intends to publish revised draft guidance on the social and environmental objectives of to the Postal Services Commission; and what will be the closing date for comments. [133164]

Mr. Alan Johnson: Formal consultation on guidance on social and environmental objectives cannot take place until the Postal Services Bill is enacted and relevant sections have been brought into force. The Act will be brought into force on dates yet to be specified by orders made by the Secretary of State. The provisions for consultation on draft guidance are set out in clause 42 of the Bill.

Mobile Phones

Mr. Cohen: To ask the Secretary of State for Trade and Industry what *(a)* discussions he has had about and *(b)* plans he has for, making mobile phones more secure and less attractive to steal; and if he will make a statement. [131984]

Ms Hewitt: The mobile industry already undertakes a series of measures to deter the theft of mobile phones. Such measures include the optional use of PIN codes to lock handsets; the ability to disable the SIM card (the smart card in the phone which connects the phone to a network) making it impossible to send and receive messages; and the ability to disable the phone handset itself. Some operators also subscribe to a world-wide service which enables a phone number to be blocked by overseas networks as well.

In the interest of customer loyalty and fraud management, I would expect the mobile industry to adopt all appropriate measures to minimise the possibility of theft and will continue to encourage them to do so.

Electronic Communications Act 2000

Mr. Cotter: To ask the Secretary of State for Trade and Industry what orders he *(a)* has made and *(b)* intends to make using section 8 of the Electronic Communications Act 2000; and if he will make a statement. [133371]

Ms Hewitt: My right hon. Friend the Secretary of State has made no orders to date using section 8 of the Electronic Communications Act 2000. It is likely that orders will be made to enable companies to file information electronically at Companies House, and in respect of the Petroleum Act 1998, in order to allow the electronic submission of information by oil companies and consequent electronic delivery of consents and approvals by the Secretary of State.

DTI remains committed to removing barriers to the effective use of electronic communications and will consider making such orders in appropriate cases.

My hon. Friend the Minister of State, Cabinet Office provided in a written answer to my hon. Friend the Member for Doncaster, Central (Ms Winterton) on 24 May 2000, *Official Report*, columns 532–34W, details of known plans for all Departments.

Nuclear Materials (Safeguards)

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry, pursuant to his answer to the hon. Member for Blaenau Gwent (Mr. Smith), of 19 January 2000, *Official Report*, columns 487–88W, what progress has been made with the study of data on withdrawals of nuclear material from safeguards. [133861]

Dr. Howells: I am pleased to confirm that the study has now been completed and I have today placed in the Library of the House a paper containing detailed information on past withdrawals of nuclear material from safeguards. The paper includes tabulated data which show advance notifications of such withdrawals made pursuant to the UK/Euratom/IAEA safeguards agreement, broken down by year, material type and quantity, along with information on the reason for withdrawal. This information represents the outcome of the study of data on withdrawals from safeguards prior to announcement of the outcome of the Strategic Defence Review (SDR). Information is also included on withdrawals which have taken place since the SDR announcement in July 1998 and shows that such withdrawals have comprised only small quantities of material for use in instrument calibration or radiation detectors or as analytical tracers or radiological shielding. Information on future withdrawals will be made available on an annual basis.

Miners Compensation

Mr. Dalyell: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 13 July 2000, *Official Report*, column 617W, on miners' compensation, for what reasons Mr. Felix Graham, of Blackburn, West Lothian, (Healthcall Ref. 148674) has not received compensation for work-related illness. [132983]

Mrs. Liddell: Mr. Graham attended a spirometry testing appointment in October. Unfortunately he was unable to complete the lung tests and he had used his bronchodialtor less than four hours prior to his appointment. Under the Handling Agreement, signed by the claimants' solicitors, the Department was not, therefore, able to make Mr. Graham an expedited offer.

Mr. Graham subsequently elected to proceed through the full Medical Assessment Process and his completed claims questionnaires and mandates, allowing access to medical records, have been forwarded to Healthcall, the

company contracted to carry out the medical assessments. Once Mr. Graham's medical records have been collected he will be invited to make an appointment.

In the meantime, Mr. Graham has received an interim payment.

National Weights and Measures Laboratory

Mr. Ennis: To ask the Secretary of State for Trade and Industry if he will now make a statement about his plans for the National Weights and Measures Laboratory. [133933]

Dr. Howells: Further to the reply I gave to the hon. Member for Twickenham (Dr. Cable) on 28 June 2000, *Official Report*, column 518W about the review of the National Weights and Measures Laboratory, Ministers have now considered the reviewer's report. The reviewer has recommended that the policy part of NWML should be taken back into the Department organisationally and that the operational part should be contractorised by merger with the National Physical Laboratory, which is already contractorised. However, he accepted the view of the Review Steering Board that this option should not be pursued until a business plan for the merger could be prepared and until Ministers had assessed its value for money and feasibility. Ministers recognise that the recommended course of action has disadvantages as well as advantages. Nothing will be decided until further studies are complete. The reviewer's report will be published shortly. A copy will be placed in the Library of the House and on the Department's internet website.

Bridge Tolls

Mrs. Gilroy: To ask the Secretary of State for Trade and Industry what assessment he has made of the impact on competitiveness for new and current businesses which may be affected by the application of VAT on bridge tolls with particular regard to the Tamar Bridge; and what representations he has made to the Chancellor of the Exchequer about this matter. [133094]

Mr. Caborn: The Tamar Bridge is owned and operated jointly by Plymouth City Council and Cornwall County Council. It would be for them, in the first instance, to make such an assessment in setting toll charges. This Department has supported the Government's vigorous defence of its policy of not levying VAT on toll charges, in the proceedings before the European Court of Justice.

Venture Capital Companies

Mr. Love: To ask the Secretary of State for Trade and Industry what steps he is taking to increase the level of investment of pension funds in venture capital companies; and if he will make a statement. [133241]

Ms Hewitt: The Government share the concern about the level of investment that pension funds are currently making in venture capital.

In order to demonstrate to the investment community, including the pension funds, that good commercial returns can be made from investment in venture capital, the Government have established the UK High Technology Fund. The Government's commitment to invest £20 million into this fund has, to date, resulted in co-investment of £62 million from institutional co-investors, including pension funds, that are currently otherwise not investing in venture capital. The UK High Technology Fund is still raising money from institutional investors.

The Government have also demonstrated their concerns in this area by recently commissioning a review by Paul Myners, the Chairman of Gartmore Investment Managers, into any possible underlying structural factors which may deter institutional investment.

Payment of Bills

Mr. Miller: To ask the Secretary of State for Trade and Industry what proportion of bills were paid on time by Government Departments and their Agencies during the financial year 1999–2000. [133786]

Ms Hewitt: I am pleased to announce that there has been a further improvement in the payment performance of central Government as a whole. The overall payment performance shows that 97.8 per cent. of suppliers' bills were paid on time and Departments are making good progress towards meeting the 100 per cent. target set for this financial year.

There is no room for complacency. It is particularly important that the public sector sets an example to business and is seen to pay its bills on time. I am disappointed to see that a number of Departments and Agencies failed to meet this year's target of 100 per cent. I have taken steps to remind all Departments and Agencies of the importance of paying suppliers' bills on time and meeting the target.

I am particularly disappointed at my own Department's failure to meet the target. It is unacceptable that the Department which has overall responsibility for the Government's policy on prompt payment should itself fail to meet the target. My officials are introducing new measures designed to ensure that the DTI meets the target as soon as possible next year.

The Government are committed to improving the UK's payment culture. Late payment is a serious problem, particularly for small businesses. Not knowing when customers' bills will be paid means uncertain cashflow, increased borrowings, higher costs and reduced profits.

Government Departments and their Agencies are required to monitor their payment performance and to publish the results in their departmental or annual reports. The following table lists, by Department, the proportion of bills paid within 30 days, or other agreed credit period, of receipt of a valid invoice for the financial year 1999–2000.

Government Departments Payment Performance 1999–2000

Main Departments	*Paid on time (Percentage)*
National Weights and Measures Laboratory[1]	100.00
National Investment and Loans Office	100.00
Privy Council Office	100.00
Radiocommunications Agency[1]	99.98
Registry of Friendly Societies	99.90
Ministry of Defence	99.77
Department for Culture, Media and Sport	99.59
Land Registry	99.26
Patent Office[1]	99.13
Office of Water Services	99.07
Public Records Office	99.06
Ordnance Survey	98.90

Government Departments Payment Performance 1999–2000

Main Departments	*Paid on time (Percentage)*
Government Actuary's Department	98.84
Export Credit Guarantee Department	98.60
Insolvency Service[1]	98.56
HM Treasury	98.51
Office for National Statistics	98.51
Office of Fair Trading	98.49
Office for Standards in Education	98.40
Office of the Rail Regulator	98.20
HM Customs and Excise	98.06
Inland Revenue	97.98
NI Department. Health Estates	97.95
Foreign and Commonwealth Office	97.90
Intervention Board for Agricultural Produce	97.81
Office of Telecommunications	97.68
Health and Safety Executive	97.58
Northern Ireland Office	97.56
Crown Prosecution Service	97.50
Lord Chancellor's Department	97.42
Charitable Commission	97.39
Department for Education and Employment	97.31
Forestry Commission	97.30
NI Department of Education	97.28
Government Communications HQ	97.14
PFO (GCHQ)	97.14
Department for National Savings[2]	97.10
Department for International Development	96.82
Office of the Parliamentary Commissioner for Administration and Health Service Commissioners	96.48
Home Office	96.34
NI Court Service	96.32
Cabinet Office (OPS)	96.24
Department of Health	95.28
Department of Social Security	95.14
Shadow Strategic Rail Authority	94.78
Department of the Environment, Transport and the Regions	94.70
Serious Fraud Office	94.49
Royal Parks Agency[2]	94.00
NI Department. Environment inc. agencies	93.05
Treasury Solicitors Department	93.05
Department of Trade and Industry	93.00
Employment Tribunal Service[1]	93.00
NI Department of Agriculture and Rural Development	92.83
Companies House[1]	92.34
Royal Mint	91.00
NI Department of Finance and Personnel	90.22
Ministry of Agriculture, Fisheries and Food	89.51
Overall total	97.89

[1] Agencies of the Department of Trade and Industry
[2] Agency in the Department of Culture, Media and Sport

Competitive Mail Delivery

Mr. Mitchell: To ask the Secretary of State for Trade and Industry (1) what financial interests the Royal Mail holds in mail or parcel services in member states of the European Union; how much was received in respect of such interests in the last financial year; and if it counted toward any payment from the Royal Mail to the Chancellor of the Exchequer; [132666]

(2) what the status, income, and competitive position is of majority-owned subsidiaries of Royal Mail in member states of the European Union. [132667]

Mr. Alan Johnson: The Royal Mail holds no subsidiaries or financial interests in mail or parcel services in member states (outside of the UK). However the Post Office interests are as follows.

Percentage

Company	*Member state*	*Status (share holding)*
CityMail Sweden AB	Sweden	67
Citipost	US based but with offices in Europe including France and Germany	100
Crie Group	France	100
Der Kurier	Germany	100
Extand S.A.	France	100
German Parcel	Germany	100
General Parcel Austria	Austria	100
Nederlandse Paket Dienst	The Netherlands	100
Pakke-Trans	Denmark	100
Williames	Ireland	100

[1] Majority ownership.
[2] Fully owned.

The contributions of overseas interests to profits is reported in the Report and Accounts.

Mr. Mitchell: To ask the Secretary of State for Trade and Industry, pursuant to his answers of 13 June 2000, *Official Report*, columns 595–96W, and 10 July 2000, *Official Report*, columns 372–73W, concerning successive reductions in the lower limit authorising competitive mail delivery, what treaty article was used as the basis for Directive 96/97; when he expects to receive the advice of the Postal Services Commission concerning the further reduction to the limit; if he will list its members and who appointed them; what monopoly limits were in force in the United Kingdom for such Crown monopolies prior to and immediately after accession to the European Community for letters and packets; and when they were reduced or eliminated. [132664]

Mr. Alan Johnson: As stated in the answer of 13 June 2000, *Official Report*, columns 595–96W, Directive 96/97 was made under Articles 57(2), 66 and 100a of the Treaty establishing the European Community (now Articles 47(2), 55 and 95 in the consolidated version of the EU Treaty and the EC Treaty made by the Treaty of Amsterdam).

The advice of the Postal Services Commission concerning the minimum reserved area necessary to maintain the universal service is expected to be available during the first half of 2001.

I refer my hon. Friend to the answer given to my hon. Friend the Member for South Ribble (Mr. Borrow) on 4 June 2000, *Official Report*, columns 186–87W, which gave details of the appointment of members and chairman of the advisory Postal Services Commission which took up its functions under the Postal Services Regulations (S.I.1999/2107). They were appointed by the Secretary of State for Trade and Industry.

The UK joined the European Communities on 1 January 1973. The postal privilege of the Post Office before and after entry to the European Community was as defined in the Post Office Act 1969 where it was limited to the conveyance of letters (regardless of weight or price). The Postal Privilege (Suspension) Order (S.I.1981/1483) suspended the postal privilege in relation to the conveyance of a letter which is conveyed in consideration of a payment of not less than £1. The Order came into operation on 7 November 1981. It followed the introduction of the British Telecommunications Act 1981. The Postal Services Regulations (S.I.1999/2107) which

also introduced the 350 gram element came into effect on 1 September 1999 but the pricing structure meant that this did not make any material change.

Employment Legislation

Mr. Pollard: To ask the Secretary of State for Trade and Industry (1) what plans his Department has to allow employers more time to respond to consultations on employment legislation; [133083]

(2) what plans his Department has to ensure that improved guidance is issued with all new employment regulations; [133084]

(3) what plans his Department has to allow employers longer lead times to put new employment regulations into effect; [133085]

(4) if he will meet the Employers' Forum on Statute and Practice to discuss their concerns on *(a)* consultation on and *(b)* implementation of recent employment legislation. [133087]

Mr. Alan Johnson: We fully recognise the need to allow adequate time for responses in public consultations and for adequate periods of notice for employers and others affected by new legislation to adapt to its requirements. For consultation periods, we aim to comply with Cabinet Office guidelines, which currently prescribe eight weeks as a general minimum, and will take account of any revised guidance in this area resulting from the current consultation on a new code of practice. So far as implementation periods are concerned, we aim where possible to give at least three months' notice of entry into force, in line with the Government's response to the Better Regulation Task Force's report "Helping Small Firms Cope with Regulation—Exemptions and Other Approaches".

We recognise the need for employers, unions and workers to have access to the information they need to understand their rights and obligations under new legislation, and the necessity of ensuring that relevant and accessible information and advice is available. It is part of the remit of the Small Business Service to work across Government to improve the quality of information and advice on regulation in order to meet better the needs of small businesses in particular.

My right hon. Friend the Secretary of State is well aware of the Employer's Forum on Statute and Practice's concerns, having corresponded with them and having received a report of their meeting with his officials, and does not consider a further meeting would be useful at this time.

Electricity

Mr. Prior: To ask the Secretary of State for Trade and Industry what discussions he has had with electricity generators to monitor the need for additional generating capacity; and what licence is required by generators to site power stations. [133626]

Mrs. Liddell: I will write to the hon. Member and place a copy of that letter in the Libraries of the House.

Gas Supplies

Mr. Rendel: To ask the Secretary of State for Trade and Industry what compensation is available, and from which company, to those residents of Lambourn, Hungerford, and the surrounding areas whose gas supplies were cut off in late March and the first week of April this year. [133441]

Mrs. Liddell: Under the Network Code, if the major public gas transporter, Transco, is responsible for an interruption of gas supply to domestic gas consumers, it compensates domestic households at a standard rate of £20 per day if the interruption exceeds 24 hours. If, as in this case, the gas supply is interrupted because of damage to the gas main caused by a third party, Transco declares force majeure, which means it is under no obligation to pay compensation. If the third party refuses to accept liability, consumers are obliged to wait until any legal dispute between Transco and that company has been resolved. It is for the company concerned to consider whether, while liability is being established, it should itself make an ex gratia, interim payment to residents. Where residents have suffered loss or damage as a result of an interruption to supply, it is also open to them to seek payment from their own insurers.

Oil Pollution Incidents

Mr. Ruane: To ask the Secretary of State for Trade and Industry if he will list the oil pollution incidents above 0.01 tonnes in the Irish Sea from 4 December 1999 to the present, stating the date, the size of the incident, the name of the company that reported the incident and the name of the company which was responsible for the spill. [133432]

Mrs. Liddell: The information relating to oil spill incidents in the Irish Sea Basin, reported to the Department of Trade and Industry, from 4 December 1999 to the present date is as follows:

Date	*Reported by:*	*Amount (tonnes)*
13 January 2000	British Gas Hydrocarbon Resources Ltd.	0.0155
25 July 2000	British Gas Hydrocarbon Resources Ltd.	0.0157

DTI only receives reports for oil spills from or attributed to offshore installations.

Renewable Energy

Joan Ruddock: To ask the Secretary of State for Trade and Industry what his Department's total budget is for support for renewable energy technologies and low carbon technologies for the years 2000–01, 2001–02, 2002–03 and 2003–04. [133480]

Mrs. Liddell: The budget for new and renewable energy R&D for the current financial year is £14 million. The outcome of the Government's Spending Review announced on 18 July set new spending totals for all Departments for 2001–04. The DTI settlement specifically made available nearly £40 million from the Climate Change Levy fund over the three years 2001–04 for a number of demonstration projects for technologies with potential in the longer term, such as offshore wind and energy crops. Detailed allocations of the rest of the Department's budgets for 2001–02 to 2003–04 have yet to be made.

Separately, the Department covers within its Departmental Expenditure Limits expenditure incurred by Regional Electricity Companies (RECs) for renewable

electricity generated under Non-Fossil Fuel Obligation (NFFO) contracts, in which the Department has no locus. The RECs are compensated for this expenditure by receipts under the Fossil Fuel Levy. The Department's allocations for this expenditure are:

	£ million
2000–01	81
2001–02	92
2002–03	117
2003–04	139

Expenditure under NFFO is demand led. If expenditure turns out to be higher than these allocations there is a ring-fence arrangement in place agreed with Treasury enabling access to the Reserve, to ensure that the actual level of expenditure will be covered.

While the Department does not provide specific funding to low carbon technologies, it supports several programmes of research, development and demonstration and assistance to business which may have the effect of encouraging the development and uptake of such technologies. For example, the Engineering and Physical Sciences Research Council (EPSRC) has a research programme into low carbon technologies with approximate spend plans of:

	£ million
2000–01	3.65
2001–02	4.65
2002–03	5.25
2003–04	6.26

Nuclear Inspections

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what information he has received from the Chief Nuclear Inspector in respect of the Nuclear Installations Inspectorate inquiry into problems of inspection channel plugs in Magnox reactors. [133551]

Mrs. Liddell: Unusual marks were discovered in inspection channels in the reactor core of Reactor 2 at Wylfa power station in North Wales during routine maintenance. I was informed of this in the normal way following the shutdown of Reactor 1 at Wylfa, as a precautionary measure, because it has similar features to Reactor 2. I have received no reports of similar occurrences at other Magnox reactors.

Competition Commission

Ms Southworth: To ask the Secretary of State for Trade and Industry what changes he proposes to make to the terms of service of the members of the Competition Commission. [133940]

Mr. Byers: I propose to make a number of changes in the terms and period of appointment of all members of the Competition Commission, including the Chairman, Deputy Chairman and President of the Appeal Tribunal. I have reviewed the terms of service following the judgment of the Scottish Court in the Starrs case. The changes are modelled closely on the principles applied by the Lord Chancellor in his recently announced changes to the terms of service of part-time judicial office holders in England and Wales, and reflect the particular characteristics of the Competition Commission's work.

Details of the changes, which emphasise the value we place on the independence of members of the Competition Commission, are set out in the relevant press notice.

Reports

Mr. Stunell: To ask the Secretary of State for Trade and Industry if he will list the reports submitted to his Department, by bodies that were created after May 1997 and that include significant and plural membership from outside the Civil Service, stating in each case the body writing the report, the date the report was submitted, how many recommendations were made, the number of those recommendations that have been implemented to date and the number of recommendations that have been rejected; and if he will make a statement. [133558]

Mr. Byers: I refer my hon. Friend to the answer given by my hon. Friend the Parliamentary Secretary, Cabinet Office on 27 July 2000, *Official Report*, column 799W, and to the list of information on task forces, ad hoc advisory groups and reviews which was published by the Cabinet Office on 11 January 2000. Copies of the list are available in the Libraries of the House. The detailed information concerning the numbers of recommendations made, implemented, and the number rejected, could be provided only at disproportionate cost.

CULTURE, MEDIA AND SPORT

Staff Secondments

Mr. Don Foster: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer to the hon. Member for Harrogate and Knaresborough (Mr. Willis) of 28 February 2000, *Official Report*, column 100W, concerning secondments, if he will give the names, grades and job titles of the staff seconded into his Department from each organisation mentioned, stating in each case the name of the section they were seconded to and a summary of the work that they were involved with. [128240]

Mr. Chris Smith *[holding answer 29 June 2000]:* I regret that the information given in my answer to the hon. Member for Harrogate and Knaresborough (Mr. Willis) was slightly incomplete. I am pleased now to be able to provide a more detailed response.

In my Department, secondments and attachments are part of the Interchange Initiative which promotes the exchange of people and good practice between the Civil Service and other organisations. Before an Interchange can occur all parties must be satisfied that no conflict of interest arises.

All sectors of the economy are involved: Voluntary, Education, Health, Public and Private. Interchange is a key component of the reform agenda. The Modernising Government White Paper committed us to increasing interchange, in particular by bringing in more people on secondment and sending more of our people out.

Secondees from the following organisations have worked in my Department since May 1992:

from Trench Farrow & Partners as Project Director to British Library from 3 July 1995 to 31 December 1998;

From Forte plc (changed to Roy Tutty Associates in August 1997) to assist Tourism Division from February 1995 to October 1998;

from the British Phonographic Industry to assist the Media Division from 1 April 1998 to date.

from Gardner Merchant to assist Tourism Division from January 1999 to January 2000.

from the Mechanical Copyright Protection Society to assist the Media Division from 1 March 1999 to date.

from Manchester City Council to assist the Sports and Recreation Division from 11 January 2000 to date.

from the Youth Sports Trust to assist the Sport and Recreation Division since 7 February 2000 to date.

Pistol Shooting Competitions

Mr. Gerald Howarth: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the arrangements for British competitive shooters to participate in pistol shooting competitions in the UK as part of the Commonwealth Games; and what arrangements apply to foreign shooters travelling to the UK to represent their country at such events. [128591]

Kate Hoey: Manchester 2002 Commonwealth Games will be the largest multi-sporting event held in this country since the 1948 Olympics, and shooting is a Commonwealth Games Federation approved sport within the competition schedule. The Home Office is currently discussing the detailed arrangements for the Games with the governing bodies of shooting—the National Rifle Association and the National Small-Bore Rifle Association. I very much hope that British Shooters will take part in pistol shooting sports on the same basis as those from the other countries.

Junior Sport

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport (1) if he will make a statement on the number of children playing *(a)* cricket and *(b)* rugby league in schools; [128831]

(2) if he will make a statement on the number of children playing tennis in schools. [128833]

Kate Hoey: A survey of young people in sport, commissioned by Sport England in 1999, shows that participation in tennis and cricket in schools has increased since 1994 (from 16 to 18 per cent. and 13 to 16 per cent. of children participating 10 times or more in the last year, respectively), while participation in rugby remains unchanged (12 per cent. of children participating 10 times or more in the last year).

My Department does not have statistics on the number of children playing tennis and rugby league in schools, but English and Wales Cricket Board figures suggest that more than 2.1 million children play cricket in schools.

New Millennium Experience Company

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will publish the latest cash flow projections for the New Millennium Experience Company; and if he will make a statement. [129281]

Janet Anderson *[holding answer 6 July 2000]:* We have contacted the New Millennium Experience Company (NMEC) to request the information, and I will write to the hon. Member as soon as it is available, placing copies of the letter in the Libraries of the House.

Mr. Redwood: To ask the Secretary of State for Culture, Media and Sport what guarantees the Government have offered to financial institutions financing the New Millennium Experience Company. [133470]

Janet Anderson: No financial institution is financing the New Millennium Experience Company (NMEC). No guarantee has therefore been made.

Mr. Redwood: To ask the Secretary of State for Culture, Media and Sport how many visitors a month are needed to the Dome for the New Millennium Experience Company to break even for the last five months of the year. [133466]

Janet Anderson: The New Millennium Experience Company's (NMEC) revised budget is based on six million paying visitors. The Dome has received over 3.5 million visitors to date is now entering what is anticipated to be its busiest period of the year.

Mr. Redwood: To ask the Secretary of State for Culture, Media and Sport which financial institution is providing the overdraft and working capital needed by the New Millennium Experience Company. [133471]

Janet Anderson: No financial institution is providing an overdraft or working capital to the New Millennium Experience Company.

Mr. Redwood: To ask the Secretary of State for Culture, Media and Sport (1) who will have responsibility for paying for losses at the New Millennium Experience Company once the most recent allocation of lottery money has been spent; [133782]

(2) what proportion of the sale proceeds of the Dome accruing to the New Millennium Experience Company will be returned to the Government as shareholder; [133783]

(3) what arrangements have been made to pay proceeds from the sale of the Dome from the New Millennium Experience Company to the Government as shareholder; [133784]

(4) what proportion of the sale proceeds from the Dome will be allocated to English Partnerships; [133805]

(5) when it is planned to wind up the New Millennium Experience Company. [133859]

Janet Anderson: I regret that it has not been possible to provide an answer before the summer recess. I shall therefore write to the right hon. Member and place a copy of my reply in the Libraries of the House.

Millennium Dome

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the maximum additional revenues which will be required by the Millennium Commission in order to meet its liabilities in respect of the Dome. [131373]

Janet Anderson *[holding answer 18 July 2000]:* We have contacted the Millennium Commission to request the information required, and I will write to the hon. Member as soon as it is available, placing copies of the letter in the Libraries of the House.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will provide a detailed breakdown of the £41.8 million operations and running costs of the Dome incurred in the nine months to 31 December 1999. [133138]

Janet Anderson *[holding answer 27 July 2000]:* We have contacted the New Millennium Experience Company (NMEC) to request the information required, and I will write to the hon. Member as soon as it is available, placing copies of the letter in the Libraries of the House.

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport if he will list the *(a)* content editors and *(b)* godparents of each zone of the Millennium Dome; if he will list the members of the Creative Review Group and the dates on which the group met; and for what reasons each was selected. [133438]

Janet Anderson: The four Content Editors employed by the New Millennium Experience Company (NMEC) were Martin Newman, Tania Watson, Tim Gardom and Ben Evans. In each case these were individuals who were recommended to NMEC by leading design companies, Board members and other advisers to NMEC.

On 21 October 1998, NMEC announced the expert advisers, "Godparents" who worked with NMEC and its zone designers and sponsors on the exhibit zones at that time. All of them are experts in their fields with experience of communicating ideas in medicine and science, entertainment, the arts, and the environment to wide audiences.

The Godparents were: the Lord Puttnam of Queensgate (Work and Learn); Floella Benjamin (Shared Ground); Sir Neil Cossons (Journey); Professor Richard Gregory CBE (Mind); Sir Michael Peckham and Professor Catherine Peckham (Body); The Hon Sara Morrison (Living Island); Professor Christopher Frayling (Faith); John Sorrell CBE (Self Portrait); Michael Jolly (Play); Simon Jenkins (Talk).

Each "Godparent" held regular meetings and reviews with the design teams working on the zones.

On 16 February 1998 NMEC announced the membership of its Creative Review Group, better known as "The Litmus Group". Each member had experience and expertise in a particular field of entertainment, art and design, visitor attractions, broadcasting and education.

Members met regularly to advise NMEC on the coherence, quality, entertainment and educational potential of design proposals.

The members were: Michael Grade CBE (Chairman); Ruth Mackenzie OBE; Floella Benjamin; Sir Neil Cossons; Mike Davies; Professor Christopher Frayling; Simon Jenkins; Michael Jolly; Lord Puttnam; Lord Rogers; and John Sorrell.

Mr. Redwood: To ask the Secretary of State for Culture, Media and Sport when he will announce the terms of disposal of the Dome. [133469]

Janet Anderson: I refer the right hon. Member to the answer my right hon. Friend the Minister for Local Government and the Regions gave my hon. Friends the Members for Gillingham (Mr. Clark) and for North-West Leicestershire (Mr. Taylor) on 27 July 2000, *Official Report*, columns 787–88W.

Mr. Redwood: To ask the Secretary of State for Culture, Media and Sport what liabilities have to be discharged from the proceeds of the sale of the Dome. [133468]

Janet Anderson: The liabilities to be discharged from the proceeds of the sale of the Dome are the costs of the Competition itself and 7.5 per cent. of the sales proceeds, which is due to British Gas.

Mr. Redwood: To ask the Secretary of State for Culture, Media and Sport what is the most recent estimate of cost of running the Dome until the end of 2000. [133467]

Janet Anderson: The New Millennium Experience Company (NMEC) has a lifetime budget of £758 million for the Dome at Greenwich and its associated national programme of events and activities. NMEC is confident that it will remain within that budget.

Nolan Rules

Mr. Stunell: To ask the Secretary of State for Culture, Media and Sport if he will list each group that is responsible to his Department with significant and plural membership from outside the Civil Service, and to which the Nolan rules on non-departmental public bodies do not apply; and for each such group, if it *(a)* is a private company, *(b)* is a charity, *(c)* has no formal legal basis and *(d)* has some other legal basis, giving details. [131180]

Mr. Chris Smith *[holding answer 18 July 2000]:* I refer the hon. Member to the answer given by my hon. Friend the Parliamentary Secretary, Cabinet Office, to my hon. Friends the Member for Eastwood (Mr. Murphy) and the Member for Cannock Chase (Mr. Wright) on 27 July 2000, *Official Report*, column 799W, concerning the publication of a report on Government task forces, reviews and ad hoc advisory groups.

None of the DCMS-related reviews or bodies included in the report has any formal legal basis.

Advisory Bodies

Tony Wright: To ask the Secretary of State for Culture, Media and Sport if he will list all the *(a)* task forces, *(b)* action teams, *(c)* policy reviews and *(d)* other temporary advisory bodies with external members currently in existence within his Department; and on what date each body (i) was set up and (ii) is expected to terminate. [131458]

Mr. Chris Smith: I refer my hon. Friend to the answer given by my hon. Friend the Parliamentary Secretary, Cabinet Office to my hon. Friend and to my hon. Friend the Member for Eastwood (Mr. Murphy) on 27 July 2000, *Official Report*, column 799W concerning the publication of a report on Government task forces, reviews and ad hoc advisory groups.

Sports Council Grants

Mr. Alasdair Morgan: To ask the Secretary of State for Culture, Media and Sport if he will list the grants made

by the United Kingdom Sports Council since 1997 for the purpose of attracting major events to the UK; and if he will give the amounts of grant given, the major event and the governing body in each case. [131956]

Kate Hoey: I regret that it has not been possible to provide an answer before the summer recess. I shall therefore write to the hon. Member and place a copy of my reply in the Libraries of the House.

Tax Redistribution (Football Clubs)

Mr. Bob Russell: To ask the Secretary of State for Culture, Media and Sport if he will introduce a tax redistribution arrangement based on turnover for professional football clubs. [130127]

Kate Hoey *[holding answer 20 July 2000]:* I will write to the hon. Member and place a copy of my reply in the Library of the House.

Football World Cup

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport if he will publish the letter sent by the Minister for Sport to the Football Association about the cost of the World Cup bid. [132390]

Kate Hoey *[holding answer 24 July 2000]:* I wrote to the Chief Executive of the Football Association on 20 June 2000 to request details of his plans to publish accounts for the 2006 World Cup bid. He outlined the FA's plans in his reply to that letter. I have placed a copy of my letter in the Libraries of the House.

Football Regulator

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport what discussions he has had with *(a)* the Football Association, *(b)* the Premier League and *(c)* the Football League about the establishment of a regulator for football. [132388]

Kate Hoey *[holding answer 24 July 2000]:* My right hon. Friend the Secretary of State has had a number of meetings since December 1999 with the Football Association, the Premier League, the Football League, representatives of football supporters' organisations and others to discuss the Government's response to the final report of the Football Task Force, which includes proposals for a regulatory body for football.

I have met once with the football authorities and twice with representatives of football supporters' associations.

Departmental Staff

Mr. Burstow: To ask the Secretary of State for Culture, Media and Sport how many unfilled vacancies for permanent staff his Department has; what percentage of staff positions in his Department are vacant; what the monthly cost would be to his Department of employing civil servants in these positions; how many and what percentage of staff his Department employs on a temporary basis through employment agencies; how much his Department paid employment agencies to supply temporary staff in each of the last 12 months; and how much he expects to pay employment agencies to supply temporary staff in each of the next 12 months. [131438]

Mr. Chris Smith *[holding answer 25 July 2000]:* My Department currently has a total of 30 of unfilled permanent vacancies, this equates to 7.5 per cent. of total staff. These posts have been advertised around Whitehall and to date 10 successors have been identified to fill the posts. The table shows the numbers of vacant posts by grade and monthly costs.

£

Grade	*Posts vacant*	*Average monthly salary costs per member of staff*
A	2	3,846
B	15	2,555
C	5	1,897
D(U)	6	1,565
D	2	1,264

Since July 1999 my Department has employed an average of 16 agency staff each month at administrative and secretarial level, this equates to 4 per cent. of total staff. The monthly costs are as follows:

Date	£
1999:	
July	67,573
August	56,171
September	43,712
October	51,143
November	34,128
December	30,514
2000:	
January	31,486
February	27,059
March	35,479
April	29,980
May	28,744
June	23,774

The number of agency staff employed fluctuate according to demand. The hourly rate for agency staff costs are due to increase by an average of 72p per hour for 2001.

Press Officers

Mr. Lansley: To ask the Secretary of State for Culture, Media and Sport how many press officers were employed in his Department in *(a)* May 1997, *(b)* January 1998, *(c)* January 1999 and *(d)* January 2000; and what the total expenditure on press officers by his Department was in each of the years concerned. [132763]

Mr. Chris Smith: I regret that it has not been possible to provide an answer before the summer recess. I shall therefore write to the hon. Member and place a copy of my reply in the Libraries of the House.

Press Releases

Mr. Lansley: To ask the Secretary of State for Culture, Media and Sport how many press releases were issued in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* this year to date; and what the total cost of the production and issuing of these press releases was in each year. [132750]

Mr. Chris Smith: DCMS press releases are distributed directly from the DCMS Press Office and via the Central Office of Information (COI).

Expenditure on distributing press releases includes postal, fax, packing, copying and stationery costs. Until the current financial year (2000–01) DCMS, in common with other Government Departments, also contributed an annual fixed charge (unrelated to the number of press releases issued) towards the upkeep of the Central Office of Information's electronic New Distribution System (NDS).

The costs are as follows:

In the calendar year 1997 the Department issued 349 press releases. Total expenditure on press release distribution was £37,540.13, including the Department's contribution towards NDS of £23,279.00.

In the calendar year 1998 the Department issued 319 press releases. Total expenditure on press release distribution was £29,306.41, including the Department's contribution towards NDS of £16,074.29.

In the calendar year 1999 the Department issued 315 press releases. Total expenditure on press release distribution was £31,851.92, including the Department's contribution towards NDS of £15,862.52.

In the calendar year 2000 the Department has so far issued 195 press releases. Total expenditure on press release distribution so far is £15,103.21, including the Department's contribution towards NDS covering January to March 2000 of £3,965.63.

Departmental Expenditure

Mr. Maclennan: To ask the Secretary of State for Culture, Media and Sport if he will list for (i) museums and galleries, (ii) libraries, (iii) the arts, (iv) sport, (v) historic buildings, monuments, and sites, (vi) royal parks, (vii) tourism, (viii) broadcasting, and (ix) his whole Department, the budgets for *(a)* 1997–98, *(b)* 1998–99 and (c)1999–2000, stating for each year, by category, the funds budgeted for but not spent, and where those funds went. [132038]

Mr. Chris Smith *[holding answer 26 July 2000]:* I regret that it has not been possible to provide an answer before the summer recess. I shall therefore write to the right hon. Member and place a copy of my reply in the Libraries of the House.

Mr. Wigley: To ask the Secretary of State for Culture, Media and Sport how much of the increase in his departmental expenditure on the arts and culture in the next three years arising from the comprehensive spending review will be on activities in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland. [133121]

Mr. Alan Howarth: The Spending Review 2000 settlement will enable the Department to provide the highest-ever levels of public support for sport and the arts, as well as a financial boost for the Department's other sectors. The key funding priorities will be nurturing talent, supporting excellence and creating opportunities for more people than ever before—especially children—to enjoy and participate in culture and sport. The arts and many other cultural activities are devolved topics and so the Department does not generally fund activities in those areas within the Devolved Administrations. Where money is allocated to UK-wide bodies, three-year funding agreements between the Department and each body will help ensure that the interests of all parts of the UK are taken into account in the use of resources.

Extra-curricular Sports

Angela Smith: To ask the Secretary of State for Culture, Media and Sport if he will support the recruitment of volunteers to assist in extra-curricular sporting activity among young people. [132898]

Kate Hoey: I am keenly aware of the importance of volunteering in sport. As part of the implementation of our sport strategy, "A Sporting Future for All", we are looking at ways of encouraging people to volunteer and of rewarding their commitment to sport.

Duty Roster

Mr. Randall: To ask the Secretary of State for Culture, Media and Sport if he will publish the daily Ministerial Duty Roster for his Department during the summer adjournment. [133058]

Mr. Chris Smith *[holding answer 27 July 2000]:* It is not normal practice of Government to publish a daily Ministerial Duty Roster. This Department will ensure that it has sufficient cover through the summer recess in line with the requirements of the Ministerial Code.

ITN

Mr. Woolas: To ask the Secretary of State for Culture, Media and Sport what plans he has to review the ownership rules of ITV's news provider, ITN. [132870]

Janet Anderson *[holding answer 27 July 2000]:* The Government will publish a White Paper later this year, which will set out our proposals for reform of broadcasting and telecommunications regulation. We invited ideas for issues to be addressed in the White Paper and we are presently reviewing the responses. Proposals to review the regulation of media ownership will be considered in that context.

Digital Television

Mr. Boswell: To ask the Secretary of State for Culture, Media and Sport if he will list the subtitled output as a percentage of total only, for *(a)* digital satellite and *(b)* digital cable channels (i) currently and (ii) for each of the last three years. [133291]

Janet Anderson: There are no statutory requirements on digital satellite or digital cable broadcasters to provide subtitling on their services and to report on the levels of subtitling they make available. We are, however, continuing to encourage cable and satellite broadcasters to increase the provision of subtitling, sign language and audio description on their services. We are about to publish a consultation paper as part of a review of the statutory targets for subtitling, sign language and audio description provision on digital terrestrial television. This paper includes an invitation to comment on wider issues of concern about the provision and reception of these services, including provision on cable and satellite. The results of the consultation will be published and will also form part of our consideration of the future regulation of broadcasting in the forthcoming White Paper on communications.

Television Licences

Mr. Peter Bradley: To ask the Secretary of State for Culture, Media and Sport how many over 75s in The Wrekin will qualify for free television licences from November. [133198]

Janet Anderson: Everyone aged 75 or over will be entitled to benefit from a free television licence from 1 November this year, but television licences cover households rather than individuals. Exact figures on the number of households which will benefit from the concession are not available. However, the 1991 Census New Parliamentary Constituency Monitor, published by the Office for National Statistics, shows the population of The Wrekin constituency as 76,207, of which 2.3 per cent. were men aged 75 and over and 4.0 per cent. were women aged 75 and over.

Mr. Michael J. Foster: To ask the Secretary of State for Culture, Media and Sport how many people aged over 75 in *(a)* Worcester and *(b)* Mid-Worcestershire will qualify for free television licences from November. [133769]

Janet Anderson: Everyone aged 75 or over will be entitled to benefit from a free television licence from 1 November this year, but television licences cover households rather than individuals. Exact figures on the number of households which will benefit from the concession are not available. However, the 1991 Census New Parliamentary Constituency Monitor, published by the Office for National Statistics, shows the population of the Worcester constituency as 81,755, of which 2.3 per cent. were men aged 75 and over and 4.2 per cent. were women aged 75 and over. The population of the Mid-Worcestershire constituency was 81,652, of which 2.4 per cent. were men aged 75 and over and 4.4 per cent. were women aged 75 and over.

Communication White Paper

Mr. Ben Chapman: To ask the Secretary of State for Culture, Media and Sport when he will publish the Communication White Paper. [133554]

Janet Anderson: As indicated in the answers my right hon. Friends the Secretary of State and the Secretary of State for Trade and Industry gave on 21 July 2000, *Official Report*, columns 342-43W and 360W, we propose to publish the Communications White Paper later this year.

Electronic Communications Act 2000

Mr. Cotter: To ask the Secretary of State for Culture, Media and Sport what orders he *(a)* has made and *(b)* intends to make using section 8 of the Electronic Communications Act 2000; and if he will make a statement. [133377]

Mr. Chris Smith: I refer the hon. Member to the answer given to him today by my right hon. Friend the Minister of State, Cabinet Office.

Spoliation Panel

Mr. Dismore: To ask the Secretary of State for Culture, Media and Sport if he will place a copy of the Rules of Procedure of the Spoliation Panel in the Library. [133227]

Mr. Alan Howarth: I have placed a copy of the Rules of Procedure for the Spoliation Advisory Panel in the Library today.

Liverpool Royal Philharmonic Society

Mrs. Ellman: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the application of Liverpool Royal Philharmonic Society for stabilisation funding. [133369]

Mr. Alan Howarth: This is a matter for the Arts Council of England as the Lottery distributor for the arts. I understand, however, that ACE has approved an award of £5.4 million to place the RLPS on a sound financial and artistic footing for the foreseeable future.

Rugby League

Mr. Hinchliffe: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the full cost to public funds of the UK staging the Lincoln Rugby League World Cup during the autumn. [133629]

Kate Hoey: I regret that it has not been possible to provide an answer before the summer recess. I shall therefore write to my hon. Friend and place a copy of my reply in the Libraries of the House.

Piers

Mr. Sheerman: To ask the Secretary of State for Culture, Media and Sport what powers he has to take action against local authorities which lease seaside piers for inappropriate commercial uses. [133695]

Janet Anderson: I do not have powers to intervene where local authorities lease seaside piers to others.

Mr. Sheerman: To ask the Secretary of State for Culture, Media and Sport what steps he is taking to ensure that seaside piers are protected from inappropriate commercial development. [133696]

Janet Anderson: Some historic seaside piers have been protected by listed building legislation. Otherwise the development of seaside piers is largely a matter for the owners subject, of course, to the requirements of the law.

Reports

Mr. Stunell: To ask the Secretary of State for Culture, Media and Sport if he will list the reports submitted to his Department, by bodies that were created after May 1997 and that include significant and plural membership from outside the Civil Service, stating in each case the body writing the report, the date the report was submitted, how many recommendations were made, the number of those recommendations that have been implemented to date and the number of recommendations that have been rejected; and if he will make a statement. [133569]

Mr. Chris Smith: The bodies set up since May 1997 which have reported, and the dates they reported, are as follows.

Body writing the report	*Date report was submitted*
Advisory Group to consider and recommend on appropriate new statue or work of art for the vacant plinth in Trafalgar Square	June 2000
Library and Information Commission Education Task Group	April 2000
Tourism Consumer Group	March 2000
Efficiency and Effectiveness Review of Government sponsorship of Museums and Galleries	September 1999
Neighbourhood Renewal Policy Action Team 10: Arts and Sport	July 1999
Review of the Future Funding of the BBC	July 1999
Steering Group on the Roles of the Proposed Architecture Commission	June 1999
Museums, Libraries and Archives Council Design Group	June 1999
Creative Industries Task Force	November 1998 November 1999 February 2000 (2) April 2000 (2) May 2000
Library and information Commission Public Library Network Implementation Committee	October 1998
Working Party on Legal Deposit	June 1998
Eyre Review on the future of Lyric Theatre in London	June 1998
Review of the Impact of the Millennium Experience	June 1998
Film Policy Review	April 1998
Advisory Group on Listed Sporting Events	March 1998
Stevenson Review of legal options for future use of the Millennium Dome	December 1997

I shall write to the hon. Member with the additional information he requires.

Private Finance Initiative

Mr. Alan Williams: To ask the Secretary of State for Culture, Media and Sport if he will list the PFI contracts entered into by Agencies, non-departmental public bodies and other organisations funded by his Department, indicating *(a)* their date of commencement, *(b)* their value, *(c)* if they have been subject to claw-back entitlement to share in savings arising from refinancing. [133424]

Mr. Chris Smith: My Department has not itself entered into any PFI contracts. I informed my right hon. Friend of the PFI contract within our Executive Agency, The Royal Parks Agency, on 17 July. I will write to my right hon. Friend, with details of PFI projects within my non-departmental bodies, as soon as they are available, placing copies of my letter in the Library of the House.

Football Taskforce

Mr. Maxton: To ask the Secretary of State for Culture, Media and Sport when he intends to announce the Government's response to the report of the Football Task Force, entitled Football: Commercial Issues. [133863]

Mr. Chris Smith: I am finalising the terms of the Government's response to the Football Task Force, and I shall make a full announcement shortly. The announcement will include details of the establishment of the Independent Football Commission. I shall place copies of all documents published in respect of the announcement in the Library of the House.

National Lottery

Ms Coffey: To ask the Secretary of State for Culture, Media and Sport what action he intends to take to reduce the costs to organisations of making National Lottery funding applications. [133864]

Mr. Chris Smith: I have directed the independent Quality Efficiency and Standards Team (QUEST) to look at the costs of making applications for Lottery grants and consider how these costs could be contained without compromising the demands of proper accountability in decisions about how to spend public money. QUEST will publish Phase I of its report, which focuses on applications for grants of up to £100,000, early next month. Copies of the report will be available in the Library of the House.

English Sports Council

Ms Walley: To ask the Secretary of State for Culture, Media and Sport if he intends to undertake a review of the English Sports Council. [133865]

Mr. Chris Smith: As part of my Department's programme of quinquennial reviews of its public bodies, I have today announced the start of our Review of the English Sports Council.

The English Sports Council (ESC) is responsible for developing and maintaining the infrastructure of sport in England, for distributing National Lottery funds for sport in England and for five National Sports Centres. The Review of the ESC will include an evaluation of its role and functions and how those functions can best be carried out, and a review of the efficiency, effectiveness and responsiveness of the way in which the ESC delivers services to its users. We aim to complete the Review before the end of the financial year. Copies of the Terms of Reference have been placed in the Libraries of the House.

Listed Buildings

Mr. Sheerman: To ask the Secretary of State for Culture, Media and Sport what powers he has to take action against local authorities which fail to carry out their responsibilities for listed buildings in their ownership. [133694]

Mr. Alan Howarth: I will write to my hon. Friend with the information requested and will place a copy of my letter in the Libraries of the House.

AGRICULTURE, FISHERIES AND FOOD

Farm Subsidies

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food what percentage contribution farming made to the English gross domestic product *(a)* before and *(b)* after deduction for subsidies in each of the last three years. [133232]

Ms Quin: The information requested is given in the table.

Agriculture's share of total gross domestic product (England)

Percentage

	Including subsidies	*Excluding subsidies*
1997	1.1	0.8
1998	0.9	0.7
1999	0.9	0.6

provisional

Source:

Aggregate Agricultural Account

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food how many headage payments have been made for sheep in each of the last five years; and what percentage of the sheep were not marketed. [133230]

Ms Quin: The table shows the number of sheep in England on which headage payments were made in the last five years. Most of the sheep on which the Hill Livestock Compensatory Allowance was paid would also have had Sheep Annual Premium paid on them.

Both these payments are made in respect of breeding ewes rather than on lambs. Most will therefore be kept for a number of years and we have no information on whether or not they might have been marketed in the year of claim for payment.

Million

	Sheep Annual Premium	*Hill Livestock Compensatory Allowance (Sheep)*
1995	8.5	3.3
1996	8.3	3.3
1997	8.2	3.3
1998	8.3	3.4
1999	8.3	3.5

Sugar Prices

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what the UK sugar support prices were, expressed as intervention price plus storage cost levy, in *(a)* nominal and *(b)* real terms for each year since 1980. [132526]

Ms Quin *[holding answer 25 July 2000]:* The information requested is contained in the following table:

Year	*Ecu/euro*	*Nominal terms*	*Real terms, at 1980 prices*
1980	474	293	293
1981	517	320	286
1982	569	352	290
1983	589	365	287
1984	589	365	273
1985	596	382	270
1986	594	401	274
1987	594	429	281
1988	589	439	275
1989	584	457	265
1990	567	482	255
1991	567	512	256
1992	567	527	254
1993	570	649	309
1994	565	639	296
1995	683	578	259
1996	672	564	247
1997	667	486	206
1998	667	459	188
1999	667	439	177

Note:

UK effective support price for sugar = UK intervention price plus storage levy. Prices per tonne as at 1 July each year, expressed in ecu/euros in column 1 and in £ in columns 2 and 3.

Dairy Quotas

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with his European counterparts about establishing a legal cross-border market for dairy quotas. [131818]

Ms Quin *[holding answer 21 July 2000]:* We have considered in the past the establishment of a legal cross-border market for milk quotas with the Commission and our European partners. There is no real support for this. Some member states regard the retention of quota in certain less favoured areas as a vital means of maintaining rural employment and are therefore reluctant to support

such a move. Others are not prepared to contemplate the transfer of national assets to producers in another member state. The Commission has no enthusiasm for this either.

Farm Incomes

Mr. Evans: To ask the Minister of Agriculture, Fisheries and Food what the average net income was in real terms for farmers in each year since 1994. [131645]

Ms Quin *[holding answer 24 July 2000]:* The information requested is given in the table.

Average net farm income—England, full-time farms (in real terms at 1999 prices)

£/farm

Year	Net farm income
1994–95	33,200
1995–96	43,400
1996–97	32,500
1997–98	14,000
1998–99	9,700
1999–2000	8,500

Provisional

Source:
Farm Business Survey

Farming Profits

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the average level of profits made by *(a)* dairy farmers, *(b)* hill farmers and *(c)* beef farmers in each of the last five years. [132273]

Ms Quin: The average level of net farm income on dairy farms, cattle and sheep farms in the LFA (Less Favoured Areas) and lowland cattle and sheep farms over the last five years, were as follows:

Net farm income by type of farm in the United Kingdom

£ per full-time farm

March–February	Dairy	LFA cattle and sheep	Lowland cattle and sheep
1995–96	33,900	14,300	9,200
1996–97	28,000	14,200	6,800
1997–98	17,700	7,300	700
1998–99	10,300	3,600	−500
1999–2000	8,000	2,500	1,500

Forecast

Note:
Income [illegible] for specialist beef farms are not available

Source:
Farm [illegible]ess Survey

Bovine TB

Mr. Andrew George: To ask the Minister of Agriculture, Fisheries and Food what estimate his Department has made of the badger populations in each of the three sites in the triplet areas which form part of the MAFF bovine TB trials. [131761]

Ms Quin *[holding answer 24 July 2000]:* The number and distribution of badger setts is surveyed across all three treatment areas within a triplet, but area-wide population estimates are made only in proactive culling areas. This is done firstly prior to culling, to ensure sufficient traps are set; and secondly after culling, to obtain a measure of culling efficiency.

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the cost of compensating beef farmers for consequential losses due to restrictions placed on their herds as a result of TB outbreaks. [131808]

Ms Quin *[holding answer 28 July 2000]:* MAFF has commissioned an independent study of the consequential losses to cattle farms resulting from outbreaks of bovine TB. The study was presented to the TB Forum on 13 July and comments were invited. I am placing copies of the study in the Library of the House.

Civil Servants

Mr. Martlew: To ask the Minister of Agriculture, Fisheries and Food how many mobile grade civil servants there are in his Department, including the Intervention Board *(a)* in total and *(b)* at each location. [131412]

Mr. Morley: The number of staff in mobile grades in my Department is as follows:

Core-MAFF—2,908

Pesticides Safety Directorate—139

Veterinary Medicines Directorate—72

Veterinary Laboratories Agency—457

Centre for Environment, Fisheries and Aquaculture Science—243

Central Science Laboratory—382

Farming and Rural Conservation Agency—517

Intervention Board—530.

The number of staff in mobile grades in each location is set out in the table.

Staff in mobile grades by location

Location	Number of mobile staff
Core-MAFF	
Alnwick	12
Amble	1
Ashford	13
Aston Down	16
Ayr	10
Bakewell	2
Barnstaple	2
Barton Hall	7
Beverley	14
Birmingham	4
Bonn	1
Bridlington	1
Bristol	49
Brixham	4
Bury St. Edmunds	21
Caernarfon	8
Cambridge	102
Cardiff	12
Carlisle	69
Carmarthen	20
Chelmsford	20
Chichester	3
Chorley	9
Cockermouth	2
Coventry	4
Crewe	69
Dorchester	12
Dover	1
Doverport	21

Staff in mobile grades by location

Location	*Number of mobile staff*
Dumfries	4
Durham	5
Edinburgh	6
Elgin	2
Exeter	109
Falmouth	2
Fleetwood	4
Forfar	3
Galashiels	9
Gateshead	1
Gloucester	23
Grimsby	4
Guildford	240
Hamilton	5
Harrogate	7
Hartlepool	2
Hastings	3
Hereford	2
Hertford	4
Holyhead	1
Hull	2
Inverness	6
Inverurie	9
Ipswich	4
Itchen Abbas	11
Kendal	3
Kildington	2
Kings Lynn	6
Kirkwall	2
Kirton	8
Launceston	8
Leeds	19
Leicester	19
Lewes	3
Lincoln	25
Liverpool	3
Llandrindodd Wells	6
Llanishen	9
Central London	
Bloomsbury	49
Vauxhall	78
Westminster	550
Whitehall	359
Total	1,036
Outer London	
Hayes	1
Heathrow	4
Leyton	1
Southall	1
Total	7
London Total	1,043
Looe	1
Lowestoft	5
Madrid	1
Maidstone	8
Manchester	1
Milford Haven	4
Newcastle	14
Newlyn	5
Northallerton	73
North Shields	4
Northampton	6
Norwich	14
Nottingham	65
Oban	2
Oxford	6
Paris	2

Staff in mobile grades by location

Location	*Number of mobile staff*
Perth	11
Peterborough	2
Plymouth	5
Polwhele	15
Pontefract	8
Poole	3
Portslade	2
Portsmouth	2
Preston	13
Ramsgate	1
Reading	68
Reigate	16
Rome	1
Scarborough	3
Seahouses	1
Sheerness	1
Sheffield	2
Shrewsbury	13
Silsoe	1
Skipton	2
Southampton	1
St. Asaph	4
Stafford	15
Stranraer	2
Swansea	4
Taunton	30
Thurso	2
Tilbury	2
Trowbridge	11
Truro	24
Tunbridge Wells	5
Whitby	1
Whitehaven	1
Winchester	7
Wolverhampton	3
Worcester	88
Workington	57
Wrexham	2
Wye	7
York	128
Core MAFF Total	2,908
Agency	
PSD	
York	139
VMD	
Addlestone	72
CEFAS	
Lowestoft	167
Burnham-on-Crouch	33
Weymouth	41
Whitehaven	2
CEFAS Total	243
CSL	
York	363
Stroud	7
Winchester	1
Home working	11
CSL Total	382
VLA	
Aberystwyth	3
Bury St. Edmunds	14
Carmarthen	11
Langford	10
Lasswade	17
Luddington	8
Newcastle	8

Staff in mobile grades by location

Location	*Number of mobile staff*
Penrith	7
Preston	8
Shrewsbury	11
Starcross	11
Sutton Bonnington	15
Thirsk	8
Truro	3
Weybridge	314
Winchester	9
VLA Total	457
FRCA	
Aberystwyth	33
Bristol	33
Bury St. Edmunds	9
Cambridge	50
Cardiff	7
Carmarthen	9
Crewe	27
Exeter	47
Guildford	16
Kings Lynn	1
Leeds	64
Lincoln	12
London	14
Newcastle	12
Northallerton	20
Norwich	6
Nottingham	13
Oxford	9
Penrith	13
Preston	4
Reading	17
Ruthin	4
Taunton	35
Truro	4
Wolverhampton	19
Worcester	28
Wye	11
FRCA Total	517
Intervention Board	
Reading[1]	462
Newcastle	68
Intervention Board Total	530

[1] Includes small outstationed teams

Departmental Initiatives

Dr. Lynne Jones: To ask the Minister of Agriculture, Fisheries and Food if he will list each departmental initiative since May 1997 requiring bids for funding together with the total resources available, the number of successful bids and the proportion this represents of total bids received; and what data he collects on the average expenditure of organisations bidding for funding through each initiative. [131077]

Mr. Morley: I refer my hon. Friend to the answer given to my hon. Friend the Member for Stroud (Mr. Drew) on 24 July 2000, *Official Report*, column 469W.

Arable Area Payments

Mr. Jenkin: To ask the Minister of Agriculture, Fisheries and Food, pursuant to the Seventh Report of the Parliamentary Commissioner for Administration for Session 1999–2000, "Investigation into Delays in Making Area Payments under the Arable Area Payments Scheme", if he will make a statement about the mechanism by which farmers will be compensated as the Ombudsman recommends. [131034]

Ms Quin *[holding answer 17 July 2000]:* MAFF will provide compensation in the form of interest to farmers who received late payment of their 1995 claims under the Arable Area Payments Scheme for the reasons highlighted in the report referred to by the hon. Member. As agreed with the Ombudsman, and in line with common practice across Government Departments, the compensation payments will be subject to a de minimis level of £50. MAFF has a full list of all the AAPS applicants that were affected, and work is in progress to calculate the compensation to which they are entitled. When that work has been completed the applicants will be notified of the amount of compensation to which they are due. There is no need for individual farmers to apply to the Ministry for payment.

Common Agricultural Policy

Mr. Bercow: To ask the Minister of Agriculture, Fisheries and Food if he will give details of the information measures relating to the Common Agricultural Policy referred to on page 50 of Cm 4762; and if he will make a statement. [130832]

Ms Quin: The European Commission's proposals to co-finance information projects aimed at improving the understanding, development and implementation of the Common Agricultural Policy were considered at the Special Committee for Agriculture in November 1999, and adopted by the Agriculture Council on 17 April 2000 as an A point (Council Regulation (EC) No. 814/2000).

A wide range of organisations representing farming, environmental and consumer interests are eligible to apply for funding for such measures as talks, seminars, information visits, publications and participation in international events.

Pigmeat

Mr. Ruffley: To ask the Minister of Agriculture, Fisheries and Food how many cases of pig products being sold in a way which misleads the consumer into believing they contain pigmeat of British origin have been identified by the verification officer in the last three years; and how many staff are employed to assist the officer in fulfilling his duties. [130752]

Ms Quin: Out of the number of labels examined, the verification officer has brought to the attention either of the retailer or the manufacturer concerned over 20 cases considered to be misleading. In most cases the product has been withdrawn or the label altered. Staff resources have not limited his activities as Trading Standards Officers have statutory authority to pursue individuals cases where appropriate.

Organophosphates

Mr. Curry: To ask the Minister of Agriculture, Fisheries and Food when Ministers intend to meet to discuss the availability of organophosphate sheep dips. [132451]

Ms Quin *[holding answer 25 July 2000]:* A meeting took place on 25 July.

Mr. Curry: To ask the Minister of Agriculture, Fisheries and Food what the most recent advice to Ministers was from the Veterinary Products Committee concerning the date on which organophosphate sheep dips should become available again. [132449]

Ms Quin *[holding answer 25 July 2000]:* The Veterinary Products Committee recently offered advice which Minsters are considering. An announcement will be made as soon as possible.

Burns Report

Mr. Clifton-Brown: To ask the Minister of Agriculture, Fisheries and Food in respect of implementation of the Burns report and banning hunting with hounds, what estimate he has made of the cost of disposing of fallen and other stock. [129126]

Ms Quin *[holding answer 6 July 2000]:* A small and limited survey, carried out by MAFF, suggested that in 1999 around 40 per cent. of calves, 32 per cent. of adult bovines and 15 per cent. of sheep were disposed of to hunt kennels. No estimate has been made of the cost to the livestock industry of using outlets other than hunt kennels to dispose of carcases. However, the safe disposal of fallen stock in an important issue and officials will continue to liaise with the livestock and disposal industries to examine the best approaches to this issue.

Soft Drinks, Confectionery and Biscuits

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what the retail price indices were for *(a)* soft drinks, *(b)* confectionery and *(c)* biscuits for each of the years 1980 to 1996 and for each month from May 1996 to date. [132527]

Ms Quin *[holding answer 25 July 2000]:* The information requested is given in Tables 1 and 2. Separate indices are not available for biscuits.

Table 1: Retail Price Indices[1]—annual averages 1980 to 1996

	Biscuits and cakes	*Soft drinks*	*Sweets and chocolates*
1980	74.0	79.1	72.7
1981	80.9	86.4	78.6
1982	86.1	87.6	81.1
1983	90.1	91.7	84.8
1984	93.9	93.9	88.1
1985	96.1	97.8	92.9
1986	98.1	99.2	98.2
1987	101.4	103.2	100.2
1988	104.6	114.9	101.1
1989	111.5	122.9	104.2
1990	120.2	134.9	108.3
1991	129.4	143.2	115.6
1992	135.4	154.6	121.6
1993	141.0	156.2	127.8
1994	144.4	155.2	133.2
1995	145.9	162.7	137.0
1996	151.3	173.6	142.5

[1] January 1987 = 100

Table 2: Retail Price Indices[1]—monthly, May 1996 to June 2000

	Biscuits and cakes	*Soft drinks*	*Sweets and chocolates*
1996			
May	151.1	173.6	141.9
June	151.7	174.5	143.1
July	153.1	174.1	144.8
August	152.8	174.2	144.9
September	151.9	174.6	144.8
October	152.4	175.0	145.0
November	151.4	174.7	144.3
December	150.6	174.9	144.2
1997			
January	150.9	176.1	144.5
February	152.9	181.1	144.9
March	151.8	182.0	145.4
April	151.7	180.7	146.4
May	151.8	180.9	147.6
June	153.4	181.5	148.1
July	153.8	181.1	148.3
August	154.0	180.0	148.5
September	153.2	180.5	149.2
October	155.4	181.4	149.4
November	153.2	178.1	149.3
December	153.4	179.1	149.5
1998			
January	152.4	180.7	148.8
February	152.0	185.6	148.2
March	152.0	186.6	147.7
April	151.7	184.7	148.5
May	153.4	187.1	149.9
June	155.8	186.1	151.5
July	155.8	186.0	153.2
August	155.9	186.3	153.4
September	154.9	187.1	153.9
October	157.0	187.4	154.4
November	157.0	187.1	154.2
December	157.2	185.6	154.0
1999			
January	156.8	186.7	153.9
February	157.4	190.1	154.3
March	157.4	190.3	155.1
April	156.4	188.2	153.8
May	156.1	186.9	153.1
June	156.8	187.4	155.0
July	158.5	186.9	155.2
August	158.5	186.5	155.0
September	157.8	187.8	155.4
October	157.1	186.3	156.0
November	156.5	186.0	156.3
December	158.4	184.9	156.6
2000			
January	158.1	185.7	156.1
February	157.7	186.1	155.3
March	157.8	187.4	155.6
April	158.3	186.9	155.9
May	157.0	188.9	157.5
June	157.2	188.4	158.0

Source:
Office for National Statistics

Sugar Beet Production

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the contribution of sugar beet production to total farm income in each of the years from 1989 to 1999; and what was the gross margin for sugar beet in each of these years. [132524]

Ms Quin *[holding answer 25 July 2000]:* Sugar beet gross margins and estimates of the contribution of sugar beet production to total farm gross margin for farms in the University of Cambridge's province of the Farm Business Survey are set out in the table. Estimates for 1999 are not yet available.

Sugar beet gross margins and the contribution of sugar beet to total farm gross margin for the eastern counties of England

	Gross margin (£/ha)	*Contribution to total farm gross margin (Percentage)*
1989	920	11.1
1990	1,116	12.1
1991	1,104	10.3
1992	1,436	11.8
1993	1,232	11.2
1994	1,153	9.6
1995	1,232	8.7
1996	1,187	9.9
1997	1,008	9.3
1998	951	8.8

Source:

Report on Farming in the Eastern Counties (University of Cambridge)

Opinion Research

Mr. Don Foster: To ask the Minister of Agriculture, Fisheries and Food if he will place copies of the results of all market and opinion research carried out by his Department, agencies and non-departmental public bodies since May 1997, in the Library. [123803]

Mr. Morley *[holding answer 25 July 2000]:* Decisions on whether to publish the results of all research projects, and whether to place a copy in the House of Commons Library, are taken on a case-by-case basis, as some reports may contain, for example, commercially confidential information. Some of the market research projects commissioned by this Ministry since May 1997 are therefore already held in the Library. Copies of the publicly available research projects may be provided on request and a summary of these will be placed in the Library.

Agrimonetary Compensation

Mr. Alasdair Morgan: To ask the Minister of Agriculture, Fisheries and Food if he will list the amount of agrimonetary compensation for which farmers were eligible in each year since 1979 in *(a)* Scotland, *(b)* the UK and *(c)* Dumfries and Galloway region, broken down by farming sector; and how much was paid. [127695]

Ms Quin: Agrimonetary compensation has been available since 1993. Until the introduction of the euro, it was triggered when national currency strengthened against the ECU sufficiently to outweigh the effects of previous devaluations (an appreciable revaluation). The UK first became eligible following appreciable revaluations in 1997. Compensation was also made available following the introduction of the euro on 1 January 1999, and in 2000 following exchange rate fluctuations.

Figures for compensation are available on a member state basis and cannot be broken down except at disproportionate cost. Compensation paid between 1997 and to the end of June 2000 in *(a)*, *(b)* and *(c)* is set out in the tables.

Agrimonetary compensation in the UK is available

Compensation triggered/by sector	*Amount available (first instalment) (£ million)*
1997	
Cereals	195.7
Flax and hemp	0.4
Milk	219.2
Beef	78.2
Sugar	21.9
Total	515.4
1998	
Cereals	89.2
Flax and hemp	1
Beef	22.8
Sheep	13.2
Agri-environment	1.9
Total	[1]128.1
1999	
Cereals	174.8
Beef	62.69
Sheep	32.14
Flax and hemp	1.6
Agri-environment	7.8
Total	279
2000[2]	
Beef	54.3
Sheep	46.1
Agri-environment	9.8
Milk	22.1
Cereals	14.3
Total	146.6

[1] Excludes £1.9 million, cancelled following later devaluation

[2] Further compensation likely for arable in 2000

Agrimonetary compensation paid

£ million

Year paid	*UK*	*Scotland*	*Dumfries and Galloway*
1997			
Beef	[1]8.3	—	—
1998			
Beef	109.4	34.3	6
Sheep	12.4	2.9	0.4
1999			
Beef	61.6	4.5	0.9
Sheep	31.2	7.3	1.1
Arable	18.2	15.9	0.5
2000[2]			
Beef	32.4	10.5	1.8
Sheep	10.1	2.4	0.3
Arable	152.6	3	0.03

[1] Early payment of compensation in Wales (paid in 1998 in rest of UK)

[2] To end June 2000

Fisheries

Mr. Nicholls: To ask the Minister of Agriculture, Fisheries and Food how many fisheries regulations have been introduced since May 1997; and at what cost to the industry. [126929]

Mr. Morley *[holding answer 22 June 2000]:* More than 190 Council and Commission regulations have been adopted under the Common Fisheries Policy since May 1997. Many of the regulations have been time limited and routine such as those related to the setting of annual TACs and quotas and EU agreements with third countries or have concerned supplementary measures or amendments to basic regulations dealing with matters such as technical conservation, marketing and control.

Additionally more than 30 Statutory Instruments have been introduced primarily concerned with the enforcement of regulations or the closure of UK fisheries once quota allocations have been taken. This is normal practice where fisheries measures are likely to have a material impact on industry costs a regulatory impact assessment is prepared by the Ministry and placed in the Library of the House.

Meat and Bonemeal

Mr. Grieve: To ask the Minister of Agriculture, Fisheries and Food how many tonnes of meat and bonemeal from cattle are being stored; and where such storage is taking place. [133156]

Ms Quin *[holding answer 27 July 2000]:* There are currently some 460,000 tonnes of Over-30-Months scheme meat and bonemeal (MBM) in store at 15 sites in the UK; two in Devon, two in Lincolnshire, one on Merseyside, three in Lancashire, one in Cheshire, two in Scotland and four in Northern Ireland. There are 10,000 tonnes of Selective Cull Scheme MBM at one site in Shropshire.

Mr. Grieve: To ask the Minister of Agriculture, Fisheries and Food in what conditions meat and bonemeal from cattle is being stored; and whether such storage is *(a)* in containers and *(b)* open in warehouses. [133154]

Ms Quin *[holding answer 27 July 2000]:* Meat and bonemeal (MBM) produced from the rendering of carcases of cattle slaughtered under the Over-30-Month and Selective Cull schemes is stored in bulk heaps in warehouses. The storage is carried out safely and securely in compliance with waste management licensing legislation enforced by the Environment Agency, and its equivalent in Scotland and Northern Ireland.

Mr. Grieve: To ask the Minister of Agriculture, Fisheries and Food for how long it is expected that meat and bonemeal from cattle will have to be stored pending its intended disposal through incineration; and when it is expected that all such material will have been incinerated. [133155]

Ms Quin *[holding answer 27 July 2000]:* The Intervention Board has a target in its Service Delivery Agreement with the Treasury to incinerate 60 per cent. of Over-30-Months (OTMS) and Selective Cull Scheme meat and bonemeal (MBM) produced by March 2002. Recent forecasts indicate that the number of cattle entering the OTMS in future years, and the amount of MBM which will be produced as a result, will be greater than previously expected. Nevertheless, MBM stocks are expected to be at very low levels by March 2004, after which MBM will be incinerated as it is produced.

Mr. Grieve: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the practicability of disposing of meat and bonemeal from cattle by mixing it with lime and cement and depositing it in landfill sites. [133153]

Ms Quin *[holding answer 27 July 2000]:* The Government have made no assessment of the practicability of this method of disposal of meat-and-bonemeal (MBM). Commission Regulation 716/96, under which the over-30-months scheme (OTMS) operates, requires these cattle to be directly incinerated or rendered and destroyed. Incineration with energy recovery remains the method of destruction preferred by both Government and the Spongiform Encephalopathy Advisory Committee. The Intervention Board which operates the scheme has signed contracts with three companies for large-scale incineration facilities (subject to the companies obtaining the necessary consents) and these are expected to reduce stocks of OTMS MBM to very low levels by March 2004.

Long Ashton Research Station

Dr. Tonge: To ask the Minister of Agriculture, Fisheries and Food what financial assistance his Department has provided to the Long Ashton Research Station of the Institute of Arable Crops Research since 1997; and what this financial assistance is intended for. [132855]

Ms Quin *[holding answer 27 July 2000]:* The Department commissions research from the Institute of Arable Crops Research, of which Long Ashton Research Station forms part. The MAFF research funding at the Institute for the last three financial years was:

Year	*£000*
1997–98	7,504
1998–99	7,046
1999–2000	6,062

In addition, in 1998–99 MAFF made £813,000 available to the Biotechnology and Biological Sciences Research Council. This was to help the Council meet redundancy costs at Long Ashton and the Institute of Grassland and Environmental Research due to changes in research priorities.

Hedgerows

Mr. Robertson: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the proposed measurement of hedgerows in connection with related financial support. [131572]

Ms Quin: We were pleased to secure the European Commission's agreement that, for the current year, we should continue to apply the rules on hedgerows and other types of field margin in the same way as we have done in previous years. For 2001 and subsequent years we are actively exploring with the Commission the options for dealing with the issue in a way which avoids environmental damage, excessive red tape, and adverse effects on farmers' returns from area-based payments. Our

favoured option would be for the EU legislation to provide for the flexibility needed to cover traditional UK farming systems.

New Entrant Farmers

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food if he will assess the possibility of allocating quotas that are being disposed of to new entrant farmers. [131812]

Ms Quin *[holding answer 21 July 2000]:* Suckler cow and sheep quota in the national reserve is already distributed to various categories of eligible applicants, including new entrants to farming. When consulted, the dairy sector showed no support for a scheme to siphon off quota being transferred.

Abattoirs

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food what proposals he has had to merge the role of vets and meat inspectors on overseeing the slaughter of animals. [132890]

Ms Stuart: I have been asked to reply.

We have received no proposals to merge the role of Official Veterinary Surgeons (OVSs) and meat inspectors in overseeing the slaughtering of animals. The Food Standards Agency advises me, however, that the Report of the Meat Industry Red Tape Working Group (the Pooley Report) recommended that discussions should be held with the Royal College of Veterinary Surgeons about the feasibility of providing appropriate training to enable non veterinarians to carry out some work done by OVSs. These have taken place and it has been concluded that further consideration should be postponed until the future arrangements for meat inspection under the Commission's recent food hygiene proposal are clearer. The Pooley Report also recommended that where economically beneficial to the plant (mainly small, isolated premises), the OVS should undertake the post mortem inspection of carcases. This has been implemented.

CJD

Mr. Sarwar: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his Department's progress in combating the causes of CJD. [130950]

Yvette Cooper: I have been asked to reply.

The cause of sporadic Creutzfeldt-Jakob Disease (CJD) is unknown. The view of the Spongiform Encephalopathy Advisory Committee is that the most likely explanation of the cases of variant CJD (vCJD) to date is exposure to Bovine Spongiform Encephalopathy (BSE).

We have implemented all the measures which experts have advised to protect the public from the risk of BSE. These are set out in "Bovine Spongiform Encephalopathy in Great Britain—a Progress Report", published every six months by the Ministry of Agriculture, Fisheries and Food. A copy of the latest version, published in December 1999, is available in the Library.

A major research programme is in place to further our understanding of vCJD.

Meat Inspection Charges

Mr. Paul Marsden: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his plans for adopting the recommendations of the Task Force on Meat Inspection Charges. [130819]

Ms Stuart: I have been asked to reply.

I refer my hon. Friend to the answer given to the hon. Member for Ludlow (Mr. Gill) on 3 July 2000, *Official Report*, column 29W.

Service Delivery Targets

Mrs. Fitzsimons: To ask the Minister of Agriculture, Fisheries and Food what progress his Department has made in meeting the service delivery targets set out in Commitment to Service. [122930]

Mr. Nick Brown: The table sets out the performance achieved by the Regional Service Centres (RSCs) during 1999–2000 against the targets published in the Charter document "Commitment to Service".

RSC performance data for financial year 1999–2000

Target area		*Percentage*
Arable Area Payments Scheme	Main payments	99
Oilseeds	Non-food payments	97
	Advanced payments	99
	Final payments	99
Beef Special Premium Scheme	Advance payments (1999)	97
	Balance payments (1998)	99
	CID applications issued (1999)	99
	Premium paid CIDs issued (1999)	99
Suckler Cow Premium Scheme	Balance payments 1998	99
	Advance payments 1999	99
Sheep Annual Premium Scheme	Claims marketing year 1999	99
Environmentally Sensitive Areas	Applications	90
	Claims	98
Environmentally Sensitive Areas	Applications	77
Conservation Plan	Claims	93
Farm and Conservation Grant Scheme 1991	Plan Claims	78
Farm Woodland Premium	Applications	90
Scheme	Claims (1999)	81
Injurious Weeds	Complaints receiving a response within 15 working days	95
New Nitrate Sensitive Areas Scheme	Claims (1999)	98
Protection of Badgers Act 1992	Licence applications	97

RSC performance data for financial year 1999–2000[1]

Target area		*Percentage*
Strychnine Permits	Applications	99
Agricultural Wage Inspections	Visits made within 10 working days of the RSC receiving the complaint	67
Wildlife and Countryside Act	Licence applications	98
Correspondence	Answered within 10 working days	92
Complaints	Numbers receiving response within 10 working days	80

[1] Unless otherwise specified

Notes:

1. FWPS claims—Under certain circumstances, FWPS agreement holders may count some or all of their FWPS land towards their AAPS set aside requirement. The AAPS set aside payment rate (to which the FWPS payment is 'linked' in these cases) fell below the FWPS rate for the first time in 1999, and the associated payments had to be restricted. Problems/delays were encountered both by the Information Technology Division in amending the payment system, and also by the RSCs in identifying the agreements/land involved. Regrettably, this resulted in a significant number of Charter failures.
2. FWPS applications—The FWPS is one of a number of measures which were notified under the new EC Rural Development Regulation (RDR), which took effect on 1 January 2000. The majority of 'failures' reported relate to applications submitted on or after that date, which cannot be approved until the England Rural Development Plan (ERDP) has received Commission approval.
3. The high failure rate for Agricultural Wages Inspections arose primarily because of difficulties at one RSC where most of the complaints were sent for investigation during a short period when the wages inspectors' time was already fully taken up carrying out IACS Arable Area Payments Scheme inspections needing urgent completion to protect the Department from EC disallowance.
4. The relatively high failure rates for the ESA Scheme were due primarily to the introduction of new and complex EC Regulations, uneven workloads and staffing difficulties.
5. The number of claims processed for the Farm and Capital Grant Scheme 1991 is insignificant compared to most other schemes. Staffing problems at the two RSCs with the largest number of claims has distorted an otherwise excellent success rate.
6. The 80 per cent. response rate to complaints is explained by the fact that often cases require referral to HQ or the National Scheme Management Centres and thus take longer than 10 days to resolve. In all cases where the deadline was not met, a holding letter was issued to the complainant detailing the reason for delay.
7. The total percentage has been calculated by setting the entire number of applications or claims cleared within the target time, against the total number received. Applications and claims not cleared due to reasons beyond our control (incorrect information supplied by applicant, etc.) are not included as failures to meet target.
8. The Farm Conservation Grant Schemes 1989 Claims and Pilot NSA Claims have been omitted from the table since these schemes are now closed.
9. Forty four complaints were referred to the MAFF Adjudicator during the year. Ten of these were upheld and four were partly upheld. Twenty seven were not upheld. Three cases were dealt with outside of the Citizen's Charter.

Flooding (Calder Valley)

Ms McCafferty: To ask the Minister of Agriculture, Fisheries and Food what communications he has received from the Environment Agency in response to his request for a report on the causes and impact of the flooding in Calder Valley; and if he will make a statement. [133427]

Mr. Morley: The Chairman of the Environment Agency provided me with his report on 21 July. Copies are being placed in the House Libraries.

The report covers the impact of the flooding; the causes of the flooding, including assessment of the contributory factors suggested by local members of the public; the effectiveness and timeliness of flood warnings; to what extent the effects of these floods were mitigated as a result of the measures taken to implement the Independent Report of the Easter 1998 floods; and what further lessons can be learned from these floods.

The report provides an assessment of the floods and their causes. I welcome the fact that it identifies a number of factors where management of the event was assisted by the work undertaken to implement the Independent Report of the Easter 1998 floods. The Agency has also identified a number of further lessons to be learned and they are making plans to implement them.

Finally, I know that some people are still suffering from the effects of the flooding and I repeat the Government's sympathy to all those who were affected.

Lindane

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food what his Department's policy is regarding its use of lindane; and what recent discussions he has had with other EU farm Ministers regarding the future use of lindane. [132729]

Ms Quin *[holding answer 27 July 2000]:* The Ministry's policy in respect of all pesticides, including lindane, is to ensure that they pose no unacceptable risk to people and the environment. To this end all pesticides are tightly controlled through stringent scientific evaluation and risk assessment.

Ministers have had no recent discussions with other EU farm Ministers regarding the future use of lindane. However officials from the Ministry supported the vote on 13 July by the EU Commission's Standing Committee on Plant Health to withdraw the agricultural uses of lindane throughout the EU as insufficient data, mainly concerning the environmental effects of lindane, have been submitted to support its continued use for these purposes.

GM Crops

Jackie Ballard: To ask the Minister of Agriculture, Fisheries and Food which countries are carrying out GM crop trials; and what the recommended separation distances are in each of those countries between GM and conventional crops. [132251]

Ms Quin: This information is not readily available and could be obtained only at disproportionate cost.

Jackie Ballard: To ask the Minister of Agriculture, Fisheries and Food on what basis the Minister has recommended 50 m as the correct separation distance between conventional and GM crops. [132252]

Ms Quin: The separation distances currently applied for GM crops are set out in guidelines issued by the industry group SCIMAC (the Supply Chain Initiative on Modified Agricultural Crops). These reflect existing knowledge and experience in the production of certified seed, and they specify various distances according to the crop species and whether the conventional crop is for seed, organic or ordinary production. A distance of 50 m is relevant to oilseed rape and forage maize crops where the conventional crop is for ordinary production.

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the costs of establishing a map-based register of GM crop sites; and if he will make a statement. [131815]

Ms Quin *[holding answer 21 July 2000]:* No such estimate has been made as the Government have no plans to introduce a register of this type.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 7 July 2000, *Official Report*, column 350W, on GMOs, when the desk modelling study, and review of the consequences for agriculture of the introduction of GM crops, will be completed; and if the results will be published. [130496]

Ms Quin *[holding answer 17 July 2000]:* The desk study on the risks to the agricultural environment from the release of GM crops is nearing completion. The review of the consequences for agriculture of the introduction of GM crops is not due for completion until 2002. The results of both projects will be published in due course.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 7 July 2000, *Official Report*, column 350W, on GMOs, if he will make available information about *(a)* the causes of the Advanta Seeds contamination and *(b)* the separation distances used between GM and non-GM crops in the production of the contaminated Advanta Seeds once the Canadian authorities have completed their investigation. [130495]

Ms Quin *[holding answer 17 July 2000]:* Yes.

Sandra Gidley: To ask the Minister of Agriculture, Fisheries and Food if he will fund further research into the health effects of GM animal feeds on animals. [128609]

Ms Quin: A rigorous assessment of applications for new GM plants is undertaken by the Advisory Committee on Animal Feedingstuffs, including any implications for animals. There is no evidence that the introduction of the current generation of GM crops into animal feedingstuffs has caused any harm to farm animals. My Department is not currently funding research in this area, but the need for research will be kept under review.

Mr. Grogan: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the progress of the scientific review of separation distances and their relationship with crop varietal purity. [129807]

Ms Quin: A report on the review is due to be delivered to Ministers by 1 August.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food who will carry out the independent scientific review of the relationship between separation distances and levels of varietal purity and the implications for thresholds of GM presence. [127216]

Ms Quin *[holding answer 27 June 2000]:* The National Institute of Agricultural Botany.

GM Seeds

Mr. Oaten: To ask the Minister of Agriculture, Fisheries and Food if he will list the UK farms where genetically-modified seed has been planted in the last two years. [123961]

Ms Quin: The following information is available on the Department of Environment, Transport and the Regions' (DETR) website (www.environment.detr.gov.uk):

(a) all the locations where genetically modified (GM) crops have been planted as part of the farm-scale evacuation programme; and

(b) all other locations where GM plants have consent to be grown this year for research purposes, except those where the plant concerned already has a marketing consent for cultivation under Part C of EU Directive 90/220.

Information on the location of research releases prior to this year not covered by a Part C consent is available on the Public Register held by the DETR.

In addition, the locations of National List trials of GM plants run under Part C marketing consents are available on request from the Ministry's Plant Varieties and Seeds Division in Cambridge.

Crops Contamination

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food if, in his review of separation distances, he will take account of Advanta's statement concerning the distance between their GM rape seed crop and their conventional rape seed crop which was contaminated. [132653]

Ms Quin *[holding answer 25 July 2000]:* The review will consider all the relevant information which is available on the Advanta incident. But no conclusion can be drawn yet on how Advanta's conventional seed came to include a low level of GM seed. The Canadian authorities are still investigating this.

Mr. Malcolm Bruce: To ask the Minister of Agriculture, Fisheries and Food (1) what steps the Government have taken to identify which farms have been contaminated with GM products through the planting of oil seed rape; [123763]

(2) what plans he has to ensure that there is proper monitoring of crops contaminated with GM products through the planting of oil seed rape. [123765]

Ms Quin *[holding answer 5 June 2000]:* The Government has written to all farmers who may have sown the affected seed varieties giving details of the relevant arrangements which have been made under the EU Arable Area Payments Scheme and warning them that it would be an offence to market crops grown from the affected seed lots. Government inspectors are auditing the arrangements put in place by Advanta Seeds (UK) Ltd. to identify the affected farmers and compensate them for the losses associated with crop destruction. We have also alerted processors of oilseed rape to the need to ensure that the affected crops are not marketed and do not enter the food chain.

HOME DEPARTMENT

Animal Welfare (Prosecutions)

Mr. Baker: To ask the Secretary of State for the Home Department (1) how many *(a)* prosecutions and *(b)* successful prosecutions there were under the Pet Animals Act 1951 in each of the last 10 years; and if he will make a statement; [131783]

(2) how many *(a)* prosecutions and *(b)* successful prosecutions there have been under the (i) Breeding of Dogs Act 1973, (ii) Breeding of Dogs Act 1991 and (iii) Breeding and Sale of Dogs (Welfare) Act 1999 in each of the last 10 years; and if he will make a statement; [131784]

(3) how many *(a)* prosecutions and *(b)* successful prosecutions there were under the (i) Performing Animals Regulations 1925 and 1968, (ii) Zoo Licensing Act 1981 and (iii) Wild Mammals (Protection) Act 1996 in each of the last 10 years; and if he will make a statement; [131988]

(4) how many *(a)* prosecutions and *(b)* successful prosecutions there were under the (i) Protection of Animals Act 1911, (ii) Protection of Animals (Amendment) Act 1954, (iii) Abandonment of Animals Act 1960, (iv) Tethering Act 1988 and (v) Animals (Scientific Procedures) Act 1986 in each of the last 10 years; and if he will make a statement; [131986]

(5) how many *(a)* prosecutions and *(b)* successful prosecutions there have been under the *(a)* Protection of Badgers Act 1992, *(b)* Deer Act 1991, *(c)* Conservation of Seals Act 1970 and *(d)* Conversation of Seals Order 1996 in each of the last 10 years; and if he will make a statement. [131982]

Mr. Mike O'Brien: Information for 1989 to 1999, which is provisional, taken from the Home Office Court Proceedings Database is given in the table.

There have been no prosecutions under the Animals (Scientific Procedures) Act 1986.

Total number of prosecutions at the magistrates courts and convictions at all courts for offences relating to the welfare of animals, England and Wales, 1989 to 1999[1]

	1989	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*[1]
Pet Animals Act 1951											
Prosecutions	9	9	10	23	9	13	7	5	4	7	10
Convictions	5	6	6	18	8	12	6	5	4	6	9
Breeding of Dogs Act 1973											
Prosecutions	3	11	11	23	5	2	1	4	4	4	5
Convictions	2	10	9	18	3	2	1	4	3	4	4
Breeding of Dogs Act 1991											
Prosecutions	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	1	1	—
Convictions	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	1	—	—
Breeding and Sale of Dogs (Welfare) Act 1999 Sections 8, 9(1)											
Prosecutions	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	—
Convictions	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	—
Breeding and Sale of Dogs (Welfare) Act 1999 Sections 9(6), 9(7)											
Prosecutions	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	—
Convictions	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	—
Performing Animals Regulations 1925 and 1968											
Prosecutions	—	1	—	—	1	—	—	—	—	—	—
Convictions	—	1	—	—	—	—	—	—	—	—	—
Zoo Licensing Act 1981											
Prosecutions	—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Convictions	—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Wild Mammals (Protection) Act 1996											
Prosecutions	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	7	8	—
Convictions	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	3	7	—
Protection of Animals Act 1911[2]											
Prosecutions	1,050	1,167	1,202	1,154	1,084	908	927	967	1,051	1,107	1,051
Convictions	895	968	862	926	861	731	754	764	867	889	828
Protection of Animals (Amendment) Act 1954											
Prosecutions	17	21	39	29	39	33	18	18	34	23	23
Convictions	17	21	30	26	33	27	17	16	30	20	19
Abandonment of Animals Act 1960 Section 1											
Prosecutions	51	52	47	62	53	21	18	25	26	36	17
Convictions	44	41	41	54	38	16	13	19	21	26	12
Protection of Badgers Act 1992-except Section 13											
Prosecutions	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	44	19	30
Convictions	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	25	4	10

Total number of prosecutions at the magistrates courts and convictions at all courts for offences relating to the welfare of animals, England and Wales, 1989 to 1999[1]

	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999[1]
Deer Act 1991											
Prosecutions	[3]—	[3]—	[3]—	[3]—	13	21	10	14	20	14	4
Convictions	[3]—	[3]—	[3]—	[3]—	7	7	6	9	10	9	—
Conservation of Seals Act 1970[4]											
Prosecutions	—	—	—	—	—	—	—	—	1	—	—
Convictions	—	—	—	—	—	—	—	—	—	—	—

[1] 1999 data are provisional
[2] Includes offences under the Protection Against Cruel Tethering Act 1988
[3] Not available
[4] Includes offences under the Conservation of Seals Order 1996

Mr. Baker: To ask the Secretary of State for the Home Department if he will list *(a)* the total number of prosecutions under the Wildlife and Countryside Act 1981 and *(b)* the number of successful prosecutions for each year for the last 10 years; and if he will make a statement. [132303]

Mr. Charles Clarke: Information for 1989 to 1999 taken from the Home Office Court Proceedings Database is given in the table.

Total number of prosecutions at the magistrates' courts and convictions at all courts under the Wildlife and Countryside Act 1981 England and Wales, 1989–99[1]

	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999[1]
Section 1—Protection of wild birds											
Prosecutions	52	35	45	44	48	30	41	33	36	29	27
Convictions	34	24	33	33	32	19	30	24	28	20	19
Section 1—Protection of nests and eggs of wild birds											
Prosecutions	25	5	14	9	16	17	18	9	24	19	14
Convictions	20	2	12	7	8	15	10	3	18	16	11
Section 3—Illegal entry into bird sanctuaries											
Prosecutions	3	2	3	0	2	0	1	0	0	0	0
Convictions	3	0	2	0	2	0	1	0	0	0	0
Protection of wild birds in sanctuaries											
Prosecutions	0	0	1	0	0	0	0	0	0	0	0
Convictions	0	0	1	0	0	0	0	0	0	0	0
Section 3—Protection of the nests and eggs of wild birds in sanctuaries											
Prosecutions	0	3	1	0	1	0	2	0	0	0	0
Convictions	0	3	0	0	1	0	0	0	0	0	0
Section 5—Prohibition of certain methods of killing or taking wild birds											
Prosecutions	5	11	7	7	10	3	3	8	8	3	7
Convictions	4	9	6	5	8	3	2	7	7	1	5
Section 6—Sale etc. of live or dead wild birds, eggs etc.											
Prosecutions	9	11	5	4	11	10	13	4	2	3	2
Convictions	8	7	4	1	4	4	7	3	2	2	2
Section 7—Registration etc. of certain captive birds											
Prosecutions	13	14	11	11	15	9	7	3	2	0	2
Convictions	11	12	9	7	11	7	4	3	2	0	0
Section 8—Protection of captive birds											
Prosecutions	3	7	1	4	3	0	3	2	8	2	1
Convictions	2	7	0	4	2	0	3	1	8	2	1
Section 9—Protection of certain wild animals											
Prosecutions	8	6	4	6	15	7	0	6	5	0	3
Convictions	5	6	2	5	5	4	0	3	3	0	0
Section 11—Prohibition of certain methods of killing or taking wild animals											
Prosecutions	6	4	4	3	0	3	6	1	2	3	4
Convictions	4	3	4	3	0	3	6	1	0	3	3
Section 14—Introduction of new species etc.											
Prosecutions	2	2	2	0	0	1	2	0	0	0	n/a
Convictions	1	1	1	0	0	0	0	0	0	0	n/a

Total number of prosecutions at the magistrates' courts and convictions at all courts under the Wildlife and Countryside Act 1981 England and Wales, 1989–99[1]

	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999[1]
Section 17—False statements made for obtaining registration or licence etc.											
Prosecutions	0	0	0	0	1	0	1	0	1	0	1
Convictions	0	0	0	0	1	0	1	0	1	0	0
Total											
Prosecutions	126	100	98	88	122	80	97	66	88	59	61
Convictions	92	74	74	65	74	55	64	45	69	44	41

[1] 1999 data are provisional
n/a = not available

Mr. Baker: To ask the Secretary of State for the Home Department how many *(a)* prosecutions and *(b)* successful prosecutions there were under the (i) Riding Establishments Act 1964, (ii) Riding Establishments Act 1970, (iii) Export of Horses (Protection) Order 1969 and (iv) Coal and Other Mines (Horses) Order 1954 in each of the last 10 years; and if he will make a statement. [131845]

Mr. Charles Clarke: Available information for 1989 to 1999 (which is provisional) taken from the Home Office Court Proceedings Database is given in the table.

Number of prosecutions at the magistrates courts and convictions at all courts for offence related to the welfare of horses, England and Wales, 1989 to 1999

	Riding Establishments Acts 1964 and 1970		Animal Health Act 1981[1]	
	Prosecutions	Convictions	Prosecutions	Convictions
1989	2	2	53	46
1990	10	7	53	43
1991	8	6	98	78
1992	5	4	73	62
1993	3	2	42	34
1994	—	—	37	26
1995	5	3	49	42
1996	6	4	58	43
1997	1	—	76	68
1998	1	1	87	73
1999[2]	—	—	56	51

[1] Sections 40–42, 46 and 49 and Orders made under Sections 8, 9, 37, 38, 39 and 43. Section 40 of the Act enables the Export of Horses (Protection) Order 1969.
[2] 1999 data are provisional

Animal Welfare

Mr. Baker: To ask the Secretary of State for the Home Department when the Animal Procedures Committee will initiate its proposed public consultation on the cost benefit analysis test; and if he has indicated to the committee a date by which a report on this should be made. [132302]

Mr. Mike O'Brien: I understand from the chairman of the Animal Procedures Committee that he intends that the consultation letter to the public on cost/benefit issues will be sent out this autumn and that a report will be presented in the summer 2001.

Cyclists

Mr. Ben Chapman: To ask the Secretary of State for the Home Department what assessment he has made of the causes of the decline in prosecutions for riding a pedal cycle under the influence of drink or drugs during the last decade. [133549]

Mr. Boateng: No assessment has been made by my Department.

Mr. Ben Chapman: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Great Grimsby (Mr. Mitchell) of 26 June 2000, *Official Report*, columns 384–86W, if he will call for reports on the reasons for the absence of fixed penalties for cycling on pedestrian footways in *(a)* Bedfordshire, *(b)* Cambridgeshire, *(c)* Essex, *(d)* Humberside and *(e)* Gwent, between 1 August and 31 December 1999. [133990]

Mr. Boateng: The issuing of fixed penalties for cycling offences is an operational matter for individual chief officers of police. Data from Essex have now been received and show that 76 fixed penalty notices were issued for cycling on the pavement in the period August to December 1999. I have no plans to call for reports in this instance from Bedfordshire, Cambridgeshire, Humberside and Gwent.

Mr. Ben Chapman: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Great Grimsby (Mr. Mitchell) of 26 June 2000, *Official Report*, columns 384–86W, if he will call for reports on the reasons for the fewness of fixed penalties for cycling on pedestrian footways in *(a)* Cheshire, *(b)* Cleveland, *(c)* Cumbria, *(d)* Derbyshire, *(e)* Dorset, *(f)* Durham, *(g)* Lancashire, *(h)* Norfolk, *(i)* Northamptonshire, *(j)* Nottinghamshire, *(k)* Staffordshire, *(l)* Thames Valley, *(m)* Warwickshire, *(n)* West Midlands, *(o)* Wiltshire, *(p)* Dyfed-Powys and *(q)* South Wales between 1 August and 31 December 1999. [133993]

Mr. Boateng: The issuing of fixed penalties is an operational matter for the police. I have no plans to call for reports in this instance for the police forces concerned.

Mr. Ben Chapman: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Great Grimsby (Mr. Mitchell) of 26 June 2000, *Official Report*, columns 384–86W, if he will call for reports on the reasons for the absence of fixed penalties for carrying more than one person on a pedal cycle in *(a)* Wiltshire, *(b)* South Wales, *(c)* Dyfed-Powys and *(d)* Gwent, between 1 August and 31 December 1999. [133991]

Mr. Boateng: The issuing of fixed penalties is an operational matter for the police. I have no plans to call for reports in this instance from the police forces concerned.

Paedophiles

Mr. Campbell-Savours: To ask the Secretary of State for the Home Department what proposals he has for a DNA database of paedophiles. [133419]

Mr. Charles Clarke: The National Database holds DNA profiles for those suspected, or convicted, of a recordable offence. This includes paedophiles.

Mr. Campbell-Savours: To ask the Secretary of State for the Home Department what his estimate is of the additional policing resources required for the protection of school children as a result of the identification of paedophiles by the *News of the World* newspaper. [133420]

Mr. Boateng: The newspaper article in the *News of the World* was regrettable. It may undermine the valuable work done by the police and probation services in monitoring the activities of sex offenders in the community.

We do not know how many offenders have left, or may leave, their homes or are in the process of changing their identities, or will do so in anticipation of the newspaper identifying them. Such moves add to police work.

I understand from inquiries my officials have made, that the police are currently putting their resources into monitoring, supporting or protecting identified sex offenders and their families, and in at least one case, to handling an attack on an innocent man and women.

I am sure that forces will keep under review whether they need to put further resources into this area.

Racing

Mrs. Golding: To ask the Secretary of State for the Home Department what plans he has to discuss starting prices with the racing bodies. [133747]

Mr. Mike O'Brien: I have asked a representative of the Starting Price Executive to meet me in September to discuss public concerns. I am also hoping to meet a representative of the Betting Office Licensees Association. I am maintaining a keen interest in the progress being made on the review of the impact of recent changes to the arrangements for establishing starting prices.

Police Training

Mr. Healey: To ask the Secretary of State for the Home Department what arrangements are in place within the police for encouraging graduate recruits to the Management Training Scheme. [132929]

Mr. Charles Clarke *[holding answer 27 July 2000]:* The police service is one of the largest employers of graduates: figures from Her Majesty's Inspector of Constabulary indicate that over 500 graduate entrants were appointed as police officers in 1998–99. There is also a national accelerated promotion scheme for graduates (APSG) which offers accelerated promotion and management development opportunities for those who have the potential to rise to the highest ranks within the service.

Police Statistics

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many and what proportion of police officers in each rank are from minority ethnic communities in each force and in total *(a)* now and *(b)* in the two previous years; how many additional officers will be needed to reach the 10 year targets set for recruitment and retention (i) in total and (ii) on average each year; and if he will make a statement. [133152]

Mr. Charles Clarke *[holding answer 27 July 2000]:* Tables 1 to 3 show the number of officers from minority ethnic communities by rank and police force areas for the year to March 2000 and the two preceding years.

The proportions given are not exact as the figures for officers from minority ethnic communities are in terms of number of people and the total used to calculate the proportion is based on full-time equivalents. This means that the proportion of officers from ethnic minority communities will be over estimated.

Table 4 sets out numbers of ethnic minority officers which need to be recruited to meet my right hon. Friend the Home Secretary's race equality recruitment targets. These are to be met over the period 1999 to 2009—there is no requirement for this to be achieved through equal annual increments. The target for retention is that the percentage of ethnic minority officers leaving the service through resignation or dismissal should equal the percentage of white officers leaving under similar circumstances.

Progress against targets will be monitored by the Home Office.

Table 1: Police strength in England and Wales
Ethnic minority strength as at 31 March 2000

	Ranks							
	Chief Constable		*Assistant Chief Constable*		*Superintendent*		*Chief Inspector*	
	Number	*Proportion*	*Number*	*Proportion*	*Number*	*Proportion*	*Number*	*Proportion*
Avon and Somerset	0	0	0	0	0	0	0	0
Bedfordshire	0	0	0	0	0	0	0	0
Cambridgeshire	0	0	0	0	0	0	0	0
Cheshire	0	0	0	0	0	0	0	0
City of London	0	0	0	0	0	0	0	0
Cleveland	0	0	0	0	0	0	0	0
Cumbria	0	0	0	0	0	0	0	0
Derbyshire	0	0	0	0	0	0	0	0
Devon and Cornwall	0	0	0	0	0	0	0	0
Dorset	0	0	0	0	0	0	0	0

Table 1: Police strength in England and Wales
Ethnic minority strength as at 31 March 2000

	Ranks							
	Chief Constable		Assistant Chief Constable		Superintendent		Chief Inspector	
	Number	Proportion	Number	Proportion	Number	Proportion	Number	Proportion
Durham	0	0	0	0	0	0	0	0
Dyfed Powys	0	0	0	0	0	0	0	0
Essex	0	0	0	0	0	0	2	5
Gloucestershire	0	0	0	0	0	0	0	0
Greater Manchester	0	0	0	0	0	0	1	1
Gwent	0	0	0	0	0	0	0	0
Hampshire	0	0	0	0	0	0	0	0
Hertfordshire	0	0	0	0	0	0	1	4
Humberside	0	0	0	0	0	0	0	0
Kent	0	0	0	0	0	0	0	0
Lancashire	0	0	0	0	0	0	0	0
Leicestershire	0	0	0	0	1	6	0	0
Lincolnshire	0	0	0	0	0	0	0	0
Merseyside	0	0	0	0	0	0	1	2
Metropolitan Police	0	0	2	6	5	2	8	2
Norfolk	0	0	0	0	0	0	1	4
Northamptonshire	0	0	0	0	0	0	1	11
Northumbria	0	0	0	0	0	0	1	2
North Wales	0	0	0	0	0	0	0	0
North Yorkshire	0	0	0	0	0	0	1	7
Nottinghamshire	0	0	0	0	1	5	1	4
South Wales	0	0	0	0	1	4	1	2
South Yorkshire	0	0	0	0	0	0	0	0
Staffordshire	0	0	0	0	0	0	0	0
Suffolk	0	0	0	0	0	0	0	0
Surrey	0	0	0	0	0	0	0	0
Sussex	0	0	0	0	0	0	1	3
Thames Valley	0	0	0	0	1	2	0	0
Warwickshire	0	0	0	0	0	0	0	0
West Mercia	0	0	0	0	0	0	0	0
West Midlands	0	0	0	0	0	0	0	0
West Yorkshire	0	0	0	0	1	2	0	0
Wiltshire	0	0	0	0	1	7	0	0
NCS	0	0	0	0	0	0	0	0
NCIS	0	0	0	0	0	0	0	0
Total all forces	0	0	2	1	11	1	20	1

	Ranks							
	Inspector		Sergeant		Constable		Total ranks	
	Number	Proportion	Number	Proportion	Number	Proportion	Number	Proportion
Avon and Somerset	0	0	4	1	28	1	32	1
Bedfordshire	1	2	6	4	30	4	37	4
Cambridgeshire	0	0	5	3	27	3	32	3
Cheshire	0	0	1	0	7	0	8	0
City of London	1	2	0	0	16	3	17	2
Cleveland	0	0	2	1	15	1	17	1
Cumbria	1	2	1	1	1	0	3	0
Derbyshire	3	3	4	1	31	2	38	2
Devon and Cornwall	0	0	0	0	8	0	8	0
Dorset	1	1	0	0	6	1	7	1
Durham	0	0	0	0	12	1	12	1
Dyfed Powys	0	0	0	0	4	1	4	0
Essex	3	2	7	2	23	1	35	1
Gloucestershire	0	0	2	1	13	2	15	1
Greater Manchester	7	2	27	3	135	3	170	3
Gwent	0	0	1	0	16	2	17	1
Hampshire	0	0	4	1	25	1	29	1
Hertfordshire	2	2	3	1	19	1	25	1
Humberside	1	1	0	0	13	1	14	1
Kent	2	1	1	0	35	1	38	1
Lancashire	0	0	5	1	37	2	42	1
Leicestershire	4	4	10	4	73	5	88	4
Lincolnshire	0	0	6	3	6	1	12	1

	Ranks							
	Inspector		Sergeant		Constable		Total ranks	
	Number	Proportion	Number	Proportion	Number	Proportion	Number	Proportion
Merseyside	0	0	5	1	66	2	72	2
Metropolitan Police	27	2	95	2	872	4	1,009	4
Norfolk	2	3	0	0	9	1	12	1
Northamptonshire	1	2	2	1	29	3	33	3
Northumbria	0	0	4	1	27	1	32	1
North Wales	0	0	2	1	3	0	5	0
North Yorkshire	0	0	0	0	4	0	5	0
Nottinghamshire	1	1	6	2	56	3	65	3
South Wales	3	2	2	0	29	1	36	1
South Yorkshire	2	1	10	2	60	2	72	2
Staffordshire	0	0	4	1	29	2	33	2
Suffolk	0	0	0	0	15	2	15	1
Surrey	0	0	1	0	24	2	25	1
Sussex	0	0	2	0	21	1	24	1
Thames Valley	2	1	7	1	72	2	82	2
Warwickshire	1	2	3	2	16	2	20	2
West Mercia	1	1	2	1	22	2	25	1
West Midlands	7	2	41	4	282	5	330	5
West Yorkshire	3	1	12	2	111	3	127	3
Wiltshire	1	2	0	0	8	1	10	1
NCS	3	3	1	0	18	2	22	2
NCIS	0	0	0	0	0	0	0	0
Total all forces	80	1	288	2	2,353	2	2,754	2

Table 2: Police strength in England and Wales
Ethnic minority strength as at 31 March 1999

	Ranks							
	Chief Constable		Assistant Chief Constable		Superintendent		Chief Inspector	
	Number	Proportion	Number	Proportion	Number	Proportion	Number	Proportion
Avon and Somerset	0	0	0	0	0	0	0	0
Bedfordshire	0	0	0	0	0	0	0	0
Cambridgeshire	0	0	0	0	0	0	0	0
Cheshire	0	0	0	0	0	0	0	0
City of London	0	0	0	0	0	0	0	0
Cleveland	0	0	0	0	0	0	0	0
Cumbria	0	0	0	0	0	0	0	0
Derbyshire	0	0	0	0	0	0	0	0
Devon and Cornwall	0	0	0	0	0	0	0	0
Dorset	0	0	0	0	0	0	0	0
Durham	0	0	0	0	0	0	0	0
Dyfed Powys	0	0	0	0	0	0	0	0
Essex	0	0	0	0	0	0	2	5
Gloucestershire	0	0	0	0	0	0	0	0
Greater Manchester	0	0	0	0	0	0	1	1
Gwent	0	0	0	0	0	0	0	0
Hampshire	0	0	0	0	0	0	0	0
Hertfordshire	0	0	0	0	0	0	1	4
Humberside	0	0	0	0	0	0	0	0
Kent	0	0	0	0	0	0	0	0
Lancashire	0	0	1	33	0	0	0	0
Leicestershire	0	0	0	0	1	6	0	0
Lincolnshire	0	0	0	0	0	0	0	0
Merseyside	0	0	0	0	0	0	0	0
Metropolitan Police	0	0	0	0	5	2	4	1
Norfolk	0	0	0	0	0	0	1	4
Northamptonshire	0	0	0	0	0	0	1	9
Northumbria	0	0	0	0	0	0	1	2
North Wales	0	0	0	0	0	0	0	0
North Yorkshire	0	0	0	0	0	0	0	0
Nottinghamshire	0	0	0	0	0	0	2	9
South Wales	0	0	0	0	1	4	1	2
South Yorkshire	0	0	0	0	0	0	0	0
Staffordshire	0	0	0	0	0	0	0	0
Suffolk	0	0	0	0	0	0	0	0
Surrey	0	0	0	0	0	0	0	0

Table 2: Police strength in England and Wales
Ethnic minority strength as at 31 March 1999

	Ranks							
	Chief Constable		Assistant Chief Constable		Superintendent		Chief Inspector	
	Number	Proportion	Number	Proportion	Number	Proportion	Number	Proportion
Sussex	0	0	0	0	0	0	0	0
Thames Valley	0	0	0	0	0	0	1	3
Warwickshire	0	0	0	0	0	0	0	0
West Mercia	0	0	0	0	0	0	0	0
West Midlands	0	0	0	0	0	0	0	0
West Yorkshire	0	0	0	0	1	2	0	0
Wiltshire	0	0	0	0	0	0	1	6
NCS	0	0	0	0	0	0	0	0
NCIS	0	0	0	0	0	0	0	0
Total all forces	0	0	1	1	8	1	16	1

	Ranks							
	Inspector		Sergeant		Constable		Total ranks	
	Number	Proportion	Number	Proportion	Number	Proportion	Number	Proportion
Avon and Somerset	0	0	3	1	30	7	33	1
Bedfordshire	1	2	6	4	29	20	36	4
Cambridgeshire	0	0	4	2	24	13	28	3
Cheshire	0	0	0	0	8	3	8	0
City of London	1	2	0	0	16	15	17	3
Cleveland	0	0	1	0	8	4	9	1
Cumbria	0	0	0	0	2	1	2	0
Derbyshire	1	1	5	2	29	11	35	3
Devon and Cornwall	0	0	0	0	6	1	6	0
Dorset	1	2	0	0	5	2	6	1
Durham	0	0	0	0	10	5	10	1
Dyfed Powys	0	0	0	0	2	1	2	0
Essex	2	1	6	1	22	5	32	1
Gloucestershire	0	0	2	1	10	6	12	1
Greater Manchester	3	1	32	3	130	13	166	3
Gwent	0	0	1	1	13	7	14	1
Hampshire	0	0	2	0	25	5	27	1
Hertfordshire	0	0	2	1	15	6	18	1
Humberside	0	0	1	0	10	3	11	1
Kent	0	0	4	1	33	7	37	1
Lancashire	0	0	6	1	32	6	39	2
Leicestershire	4	4	10	4	74	28	89	6
Lincolnshire	0	0	4	2	3	2	7	1
Merseyside	1	1	5	1	70	11	76	2
Metropolitan Police	15	1	69	2	791	19	884	4
Norfolk	2	3	0	0	9	4	12	1
Northamptonshire	1	2	2	1	28	17	32	4
Northumbria	0	0	4	1	27	5	32	1
North Wales	0	0	1	0	2	1	3	0
North Yorkshire	1	2	0	0	3	1	4	0
Nottinghamshire	1	1	6	2	51	15	60	3
South Wales	3	2	1	0	26	6	32	1
South Yorkshire	2	1	8	2	58	12	68	3
Staffordshire	0	0	4	1	28	8	32	2
Suffolk	0	0	0	0	15	9	15	2
Surrey	0	0	1	0	20	8	21	2
Sussex	0	0	3	1	20	5	23	1
Thames Valley	1	1	9	2	70	12	81	3
Warwickshire	1	2	2	2	19	16	22	3
West Mercia	1	1	3	1	21	7	25	2
West Midlands	6	2	35	4	272	27	313	5
West Yorkshire	1	0	12	2	117	17	131	3
Wiltshire	1	2	0	0	8	4	10	1
NCS	0	0	4	2	16	7	20	2
NCIS	0	0	0	0	5	9	5	4
Total all forces	50	1	258	1	2,212	2	2,545	2

Table 3: Police strength in England and Wales
Ethnic minority strength as at 31 March 1998

	Ranks							
	Chief Constable		*Assistant Chief Constable*		*Superintendent*		*Chief Inspector*	
	Number	*Proportion*	*Number*	*Proportion*	*Number*	*Proportion*	*Number*	*Proportion*
Avon and Somerset	0	0	0	0	0	0	0	0
Bedfordshire	0	0	0	0	0	0	0	0
Cambridgeshire	0	0	0	0	0	0	0	0
Cheshire	0	0	0	0	0	0	0	0
City of London	0	0	0	0	0	0	0	0
Cleveland	0	0	0	0	0	0	0	0
Cumbria	0	0	0	0	0	0	0	0
Derbyshire	0	0	0	0	0	0	0	0
Devon and Cornwall	0	0	0	0	0	0	0	0
Dorset	0	0	0	0	0	0	0	0
Durham	0	0	0	0	0	0	0	0
Dyfed Powys	0	0	0	0	0	0	0	0
Essex	0	0	0	0	0	0	1	2
Gloucestershire	0	0	0	0	0	0	0	0
Greater Manchester	0	0	0	0	0	0	1	1
Gwent	0	0	0	0	0	0	0	0
Hampshire	0	0	0	0	0	0	0	0
Hertfordshire	0	0	0	0	0	0	1	4
Humberside	0	0	0	0	1	6	0	0
Kent	0	0	0	0	0	0	0	0
Lancashire	0	0	1	25	0	0	0	0
Leicestershire	0	0	0	0	1	6	0	0
Lincolnshire	0	0	0	0	0	0	0	0
Merseyside	0	0	0	0	0	0	0	0
Metropolitan Police	0	0	0	0	3	1	5	1
Norfolk	0	0	0	0	0	0	0	0
Northamptonshire	0	0	0	0	0	0	1	9
Northumbria	0	0	0	0	0	0	1	2
North Wales	0	0	0	0	0	0	0	0
North Yorkshire	0	0	0	0	0	0	0	0
Nottinghamshire	0	0	0	0	0	0	1	5
South Wales	0	0	0	0	0	0	2	4
South Yorkshire	0	0	0	0	0	0	0	0
Staffordshire	0	0	0	0	0	0	0	0
Suffolk	0	0	0	0	0	0	0	0
Surrey	0	0	0	0	0	0	0	0
Sussex	0	0	0	0	0	0	0	0
Thames Valley	0	0	0	0	0	0	2	6
Warwickshire	0	0	0	0	0	0	0	0
West Mercia	0	0	0	0	0	0	0	0
West Midlands	0	0	0	0	1	2	1	2
West Yorkshire	0	0	0	0	1	3	0	0
Wiltshire	0	0	0	0	0	0	1	6
Total all forces	0	0	1	1	7	1	17	1

	Ranks							
	Inspector		*Sergeant*		*Constable*		*Total ranks*	
	Number	*Proportion*	*Number*	*Proportion*	*Number*	*Proportion*	*Number*	*Proportion*
Avon and Somerset	0	0	3	1	31	1	34	1
Bedfordshire	1	2	3	2	33	4	37	3
Cambridgeshire	0	0	4	2	27	3	31	2
Cheshire	0	0	0	0	6	0	6	0
City of London	1	2	0	0	19	3	20	2
Cleveland	0	0	1	0	17	1	18	1
Cumbria	0	0	0	0	2	0	2	0
Derbyshire	1	1	7	3	29	2	37	2
Devon and Cornwall	0	0	0	0	5	0	5	0
Dorset	0	0	1	0	4	0	5	0
Durham	0	0	0	0	7	1	7	0
Dyfed Powys	0	0	0	0	1	0	1	0
Essex	3	2	5	1	27	1	36	1
Gloucestershire	0	0	0	0	12	1	12	1
Greater Manchester	3	1	31	3	129	2	164	2
Gwent	0	0	0	0	13	1	13	1
Hampshire	0	0	3	1	24	1	27	1

	Ranks							
	Inspector		Sergeant		Constable		Total ranks	
	Number	Proportion	Number	Proportion	Number	Proportion	Number	Proportion
Hertfordshire	0	0	1	0	18	1	20	1
Humberside	0	0	1	0	11	1	13	1
Kent	0	0	5	1	29	1	34	1
Lancashire	0	0	2	0	36	1	39	1
Leicestershire	2	2	12	5	74	5	89	4
Lincolnshire	0	0	2	1	4	0	6	1
Merseyside	1	1	1	0	70	2	72	2
Metropolitan Police	11	1	57	1	785	4	861	3
Norfolk	2	3	0	0	7	1	9	1
Northamptonshire	1	2	2	1	27	3	31	3
Northumbria	0	0	3	1	29	1	33	1
North Wales	0	0	0	0	1	0	1	0
North Yorkshire	1	2	0	0	6	1	7	1
Nottinghamshire	2	2	6	2	52	3	61	3
South Wales	2	1	2	0	23	1	29	1
South Yorkshire	2	1	7	1	61	2	70	2
Staffordshire	0	0	4	1	29	2	33	1
Suffolk	0	0	0	0	13	1	13	1
Surrey	0	0	1	0	19	2	20	1
Sussex	0	0	2	0	21	1	23	1
Thames Valley	1	1	9	2	66	2	78	2
Warwickshire	1	2	3	2	19	3	23	2
West Mercia	1	1	1	0	24	2	26	1
West Midlands	2	1	38	4	252	4	294	4
West Yorkshire	1	0	12	2	119	3	133	3
Wiltshire	0	0	1	1	8	1	10	1
Total all forces	39	1	230	1	2,189	2	2,483	2

Table 4: Police forces England and Wales

	Increase in ethnic minority officers needed to meet target	Average increase each year
Avon and Somerset	25	2.5
Bedfordshire	69	6.9
Cambridgeshire	19	1.9
Cheshire	14	1.4
City of London	38	3.8
Cleveland	1	0.1
Cumbria	10	1.0
Derbyshire	22	2.2
Devon and Cornwall	25	2.5
Dorset	7	0.7
Durham	6	0.6
Dyfed Powys	9	0.9
Essex	12	1.2
Gloucestershire	5	0.5
Greater Manchester	356	35.6
Gwent	[1] —	[1] —
Hampshire	42	4.2
Hertfordshire	60	6.0
Humberside	11	1.1
Kent	38	3.8
Lancashire	123	12.3
Leicestershire	129	12.9
Lincolnshire	7	0.7
Merseyside	14	1.4
Metropolitan Police	5,661	566.1
Norfolk	[1] —	[1] —
Northamptonshire	[1] —	[1] —
Northumbria	25	2.5
North Wales	13	1.3
North Yorkshire	11	1.1
Nottinghamshire	20	2.0
South Wales	12	1.2
South Yorkshire	35	3.5
Staffordshire	9	0.9
Suffolk	[1] —	[1] —
Surrey	32	3.2
Sussex	47	4.7
Thames Valley	122	12.2
Warwickshire	14	1.4
West Mercia	15	1.5
West Midlands	862	86.2
West Yorkshire	345	34.5
Wiltshire	—	—
Total	8,265	826.5
NCS	65	6.5
NCIS	15	1.5

[1] On target

Mr. Simon Hughes: To ask the Secretary of State for the Home Department, pursuant to his answer of 17 July 2000, *Official Report*, column 178W, on police numbers, based on available information and the additional funds for police recruitment, what are the revised projections for the total number of police officers in England and Wales in *(a)* March 2001, *(b)* March 2002, *(c)* March 2003 and *(d)* March 2004, in total and in each force; what is the estimated average increase for each force in each year; and if he will make a statement. [133177]

Mr. Charles Clarke *[holding answer 27 July 2000]:* The projections we have for future years were set out in my reply to the hon. Member for North Shropshire (Mr. Paterson) on 24 July 2000, *Official Report*, columns 756–57W.

The figures I gave include the 4,000 extra Crime Fighting Fund recruits that my right hon. Friend the Secretary of State announced on 19 July 2000, *Official*

Report, columns 376–91. My officials are consulting police service and police authority representatives about the allocation of the 4,000 and I expect to be able to announce the allocation of those extra recruits to forces during the recess.

Police Funding

Mr. Simon Hughes: To ask the Secretary of State for the Home Department (1) what is the estimated proportion of police funding which will be allocated to police pension costs in each of the next four years; what is the estimated annual increase in real terms for police funding under the comprehensive spending review after pension costs are taken into account; and if he will make a statement; [133179]

(2) if he will list each initiative since 1997 under the *(a)* Capital Modernisation Fund, *(b)* Crime Reduction Fund and *(c)* the Crime Fighting Fund including (i) the current amount budgeted in each year to date, (ii) the initial amount budgeted in each year to date and (iii) the total expended in each financial year of the initiative date; and if he will make a statement. [133183]

Mr. Charles Clarke *[holding answer 27 July 2000]*: In the time available it has not been possible to complete the answers to these questions. I shall write to the hon. Member and place a copy of my reply in the Library.

Passports

Ms Oona King: To ask the Secretary of State for the Home Department what estimate he has made of the numbers of staff required by the Travel Document Section to prevent the backlog of applications increasing. [133218]

Mr. Boateng: Since autumn 1999 the number of staff in the Travel Document Section has increased from 20 to more than 90, which is nearly at full complement. Once the present backlog has been eliminated, and in the absence of any unforeseen circumstances, present staff levels should prevent an increase in the backlog of applications.

Mr. Lidington: To ask the Secretary of State for the Home Department what guidance he has issued to registration officers regarding checks on the passports of persons intending to marry; if the registration officers are explicitly instructed not to check that any visas in passports are valid; what guidance has been issued to registration officers who discover that a visa has expired; and if he will make a statement. [131324]

Miss Melanie Johnson *[holding answer 18 July 2000]*: The information requested falls within the responsibility of the Registrar General. I have asked him to reply.

Letter from Len Cook to Mr. David Lidington, dated 28 July 2000:

As Registrar General I have been asked to reply to your recent question on the checking of passports of persons intending to marry. (131324).

I have not issued any guidance to registration officers regrading checks on passports or the validity of visas in passports of persons intending to marry, nor on any action to follow the discovery of an expired visa.

Registration officers should request documentation showing use and spellings of names and detail of age, marital status and nationality in order to verify that the particulars to be entered in the notice of marriage are accurate. A variety of documents may be produced, including a passport.

The fact that someone has overstayed their permitted stay in the UK is not a lawful impediment to marriage.

Road Safety

Mr. Bob Russell: To ask the Secretary of State for the Home Department, pursuant to his answer of 20 July 2000, *Official Report*, column 323W, on road safety, (1) how many fixed penalty fines were imposed on people cycling on pavements in the period 1 August 1999 to the latest available date in each division of the Essex Police Authority; [133360]

(2) how many fixed penalty fines were imposed on people cycling on pavements in the period 1 January to the latest date for which figures are available; [133358]

(3) if he will list the four police authorities which had not issued a fixed penalty fine for people cycling on pavements since it was introduced on 1 August 1999; and what fines have been imposed since 1 January in those police areas. [133359]

Mr. Charles Clarke: Bedfordshire and Gwent are the only two police forces known not to have issued fixed penalty notices to people cycling on pavements during the period 1 August to 31 December 1999.

The four police forces mentioned in my answer of 20 July 2000, *Official Report*, column 323W, for which information was not currently available were Cambridgeshire, Essex, Humberside and West Yorkshire. Data have now been received from Humberside (which shows that 19 fixed penalty notices were issued for cycling on the pavement in the period August to December 1999) and from Essex (76 such notices). Information by individual police divisions within Essex is not available.

No request has yet been made to police forces to provide similar information for 2000.

Police (Devon and Cornwall)

Mr. Steen: To ask the Secretary of State for the Home Department what the planned number of new police officers is in *(a)* the UK and *(b)* England for each of the next three years; and what the total number was in Devon and Cornwall in each of the last three years. [130700]

Mr. Charles Clarke: I am responsible for policing in England and Wales. I cannot therefore provide projections on a UK wide basis.

The projections we have for future years were set out in my reply to the hon. Member for North Shropshire (Mr. Paterson) on 24 July 2000, *Official Report*, columns 756–57W.

Police numbers for the Devon and Cornwall constabulary for the last three years are set out as follows:

Devon and Cornwall constabulary

Year	*Police numbers*
31 March 1998	2,962
31 March 1999	2,887
31 March 2000	2,841

Firearms

Mr. Paice: To ask the Secretary of State for the Home Department when he plans to respond to the second report of Session 1999–2000 from the Home Affairs Committee on controls over firearms (HC 95). [130327]

Mr. Charles Clarke *[pursuant to his reply, 24 July 2000, c. 449W]:* The Home Affairs Committee Report raises a number of complex issues which the Government are carefully considering with a view to publishing a response by way of a Command Paper over the summer.

Central Services

Mr. Lidington: To ask the Secretary of State for the Home Department what his estimate is of planned spending on Home Office Central Services in *(a)* 2000–01, *(b)* 2001–02, *(c)* 2002–03 and *(d)* 2003–04. [133402]

Mr. Straw: Planned spending on Home Office Central Services in 2000–01 is £98 million. I shall be considering the spending review settlement over the summer and making detailed plans for future years in due course.

Europol

Mr. Mitchell: To ask the Secretary of State for the Home Department if he will list the *(a)* purposes, *(b)* duties, *(c)* location and *(d)* personnel of the Europol National Unit; and what is the proposed Europol budget for 2001. [132663]

Mr. Charles Clarke: The purposes and duties of member states' Europol National Units are set out in Article 4 of the Europol Convention. The United Kingdom's Europol National Unit is situated within the International Division of the National Criminal Intelligence Service (NCIS) at their Headquarters in London. The personnel of the Europol National Unit, 12 staff in total, are all NCIS employees.

The Europol budget for 2001, agreed by the Council of the European Union is 35,391,300 euro. The United Kingdom will contribute 5,134,443 euro.

Mr. Mitchell: To ask the Secretary of State for the Home Department, pursuant to his reply of 11 July 2000, *Official Report*, columns 518–19W, concerning Europol, what the membership is of the Europol Working Group; how often it meets and who provides its Secretariat; and who represents the interests of the United Kingdom Government on this Group. [132662]

Mr. Charles Clarke: The Europol Working Group comprises from all the European Union member states the Commission and Europol. The Working Group meets periodically at the invitation of the Presidency of the Council of the European Union. Since 1 July 1999, the date that Europol officially took up its duties, the Group has met five times, twice under each of the Finnish and Portuguese Presidencies and once so far under the French Presidency. The secretariat of the group is provided by the General Secretariat of the Council. The Home Office, in consultation with other departments and agencies, represents the interests of the United Kingdom at the Working Group meetings.

Crime (Colchester)

Mr. Bob Russell: To ask the Secretary of State for the Home Department if he will make a statement on changes in the level of reported crime in Colchester in each of the last five years. [133555]

Mr. Boateng: The latest available data for notifiable offences recorded by the police in Colchester division over the last five years are given in the table.

	Number of crimes recorded	*Percentage of change compared to the previous year*
1995–96	9,708	—
1996–97	9,217	–5
1997–98	8,260	–10
1998–99[1]	7,931	–4
1998–99[2]	9,076	—
1999–2000	9,355	3

[1] Old rules.
[2] New rules.

Notes:
The rules for recording crimes changed in April 1998 which led to a large increase in the number recorded. Essex collected data based on the old rules and the new rules in 1998–99.

Prison Service

Mr. Stinchcombe: To ask the Secretary of State for the Home Department if he will publish the results achieved by the Prison Service on each of its key performance indicators in each prison during 1998–99. [133697]

Mr. Boateng: I refer my hon. Friend to the reply I gave him on 23 July 1999, *Official Report*, columns 732–36W.

Miss Widdecombe: To ask the Secretary of State for the Home Department how many new prisons are planned to be built over the next three years; and if he will make a statement. [133284]

Mr. Boateng: Two prisons funded in the 1997 Comprehensive Spending Review are currently under construction. Rye Hill, Rugby will provide 600 places and is scheduled to open in January 2001; Dovegate, Staffordshire will provide 800 places and is scheduled to open in July 2001. Invitations to negotiate have been issued for the procurement of two new prisons at Ashford, near Heathrow and Peterborough.

Mr. Lidington: To ask the Secretary of State for the Home Department what his estimate is of planned net expenditure on prisons in *(a)* 2000–01, *(b)* 2001–02, *(c)* 2002–03 and *(d)* 2003–04. [133405]

Mr. Straw: The planned net expenditure of the Prison Service in 2000–01 is £1,834 million. This net figure takes into account the allowable receipts including those received from the Youth Justice Board.

The additional funding provided as a result of the previous Comprehensive Spending Review in 1997 and recent 2000 Spending Review, increases the Prison Service's net funding to £2,104 million in 2001–02, £2,210 million in 2002–03 and £2,267 million in 2003–04. These figures take no account of the impact of receipts from the Youth Justice Board (YJB). In order to allow for comparison across the years, if the level of receipts from the YJB remained as they are, the Prison Service run of net planned expenditure would be

£2,000 million/£2,106 million/£2,163 million. Net planned expenditure will not be finalised until the value of all allowable receipts, including those from the YJB, have been determined.

Reports

Mr. Stunell: To ask the Secretary of State for the Home Department if he will list the reports submitted to his Department, by bodies that were created after May 1997 and that include significant and plural membership from outside the Civil Service, stating in each case the body writing the report, the date the report was submitted, how many recommendations were made, the number of those recommendations that have been implemented to date and the number of recommendations that have been rejected; and if he will make a statement. [133564]

Mr. Boateng: Information on task forces, ad hoc advisory groups and reviews was published by my right hon. Friend the Minister of State, Cabinet Office on 27 July 2000, and in the earlier answer on 11 January 2000, *Official Report*, column 134W. Information on specific recommendations from reports produced by these bodies is not held centrally. However, when such reports are published, copied are placed in the Library of the House.

Public Safety Radio Communications System

Miss Widdecombe: To ask the Secretary of State for the Home Department if he will estimate the cost of the Public Safety Radio Communications System, and provide a breakdown of the way in which the costs of the system will be divided between his Department and the police; and if he will make a statement. [133287]

Mr. Charles Clarke: The overall cost of the Public Safety Radio Communication Service (PSRCS) is approximately £1.3 billion over the lifetime of the project. This is based on the Net Present Cost (ie today's value of a series of future payments) and is for the Private Finance Initiative element of the service. This is the equivalent of £2.3 billion in cash terms. In addition to the service tariffs, forces will pay for costs outside of the scope of the PSRCS contract to cover the purchase of control room terminals and their integration; and the purchase and replacement of radio terminals during the life of the PSRCS. An estimate of these costs is about £300 million over the whole PSRCS contract life.

My right hon. Friend the Home Secretary announced on 19 July 2000, *Official Report*, columns 376–79, that the Government were making provision to meet the costs of PSRCS. This will amount to around £500 million over the three years of the Spending Review Settlement: the "Core" costs will be paid centrally by the Home Office, and the total provision should also be sufficient to cover expenditure by police forces on local service requirements ("menu costs") and installation and equipment costs.

This settlement will ensure that the police service has the latest and best technology without having to reduce manpower to fund it. It should meet all the concerns some forces have expressed about the system's affordability.

National Confiscation Agency

Miss Widdecombe: To ask the Secretary of State for the Home Department what estimate he has made of the start-up costs of the National Confiscation Agency; and if he will make a statement. [133286]

Mr. Boateng: Our current best estimate of the start up costs is £2.15 million.

Mr. Cohen: To ask the Secretary of State for the Home Department if he will make a statement on the establishment and operation of the National Confiscation Agency. [132474]

Mr. Charles Clarke: The report by the Performance and Innovation Unit published on 14 June envisages the establishment of a National Confiscation Agency (NCA) with responsibility for bringing confiscation proceedings in criminal cases, initiating civil proceedings for forfeiture of criminal assets under new powers, and raising tax demands on suspect gains. The NCA will also operate a financial investigation centre of excellence, with responsibility for training and accrediting financial investigators in the criminal justice system. The director of the NCA will report to the Home Secretary and be responsible for drawing up an Asset Confiscation Strategy in consultation with other authorities in the criminal justice system. It is my intention to bring forward legislation at the earliest opportunity to implement the report's conclusions.

Police

Miss Widdecombe: To ask the Secretary of State for the Home Department (1) what was the cost of *(a)* one new police recruit and *(b)* one police officer, in (i) the Metropolitan Police and (ii) other forces in each of the last three years; and if he will make a statement; [133282]

(2) if he will break down the way in which the extra funding under the Comprehensive Spending Review for the police force will be allocated between police *(a)* pensions, *(b)* pay rises and *(c)* recruitment; and if he will make a statement. [133283]

Mr. Charles Clarke: In the time available it has not been possible to complete the answers to these questions. I shall write to the right hon. Member and place a copy of my reply in the Library.

Miss Widdecombe: To ask the Secretary of State for the Home Department what estimate he has made of the number of police officers who will be serving in 2003–04; and if he will make a statement. [133285]

Mr. Charles Clarke: No reliable estimates can be made at this stage of the number of police officers who will be serving in 2003–04 as we do not have force projections for recruitment and wastage in that year.

The projections we have for future years were set out in my reply to the hon. Member for North Shropshire, (Mr. Paterson) on 24 July 2000, *Official Report*, columns 756–57W.

Mr. Lidington: To ask the Secretary of State for the Home Department (1) what his estimate is of planned expenditure on the police in *(a)* 2000–01, *(b)* 2001–02, *(c)* 2002–03 and *(d)* 2003–04; [133404]

(2) what his estimate is of planned capital expenditure on the police in *(a)* 2000–01, *(b)* 2001–02, *(c)* 2002–03 and *(d)* 2003–04; [133395]

(3) what his estimate is of the total of his Department's *(a)* revenue and *(b)* capital grants to local authorities in respect of the police for *(a)* 2000–01, *(b)* 2001–02, *(c)* 2002–03 and *(d)* 2003–04; [133396]

Mr. Charles Clarke: Planned police expenditure, and its capital component, for the period 2000–01 to 2003–04, is given in the table:

£ million

Year	*Total planned police expenditure*	*Capital expenditure*
2000–01	7,718	198
2001–02	8,495	309
2002–03	9,010	401
2003–04	9,293	343

For the current financial year, police revenue grant to police authorities of £3,823 million is matched by police standard spending assessment (SSA) provision of £3,533 million. These sums exclude police special grant and the funds being provided to police forces under the crime fighting fund and for DNA. For police service capital expenditure, police capital grant of £91 million will be paid to police forces, accompanied by Supplementary credit approvals of £53 million.

Final figures showing the expenditure totals for 2001–02 to 2003–04 in terms of police grant, police SSA and police service capital funding will be announced at the time of the local government settlement in the autumn. However, the Spending Review 2000 White Paper did show police SSA figures for England for each of the next three financial years. These plans would deliver provisional police SSA figures (for England and Wales) for the years 2001–02 to 2003–04 of £3,842 million, £4,040 million and £4,204 million respectively although actual SSA provision may be adjusted to take account of expenditure on behalf of forces to be incurred centrally.

Licensing White Paper

Miss Widdecombe: To ask the Secretary of State for the Home Department if he will place in the Library the responses to the Licensing White Paper (Cm 4696) at the end of the consultation period. [133281]

Mr. Mike O'Brien: We will place in the Library copies of responses from bodies commenting on the command paper (Cm 4696), except for any responses submitted on the basis that their contents would not be made more widely available.

Female Prisoners

Mr. Wilshire: To ask the Secretary of State for the Home Department if he will publish a list of Category A female prisoners serving sentences in prisons in England and Wales. [133711]

Mr. Boateng: There are currently two female category A prisoners held in prison in England and Wales.

Ashford Prison

Mr. Wilshire: To ask the Secretary of State for the Home Department (1) what consultations he carried out with the local borough council and local residents before deciding to build a Category A unit for female prisoners at Ashford, Middlesex Prison; [133707]

(2) what the anticipated cost is of building the proposed Category A unit for female prisoners at Ashford, Middlesex Prison; [133712]

(3) what will be the maximum number of prisoners that can be accommodated at the proposed Category A unit at the women's prison at Ashford, Middlesex. [133705]

Mr. Boateng: There is no proposal to build a category A unit at Ashford. However, the Prison Service notified Spelthorne Borough Council on 13 July that it was proposing to ask bidders for the prison to design and cost proposals to hold high security (category A) women. In order to meet the security requirements for holding category A women, it is proposed to make one small design change, a facility to hold dogs in kennels. The remaining upgrade will be procedural, including extra patrols (with or without dogs), additional searching and close monitoring of the movement of the individuals concerned. The existing proposal for internal and external physical security are considered sufficient for use with category A prisoners.

Correspondence

Mr. Barry Jones: To ask the Secretary of State for the Home Department when he proposes to answer the letter of 16 May, sent by the Right hon. Member for Alyn and Deeside, regarding Ms Fenwick of Deeside. [133125]

Mr. Charles Clarke: I will write to my right hon. Friend as soon as possible.

Mrs. Roe: To ask the Secretary of State for the Home Department when the hon. Member for Broxbourne will receive a reply to her letters of 25 May, 21 June and 19 July relating to her constituent Mrs. Babayemi. [133602]

Mr. Boateng: I am sorry the hon. Member has not received a reply to her letters. The Minister of State, Home Department, my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche), will be writing in the very near future.

Mr. Winnick: To ask the Secretary of State for the Home Department when the hon. Member for Walsall, North will receive a reply to his letter of 23 May concerning lock purchasing. [132446]

Mr. Boateng *[holding answer 25 July 2000]:* I will be writing to my hon. Friend today.

Immigration Rules

Mr. Darvill: To ask the Secretary of State for the Home Department what changes have been made to the Immigration Rules as a consequence of the provisions of the Immigration (Leave to Enter and Remain) Order 2000 coming into force. [130213]

Mrs. Roche: I am today, laying before Parliament, a Statement of the Changes to the Immigration Rules which are of a consequential nature, related to the Immigration (Leave to Enter and Remain) Order 2000, which was agreed without division in the House. The Order is designed to underpin the introduction of a flexible immigration control. Greater operational flexibility will

allow us to use resources more effectively to tackle the increasingly sophisticated methods of abuse. In particular, the Statement covers the introduction of entry clearances as leave to enter; of provision for leave to be granted other than in writing and prior to a person's arrival in the United Kingdom; and provision for leave to lapse unless given for a period of more than six months, and not conferred by a visit visa.

Animal Experiments

Mr. Nigel Jones: To ask the Secretary of State for the Home Department if he will set up a Royal Commission into animal experiments; and if he will make a statement. [133701]

Mr. Mike O'Brien: The Government have not ruled out a Royal Commission, but in the meantime we are seeking to secure improvements to the operation of the Animals (Scientific Procedures) Act 1986 and to promote the fullest application of the 3Rs—the replacement of the use of animals with alternative methods; the reduction of the numbers of animals used; and the refinement of the procedures to minimise pain, suffering, distress or lasting harm.

In this context, the Animal Procedures Committee will be issuing a public consultation paper in the autumn as part of its review of the cost/benefit assessment of applications for authority to conduct scientific research using animals. As part of this work, the Committee plans to produce an authoritative statement on the validity of animal experiments. I understand that the Committee will present its report in the summer 2001.

Public Bodies

Mr. Stunell: To ask the Secretary of State for the Home Department if he will list each group that is responsible to his Department with significant and plural membership from outside the Civil Service, and to which the Nolan rules on non-departmental public bodies do not apply; and for each such group, if it *(a)* is a company limited by guarantee, *(b)* is a charity, *(c)* has no formal legal basis and *(d)* has some other legal basis, giving details. [131175]

Mr. Boateng *[holding answer 18 July 2000]:* Information on task forces, ad hoc advisory groups and reviews responsible to the Home Office is collected centrally by the Cabinet Office. I refer to the replies given to my hon. Friends the Members for Cannock Chase (Dr. Wright) and for Eastwood (Mr. Murphy) respectively, by my hon. Friend the Parliamentary Secretary to the Cabinet Office on 27 July 2000, *Official Report*, columns 799–800W. Non-departmental public bodies and other public bodies for which the Home Office has responsibility are also listed in the Home Office's Annual Report; the report covering the year 1999–2000 was published on 11 April 2000 and copies were placed in the Library.

The bodies to which the Nolan rules do not apply are listed in the Home Office annual report under the heading, "Other public bodies". The Fire Service Research Committee and Training Trust and the Philip Lawrence Awards are charities. The Criminal Justice Consultative Council, Immigration and Nationality Directorate Complaints Audit Committee, Ministerial Action Group to Retail Crime Reduction Action Team, Prisons Ombudsman, Property Crime Reduction Action Team, Retail Crime Reduction Action Team, Vehicle Crime Reduction Action Team, and the Visiting Committees for the Immigration Detention Centres at Campsfield House, Harmondsworth and Tinsley House have no formal legal basis.

Advisers to my right hon. Friend, the Home Secretary, on Representations against exclusion under the Prevention of Terrorism (Temporary Provisions) Act 1989 and the Annual Review of the operation of the Prevention of Terrorism Act were brought into existence by the Prevention of Terrorism Act. The Independent Assessor for Miscarriage of Justice Compensation was brought into existence by the Criminal Justice Act 1988, and the Interception of Communications Commissioner, by the Interception of Communications Act 1985. The Security Services Act 1989 brought the Security Service Commissioner into existence. Selection Panels for Independent Members of Police Authorities were created under the Police Act 1996, whilst the Sentencing Advisory Panel was brought into existence by the Crime and Disorder Act 1998. Both the Service Authority for the National Crime Squad and Service Authority for the National Criminal Intelligence Service were created by the Police Act 1997.

Advisory Bodies

Tony Wright: To ask the Secretary of State for the Home Department if he will list all the *(a)* task forces, *(b)* action teams, *(c)* policy reviews and *(d)* other temporary advisory bodies with external members currently in existence within his Department; and on what date each body (i) was set up and (ii) is expected to terminate. [131452]

Mr. Boateng: Information on these bodies is set out in an answer given by my right hon. Friend the Minister of State for the Cabinet Office, on 27 July 2000, *Official Report*, column 799W, and in the earlier answer, 11 January 2000, *Official Report*, column 134W. Information on bodies for which the Home Office has responsibility is also listed in the Home Office Annual Report, copies of which were placed in the Library.

I will write with dates when these bodies were established.

Police Drivers

Mr. Robathan: To ask the Secretary of State for the Home Department what disciplinary rules apply to the senior officer in a police car that is driven by a junior officer in contravention of traffic regulations. [133040]

Mr. Charles Clarke: All police officers up to the rank of superintendent are subject to the Police (Conduct) Regulations 1999. Those above the rank of superintendent are subject to the Police (Conduct) (Senior Officers) Regulations 1999.

Although the Home Secretary has overall responsibility for the Police Service, the Police Act 1996 gives the day to day running of police forces, including disciplinary matters, to chief officers. Any police officer considered to have failed to meet the standards expected of them in the Codes of Conduct is liable to face such disciplinary action as deemed appropriate.

Further guidance on the new procedures relating to police conduct, introduced on 1 April 1999, can be found in the "Guidance on Police Unsatisfactory Performance, Complaints and Misconduct Procedures", a copy of which is in the Library. It is to be revised shortly by the addition of a section providing guidance on senior officer conduct (i.e. those above the rank of superintendent).

Child Detainees

Dr. Vis: To ask the Secretary of State for the Home Department how many children aged 10 to 16 years were remanded to local authority secure accommodation by courts and to prison between June 1999 and June 2000. [129703]

Mr. Boateng: The total number of 12 to 14-year-old boys and girls, 15 and 16-year-old girls and vulnerable 15 and 16-year-old boys remanded direct to local authority secure accommodation at the end of each month to 31 March 2000, is set out in the table. Information provided by the Youth Justice Board for England and Wales indicates that from 1 April to 30 June 2000, 194 such secure remands were made. On 31 March 2000, the latest date for which figures are available, there were no children aged 10 or 11 held on remand in local authority secure accommodation.

	Number
30 June 1999	34
31 July 1999	43
31 August 1999	54
30 September 1999	59
31 October 1999	68
30 November 1999	76
31 December 1999	72
31 January 2000	66
29 February 2000	77
31 March 2000	77

Vulnerable Children

Dr. Vis: To ask the Secretary of State for the Home Department how many boys aged 15 and 16 years have been assessed as vulnerable under the terms of section 98 of the Crime and Disorder Act 1998; and where they were placed. [129702]

Mr. Charles Clarke: The number of vulnerable 15 and 16-year-old boys remanded to local authority secure accommodation at the end of each month to 31 March 2000 is given in the table. Information provided by the Youth Justice Board for England and Wales indicates that from 1 April to 30 June 2000, 65 such secure remands were made. Information on those declared to be vulnerable by the courts for whom a place in local authority secure accommodation was not available is not held centrally.

	Number
30 June 1999	34
31 July 1999	43
31 August 1999	54
30 September 1999	59
31 October 1999	68
30 November 1999	76
31 December 1999	72
31 January 2000	66
29 February 2000	77
31 March 2000	77

Police Precept

Mr. Chope: To ask the Secretary of State for the Home Department by what percentage the average police precept in England in 2001–02 will have to increase to provide the same level of service as in the current year. [132321]

Mr. Charles Clarke *[holding answer 24 July 2000]:* In the time available, it has not been possible to complete the answer to this question. I shall write to the hon. Member and place a copy of my reply in the Library.

Standard Spending Assessment

Mr. Chope: To ask the Secretary of State for the Home Department what the average percentage increase in SSA will be in *(a)* urban, *(b)* rural and *(c)* all police authorities in England in 2000–02 as a result of his announcements on departmental spending. [132325]

Mr. Charles Clarke *[holding answer 24 July 2000]:* Police Standard Spending Assessment (SSA), for England and Wales for the current financial year amounts to £3,533 million. As a result of the increases in police funding announced in the Spending Review 2000, the provisional SSA figure for 2001–02 will be £3,842 million, an increase of 8.7 per cent.

Figures for individual police authorities will be announced at the time of the local authority settlement in the autumn when the SSA provision will be adjusted to take account of expenditure on behalf of forces to be incurred centrally.

Police Pensions

Mr. Lidington: To ask the Secretary of State for the Home Department what his estimate is of the average proportion of police authority expenditure which will be spent on pensions in *(a)* 2000–01, *(b)* 2001–02, *(c)* 2002–03 and *(d)* 2003–04. [132354]

Mr. Charles Clarke *[holding answer 24 July 2000]:* In the time available it has not been possible to complete the answer to this question. I shall write to the hon. Member and place a copy of my reply in the Library.

Police Operations

Mr. Hammond: To ask the Secretary of State for the Home Department if he will list all police operations since May 1997 for which the forces mounting the operation have sought reimbursement from his Department, indicating *(a)* the cost of the operations, *(b)* the percentage of the relevant force budget represented by that cost and *(c)* whether or not reimbursement was made. [133185]

Mr. Charles Clarke *[holding answer 27 July 2000]:* The details of special payment applications and awards since May 1997 are given in the table.

Special payment applications and awards since May 1997: cases handled to date

Year/ Force	*Operation*	*Cost (£ million)*	*Grant made (£ million)*	*Cost as percentage of force budget*
1997				
Lancashire	Party conference	750,000	750,000	0.4
Sussex	Party conference	750,000	750,000	0.5
1998				
West Midlands	G8 Summit	1.354	[1]1.354	[2]0.3
Staffordshire	G8 Summit (combined exercise)			
South Wales	EU Summit	2.986	2.986	1.8
Lancashire	Party conference	900,000	900,000	0.5
Dorset	Party conference	750,000	750,000	1.0
1999 March				
Surrey	Señor Pinochet	0.2	0.2	0.2
Dorset	Party conference	1.6	1.6	2.1
Lancashire	Party conference	0.9	0.9	0.5
Devon and Cornwall	Eclipse of the Sun	1.1	0.505	0.6
Gloucestershire	RAF Fairford demos. Against Kosovo operations and Royal International Air Tattoo	0.13	[3]—	0.2
Kent	Illegal immigration	1.9	0.67	1.0
Metropolitan police	Protecting individuals named in appendix to MacPherson Report	0.187	[3]—	0.0
Staffordshire	Birmingham Northern Relief Road (over five years)	1.8	0.36	1.4
Warwickshire		0.9	0.15	1.6
Thames Valley	Newbury by-pass and Hillgrove Farm cattery. (Re-opening of request refused in 1996)	5.1	[3]—	2.2
South Yorkshire	Contribution to compensation for Hillsborough victims	1.0	1.0	0.6
2000				
Essex	Stansted hijack	2.0	2.0	1.2
Norfolk	Travellers at Great Yarmouth. Christmas, New Year 1999–2000	0.4	[3]—	0.5
Nottinghamshire	Bagthorpe paedophile unit	0.05	[3]—	0.0
Surrey	Señor Pinochet (balance)	0.55	[3]—	0.6
Sussex	Party conference	1.6	1.6	0.9
Dorset	Party conference	0.9	0.9	1.1

[1] Shared
[2] Joint
[3] No special payment approved

Security Service Appeals Tribunal

Mr. Hilary Benn: To ask the Secretary of State for the Home Department how many appeals there have been, from 1 January 1993 to the latest available date, to the Security Service Appeals Tribunal; and what percentage were upheld. [133724]

Mr. Charles Clarke: Information regarding complaints about the Security Service made to the Security Service Tribunal is published in the Annual Reports of the Security Service Commissioner. The numbers are as follows:

Year	*Number of complaints received*
1993	36
1994	42
1995	21
1996	34
1997	45
1998	28
1999	22

The following table details the number of complaints relating to property received by the Security Service Tribunal and referred to the Commissioner in accordance with paragraph 4(1) of the Security Service Act 1989.

Year	*Number of complaints received*
1993	11
1994	19
1995	12
1996	10
1997	14
1998	16
1999	10

The Tribunal has made no determination in favour of a complainant.

Angel Heights Hostel

Mr. Hilary Benn: To ask the Secretary of State for the Home Department what assessment he has made of whether the Angel Heights hostel in Leeds meets the standards set down by the National Asylum Support Service. [133452]

Mr. Boateng: None. The National Asylum Support Service has no asylum seekers housed in hostels operated by Angel Group in Leeds and has no contract for hostels operated there by that company.

An on-going programme of inspection is in place for all property contracted by the National Asylum Support Service. National Asylum Support Service inspection teams and property surveyors provided by the Property Advisers to the Civil Estate undertake this programme.

Freemasonry

Mr. Hope: To ask the Secretary of State for the Home Department when he will publish the Government's response to the second report of the Home Affairs Committee for Session 1998–99, on Freemasonry in Public Life (HC 467); and if he will make a statement. [133788]

Mr. Charles Clarke: The Government's response is being published today as Command Paper, 4813, copies are being placed in the Library. The response will announce that the Home Office is consulting the Police Service about proposals for further measures aimed at ensuring that members of the public may, where appropriate, be able to discover whether individual police officers are members of the Freemasons.

Departmental Accommodation

Ms Buck: To ask the Secretary of State for the Home Department what progress has been made on his plans for new office accommodation for the Home Office and HM Prison Service staff working in Central London. [133794]

Mr. Straw: Subject to final contract negotiations, I have decided to proceed with the relocation of the Home Office, including the Prison Service, to a new development on the site of the former Department of Environment offices at Marsham Street, where outline planning consent exists for a mixed office, residential and commercial development. Annes Gate Property PLC has been selected as the Preferred Bidder for the project which is going forward as a public private partnership competition. The demolition of the existing building on the Marsham Street site will commence after contracts are exchanged. This depends on progress with further negotiations but is unlikely to be before Spring 2001. Completion of the new development is expected to be in 2004.

Personality Disorders

Mr. Heppell: To ask the Secretary of State for the Home Department when he will publish the outcome of the Government's consultation on its proposals for managing dangerous people with severe personality disorders; and if he will make a statement. [133795]

Mr. Boateng: The Government's proposals for those who are dangerous and severely personality disordered—published in a consultation document in July 1999—deal with a longstanding challenge to public safety. The proposals will ensure that individuals who fall into this group whether in prison, high security hospitals or, as in the case of a very small number, at large in the community, are in future detained in circumstances where they will be subject to a range of high quality interventions designed to manage the consequences of their disorder and released only when they are assessed as being safe to be re-integrated into the wider community. The consultation period for these proposals ended on 31 December 1999.

Following the conclusion of Spending Review 2000, information about the resources allocated by both the Home Office and the Department of Health for those aspects of the proposals concerned with the piloting and development of new services, will be published during the Summer.

The Government intend to publish their formal response to the consultation exercise to Parliament in the Autumn and will set out the detail of its proposals in a White Paper to be published before Christmas.

Young Offenders

Mr. Paul Clark: To ask the Secretary of State for the Home Department what plans he has to extend to adults the changes to the release on temporary licence scheme introduced for young offenders in September 1998. [133796]

Mr. Straw: In September 1998, following a review initiated by the then Director General of the Prison Service, a number of changes were made to the release on temporary licence scheme. The changes were designed to given prison governors greater flexibility to extend the range of constructive and challenging activities for which prisoners can be released, and to improve their chances of getting a job and somewhere to live when they are released. The majority of the changes were introduced only in the young offender estate.

Implementation of the changes in respect of young offenders suggests that this more constructive use of the scheme is valuable in helping prisoners reintegrate into the community. The scheme's success rate has remained high. After careful evaluation of performance in the young offender estate, I have decided to extend the majority of the changes introduced there to open prisons and women's prisons as of 1 September 2000. The changes will mean that prisoners in the open and women's estate will be eligible for release on facility licence for interviews to arrange employment or accommodation (if they are serving under one year). Overnight stays will be permitted for community reparational activities for prisoners who have successfully completed a period of day-release facility licence. Governors will also be able to grant overnight release on facility licence for hostel assessment purposes to inform parole consideration. Facility licence will also be available to help prisoners resolve urgent housing issues, for example possible loss of accommodation.

Two further changes will be made to resettlement licence arrangements. The purpose of release on resettlement licence is to enable prisoners to maintain family ties and links with the community and to make suitable arrangements for accommodation, work and training on release. Prisoners in the open and women's estate serving a determinate sentence of four years or over and who are refused parole at the first opportunity, at the half way point of their sentence, will be eligible to be considered for resettlement leave after three months rather than six months as at present, subject to passing a further rigorous risk assessment. In the open estate only, the maximum frequency of resettlement licence will be increased from every eight weeks to every four weeks.

No changes will be made to their stringent risk assessment process which all prisoners must pass before being granted temporary release. The Prison Service is

committed to keeping the number of temporary release failures at the current low level, in order to ensure protection of the public. In April the Prison Service introduced a Key Performance Target which measures the success rate of the release on temporary licence scheme. The performance in the open, women's and young offender estate will be monitored carefully against that target. Consideration will be given to extending the changes to other adult prisoners only if the further evaluation suggests it is safe to do so.

A copy of the relevant Prison Service Instruction, giving full details of the changes, will be placed in the Library.

Equal Treatment Directive

Ms Bridget Prentice: To ask the Secretary of State for the Home Department what plans he has to consult about the way in which the EC Directive implementing the principle of equal treatment between persons irrespective of racial or ethnic origin will be implemented. [133797]

Mr. Mike O'Brien: The Government intend to publish a consultation document on the implementation of the European Community Directive implementing the principle of equal treatment between persons irrespective of racial or ethnic origin during the summer.

Metropolitan Police Report

Mr. Darvill: To ask the Secretary of State for the Home Department when he will publish the final report of the Metropolitan Police Committee; and if he will make a statement. [133798]

Mr. Straw: I am today placing copies of the Final Report of the Metropolitan Police Committee in the Library. The report is also being published on the Metropolitan Police Committee (MPC) website, http://www.mpc.homeoffice.gov.uk/. My officials will write to representatives of the wide range of interested people and organisations who have previously received MPC publications, drawing their attention to the report's availability on the internet, and offering to provide hard copies where necessary.

The report covers the last period of the life of the Committee, from April 1999 to 2 July 2000, when I ceased to be the Police Authority for the Metropolitan police, with that role being taken by the Metropolitan Police Authority (MPA) from 3 July. The main part of the report is a record of advice on priorities, opportunities, challenges and context which the Committee offered as briefing to the incoming members of the MPA.

The Committee has played a major part in transforming the accountability of the Metropolitan Police Service. I believe it secured the respect and trust of successive Commissioners and their colleagues, who benefited from the variety of perspectives which the Committee brought to bear on their work, and from the objective and constructive way in which members explored, assessed and offered advice on the Metropolitan police's performance and plans.

The Committee's work and advice were, therefore, a great help to me, as Police Authority. Members engaged with the detail of the Metropolitan police in a systematic fashion which no Home Secretary could achieve alone.

The Committee has also been an invaluable bridge into the reformed arrangements for the governance of the Metropolitan Police Service. I am especially grateful for their work in preparing for the transition to the MPA, including in the formulation of the Policing and Performance Plan for this financial year. The Commissioner and his colleagues are keen to meet the challenges and the opportunities offered by the greater accountability which the MPA has brought with it. Working with the MPC helped very much in preparing for this.

Electorate Commission

Ms Coffey: To ask the Secretary of State for the Home Department if the additional costs relating to the establishment of the Electoral Commission will be met in advance of Royal Assent to the Political Parties, Elections and Referendums Bill. [133799]

Mr. Straw: The Government intend to press ahead with obtaining Royal Assent in the spill-over and putting the controls in place at the earliest opportunity. I said on second reading of the Bill on 10 January 2000, *Official Report*, column 45, that I wanted the Electoral Commission established before the end of the year with the aim of having the new regime operating early next year. I believe that timetable can still be met. To that end urgent expenditure estimated at £1.5 million will be met by repayable advances from the Contingencies Fund. This is in addition to the sum of £300,000 I announced in my reply to my hon. Friend the Member for Walthamstow (Mr. Gerrard) on 27 March 2000, *Official Report*, columns 3–4W.

Fire Service College

Mr. Clifton-Brown: To ask the Secretary of State for the Home Department how he plans to take forward work on the prior options review of the Fire Service College. [133801]

Mr. Mike O'Brien: We have consulted widely on the recommendations in the prior options review of the Fire Service College and considered carefully all the representations we have received. I have noted in particular, the value that fire service interests place on the work of the College and their wish that it should continue. The Government's objective is to secure both in the short and longer term efficient and effective central training arrangements for local authority fire brigades which meet their operational needs and fully accord with the principles of Best Value.

We believe this is most likely to be achieved by drawing from the skills of both the public and private sectors. There have been widespread agreement that in continuing to assess the available options and deciding how best these diverse skills can be harnessed, the essential next step is to draw up in outcome terms a clear operational specification of the fire service's future central training requirements. I am asking for this work to be put in hand straight away. The work will be done in consultation with the Fire Service and the College and we will use consultants to assist in the task and to ensure it is completed by this autumn.

The operational specification for future firefighting training needs will, with the agreement of my right hon. Friend the Secretary of State for Defence, also include a specification of training requirements currently met at the Ministry of Defence Fire Services Central Training Establishment at Manston. The Government remain committed to co-operative working between Departments to secure the most modern and efficient services and Ministry of Defence colleagues will be fully involved in this further work.

Suicide

Dr. Kumar: To ask the Secretary of State for the Home Department how many women committed suicide *(a)* among the Asian community and *(b)* in the white community in each of the last 10 years; and if he will make a statement. [131253]

Miss Melanie Johnson: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Dr. Ashok Kumar, dated 28 July 2000:

As National Statistician I have been asked to reply to your recent question asking how many women committed suicide (a) among the Asian community and (b) in the white community in each of the last 10 years. (131253).

Ethnicity is not recorded at death registration. Information collected at death registration relates to country of birth. However country of birth would not detect the generations of Asians that were born within the U.K. or those members of the white ethnic group that were born in Asian countries, and therefore suicide figures for ethnic groups are not available.

Mental Health

Mrs. Brinton: To ask the Secretary of State for the Home Department what plans he has to commission research into the extent to which people with mental health problems are denied access to the criminal justice system. [132510]

Mr. Hutton: I have been asked to reply.

We have no plans to commission research into this issue. Standard one of the National Service Framework for Mental Health states that health and social services should combat discrimination against individuals and groups with mental health problems, and promote their social inclusion. We shall be monitoring implementation of that standard to ensure that health and social services work with a range of agencies locally, including those in the criminal justice system, to ensure fair treatment of people with mental health problems.

Immigration Detainees

Mr. Corbyn: To ask the Secretary of State for the Home Department how many immigration detainees, at the latest available date, had been held for *(a)* less than one week, *(b)* less than one month, *(c)* less than three months, *(d)* less the six months, *(e)* less than one year and *(f)* more than one year. [133952]

Mrs. Roche: I will write to my hon. Friend, and place a copy of the letter in the Library.

Asylum Seekers

Mr. Corbyn: To ask the Secretary of State for the Home Department (1) how many deaths were recorded in each of the past five years of asylum seekers *(a)* at the port of entry, *(b)* on the coast or in UK territorial waters and *(c)* in custody; [133953]

(2) how many asylum seekers were held under immigration law powers in *(a)* HM prisons, *(b)* immigration detention centres, *(c)* police stations and *(d)* ports, at the latest available date. [133954]

Mrs. Roche: I will write to my hon. Friend, and place a copy of the letter in the Library.

Interception of Communications Act 1985

Mr. Cohen: To ask the Secretary of State for the Home Department how many requests there have been for Communications data and its equivalent under the Interception of Communications Act 1985 in the last year by the *(a)* Customs and Excise, *(b)* Inland Revenue, *(c)* Department of Social Security, *(d)* Metropolitan Police and *(e)* Egg Inspectorate. [132810]

Mr. Charles Clarke: The provision of communications data is not covered by the Interception of Communications Act 1985. The law enforcement, security and intelligence agencies currently rely on arrangements governed by the Data Protection Act 1998. A central record of requests is not kept by the Home Office. In order to provide greater safeguards for the provision of communications data Part 1, Chapter II of the Regulation of the Investigatory Powers Bill ensures that requests for such data are made in a closely controlled manner and for a number of limited specific purposes.

Surveillance

Mr. Cohen: To ask the Secretary of State for the Home Department what discussions he has had with the private security industry with respect to the Regulation of Investigatory Powers Bill and its provisions for dealing with surveillance. [132804]

Mr. Charles Clarke: There have been no discussions with the private security industry regarding the provisions of the Regulation of Investigatory Powers (RIP) Bill which deal with covert surveillance only in respect of public authorities.

Part II of the Bill has been introduced as a result of the incorporation into United Kingdom law, in the form of the Human Rights Act 1998, of the European Convention on Human Rights. Section 6(1) of the Human Rights Act makes it unlawful for a public authority to act in a way which is incompatible with a Convention right. Part II of the RIP Bill provides a permissive regime whereby specified public authorities may seek authorisation for a range of activities, including covert surveillance, to ensure they are carried out in accordance with the Convention.

Mr. Cohen: To ask the Secretary of State for the Home Department how many convictions there have been since 1970 under the Wireless and Telegraphy Act 1949 for use of surveillance devices. [132807]

Mr. Charles Clarke: The Home Office Court Proceedings Database cannot identify separately such offences from other summary offences under the Wireless Telegraphy Act 1949.

However the Radiocommunications Agency of the Department of Trade and Industry advise that although they have no records of prosecutions against those using surveillance devices before 1990, records since then show that a conviction was secured in 1991. This was under section 1 of the 1949 Act and against a taxi firm owner using a bugging device to monitor employees.

CCTV

Mr. Peter Bradley: To ask the Secretary of State for the Home Department how many successful bids for CCTV funding have been made on behalf of communities in The Wrekin since May 1997. [133192]

Mr. Charles Clarke: Since May 1997, four bids for closed circuit television (CCTV) funding were submitted from partnerships in The Wrekin under the Home Office CCTV Challenge Competition. None were successful.

Under the current round of the CCTV Initiative, I understand that three bids for communities within the Wrekin area are being prepared by local crime and disorder reduction partnerships for submission.

Each application will be considered on its merits against the criteria set out in the application prospectus, a copy of which is available on the Home Office website.

Security Service Files

Mr. Cohen: To ask the Secretary of State for the Home Department if he will make a statement on the weeding of Security Service files, indicating the numbers and categories of records deleted over the last two years; and if he will make a statement with respect to future weeding. [132809]

Mr. Charles Clarke: I refer to the replies given by my right hon. Friend the Home Secretary to my hon. Friends the Members for City of Chester (Ms Russell) and for Reading, East (Jane Griffiths) respectively, on 29 July 1998, *Official Report*, columns 251–54W and 3 February 1999, *Official Report*, columns 619–20W. Some 130,000 records have been destroyed since my right hon. Friend the Home Secretary's earlier statement. The Security Service disposes of those old files in its archive which are no longer relevant to its work and which do not merit retention on historical grounds. The process of review for destruction is carried out with strict adherence to the criteria endorsed by the Lord Chancellor's Advisory Council on Public Records. Moreover, the Public Record Office has routinely and regularly spot-checked a random selection of the records put aside for destruction and will continue to do so.

Data Protection

Mr. Cohen: To ask the Secretary of State for the Home Department what plans he has to introduce an amendment to the Freedom of Information Bill in order to amend section 28 of the Data Protection Act 1998. [132808]

Mr. Mike O'Brien: I have no current plans to introduce such an amendment.

Electronic Communications Act 2000

Mr. Cotter: To ask the Secretary of State for the Home Department what orders he *(a)* has made and *(b)* intends to make using section 8 of the Electronic Communications Act 2000; and if he will make a statement. [133381]

Mr. Boateng: I refer the hon. Member to the reply given by my right hon. Friend the Minister of State, for the Cabinet Office today.

Ministerial Duties

Mr. Hawkins: To ask the Secretary of State for the Home Department (1) if he will publish the Home Office ministerial duty roster for the summer adjournment with a list of which Ministers are on duty between which dates; [133228]

(2) between which dates he and each of his Ministers will not be performing official duties during the summer adjournment. [133244]

Mr. Straw: It is not normal practice of Government to publish the daily ministerial duty roster. This Department will ensure that it has sufficient cover through the summer recess in line with the requirements of the Ministerial Code.

Mr. Hawkins: To ask the Secretary of State for the Home Department what visits overseas on official business he and each of his Ministers will be undertaking during the Summer adjournment; on what dates; to which countries; and whom they will be meeting. [133229]

Mr. Straw: Over the next five months to the end of the year, the Minister of State, Home Department, my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche), and I plan to attend meetings of the Justice and Home Affairs Council, in line with arrangements made by the French Presidency. Meetings are currently planned for 27–29 July; 28 September; 17 October and 30 November-1 December.

I am also planning to make an official visit to India and Bangladesh in September during which I will meet Indian and Bangladeshi Ministers and officials. No other Ministers have any overseas visits fixed at this time.

Criminal Injuries Compensation

Mr. Lidington: To ask the Secretary of State for the Home Department what his estimate is of planned expenditure on criminal injuries compensation in *(a)* 2000–01, *(b)* 2001–02, *(c)* 2002–03 and *(d)* 2003–04. [133401]

Mr. Straw: Planned spending on criminal injuries compensation 2000–01 is £193 million. I shall be considering the spending review settlement over the summer and making detailed plans for future years in due course.

Fire and Emergency Planning

Mr. Lidington: To ask the Secretary of State for the Home Department what his estimate is of planned spending on fire and emergency planning in *(a)* 2000–01, *(b)* 2001–02, *(c)* 2002–03 and *(d)* 2003–04. [133403]

Mr. Straw: The fire service share of total standard spending for England following the spending review settlement is as follows:

	£ million
2000–01	1,393.4
2001–02	1,462.5
2002–03	1,521
2003–04	1,582.6

Fire service revenue funding for Wales is a devolved matter.

Details of the provision of fire credit approvals were given in reply to a Question from my hon. Friend the Member for Brigg and Goole (Mr. Cawsey) on 26 July 2000, *Official Report*, column 699W.

Planned central Home Office spending on fire and emergency planning in 2000–01 is £47 million. I shall be considering the spending review settlement over the summer and making detailed plans for future years in due course.

Protection from Harassment Act 1997

Mr. Nigel Jones: To ask the Secretary of State for the Home Department if he will make a statement assessing the effectiveness of the Protection from Harassment Act 1997. [133700]

Mr. Boateng: A Home Office research study, "Stalking: An Evaluation of the Protection from Harassment Act 1997," will be published on 1 August.

Probation

Mr. Lidington: To ask the Secretary of State for the Home Department what his estimate is of planned expenditure on probation in *(a)* 2000–01, *(b)* 2001–02, *(c)* 2002–03 and *(d)* 2003–04. [133400]

Mr. Straw: Planned spending on probation in 2000–01 is £555 million.

On 19 July, I announced that the spending review settlement provides an additional £240million/£380 million/£470 million for prisons and probation. This will increase capacity, boost the "What Works" programme to reduce offending, and support the modernisation of the probation service. We have produced indicative figures which show that the Probation Service funding could increase by up to £97 million/£139 million/£170 million in the three years starting in 2001–02. These figures are provisional and may be subject to change. I shall be considering the spending review settlement over the summer and making detailed plans for future years in due course.

Criminal Policy

Mr. Lidington: To ask the Secretary of State for the Home Department what his estimate is of planned spending on criminal policy in *(a)* 2000–01, *(b)* 2001–02, *(c)* 2002–03 and *(d)* 2003–04. [133399]

Mr. Straw: Planned Home Office spending on criminal policy (excluding probation) in 2000–01 is £277 million. I shall be considering the spending review settlement over the summer and making detailed plans for future years in due course. As I announced to the House on 19 July, the settlement also introduces a joint criminal justice system reserve of £100 million/£200 million/£225 million which I will manage with the Lord Chancellor and Attorney-General.

Constitutional and Community Directorate

Mr. Lidington: To ask the Secretary of State for the Home Department what his estimate is of planned spending on the Constitutional and Community Directorate in *(a)* 2000–01, *(b)* 2001–02, *(c)* 2002–03 and *(d)* 2003–04. [133398]

Mr. Straw: Planned spending on the Constitutional and Community Directorate in 2000–01 is £57 million. I shall be considering the spending review settlement over the summer and making detailed plans for future years in due course.

Forensic Science Service

Mr. Lidington: To ask the Secretary of State for the Home Department what his estimate is of planned spending on the Forensic Science Service in *(a)* 2000–01, *(b)* 2001–02, *(c)* 2002–03 and *(d)* 2003–04. [133397]

Mr. Straw: The Forensic Science Service was established as a trading fund on 1 April 1999 by the Forensic Science Service Trading Fund Order 1998. As a trading fund it operates off-Vote and uses its trading receipts to meet outgoings. However, as allowed by the Government Trading Funds Act 1973, provision has been made in the Supply Estimates to make a repayable loan of £3 million to the Forensic Science Service in 2000–01. There are no further loans or subsidies to the Forensic Science Service planned in the years 2001–02, 2002–03 and 2003–04.

INDEX TO THE

PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 354**

SESSION 1999–2000

17th July—28th July 2000

Printed indexes to Hansard

The volume index is one of three printed indexes to Commons Hansard produced from the House of Commons Library's Parliamentary On-Line Indexing Service (POLIS). It contains references to material in the bound volumes of Hansard. The other indexes produced are:

- The fortnightly index to Hansard. This covers the same date range as the volume index but references are to the column numbering in the daily parts and weekly edition of Hansard.
- The sessional index to Hansard. This contains references to material in the bound volumes for a whole session.

Indexes on the Parliamentary website

Fortnightly, volume and sessional indexes covering material from the beginning of the 1999/2000 session will also appear on the Parliamentary website at http://www.parliament.uk with links to the full text of Hansard.

SCOPE

The indexes include entries covering:

- The content of all material recorded in Hansard, including debates, procedural motions and questions.
- The names of all Members contributing to the Parliamentary business recorded in Hansard.
- The names of some types of Parliamentary business whenever they occur in Hansard. These are 'Ministerial statements', 'Business statements', 'Opposition days' and 'Estimates days'.

ARRANGEMENT

- All headings are in one word-by-word alphabetical sequence, with Members' contribution entries distinguished from other entries by italics.
- Where a Member contributes to Parliamentary business and is the subject of Parliamentary business there are separate contribution and subject entries, the subject entry coming first.
- Entries beginning 'Mac' and 'Mc' are sorted in one sequence as 'Mac'.
- 'St', when abbreviated for Saint, is filed as 'Saint'.
- Numbers are filed as if spelt out, e.g. '10 Downing Street' as if 'Ten Downing Street'.

HEADINGS

Choice of headings

- *Specificity*—Entries summarise the overall content of a debate or question as specifically as the various POLIS thesauruses allow. For example, Education, Higher education, Universities or the name of a particular university is used depending on the breadth of the item.
- *Name headings*—Specific entries are included for the names of people, places, institutions, organisations, committees, programmes, initiatives, publications and legislation when these constitute the overall subject of an item.
- *Organisations and subjects*—Organisation entries are preferred for material about the general performance, administration and staffing of an organisation (for example, United Kingdom Passports Agency, Standards). Subject entries are preferred for what organisations do as part of their duties (for example, Passports, Fees and charges).

Geographical coverage

- *Subject headings*—Subject headings are assumed to refer to the whole of England, Great Britain or the United Kingdom unless otherwise stated.
- *Scotland, Northern Ireland and Wales*—Material relating to the whole of Scotland, Northern Ireland and Wales is indexed under these headings.
- *Places within the UK*—Material about specific towns, areas and institutions is entered under the name of the specific town, area or institution.
- *Foreign countries*—Most material relating to foreign countries is collected under the name of that country. Some additional material may be found under the names of—groups of countries, areas within countries, geographical features, place names associated with particular issues, politicians and heads of state, international bodies, and institutions and companies operating in those countries.
- *EC/EU material*—General material about the European Communities and European institutions as bodies is entered under 'European Communities' and 'EC institutions'. Organisational material about specific communities and institutions is entered under the name of the body, for example 'European Coal and Steel Community' or 'European Parliament'. Material about what the Communities and institutions are doing or propose to do is entered under various subject headings beginning 'EC' such as 'EC environmental policy'.

Parliamentary material and business

- *Material about Parliament*—This is indexed under 'Parliament', the names of the two Houses, the 'Palace of Westminster' and parts of the Parliamentary estate (such as 'Portcullis House').
- *Committees*—Material about committees is indexed under 'Committees', types of committee (such as 'Select committees') and the names of individual committees (such as 'Home Affairs Select Committee').
- *Parliamentary proceedings/procedures*—Material discussing these is indexed under the specific type of proceeding (such as 'Parliamentary questions' or 'Oral questions'), procedure (such as 'Calling of Members') or issue (such as 'Unparliamentary expressions').
- *Legislation*—Entries for Parliamentary proceedings on bills and statutory instruments are entered under their titles. Where the lead word of the bill or statutory instrument does not provide a full or clear indication of the subject there are additional subject entries when the bill or instrument is debated. For example, debates on the 'Child Support Pensions and Social Security Bill' have entries under 'Pensions' and 'Social security benefits' as well as under the title of the Bill.
- *Members' names*—These are given in the form by which the Member prefers to be known.
- *Speaker and Chair*—Contributions by the Speaker and deputies are brought together under the heading 'Speaker and deputies'. Contributions from the chair during Committees of the Whole House are brought together under 'Chairman of Committee of the Whole House'. Significant rulings and statements (as opposed to routine comments) are indicated by the sub-heading 'Rulings and statements' in both cases.

Guidance on headings

- *Cross references*—'See' references indicate all the material has been entered under another heading. 'See also' references indicate that additional information may be found under another heading.
- *Concept thesaurus*—A copy of the subject thesaurus to POLIS, listing the concept entries used in the index, is available on the Parliamentary website. A hard copy is available from the Head of the POLIS Unit, House of Commons Library, 1 Derby Gate, London, SW1A 2DG (020 7219 6456).

REFERENCES

- References in the indexes are to columns rather than pages.
- References to debates, but not questions, are accompanied by the date of the item.
- There are separate sequences in Hansard for the material taken on the floor of the House, Westminster Hall sittings and written questions:
  - References consisting of a number by itself indicate material taken on the floor of the House.
  - References ending in 'wh' indicate Westminster Hall sittings.
  - References ending in 'w' indicate written questions.
- References under all headings except the names of Members contributing to Parliamentary business and the titles of legislation are listed in one numerical sequence irrespective of whether the material is taken on the floor of the House, is discussed at a Westminster Hall sitting or is a written question.
- References under the names of Members contributing to Parliamentary business and the titles of legislation are listed in numerical sequence under the following headings:
  - *Debates etc.* (which includes interventions and points of order as well as significant contributions to debates);
  - *Sittings in Westminster Hall* (covering all debates held as part of the Westminster Hall sittings); and
  - *Questions* (which includes written, oral and private notice questions).

ABBREVIATIONS

The following abbreviations are used in connection with the progress of bills:

- 1R=First reading
- 2R=Second reading
- Com=Committee stage
- Rep=Report stage
- 3R=Third reading
- res=resolution
- amendt(s)=amendment(s)
- *=matter taken formally without debate or division.

Parliamentary background

- The Parliamentary website at http://www.parliament.uk contains a range of information about Parliament and the full text of some Parliamentary papers and proceedings including Hansard.
- Information on current Parliamentary business is provided in the House of Commons Information Office *Weekly Information Bulletin*, available on the website and from The Stationery Office (020 7873 8499).
- Further information on Parliamentary proceedings and procedures is available from the House of Commons Information Office (020 7219 4272).

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